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Guideline No.	CWP-10-004

**Composite Wood Products
Airborne Toxic Control Measure (ATCM)**

Title 17, California Code of Regulations, Sections 93120-93120.12

Third Party Certification Guideline:
Certified Mill List

Maintaining an accurate and up-to-date Certified Mill List. Currently CARB does not know the “real time” certification status of mills on the “Certified Mill List.”

Section 93120.2(a) contains the following provision:

“Except as provided in section 93120.2(b), Exemptions, and the “sell-through” provisions of section 93120.12, Appendix 1, no person shall sell, supply, offer for sale, or manufacture for sale in California any composite wood product which, at the time of sale or manufacture, does not comply with the emission standards in Table 1 on or after the effective dates specified in Table 1...”

As specified in section 93120.3(b) titled “Third Party Certification”:

“For manufacturers of HWPW, PB, and MDF using resins that contain formaldehyde, compliance with the emission standards specified in section 93120.2(a) must be verified by using a third party certifier approved by ARB under section 93120.4...”

Program Issue: Presently, CARB staff maintains a “Certified Mill List” on its Composite Wood Product ATCM website to help the regulated community locate mills that are producing CARB-certified materials for purposes of resale or fabrication of finished goods. CARB staff considers the maintenance and accuracy of the list as an important tool insofar as identifying mills from which certified products can be obtained and providing assurances to downstream customers that the materials they purchase are traceable to a certified mill.

At this time, the information about certified mills is in a uniform display format, is updated only when information from TPCs is sent to CARB, and consolidates all the mill information in one place. Furthermore, it primarily demonstrates that for the mills reported to CARB, those mills have shown compliance to the CARB ATCM emission standards. Unfortunately, the list does not track the “real-time” certification status of individual mills. This information is crucial to downstream users of composite wood products in this dynamic market where mills may only intermittently produce CARB compliant composite wood products. General guidelines are provided to facilitate the timely maintenance and accuracy of the Certified Mill List.

Recommended CARB Guidance: CARB staff believes that the maintenance of an up-to-date and accurate “Certified Mill List” benefits all parties subject to the ATCM. Therefore, CARB will continue to be responsible for maintaining the Certified Mill List and requests that TPCs cooperate in this effort by taking the following steps:

1. Mill updates should be sent to CARB by the TPCs using the Excel template used for the Certified Mill List on CARB’s website;
2. TPCs should notify CARB of changes in a mill’s certification status within five working days of when a mill terminates its TPC agreement, initiates a new TPC agreement, or has its certification revoked by a TPC;
3. TPCs should respond to information requests from CARB expeditiously, preferably within three working days of the date of the information request – TPCs should notify CARB as to how they want to receive inquiries from CARB if not by email; and
4. TPC’s should voluntarily track the “real-time” certification status of mills under their purview, be prepared to respond to inquiries from users of composite wood products (as allowed under contractual confidentiality agreements with mills), and initiate efforts to establish a centralized and transparent web-based tool that will allow for real-time verification of a mill’s certification status.