

Implementation Status & Possible Amendments – California's Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products

Composite Panel Association
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*California Environmental Protection Agency
Air Resources Board*

Overview

- Implementation Status
- Initial Thoughts on U.S. EPA's Draft Regulation
- Possible Amendments Being Considered to the Composite Wood Products ATCM
- Next Steps
- Questions

Implementation Status

- In 2007, CARB developed airborne toxic control measure (ATCM) to reduce formaldehyde emissions from composite wood products: hardwood plywood (HWPW), particleboard (PB), medium density fiberboard (MDF) panels
- Phase 2 emission standards all in effect, ranging from 0.05 ppm for HWPW to 0.13 ppm for thin MDF
- ATCM applies to products sold, supplied, used, or manufactured for sale in California
- Requires finished goods to be made from compliant HWPW, PB, and MDF panels
- CPA has been and continues to be a key industry stakeholder

Implementation Status

continued

- Third Party Certification (TPC) Program
 - Panel manufacturers must be third party certified by ARB-approved certifiers
 - TPCs provide two main services:
 - Formaldehyde emission testing certification
 - Product certification
 - TPCs are required to participate in interlaboratory comparison every 2 years; one currently underway

Implementation Status

continued

- Third Party Certification Program

- 38 CARB-approved TPCs worldwide (North America, Europe, Asia)
- Over 900 certified mills
- CARB website featuring certified mills:

<http://www.arb.ca.gov/toxics/compwood/tpc/listofmills.htm>



Implementation Status

continued

- NAF/ULEF Program
 - ATCM allows TPC exemption for manufacturers using no-added formaldehyde (NAF) or ultra-low-emitting formaldehyde (ULEF) resin systems
 - 150 CARB-approved NAF and ULEF manufacturers

Implementation Status

continued

- Sell-through Provisions
 - Many sectors had backed up inventories due to slow economy
 - Regulatory advisories provided additional time for transition to Phase 1 and Phase 2 standards
 - Panels must all be Phase 2; retailers can still sell Phase 1 finished goods until end of 2013, but distributors, importers and fabricators must be selling Phase 2 goods

Implementation Status

continued

- Enforcement Update
 - Inspections have been conducted at panel retailers and distributors, and retailers of finished goods
 - Initial focus on increasing awareness of regulatory requirements for labeling and evidence of taking reasonable prudent precautions (chain of custody records)
 - Samples collected for analysis
 - CARB's enforcement testing results will include the uncertainty associated with emission testing and sample preparation of finished goods
 - Several enforcement cases being worked on

Initial Thoughts on U.S. EPA's Draft Regulation

- Applicability
 - Hardboard vs. MDF
 - Laminted products
- Enforcement
- Third party certification

Overview of Possible Amendments

- CARB's implementation experience has led to possible amendments being considered to improve ATCM
- Objectives of amendments are to:
 - Clarify and refine requirements and applicability
 - Ensure consistency with federal regulation, where possible
 - Improve enforceability
 - Reflect updated reference materials, advisories, and FAQs

Possible Amendments

- Applicability
 - Require platforms used to make HWPW-CC to meet applicable Phase 2 emission standard
 - Require HWPW with bamboo or cork veneer to comply with the ATCM
 - Define dry processed hardboard as same as MDF, meaning it is no longer exempt from ATCM

Possible Amendments

continued

- Amendments to manufacturer requirements
 - Enhance quality control testing at mills
- Amendments to third party certification
 - Improve and streamline program
- Amendments to NAF/ULEF requirements
 - Require submittal of additional information as part of application

Possible Amendments

continued

- De minimus use exemption
- Additional requirements for laminated products
- Proficiency requirements for inter-laboratory comparisons

Next Steps

- Review and comment on draft U.S. EPA regulation
- Public workshop
 - Contingent on coordination with U.S. EPA
 - Tentatively scheduled for late summer 2013
- ARB Board consideration late fall 2013

Questions



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