

New Federal Legislation on Composite Wood Products

On July 7, 2010, President Obama signed into law Senate Bill 1660, which established the Formaldehyde Standards for Composite Wood Products Act (the "Act"). The Act amends the federal Toxic Substance Control Act and requires the United States Environmental Protection Agency (U.S. EPA) to develop a new federal regulation by January 1, 2013, to implement provisions of the Act.

To provide clarity for the regulated community, we affirm that the current California Airborne Toxic Control Measure (ATCM) to Reduce Formaldehyde from Composite Wood Products remains fully in effect. The ACT mandates the same formaldehyde emission standards, as well as all other major regulatory elements, contained in the California ATCM. However, the ACT also includes some notable differences relative to the California ATCM regarding sell through provisions and de minimus use exemptions. The detail of these differences will be determined by the U.S. EPA as a result of their ongoing public rulemaking process.

The text of the new law may be viewed at:

<http://www.govtrack.us/congress/bill.xpd?bill=s111-1660>. For questions related to the impact of the Act in California, please call Mr. Lynn Baker at (916) 324-6997.