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James Goldstene
Executive Officer
California Air Resources Board
1001 I Street
Sacramento, California 95814

Re: *Comments on Proposed Airborne Toxic Control Measure to Reduce
Formaldehyde Emissions From Composite Wood Products*

Dear Mr. Goldstene:

This letter contains Virco Corporation's ("Virco") comments on the foregoing proposed regulations ("Proposed Formaldehyde ATCM). Virco's comments are: (1) whether its Hard Plastic product, described below, is "particleboard" as that term is used in the proposed Formaldehyde ATCM; and (2) if its Hard Plastic product is considered "particleboard" under the Proposed Formaldehyde ATCM, then it is not clear whether the required test method can be applied given Virco's manufacturing process.

1. Virco Does Not Manufacture Particleboard

Virco manufactures a product called Hard Plastic at its Arkansas facility. Some of its Hard Plastic product is shipped to California for sale and assembly. It appears that the definition of "particleboard" in the Proposed Formaldehyde ATCM does not include Virco's Hard Plastic product, but that is not completely clear.

A. The Hard Plastic Product Manufacturing Process

Hard Plastic is produced using a thermo set molding operation in which powdered materials are blended together and loaded into molds. These molds are constantly heated by internal steam lines and are sitting inside presses. Once the press is engaged and closed the

material is cooked under pressure for a period of time. When the cycle is complete the press opens and the parts are removed and taken to the sanding area for sanding and buffing. Parts are then stacked onto pallets and shipped to other locations, including California, for assembly and sale.

The primary ingredients of Hard Plastic are powdered melamine formaldehyde resin and maple wood flour. The wood flour used either meets a 40 or 80 mesh standard, or is a mixture of the two. Powdered zinc stearate is added for a mold releasent and powdered titanium dioxide is added to bleach the wood flour to enable the color pigments to act and give a consistent color. Color is provided by adding small quantities of powdered organic pigments.

Once the process of putting the blended material in a mold, heating it and pressurizing it is completed the product is then placed on racks for cooling. After cooling, parts are taken to the sanding/buffing area to have the flashing edge (mold parting line) removed. After sanding, parts are buffed with a cloth wheel to remove any dust or material that may have accumulated on it after molding and handling prints. Once this is complete the parts are palletized and sent to the assembly area or shipped for later assembly.

B. The Proposed Definition of Particleboard

The Proposed Formaldehyde ATCM defines "particleboard" as "a panel composed of cellulosic material (usually wood) in the form of discrete particles (as distinguished from fibers, flakes, or strands) that are pressed together with resin (ANSI A208.1-1999)." Section 93120 (32). "Particle" in turn is defined as "a distinct fraction of wood or other cellulosic material produced mechanically and used along with resin to make particleboard. *Particles are larger in size than fibers.*" Section 93120 (31) (emphasis supplied). Given that the cellulosic material used in making Hard Plastic is a finely ground and sieved flour, it does not appear to meet the definition of "particleboard" because the finely ground flour is smaller in size than fibers.

In addition, the Staff Report Initial Statement of Reasons for Proposed Rulemaking (March 9, 2007) states at page 73:

"Particleboard is made of wood fragments, *such as chips or shavings*, that are dried and mechanically pressed with heat into sheet form, and bonded together with resin (Youngquist, 1999)." (Emphasis supplied.)

Given that the Hard Plastic product made by Virco uses a wood flour and not chips or shavings, it does not appear to meet the definition of "particleboard." If you concur with our interpretation of the definition of "particleboard" and that it does not apply to Virco's Hard Plastic, then we would like a written confirmation of that.

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2. **Even if the Hard Plastic is considered Particleboard under the proposed regulations, the specified test method cannot be applied to Virco's product.**

Virco manufactures only a modest amount of Hard Plastic, producing a total of approximately 3,200,000 square feet per year. Of that, only 27% (or approximately 875,000 square feet) is shipped to California for assembly and ultimate use there. That small production volume does not allow for the confirmation testing protocol in the Proposed Formaldehyde ATCM because there is insufficient volume to meet the specific requirements of testing. Appendix 3 of the Proposed Formaldehyde ATCM at (d) provides:

"Large chamber Primary or secondary method samples shall be randomly chosen from a single lot that is ready for shipment. Neither the top nor bottom composite wood products of a bundle shall be selected. The composite wood products must be dead-stacked or airtight wrapped between the time of sample selection and the start of test conditioning. Samples shall be promptly labeled, signed by the third party certifier, bundled air tight, wrapped in polyethylene, protected by cover sheets, and promptly shipped to the large chamber primary or secondary method testing facility. Conditioning shall begin as soon as possible, but not in excess of 30 days after production. At the plant's option, a second sample set (a reserve set) may be selected, handled and shipped in the same manner as the original." Staff Report at Page I-64 (emphasis supplied).

Virco only make individual sheets. There would not be a top or bottom sheet in a stack of Hard Plastic. If CARB staff concludes that the Hard Plastic meets the definition of "particleboard" in the Proposed Formaldehyde ATCM, then we need to either amend Appendix 3 or seek an interpretation as to how it will be applied to Virco's Hard Plastic product.

3. **Conclusion**

For the reasons stated above, Virco believes that its Hard Plastic is not "particleboard" as that term is used in the Proposed Formaldehyde ATCM and would therefore not be subject to the requirements of the proposed regulations. However, if CARB concludes otherwise, then the testing method in Appendix 3 would need to be amended, or Virco will need an interpretation that would address the impracticability of a rigid application of those provisions to its product.

Virco is prepared to meet with CARB staff as early as next week to discuss these issues should that be necessary.

Very truly yours,

Patrick W. Dennis
Patrick W. Dennis

PWD/pwd
cc: Robert Hupe
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