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April 24, 2007

Dr. Robert F. Sawyer, Chairman
California Air Resources Board
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Sacramento, CA 95812

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**Subject: CAPCOA Enforcement Manager's Committee Comments on
Proposed Composite Wood ATCM**

Dear Dr. Sawyer:

The CAPCOA Enforcement Manager's Committee appreciates the opportunity to submit comments on the proposed Composite Wood ATCM. This committee is comprised of manager-level enforcement staff from many of the air districts in California.

At their presentation on this ATCM to the Enforcement Manager's Committee, ARB staff asked for feedback on the proposed regulation. The following represents the air district comments stated at the meeting:

1. The ATCM as proposed is very complex and would be very difficult to enforce at the air district level due to the diverse and diffuse nature of the product.
2. It is likely that most air districts are unfamiliar with the technical aspects of the ATCM requirements, such as Japan F standards, HUD standards, ppm levels in raw vs. finished products, etc.
3. It is also likely that most air districts would be unfamiliar with the laboratory testing method required in the ATCM and would not be able to perform this test, with the possible exception of the South Coast AQMD.
4. If air districts are to enforce this ATCM, compliance evaluations would likely have to be structured similar to the architectural coatings rule, with inspectors focused on noting labeling at retail and wholesale sale points.
5. Enforcement at manufacturing facilities and at ports is also possible; however only a few air districts have such facilities within their jurisdiction.
6. There are no provisions in the ATCM for district funding to enforce the regulation; enforcement by districts is not possible without funding to support it. Given this, and the fact that this is a consumer product typically regulated by ARB, it seems most appropriate for ARB to enforce the ATCM.
7. It is unclear how SB 509 (Simitian), if adopted and signed, will affect implementation of this regulation.

It should be noted that these comments reflect the perspective of the CAPCOA Enforcement Manager's Committee and are not an official position statement of the CAPCOA Board of Directors. Please feel free to contact Karen Brooks, Chair of the CAPCOA Enforcement Manager's Committee at 805-781-5912 if you have questions or need additional information regarding these comments.

Sincerely,

Larry R. Allen
President