



KAISER PERMANENTE

Nigel Howard, Vice President
U. S. Green Building Council
1015 18th St. NW, Suite 805
Washington, DC 20036

February 3, 2005

Dear Mr. Howard,

This letter is in response to the US Green Building Council's Solicitations for Comment on the draft report, "Assessment of Technical Basis for a PVC-Related Materials Credit in LEED" (Draft Assessment).

Founded in 1945, Kaiser Permanente (KP) is the nation's largest nonprofit health plan serving 8.2 million members. We currently operate 30 medical centers, 430 medical office buildings, and have annual operating revenues of more than \$22 billion. In the next decade, KP is building 6 new hospitals, rebuilding 13 hospitals to meet seismic requirements, and building approximately 80 other facilities including medical office buildings, call centers, labs, utility plants and parking structures in a \$6 billion building program.

We are undertaking this work in keeping with our aspiration to protect and enhance the environment and health of communities now and for future generations. We are building places of healing, and take very seriously the enormous opportunity we have to change the state of the practice in sustainable design and construction. Our efforts have included a thorough refinement of our design standards, and the result is that our existing standards compare favorably with LEED criteria. We have pursued aggressive energy conservation strategies. We use a sustainability checklist as part of standard project review and approvals, and significant achievements are beginning to appear in our new facilities.

As part of this work, we have conducted evaluations of materials such as ceiling tile, resilient flooring, carpet, and casework to identify those materials that enhance a building's environmental performance, addressing a broad range of issues throughout the life cycle of the materials, including IAQ, embedded energy, recyclability, manufacturing emissions and more. Of high concern to us in these evaluations are the persistent bioaccumulative toxic chemicals (PBTs) associated with some building materials.

In the previous public comment period, we wrote to you to request that the proposed methodology for evaluating a PVC-related credit specifically give significant weight to the use and release of these uniquely dangerous chemicals during production, use, and disposal of PVC and its alternatives. No less than four PBTs are directly associated with PVC manufacturing, use and disposal: cadmium, lead, mercury, and dioxins & furans, which are also classified as POPs.

The Stockholm Convention on Persistent Organic Pollutants, signed by the Bush Administration-

along with officials from 90 other countries in May 2001, commits signatories "to reduce the total releases [of POPs] with the goal of their continuing minimization and, where feasible, ultimate elimination."

In light of this scientific and political focus, we are disappointed that the Council's Draft Assessment ignored this imperative. We understand that very few materials are environmentally benign, and that completely eliminating PBTs and POPs is an aspiration more than a realistic goal. Nonetheless, given the singular importance of minimizing human exposure to dioxin and other PBTs as rapidly as possible, it is our responsibility to move with all due diligence away from those materials that appear to be responsible for the largest releases. By our analysis, PVC is in that category. As an organization Kaiser Permanente has taken this responsibility seriously and devoted considerable resources working with industry to move the market in this direction. We have worked cooperatively with a range of interested manufacturers to explore alternative materials, carefully evaluating performance and environmental impact as we beta test new products. This has already resulted in several innovative new product releases by major manufacturers that not only are PVC-free but have other environmental and performance advantages as well.

Unfortunately, the Draft Assessment appears to ignore the critical PBT/POPs issue, as well as several other problematic issues with PVC, and selects an analytical approach that is ill-suited to addressing PVC's most salient problems. You will find details of these issues well enumerated in comments by the Healthy Building Network and Health Care Without Harm among others. Kaiser Permanente's critical message is that the Draft Assessment, by leaving a confused, ambiguous message about the impact of PVC, threatens to confuse the market and undermine the progress that we and many others are making to transform the market in harmony with the well grounded scientific and policy concern over PVC.

The California health care building boom presents an opportunity for the Council to influence material choices being made today and play a role in an important market transformation but it needs clear signals now. As the Council prepares its final report, we would encourage you to focus your expertise on an analysis that includes and prioritizes the PBT issues and identifies the least harmful alternatives to PVC.

Please keep us informed of the Council's actions on this issue, and feel free to contact Lynn Garske at (818) 352-3093 if you have any questions or require further information.

Sincerely,

Tom Heller,
VP, National Facilities Services
Chair, KP Environmental Stewardship Council