

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER W-20-012

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

ENGINEERED WOOD PRODUCTS ASSOCIATION PTY. LTD.

WHEREAS, the California Air Resources Board (CARB) has adopted the “Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products” (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 TPCs 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 CARB’s Executive Officer to approve TPCs;

WHEREAS, section 93120.4(b)(1) of the ATCM requires that applications to become CARB-approved, TPCs must submit 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 TPCs 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, AWWA Test Centre Association, Inc. (ATCA or the applicant) submitted an original application dated June 27, 2008, which was deemed complete on September 26, 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 original application indicated that the applicant had a contractual agreement with the subcontractor, Advanced Testing Services, to provide accredited laboratory services;

WHEREAS, ATCA was issued Executive Order W-08-012, signed on October 21, 2008;

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

WHEREAS, ATCA submitted the original and updated applications for approval to CARB as follows:

Executive Order #	Received Date	Signed Date	Actions
W-08-012	June 27, 2008	October 21, 2008	Original
W-11-012	December 7, 2010	April 28, 2011	Renewal and update that the applicant will subcontract with AsureQuality (TPC-5) for accredited laboratory services and end its subcontract agreement with Advanced Testing Services.
W-13-012	March 15, 2013	May 8, 2013	Renewal
W-15-012	January 13, 2015	July 7, 2015	Renewal
W-18-012	July 31, 2017	February 21, 2018	Renewal and update that the applicant will subcontract with Composite Panel Association (TPC-1) for accredited laboratory services and end its subcontract agreement with AsureQuality (TPC-5).

Executive Order #	Received Date	Signed Date	Actions
W-18-012A	July 17, 2018	October 26, 2018	Amended to note that ATCA, their affiliated company is phasing out of business. Engineered Wood Products Association Pty. Ltd. (EWPA), the applicant and ATCA's affiliated company, will carry out continued TPC services.

WHEREAS, EWPA submitted an updated application with supplementary documentation for re-approval to CARB on January 23, 2020, in which EWPA informed CARB that they had made changes to their TPC practices as specified below:

1. EWPA changed the name of their testing laboratory to Timber Testing Center Ply Ltd. Timber Testing Laboratory (Timber Testing Laboratory). Timber Testing Laboratory is a fully owned subsidiary of EWPA's parent company (as is EWPA). Timber Testing Laboratory's accreditation was updated to reflect the name change;
2. EWPA implemented new checklists to be used for initial qualification inspections and quarterly inspections;

WHEREAS, the renewal application was deemed complete on April 4, 2020;

WHEREAS, the supplementary documentation indicates that EWPA has the necessary qualification to provide accredited TPC services for manufacturers of composite wood products;

WHEREAS, the Executive Officer finds that the completed, updated application for re-approval demonstrated EWPA's ability to continue to comply with section 93120.4(b)(1) of the ATCM; and

WHEREAS, the Executive Order approved EWPA's request for re-approval as a TPC, and it is appropriate that Executive Order W-18-012A be superseded by this Executive Order W-20-012.

NOW, THEREFORE, IT IS ORDERED that EWPA is hereby approved as a TPC and is issued the following number designating them as a CARB-approved TPC: **TPC-12**.

BE IT FURTHER ORDERED that EWPA is a CARB-approved TPC 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. EWPA must provide their CARB-approved TPC number to each manufacturer it has subcontracted with for services, as specified in section 93120.12, Appendix 3, of the ATCM.
2. EWPA's subcontract testing laboratory, listed in Attachment A, must participate in an inter-laboratory comparison of their primary and/or secondary chamber facilities.
3. If EWPA wishes to use a subcontracted laboratory other than Composite Panel Association, EWPA must submit a request to the Executive Officer in writing and must provide evidence to demonstrate that the subcontractor can competently perform the tasks for which it is employed. EWPA shall not use the subcontractor unless the Executive Officer approves the request in writing.
4. EWPA shall immediately notify the Executive Officer if any accreditation or certification provided in support of their initial application is renewed, allowed to expire, or revoked within the duration of this Executive Order.

BE IT FURTHER ORDERED that this Executive Order W-20-012 supersedes Executive Order W-18-012A, which was issued on October 26, 2018.

BE IT FURTHER ORDERED that this Executive Order shall have a duration of two years from the date it is executed; within 120 days prior to the expiration of this Executive Order, EWPA 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 EWPA 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 EWPA 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, EWPA 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 EWPA 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 13th day of April, 2020.



Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division

Attachment A

List of Subcontractors for Engineered Wood Products Association Pty. Ltd.
(EWPA) (TPC-012)
Under Executive Order W-20-012

Company Name	Company Contact Information	Subcontractor Function
Composite Panel Association	Connie Klinkman 73 Lawson Road, Suite 101 Leesburg, Virginia 20175 Phone: (703) 724-1128, Extension 296 Email: c.klinkman@cpamail.org	Accredited Laboratory Testing