

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER W-16-009

Relating to ARB Approval of Third Party Certifiers under
Section 93120.4, title 17, California Code of Regulations

SCS Global Services

WHEREAS, the Air Resources Board (ARB) 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 approved by ARB;

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 ARB Executive Officer to approve third party certifiers;

WHEREAS, section 93120.4(b)(1) of the ATCM requires that applications to become ARB-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, SCS Global Services (formerly known as Scientific Certification Systems, the "applicant") submitted an original application dated July 15, 2008, deemed complete on July 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, the applicant was issued Executive Order W-08-009, signed on August 5, 2008;

WHEREAS, the original application and amendments submitted on August 13, 2008, December 15, 2008, and July 8, 2009, indicated that the applicant had contractual agreements with subcontractors to provide accredited laboratory testing services;

WHEREAS, the applicant was issued Executive Order W-08-009C, signed August 5, 2009, listing subcontractors that would provide accredited laboratory services;

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

WHEREAS, the applicant submitted an updated application for re-approval to ARB on October 6, 2010;

WHEREAS, the updated application for re-approval was deemed complete on December 6, 2010, and the applicant was issued Executive Order W-10-009, signed on December 22, 2010, listing four subcontractors that provide accredited laboratory services;

WHEREAS, the applicant submitted an application on April 20, 2012 to add a fifth subcontractor to provide accredited laboratory services;

WHEREAS, the application was deemed complete on May 8, 2012, and the applicant was issued Executive Order W-10-009A, signed on May 10, 2012;

WHEREAS, SCS Global Services submitted an updated application for re-approval to ARB on January 22, 2013, which was deemed complete on November 22, 2013, following submittal of additional information;

WHEREAS, SCS Global Services requested that only one of their prior subcontract laboratories be included with their re-approval application and that a subcontractor for inspection services be included;

WHEREAS, SCS Global Services was issued Executive Order W-13-009, signed on December 4, 2013;

WHEREAS, SCS Global Services submitted a request and supplemental documentation to ARB on May 12, 2015, for approval to use Berkeley Analytical Associates, LLC (BAA) as a subcontract laboratory to provide accredited laboratory services for SCS Global Services;

WHEREAS, SCS Global Services' request was approved and SCS Global Services was issued amended Executive Order W-13-009A, signed on July 6, 2015;

WHEREAS, the applicant submitted an updated application for re-approval to ARB on November 20, 2015, which was deemed complete on May 2, 2016, following receipt of additional information;

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

WHEREAS, the Executive Officer approved SCS Global Services' request for re-approval, and it is appropriate that Executive Order W-13-009A be superseded by this Executive Order W-16-009;

NOW, THEREFORE, IT IS ORDERED that SCS Global Services is hereby reapproved as a third party certifier and shall continue to use the following number designating them as an ARB-approved third party certifier: **TPC-9**.

BE IT FURTHER ORDERED that SCS Global Services is an ARB-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. SCS Global Services must provide their ARB-approved third party certifier number to each manufacturer it has subcontracted with for services, as specified in section 93120.12, Appendix 3, of the ATCM.
2. SCS Global Services must ensure that the subcontractor laboratories listed in Attachment A participate in an inter-laboratory study of their primary and/or secondary chamber facilities.
3. If SCS Global Services wishes to undertake accredited laboratory services, or use a subcontractor other than those listed in Attachment A, then SCS Global Services 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. SCS Global

Services shall not use a subcontractor other than those listed in Attachment A, unless the Executive Officer approves the request in writing.

4. SCS Global Services shall immediately notify the Executive Officer if any accreditation or certification provided in support of their initial or amended application is renewed, allowed to expire, or revoked within the duration of this Executive Order.

BE IT FURTHER ORDERED that this Executive Order W-16-009 supersedes Executive Order W-13-009A, which was issued on July 6, 2015;

BE IT FURTHER ORDERED that this Executive Order shall have a duration of two years from the date that Executive Order W-16-009 was executed; within 120 days prior to the expiration of that 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 ARB 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 ARB 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 18th day of May, 2016.



Richard Boyd, Chief
Emissions Assessment Branch
Transportation and Toxics Division

Attachment A

List of Subcontractors for SCS Global Services (TPC-9) Under Executive Order W-16-009

Company Name	Contact Information	Subcontractor Function
Beijing Products Quality Supervision and Inspection Institute	Luo Xin or Li Jiguang mcziz@126.com	Accredited Laboratory
Berkeley Analytical Associates, LLC	Alfred Hodgson ahodgson@berkeleyanalytical.com	Accredited Laboratory
Green Panel Consulting	Shengfu Wu shengfu@woodbasedpanel.com	Inspection/Audit Services