

State of California
CALIFORNIA AIR RESOURCES BOARD

EXECUTIVE ORDER W-17-003A

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

PFS Corporation dba PFS TECO

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 third-party certifiers 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 third-party certifiers;

WHEREAS, section 93120.4(b)(1) of the ATCM requires that applications to become CARB-approved third-party certifiers 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 third-party certifiers 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, PFS Corporation (the "applicant") submitted an original application dated May 9, 2008, which was deemed complete on May 23, 2008;

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, PFS Corporation was issued Executive Order W-08-003, signed on June 5, 2008;

WHEREAS, PFS Corporation submitted a request to CARB on January 29, 2010, for approval of Nanjing Wood-Based Panels Testing Center of State Forestry Administration of China as a subcontractor that would provide accredited laboratory services for PFS Corporation, and the request was approved and Executive Order W-08-003 was superseded by Executive Order W-08-003A, signed on April 8, 2010;

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

WHEREAS, PFS Corporation submitted an application for re-approval to CARB on June 7, 2010, which was deemed complete on June 15, 2010, and PFS Corporation was issued Executive Order W-10-003, signed on June 21, 2010;

WHEREAS, PFS Corporation submitted an application for re-approval to CARB on May 9, 2012, which was deemed complete on June 14, 2012, and PFS Corporation was issued Executive Order W-12-003, signed on June 20, 2012;

WHEREAS, on February 26, 2013, PFS Corporation informed CARB that they no longer intend to use their subcontract laboratory and requested that their subcontract laboratory be deleted from their Executive Order, and the request was approved and Executive Order W-12-003 was superseded by Executive Order W-12-003A;

WHEREAS, on November 12, 2013, PFS Corporation submitted a request and supplementary documentation to CARB for approval to use Shanghai Hongjun Science and Technology Co., Ltd. (SHST) as a subcontract laboratory to provide accredited laboratory services for PFS Corporation;

WHEREAS, the request and supplementary documentation indicate that SHST possesses the necessary qualifications to provide accredited laboratory services for PFS Corporation including initial (qualifying) and subsequent (verification) testing for manufacturers of composite wood products;

WHEREAS, it was appropriate to approve PFS Corporation's request to add SHST as a subcontractor to provide accredited testing services, and Executive Order W-12-003A was superseded by Executive Order W-12-003B;

WHEREAS, PFS Corporation submitted an application for re-approval to CARB on June 20, 2014, which was deemed complete on July 22, 2014, and PFS Corporation was issued Executive Order W-14-003, signed on July 30, 2014;

WHEREAS, PFS Corporation submitted an application for re-approval to CARB on August 11, 2016, which was deemed complete on February 6, 2017, and PFS Corporation was issued Executive Order W-17-003, signed on March 3, 2017;

WHEREAS, PFS Corporation and Timberco, Inc., doing business as (dba) TECO (TPC-7), informed CARB that they had completed a merger in June 2018 under the PFS Corporation dba PFS TECO (TPC-3), that they have informed all manufacturers currently certified by TPC-7 that they will now be certified by TPC-3, and requested that CARB terminate the Executive Order and listing of TPC-7; and

WHEREAS, the Executive Officer approves of this merger and name change, and it is appropriate that Executive Order W-17-003 be superseded by this Executive Order -17-003A.

NOW, THEREFORE, IT IS ORDERED that PFS TECO is hereby approved to continue providing services as a third-party certifier and is issued the following number designating them as a CARB-approved third-party certifier: **TPC-3**.

BE IT FURTHER ORDERED that PFS TECO is a CARB-approved third-party certifier 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. PFS TECO must provide their CARB-approved third-party certifier number to each manufacturer it has contracted with for services, as specified in section 93120.12, Appendix 3, of the ATCM.
2. PFS TECO and the subcontract laboratories listed in Attachment A must participate in an interlaboratory study of their primary and/or secondary chamber facilities.
3. If PFS TECO wishes to use any additional subcontractors other than those listed in Attachment A, then PFS TECO must submit a request to the Executive Officer in writing and must provide evidence to demonstrate that they or their subcontractor can competently perform the tasks for which it is employed. PFS TECO shall not use a subcontractor unless the Executive Officer approves the request in writing.
4. PFS TECO shall immediately notify the Executive Officer if any accreditation or certification provided in support of their application is renewed, allowed to expire, or revoked within the duration of this Executive Order.

BE IT FURTHER ORDERED that this Executive Order W-17-003A supersedes Executive Order W-17-003, which was issued on March 3, 2017.

BE IT FURTHER ORDERED that this Executive Order shall have a duration of two years from the original date it was executed; within 120 days of the expiration of the original Executive Order, the third-party certifier 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 third-party certifier 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 third-party certifier 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 third-party certifier 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 third-party certifier 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 11th day of September 2018.



Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division

Attachment A

List of Subcontractors for PFS TECO (TPC-3) Under Executive Order W-17-003A

Company Name	Contact Information	Subcontractor Function
Shanghai Hongjun Science & Technology Co., Ltd. Chongqing, China	Mr. Steven Verhey PFS TECO steve.verhey@pfsteco.com	Accredited Laboratory Services and Inspection Services
Laboratorio Prevenzione Incendi S.p.A. (LAPI), Italy		Accredited Laboratory Services and Inspection Services
Hongjun Keji Corporation, China		Inspection Services
Star International, Inc., China		Inspection Services
Linyi City Meilinjia Panels Quality Testing Co., Ltd., China		Inspection Services