

State of California
CALIFORNIA AIR RESOURCES BOARD

EXECUTIVE ORDER W-18-012A

Relating to CARB Approval of Third-Party Certifiers under
section 93120.4, title 17, California Code of Regulations

ENGINEERED WOOD PRODUCTS ASSOCIATION PTY. LTD.

WHEREAS, the California Air Resources Board (CARB) has adopted the "Airborne Toxic Control Measure (ATCM) to Reduce Formaldehyde Emissions from Composite Wood Products" (title 17, California Code of Regulations, sections 93120-93120.12), which establishes formaldehyde emission standards for composite wood products;

WHEREAS, section 93120.3(b) of the ATCM requires that manufacturers of composite wood products must verify compliance with the formaldehyde emission standards by using a third-party certifier (TPC) approved by CARB;

WHEREAS, the ATCM requires TPCs to: 1) verify the accuracy of the emission test procedures and facilities used by composite wood product manufacturers to conduct formaldehyde emission tests; 2) monitor manufacturer quality assurance programs; and 3) provide independent audits and inspections;

WHEREAS, section 93120.4 of the ATCM sets forth the process for the CARB Executive Officer to approve TPCs;

WHEREAS, section 93120.4(b)(1) of the ATCM requires that applications to become CARB-approved TPCs must be submitted to the Executive Officer in writing and must contain: 1) evidence of actual field experience in the verification of laboratories and wood products, to demonstrate how applicants will be able to competently perform the requirements for TPCs of composite wood products listed in section 93120.12, Appendix 3, of the ATCM; 2) evidence of the ability to properly train and supervise inspectors; 3) evidence of a current "product certification agency" accreditation; and 4) a list of the composite wood products that the applicant is applying to verify and evidence that the applicant is qualified to verify these products;

WHEREAS, AWWA Test Centre Association, Inc. (ATCA or the "applicant") submitted an original application dated June 27, 2008, and deemed complete on September 26, 2008;

WHEREAS, the original application indicated that the applicant had a contractual agreement with the subcontractor, Advanced Testing Services, to provide accredited laboratory services;

WHEREAS, section 93120.4(b)(4) of the ATCM provides that the Executive Officer shall approve the application and issue an Executive Order if the evidence submitted by the applicant is sufficient to demonstrate that the applicant can competently perform the tasks specified in section 93120.12, Appendix 3, of the ATCM;

WHEREAS, ATCA was issued Executive Order W-08-012, signed on October 21, 2008;

WHEREAS, section 93120.4(b)(4) of the ATCM allows CARB-approved TPCs to apply for re-approval by CARB by submitting an updated application;

WHEREAS, ATCA submitted an updated application for re-approval to CARB on December 7, 2010;

WHEREAS, the updated application indicated that the applicant no longer had a contractual agreement with Advanced Testing Services, and would instead enlist the services of AsureQuality (TPC-5) to provide accredited laboratory services;

WHEREAS, the updated application for re-approval from ATCA was deemed complete on April 4, 2011, and ATCA was issued Executive Order W-11-012, signed on April 28, 2011;

WHEREAS, ATCA submitted an updated application for re-approval to CARB on March 15, 2013, deemed complete on May 3, 2013, and ATCA was issued Executive Order W-13-012, signed on May 8, 2013;

WHEREAS, ATCA submitted an updated application for re-approval to CARB on January 13, 2015, deemed complete on July 7, 2015; and ATCA was issued Executive Order W-15-012, signed on July 7, 2015;

WHEREAS, ATCA submitted an updated application for re-approval to CARB on July 31, 2017; the application indicated that ATCA will no longer use AsureQuality as a subcontract laboratory and instead will use the Composite Panel Association; the application was deemed complete on January 23, 2018 and ATCA was issued Executive Order W-18-012, signed on February 21, 2018;

WHEREAS, Engineered Wood Products Association Pty. Ltd. (EWPA) informed CARB that ATCA's business will phase out and that EWPA, ATCA's affiliated company, submitted a request to CARB on July 17, 2018 to provide third-party certification services of composite wood products under the name EWPA and retain third-party certification number TPC-12;

WHEREAS, the Executive Officer finds that the completed, updated application demonstrated EWPA's ability to comply with section 93120.4(b)(1) of the ATCM; and

WHEREAS, the Executive Order approves EWPA's request for approval of this name change and retention of TPC number, and it is appropriate that Executive Order W-18-012 be superseded by this Executive Order W-18-012A.

NOW, THEREFORE, IT IS ORDERED that EWPA is hereby approved as a TPC and is issued the following number designating them as a CARB-approved TPC: **TPC-12**.

BE IT FURTHER ORDERED that EWPA is a CARB-approved TPC for the following composite wood products: Hardwood Plywood, Particleboard, and Medium Density Fiberboard.

BE IT FURTHER ORDERED that this approval is subject to the following conditions:

1. EWPA must provide their CARB-approved TPC number to each manufacturer it has subcontracted with for services, as specified in section 93120.12, Appendix 3, of the ATCM.
2. EWPA's subcontract testing laboratory, listed in Attachment A, must participate in an inter-laboratory comparison of their primary and/or secondary chamber facilities.
3. If EWPA wishes to use a subcontracted laboratory other than Composite Panel Association, EWPA must submit a request to the Executive Officer in writing and must provide evidence to demonstrate that the subcontractor can competently perform the tasks for which it is employed. EWPA shall not use the subcontractor unless the Executive Officer approves the request in writing.
4. EWPA shall immediately notify the Executive Officer if any accreditation or certification provided in support of their initial application is renewed, allowed to expire, or revoked within the duration of this Executive Order.

BE IT FURTHER ORDERED that this Executive Order W-18-012A supersedes Executive Order W-18-012, which was issued on February 21, 2018.

BE IT FURTHER ORDERED that this Executive Order shall have a duration of two years from the date it is executed; within 120 days prior to the expiration of this Executive Order, the TPC may apply for re-approval by submitting an updated application to the Executive Officer as provided in section 93120.4 of the ATCM.

BE IT FURTHER ORDERED that the Executive Officer may review and, for good cause, modify or revoke this Executive Order as provided in section 93120.4(d) of the ATCM. The Executive Officer shall not modify or revoke this Executive Order without affording the TPC the opportunity for a hearing in accordance with the procedures specified in title 17, California Code of Regulations, section 60055.1 et seq.

BE IT FURTHER ORDERED that the TPC must maintain records in electronic or hard copy form for two years, for review by CARB upon request, as specified in section 93120.12, Appendix 3, of the ATCM.

BE IT FURTHER ORDERED that on or before March 1 of each year, the TPC must provide an annual report to CARB for the previous calendar year, as specified in section 93120.12, Appendix 3, of the ATCM.

BE IT FURTHER ORDERED that the TPC must notify the Executive Officer in writing within 30 days of any change in their ability to carry out the responsibilities of this Executive Order.

Executed at Sacramento, California this 26th day of October, 2018.

A handwritten signature in blue ink, reading "Richard Boyd", is written over a horizontal line.

Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division

Attachment A

List of Subcontractors for Engineered Wood Products Association Pty. Ltd.
(EWPA) (TPC-012)
Under Executive Order W-18-012A

Company Name	Company Contact Information	Subcontractor Function
Composite Panel Association	Ms. June Sloper 19465 Deerfield Avenue, Suite 306 Leesburg, Virginia 20176 Phone: (703) 724-1128, Extension 231 Email: j.sloper@cpamail.org	Accredited Laboratory