California's Formaldehyde Regulation – Update for Flooring Producers

Artree Product Announcement Conference
Zhejiang Layo Wood Industrial Co.
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Overview

- Background
- Implications to indoor air quality
- Status of CARB regulation
- Requirements for flooring fabricators
- Status of U.S. EPA regulation
- Proposed amendments to CARB regulation
- Status of CARB enforcement
- Contact information



Background

- In 1992, CARB listed formaldehyde as a toxic air contaminant
- Majority of formaldehyde emissions in California are from vehicle exhaust
- Highest air concentrations of formaldehyde are indoors
- Many sources of indoor formaldehyde, but primary indoor source historically has been composite wood products
- In 2009, CARB regulation took effect to reduce formaldehyde emissions from composite wood products

Implications to Indoor Air Quality

- CARB does not have authority to establish indoor air quality standards
- Objective of CARB composite wood products regulation was to reduce formaldehyde emissions to the extent possible at the time regulation was developed, without banning use of formaldehyde-based glues
- CARB estimated that Phase 2 emission standards would reduce formaldehyde emissions by about 60 percent compared with product emissions prior to CARB regulation

Status of CARB Regulation

- CARB began implementation of Composite Wood Products Regulation in 2009
- Regulation established formaldehyde emission standards for hardwood plywood (HWPW), particleboard (PB), & medium density fiberboard (MDF) – Phase 2 standards in effect
- Panel manufacturers must be third party certified
  - Note: Panels produced at certified mills that aren't destined for sale in California aren't required to be compliant
- Applies to products sold, supplied, used, imported for sale, or manufactured for sale in California

Status of CARB Regulation
continued

- Requires finished goods (e.g., flooring, furniture, cabinets) to be made from compliant HWPW, PB, and MDF
- Industry sectors affected by regulation include:
  - Panel manufacturers
  - Fabricators of finished goods (e.g., flooring)
  - Distributors, importers, and retailers of panels & finished goods

Status of CARB Regulation
continued

- Third Party Certification (TPC) Program
  - Panel manufacturers must be third party certified by CARB-approved certifiers
  - TPCs provide two main services:
    - Process verification & emissions testing
  - 42 CARB-approved TPCs worldwide (North America, Europe, & Asia)
  - About 1,200 certified mills
  - CARB website featuring certified mills:

http://www.arb.ca.gov/toxics/compwood/tpc/listofmills.htm



Status of CARB Regulation
continued

- NAF/ULEF Program
  - Regulation allows exemption from third party certification for manufacturers using no-added formaldehyde (NAF) or ultra-low-emitting formaldehyde (ULEF) resin systems
  - Manufacturers must apply to CARB for approval
  - About 230 CARB-approved NAF and ULEF mills worldwide

Requirements for Flooring Fabricators

- Use certified composite wood material to make flooring
- Zhejiang Layo hardwood plywood mill is on CARB list of certified manufacturers
- Obtain statement of compliance from suppliers
- Keep records
- Label finished goods or boxes
- Provide statement of compliance on invoice or bill of lading to customers

Requirements for Flooring Fabricators
continued

- Label on finished goods (e.g., boxes of flooring) should not include TPC number
  - Misleads customers that TPC verified emissions of finished good
  - Only panels are required to be TPC verified
- Suggested steps for ensuring compliance
  - Verify suppliers are on ARB's list of certified mills
  - Verify suppliers are providing certified composite wood products

Status of U.S. EPA Regulation

- U.S. EPA developed national regulation based on CARB emission standards
- Numerous discussions between U.S. EPA and CARB staff in effort to harmonize regulations
- U.S. EPA expects regulation to be finalized during fall of 2016
- Regulation will become effective one year after published in Federal Register

Proposed Amendments to CARB Regulation

- CARB plans to clarify requirements and applicability
- Align CARB regulation with U.S. EPA regulation where appropriate
- Explore ways to better ensure compliance of imported products
- CARB public workshop on proposed amendments
  - Summer/fall of 2017 in Sacramento

Status of CARB Enforcement

- Inspections conducted at panel retailers, distributors, & retailers of finished goods
- Products inspected for compliance with labeling requirements
- Documentation reviewed regarding statement of compliance
- Samples collected for emissions testing
- March 2016, CARB settled case against Lumber Liquidators for selling noncompliant flooring imported from China – penalty of $2.5 million
- CARB will continue to investigate other businesses

Contact Information



For questions, contact:

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- Composite Wood Products Regulation Website:
  http://www.arb.ca.gov/toxics/compwood/compwood.htm