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NEWS RELEASE

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Vinyl Industry Concedes to New York State: Vinyl Flooring Not a "Green" Building Material

Major Setback To Industry Efforts to Greenwash "Worst Plastic For The Environment"

(Albany, NY) In a victory for the growing movement of environmentalists, local governments and companies working to avoid the use of hazardous vinyl plastic (or PVC), the vinyl flooring industry today dropped its lawsuit contesting New York State's refusal to recognize vinyl flooring as a green building material. The lawsuit had been scheduled to be heard before the state Supreme Court on June 6.

"This case accomplished two things," said Kathy Curtis of Citizens' Environmental Coalition. "The vinyl industry routinely employs legal threats to intimidate policy makers and green building professionals favoring environmentally preferable alternatives to vinyl. Attorney General Spitzer stood up to the bullies, and they backed down. The reason they backed down is because as the State's brief overwhelmingly demonstrates, the great weight of the evidence implicates vinyl as highly toxic product. The writing has been on the wall for vinyl for some time, apparently now even the vinyl industry can read it."

The vinyl flooring industry abruptly withdrew its lawsuit just one week before presenting its case asserting vinyl flooring is a 'sustainable' product that should be eligible for a tax credit under the State's green building tax credit program. New York State had rejected vinyl flooring for the tax credit program based on the product's substantial environmental problems, including emissions of dioxin, which has been identified as the most potent carcinogen on earth.

"There is nothing 'green' about vinyl. It's a highly toxic product that contaminates our homes, bodies and the environment," said Paul Bogart of the Healthy Building Network. "Other states should take note of New York's victory and implement policy changes to reduce the use of vinyl."

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Vinyl flooring is not banned under the tax credit; builders and consumers are still free to choose vinyl flooring, however those who choose it will not be eligible for a tax credit. There are many viable alternatives to vinyl flooring, which have a lesser environmental impact.

Vinyl is the worst plastic for the environment and human health. New York State is not alone in taking action to discourage the use of vinyl plastic, particularly in building construction, which accounts for 75 percent of all vinyl plastic manufactured, including pipes, flooring, windows, and roofing. Across the nation, local governments and industries are rejecting vinyl in favor of non-toxic materials. For example, the City of Seattle has an official policy to reduce the use of vinyl, and the City of San Francisco is considering policies that will favor alternatives to vinyl plastic.

Healthcare giant Kaiser Permanente is working to eliminate vinyl from many medical products and its hospital facilities, and dozens of other major building projects – including the EPA headquarters in Washington, DC, and the Sydney Olympics – have reduced vinyl plastic in favor of greener products.

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Vinyl industry drops lawsuit against New York

By CORINNE IVANCA

Gazette Staff Writer

One week before its scheduled June 6th hearing before the state Supreme Court, the Resilient Floor Covering Institute last Thursday dropped its lawsuit against the Department of Environmental Conservation.

The lawsuit contested the exclusion of vinyl flooring from the DEC's Green Buildings Tax Credit Program.

Environmental groups are calling it a victory for the state, for local governments, and for the movement toward healthy building materials.

"The writing has been on the wall for vinyl for some time, apparently now even the vinyl industry can read it," said Kathy Curtis of Citizens' Environmental Coalition.

The Green Buildings Tax Credit program was established through legislation in 2000, making New York the first state to offer tax incentives for the construction and rehabilitation of environmentally friendly buildings. The New York State Energy Research and Development Authority, along with the DEC, went on to develop rules and requirements for allocation of the \$25 million in tax cuts. Credits are given for certain environmentally friendly aspects of a building. Through the program's development, the organizations decided that vinyl flooring would not be eligible for the tax cut, though vinyl flooring would not exempt other parts of a building from tax credits.

Vinyl products are attacked by environmentalists for their "toxic lifecycle." According to David O. Carpenter, a public health physician at the University at Albany, vinyl, or PVC, requires hazardous chemicals for production, releases harmful chemicals during manufacture and use, and creates toxic waste upon disposal. Dioxin is formed when vinyl is produced, recycled and incinerated, and is known to damage development, reproduction, and nervous systems. And metal stabilizers that are added to vinyl for certain applications are known to have similar health effects.

Carpenter concludes that vinyl is potentially dangerous to our health, and that it should not be considered a green building material.

Bill Hall, an attorney representing RFCI, said the organization is pleased that the state will allow vinyl flooring in green buildings.

This comes with other news of the possible risks associated with vinyl. On May 5th, a documentary aired on HBO called *Blue Vinyl*, which chronicles a woman's search for the dangers of, and alternatives to, vinyl siding for her parents' home. On the same day, *The New*

York Times reported that 300 residents of a trailer park in central Louisiana were being forced to leave because of vinyl chloride contamination in their ground water.

The main suspect of the contamination is the Dow chemical plant two miles away which manufactures vinyl chloride.