

Doug Bradley

07-4-3

April 26, 2007

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Dr. Robert Sawyer, Chair
California Air Resources Board
1001 I Street
P.O. Box 2815
Sacramento, CA 95812-2815

Dear Dr. Sawyer,

We at General Veneer Manufacturing Co. would like to thank you and your staff for attempting to draft a fair and effective measure to reduce formaldehyde emissions in California.

I will not enter here into the discussion of whether the finished rule is worthy. Many other people have expressed opinions.

As a company that specializes in wood products for various industries, however, I will make the following observations. Please note that they are based on the revision of the draft ATCM presented in Southern California in March. I understand revisions have been made since then, but this was the latest version available to us that included some of the language in question.

I'll go through the rule in order.

RECOMMENDATION 1:

93120.1 Definitions.

(2) "Architectural plywood" means a custom-made finished product . . .

"Finished," in woodworking, has a specific meaning. It means something has had a finish applied to it. I would recommend removing that word from this definition to make the intent clear. I think the operative words in this definition are "custom-made" and "special-order" and "to be used as produced." I understand that within the context of the reg, "finished" means something else, but it might be confusing here.

RECOMMENDATION 2 (same paragraph):

" . . . to be used as produced."

Everything, in one way or another, is meant to be used as produced. I think what's intended here is " . . . on a special order basis intended to be installed or assembled on site with minor modifications from the form in which the fabricator delivers it."

In other words, our customer will probably apply a finish to our product; they're likely to drill for hinges and knobs (if it's a door), cut holes for switchplates (if it's a wall panel), and so on. In the case

of a custom cabinet shop, they're likely to deliver the panels in finished sizes, with edgebanding and so on, but not assembled. Someone on site will have to add hinges, handles, drawer tracks, etc. etc. It's surprisingly common, when a contractor receives a door that was built to a specific size, for him to find he needs to trim it a bit before it fits the opening it's intended for. So this gives us latitude for reasonable changes.

I'm switching "produced" to "delivered," because when we (or most custom cabinet shops) press a panel, it's oversize—as a fabricator, we're not sure whether that's considered the "produced" product, or whether it's considered "produced" after we trim it to size, or after we sand it, or if it needs to be finished with hardware attached . . . so "delivered" clarifies the form we're talking about.

This wording, I think, will better match common practice in the industry. And I don't think it changes the meaning intended.

RECOMMENDATION 3:

(8) "Composite Wood Products" . . . or composite wood products used inside of vehicles.

I'd tweak this a bit. Best bet: "used in transportation." In other words, not in buildings. If that's too broad, I'd consider "used inside of vehicles, boats, or aircraft." At General Veneer Manufacturing Co. we're specifically concerned with aircraft, but someone pointed out that boats are another hot topic with lots of rules and specifications already operating. I'm not sure my second suggestion would cover train cars, but I think you'd want it to. Train cars typically are governed by federal rules because they're part of interstate commerce. And yes, they've been known to use plywood, sometimes rather nice stuff.

Consider the direct economic impact in California of restricting aircraft-grade plywood sales based on formaldehyde emissions. Most of the aircraft-grade plywood is used in cargo holds. The planes we sell plywood for cannot be legally flown unless all the parts on them are delivered certified to federal standards. An extensive bureaucracy and reams of paperwork support this, along with decades of specifications and regulatory framework. General Veneer Manufacturing Co. recently has sold plywood to Boeing in Long Beach (the former McDonnell Douglas) for use in an ongoing C-130 retrofit program. This program amounts to millions of dollars and hundreds of jobs in Long Beach. The retrofit could equally be done by other companies and/or in other locations, but Boeing brought these jobs here to Southern California. If the wood for the cargo decks (one element of an extensive retrofit) cannot be bought and installed in Long Beach, it makes more sense to send the planes elsewhere for the retrofit, and the jobs with them.

By comparison to the amount of wood stocked in a single Home Depot, the amount of wood going into these huge cargo planes is tiny. If the wood is not delivered to be installed in California, California's benefit, in terms of reduced formaldehyde emissions, is minuscule. But the cost of dozens of jobs, months of labor, and long-term program viability, adds up very quickly and has a direct and wide-reaching impact on Long Beach, Lakewood, and surrounding areas.

I would encourage your staff to eliminate all transport plywood from the ATCM.

RECOMMENDATION 4:

(17) "Hardwood Plywood" . . . or military specified plywood (MIL-P-6070).

I'd add "et al.," because there are too many archaic military plywood specifications to include them all. Annual usage is de minimis, but frequently one 24" x 48" piece of plywood built to a certain specification is essential to operating a plane legally and safely. I feel confident that formaldehyde outgassing from a piece that size is not enough to create a public health crisis.

Examples of some other specifications that might be called out: Our company has recently quoted customers pricing on MIL-DTL-6070C, and we've sold parts to that spec within the last year. There also are Lockheed specs that are generally derived from MIL-P-6070 and used in military transports. We've recently quoted pricing for LAC27-903, which I believe gets used in the same C-130s that flew rescue missions to Indonesia after the tsunami. (Actually, it's probably worth calling out MIL-DTL-6070 and LAC27-903 specifically, not just lumping them into "et al.") Late last year we quoted PS-1-83,—an unusual one. No matter how hard we try to come up with all the military specs, we'll miss a few. So I'd add "MIL-DTL, LAC27-903, et al.," and then you're covered for military specified plywood.

I think that still meets your intent.

RECOMMENDATION 5:

93120.9(c) Enforcement Test Method . . .

The latest ATCM draft says "Emission testing of samples of finished goods containing HWPW, PB, and MDF shall be conducted . . . "

I believe what the writers meant to say was "Emission testing of samples of HWPW, PB, and MDF contained in finished goods . . . "

In other words, if there's MDF in a chair back, you want to test a sample of the MDF, not a sample of the finished chair, with steel, fabric, plastic, etc.

FURTHER NOTE:

Appendix 1. Sell-through Dates . . .

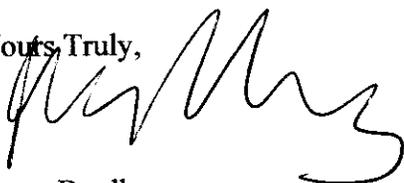
I'm going to let the Woodwork Institute tackle this; they've been doing the research and I think have recently sent you folks some data. I'd make an observation: The back stock of particle board that we have on our floor, if it's 45 days old, might still be emitting more formaldehyde than this regulation calls for. But material we've had in stock for 5 years, or 15 years (this is real stuff I'm talking about, not hypothetical), should have breathed out several half-lives of formaldehyde long ago, according to the charts in ARB's presentation, so it should be safe to use again, even if it wasn't produced under this regulation. I'd ask you to bear that in mind as you work through the question of sell-through dates.

I'm aware that your intent is to prevent people from stockpiling particleboard in advance of the regulation's effective date.

I still have grave concerns about the effect of the rule on the industry we work in, and I have my doubts about the legitimacy of the rule based on indoor/outdoor air issues and the fundamental medical justification for the rule. But this is not the place to debate those—I'll let other people take on those topics. For now, if you could make the minor adjustments indicated above, I think you'll end up with a tighter rule that describes more exactly what you're after and fits industry usage better.

Again, we appreciate your team's time and effort. Please let me know if I can clarify anything here.

Yours Truly,



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cc: Members, California Air Resources Board