



# WHAT THE NEW CARB RULE MEANS FOR YOU

A Quick Reference Guide to the California Air Resources Board's Airborne Toxic Control Measure (ATCM) for Formaldehyde Emissions from Composite Wood Products

July 2009

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## 1. PRODUCTS AND BUSINESSES COVERED BY ATCM

### Composite Wood Products Covered

- Particleboard.
- Medium Density Fiberboard (MDF).
- Thin MDF ( $\leq 8$  mm in thickness) [has different emission requirements and compliance deadlines than regular MDF].
- Hardwood Plywood made with a veneer core.
- Hardwood Plywood made with a composite core (particleboard or MDF) [has different compliance deadlines than veneer core hardwood plywood].

### Business Activities Covered

- Finished products for sale or use in California may only contain CARB compliant composite wood products certified by a CARB approved Third Party Certification (TPC) agency. Fabricators must specify and only use compliant composites.
- Manufacturers of composite wood products for sale or use in California must obtain certification by a CARB approved TPC.
- Manufacturers, importers and distributors of composite wood products for sale or use in California, have recordkeeping, labeling and notification obligations.
- Fabricators of finished products containing composite wood products and distributors have recordkeeping, labeling and notification obligations.
- California retailers of composite wood products and fabricated products containing composite wood products have labeling and recordkeeping requirements.
- Third Party certifiers of composite wood products have recordkeeping, monitoring and reporting requirements.

### Business Definitions

**Manufacturer**—A company that manufactures regulated composite wood panels (hardwood plywood, particleboard or MDF).

**Importer**—A company that imports regulated composite wood panels.

**Fabricator**—A company that manufactures domestic or imported finished goods made with regulated composite wood panels.

**Distributor**—A company that distributes regulated composite panels or finished goods made with regulated composite panels (different rules for each), but not to consumers. Does not alter products.

**Retailer**—A company that sells regulated composite panels or finished goods made with regulated composite panels (different rules for each) to consumers.

## WHAT THE NEW CARB RULE MEANS FOR YOU: A QUICK REFERENCE GUIDE {continued}

### Phase 1 and Phase 2 Formaldehyde Emission Standards for Hardwood Plywood (HWPW), Particleboard (PB), and Medium Density Fiberboard (MDF)<sup>1</sup>

Effective Date	Phase 1 (P1) and Phase 2 (P2) Emission Standards (ppm)				
	HWPW-VC	HWPW-CC	PB	MDF	Thin MDF
January 1, 2009	P1: 0.08		P1: 0.18	P1: 0.21	P1: 0.21
July 1, 2009		P1: 0.08			
January 1, 2010	P2: 0.05				
January 1, 2011			P2: 0.09	P2: 0.11	
January 1, 2012					P2: 0.13
July 1, 2012		P2: 0.05			

<sup>(1)</sup> Based on the primary test method, ASTM E 1333-96(2002), in parts per million (ppm). HWPW-VC = veneer core; HWPW-CC = composite core.

## 2. EXEMPTIONS

### General Exemptions from ATCM

- Composite wood products and fabricated products containing composites offered for sale or use **outside** of California.
- Composite wood products used in manufactured homes subject to US HUD regulations.
- Goods owned by consumers that are brought into California as part of a household move, etc.
- Goods owned by consumers that are subsequently resold on a secondary market.
- Local governments are exempt from recordkeeping and labeling requirements unless they are offering fabricated products or composite wood products for sale.

### Specific Product Exemptions from ATCM

- Finger jointed lumber.
- Hardboard meeting ANSI A135.4, ANSI A135.5 or ANSI 135.6.
- Prefabricated wood I-Joists meeting ASTM D5055.
- Structural plywood meeting PS-1.
- Structural panels meeting PS-2.
- Structural composite lumber meeting ASTM D 5456.
- Structural glued laminated lumber meeting ANSI A190.
- Windows containing less than 5% composites.
- Exterior doors made with composites meeting the Ultra Low Emission Formaldehyde (ULEF) or No Added Formaldehyde (NAF) requirements, or containing less than 3% other composites.
- New vehicles meeting Section 430 of the California Code, except for recreational vehicles.
- Curved plywood.
- Packaging (pallets, crates, spools and dunnage).

## 3. MANUFACTURER EMISSION LIMITS AND DEADLINES

Products meeting the emission limits above (see chart) must also be certified by a CARB approved third party certification program unless they are approved Ultra Low Emission Formaldehyde (ULEF) or No Added Formaldehyde (NAF) products (see certification exemptions).

## 4. SELL THROUGH PROVISIONS FOR MOVING INVENTORY BEYOND THE MANUFACTURING DEADLINES\*

- Manufacturers and Importers of composite wood products: 3 months beyond the Phase 1 and Phase 2 ATCM manufacturing deadlines.
- Distributors of composite wood products: 9 months beyond the Phase 1 and 5 months beyond the Phase 2 ATCM manufacturing deadlines.
- Retailers of composite wood products: 9 months beyond the Phase 1 and 5 months beyond the Phase 2 ATCM manufacturing deadlines.
- Fabricators and Distributors of finished products containing composite wood products: 18 months beyond the Phase 1 and Phase 2 ATCM manufacturing deadlines.
- Retailers of fabricated products containing composite wood products: 18 months beyond the Phase 1 and Phase 2 ATCM manufacturing deadlines.

\*see above table



= CARB + 100% Recycled/Recovered

### 5. CERTIFICATION REQUIREMENTS AND EXEMPTIONS

#### Manufacturer Requirements

- For particleboard, MDF and hardwood plywood products, compliance with emissions standards must be verified by an approved third party certification agency (see exemptions below).
- Manufacturers are responsible for the emissions performance of all products certified.
- Each certified mill's quality program must include a quality control manual describing quality systems, specified facilities and trained personnel.
- Mills must undergo initial qualification, do regular quality tests and quarterly third party audits/emission verifications by the TPC.
- Mill must follow specific procedures for products found to be out of compliance with the standard.
- Quality records must be retained for two years.

#### Third Party Certification Agency Requirements

Obtain approval from CARB based on the following conditions:

- Obtain accreditation from a signatory of the International Laboratory Accreditation Cooperation Agreement (ILAC).
- Demonstrate actual field experience with certification and management of inspectors.
- Demonstrate experience with laboratory procedures or obtain contractual arrangements with a CARB approved testing laboratory.
- Verify that manufacturers using certification services are complying with the quality requirements of the rule and provide them with independent audits and a CARB approved certifier number for product labels and notifications.
- Maintain records of certification activity for two years and provide an annual report to CARB of certification activities, including test results.

#### Exemptions to Third Party Certification Requirements

Finished products must be fabricated with certified composites but do not require separate third party certification. Approved Ultra Low Emission Formaldehyde (ULEF) and No Added Formaldehyde (NAF) composite wood products are exempt from daily third party certification quality control requirements, but must make a regular demonstration of ongoing compliance.

- NAF and ULEF producers must apply to CARB to obtain an approved exemption and provide an initial demonstration of compliance with special emission limits.
- NAF and ULEF products must demonstrate a 90% or better compliance with a 0.04 PPM ASTM E1333 limit.
- Primary and/or secondary compliance tests for ULEF/ NAF approval must be performed initially, and annually thereafter, by an approved Third Party Certification Agency.



### 6. COMPLIANCE TESTING REQUIREMENTS

- Certification testing by approved third party certification testing agencies shall be conducted using either the primary or secondary test, or an alternate secondary test approved by CARB.
  - The primary ATCM test is ASTM E1333, the Large Chamber test.
  - The secondary ATCM test is ASTM D6007, the Small Scale Chamber test. Certifiers must show equivalent results to the primary test in order to use the secondary test.

### 7. LABELING, NOTIFICATION AND RECORDKEEPING REQUIREMENTS

#### Composite Manufacturer/Importer Labels

- Manufacturer name.
- Production lot number or batch.
- Compliance standard being met—i.e., Phase 1, Phase 2, ULEF or NAF.
- CARB-assigned number of third party compliance agency (except for ULEF/NAF products).

#### Composite Manufacturer/Importer Notifications

- A statement of compliance must be included with either the invoice or the bill of lading.
- Compliance statement must include the manufacturer's name, the certification number of the third party compliance agency and the compliance standard met by the product.

#### Composite Manufacturer/Importer Records

- Quality test data or compliance data and records indicating ongoing ULEF/NAF approval must be kept for 2 years.
- Maintain tracking records to allow products to be traced to their specific production lots.
- Maintain product purchaser information and invoice numbers.
- Maintain product transporter information.
- Maintain records regarding disposition of products not complying with the standard.
- Receiving written documentation of product compliance from suppliers and providing it to customers is recommended.

#### Distributor Requirements (incl. importers of finished goods)

- No additional labeling is required if products are not modified.
- Keep records showing date of purchase of ATCM regulated products for 2 years.
- Statement of compliance notification on bill of lading or invoice indicating the compliance standard being met.
- Receiving written documentation of product compliance from suppliers and providing it to customers is recommended.

#### Fabricator Requirements

- Must use composites that comply with the emission and certification requirements of the rule.
- Records showing date of purchase for composites must be kept for 2 years.
- Label required for every product or product box applied as a stamp, tag, sticker or bar code.
- Label must include the fabricator's name, the production date and the compliance standard of the product being used (i.e. Phase 1, Phase 2, ULEF, NAF).
- Receiving written documentation of product compliance from suppliers and providing it to customers is recommended.

#### Retailer Requirements

- Must stock composites and/or fabricated products containing composites that comply with the labeling, emission and certification requirements of the rule.
- Maintain purchasing records for composites and/or fabricated products containing composites for 2 years.
- Receiving written documentation of product compliance from suppliers and providing it to customers is recommended.

### 8. RESOURCES

#### Composite Panel Association (CPA)

703.724.1128 or [jbradfield@cpamail.org](mailto:jbradfield@cpamail.org)  
[www.pbmdf.com](http://www.pbmdf.com)  
[www.CARBrule.org](http://www.CARBrule.org)—the reliable resource for compliance

#### Hardwood Plywood Veneer Association (HPVA)

703.435.2900 or [KHowlett@hpva.org](mailto:KHowlett@hpva.org)  
[www.hpva.org](http://www.hpva.org)

#### American Home Furnishing Association (AHFA)

336.884.5000 or [bperdue@ahfa.us](mailto:bperdue@ahfa.us)  
[www.ahfa.us](http://www.ahfa.us)

#### Kitchen Cabinet Manufacturers Association (KCMA)

703.264.1690 or [dtitus@kcma.org](mailto:dtitus@kcma.org)  
[www.kcma.org](http://www.kcma.org)

#### California Air Resources Board (CARB)

916.327.5615 or [btakemot@arb.ca.gov](mailto:btakemot@arb.ca.gov)  
[www.arb.ca.gov/toxics/compwood/compwood.htm](http://www.arb.ca.gov/toxics/compwood/compwood.htm)

### 9. CERTIFICATION AND TESTING SERVICES

Your best assurance of using CARB compliant products is to specify those certified by CPA—the first Third Party Certifier approved by CARB. A list of certified facilities is available at [www.pbmdf.com](http://www.pbmdf.com) and [www.CARBrule.org](http://www.CARBrule.org).

All CPA certified products are tested at CPA's new state-of-the-art International Testing and Certification Center (ITCC) in Leesburg, Virginia. The ITCC is accredited by the US Commerce Department's National Voluntary Lab Accreditation Program (NVLAP). CPA's certification programs also carry ISO Guide 65, ISO Guide 17120 ISO Guide 17025 and International Accreditation Services (IAS) accreditations.

#### ITCC

73 Lawson Road  
Leesburg, VA 20175  
703.724.1128 Fax 703.724.1588

**Certification Services:** Chris Surak at [csurak@cpamail.org](mailto:csurak@cpamail.org)

**Testing Services:** Bill Harrington at [bharrington@cpamail.org](mailto:bharrington@cpamail.org)



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