

State of California  
CALIFORNIA AIR RESOURCES BOARD

**EXECUTIVE ORDER W-18-033**

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

**Intertek Testing Service - Shenzhen**

WHEREAS, the California Air Resources Board (CARB) has adopted the "Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products" (the "ATCM"; 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, Intertek Testing Service - Shenzhen, (ITS-SZ or the "applicant") submitted an original application dated July 28, 2008, that was deemed complete on January 11, 2010;

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, ITS-SZ was issued Executive Order W-10-033, signed on February 16, 2010;

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

WHEREAS, ITS-SZ submitted an updated application for re-approval to CARB on February 2, 2012, which was deemed complete on March 16, 2012, and ITS-SZ was issued Executive Order W-12-033, signed on March 21, 2012;

WHEREAS, ITS-SZ submitted an updated application for re-approval to CARB on February 27, 2014, which was deemed complete on June 2, 2014, and ITS-SZ was issued Executive Order W-14-033, signed on June 5, 2014;

WHEREAS, ITS-SZ submitted an updated application for re-approval to CARB on February 14, 2016, which was deemed complete on May 17, 2016, and ITS-SZ was issued Executive Order W-16-033, signed on June 8, 2016;

WHEREAS, ITS-SZ submitted a request and supplementary documentation to CARB on November 28, 2017, for approval to use Intertek Testing Service - Guangzhou (ITS-G) as a subcontract laboratory to provide accredited laboratory services for ITS-SZ;

WHEREAS, the request and supplementary documentation indicated that ITS-G has the necessary qualifications to provide accredited laboratory service for ITS-SZ including initial (qualifying) and subsequent (verification) testing for manufacturers of composite wood products;

WHEREAS, it was appropriate to approve ITS-SZ's request to add ITS-G as a subcontractor to provide accredited testing services, and it was appropriate that Executive Order W-16-033 be superseded by Executive Order W-16-033A, signed on January 25, 2018;

WHEREAS, ITS-SZ submitted an updated request for re-approval to CARB on April 3, 2018, which was deemed complete on June 11, 2018;

WHEREAS, the Executive Officer finds that the complete, updated application for re-approval demonstrated the TPC's ability to continue to comply with section 93120.4(b)(1); and

WHEREAS, the Executive Officer approved ITS-SZ's request for re-approval, and it is appropriate that Executive Order W-16-033A be superseded by this Executive Order W-18-033.

NOW, THEREFORE, IT IS ORDERED that ITS-SZ is hereby approved as a TPC and is issued the following number designating them as a CARB-approved TPC: **TPC-33**.

BE IT FURTHER ORDERED that ITS-SZ 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. ITS-SZ 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. ITS-SZ and their subcontractor listed in Attachment A must participate in an interlaboratory study of their primary and/or secondary chamber facilities.
3. If ITS-SZ wishes to use a subcontractor other than those listed in Attachment A, ITS-SZ must submit a request to the Executive Officer in writing and must provide evidence to demonstrate that their subcontractor can competently perform the tasks for which it is employed. ITS-SZ shall not use the subcontractor unless the Executive Officer approves the request in writing.
4. ITS-SZ 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-18-033 supersedes Executive Order W-16-033A, which was issued on January 25, 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 8<sup>th</sup> day of August, 2018.



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Richard Boyd, Chief  
Risk Reduction Branch  
Transportation and Toxics Division

## Attachment A

List of Subcontractors for Intertek Testing Service - Shenzhen (TPC-33)  
Under Executive Order W-18-033

Company Name	Company Contact Information	Subcontractor Function
Intertek Testing Service - Guangzhou	Allen Xie <a href="mailto:allen.xie@intertek.com">allen.xie@intertek.com</a>	Accredited Laboratory