



## What the New CARB Rule Means for You

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

### Sections

1. Products and Businesses Covered by ATCM
2. Exemptions
3. Manufacturer Emission Limits and Deadlines
4. Sell Through Provisions for Moving Inventory Beyond the Manufacturing Deadlines
5. Compliance Testing Requirements
6. Certification Requirements and Exemptions
7. Labeling, Notification and Recordkeeping Requirements
8. Resources

### 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.
- Hardwood Plywood made with a composite core (particleboard or MDF) [has different compliance deadlines than veneer core hardwood plywood].

#### **Business Activities Covered**

- Manufacturers of composite wood products for sale or use in California.
- Importers of composite wood products for sale or use in California.
- Distributors of composite wood products for sale or use in California.
- Fabricators of products containing composite wood products for sale or use in California.
- Distributors of fabricated products containing composite wood products for sale or use in California.
- Retailers of composite wood products and fabricated products containing composite wood products for sale or use in California.
- Third Party certifiers of products to the requirements of the Composite Wood Air Toxic Control Measure.

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613.232.6782 Fax 613.232.8386

## 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.

## 3. Manufacturer Emission Limits and Deadlines

Products meeting the emission limits below must also be certified by a CARB approved 3<sup>rd</sup> Party certification program unless they are approved Ultra Low Emission Formaldehyde (ULEF) or No Added Formaldehyde (NAF) products (see certification exemptions).

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.

#### **4. Sell Through Provisions for 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: 5 months beyond the Phase 1 and Phase 2 ATCM manufacturing deadlines.
- Fabricators of products containing composite wood products: 18 months beyond the Phase 1 and Phase 2 ATCM manufacturing deadlines.
- Distributors and Retailers of fabricated products containing composite wood products: 18 months beyond the Phase 1 and Phase 2 ATCM manufacturing deadlines.

#### **5. 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.
- Alternate secondary tests must be approved by CARB. Certifiers must show equivalent results to the primary test in order to use an alternate secondary test.

#### **6. Certification Requirements and Exemptions**

##### **Manufacturer Requirements**

- For each product, initial compliance with emissions standards must be verified by an approved third party certification agency.
- Following initial qualification, quarterly third party verification of emissions is required.
- Manufacturer is responsible for the emissions performance of all certified products.
- Each certified mill's quality program must include a quality control manual describing quality systems and procedures as well as specified facilities and personnel.
- Mill must do regular quality tests during each production shift (for particleboard and MDF) or by production level (for hardwood plywood).
- Mills must set quality limits by correlating their tests to the third party's primary and/or secondary compliance test.
- 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 accreditation from CARB.
- 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**

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 producers must provide basic adhesive chemical formulation information to CARB.
- NAF producers must provide 3 months of initial quality data to show compliance with special emission limits and at least one primary or secondary compliance test.
- ULEF producers must provide 6 months of initial quality data showing compliance with special emission limits and at least one primary or secondary compliance test.
- 90% of the NAF and ULEF initial quality data must be 0.04 PPM or lower. Additionally, all hardwood plywood quality data and compliance tests must be 0.05 PPM or lower, and all particleboard and MDF quality data and compliance tests must be 0.06 PPM or lower.
- NAF and ULEF producers must provide CARB with a primary or secondary compliance test showing compliance with the special NAF/ULEF limits every two years.
- Primary and/or secondary compliance tests must be performed by an approved Third Party Certification Agency.

## **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 certification 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 inspection 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 two 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.

### **Distributor Requirements**

- No additional labeling is required if products are not modified.
- Keep records showing date of purchase of ATCM regulated products for two years.
- Statement of compliance notification on bill of lading or invoice indicating the certification standard being met.

### **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 two 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 certification standard of the product being used.

## **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 two years.

## **8. Resources**

Composite Panel Association (CPA)  
703.724.1128 or [jbradfield@cpamail.org](mailto:jbradfield@cpamail.org).

Hardwood Plywood Veneer Association (HPVA)  
703.435.2900 or [gramp@hpva.org](mailto:gramp@hpva.org).

American Home Furnishing Association (AHFA)  
336.884.5000 or [bperdue@ahfa.us](mailto:bperdue@ahfa.us).

Kitchen Cabinet Manufacturers Association (KCMA)  
703.264.1690 or [dtitus@kcma.org](mailto:dtitus@kcma.org).

California Air Resources Board (CARB)  
916.324.6997 or [lbaker@arb.ca.gov](mailto:lbaker@arb.ca.gov).