

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER W-20-017A

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

**FCBA Technological Institute**

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 a CARB-approved TPC 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 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, FCBA Technological Institute (FCBA or the applicant) of Bordeaux, France, submitted an original application dated July 11, 2008; the application was deemed complete on November 4, 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, FCBA was issued Executive Order W-08-017, signed on December 22, 2008;

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

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

| <b>Executive Order #</b> | <b>Date Received</b> | <b>Date Signed</b> | <b>Actions</b>  |
|--------------------------|----------------------|--------------------|---|
| W-08-017                 | 7/11/2008            | 12/22/2008         | Original  |
| W-11-017                 | 12/21/2010           | 10/5/2011          | Renewal   |
| W-13-017                 | 10/5/2013            | 12/20/2013         | Renewal; informed CARB of plans to discontinue the use of their laboratory and requested approval to use AIDIMME for laboratory testing |
| W-16-017                 | 11/27/2015           | 5/11/2016          | Renewal   |
| W-18-017                 | 4/23/2018            | 5/22/2018          | Renewal   |
| W-20-017                 | 1/24/2020            | 6/30/2020          | Renewal   |

WHEREAS, FCBA submitted a request and supplementary documentation to CARB on December 22, 2020, for approval to add FCBA's accredited laboratory for formaldehyde emissions testing;

WHEREAS, the request and supplementary documentation indicates that FCBA's accredited laboratory has the necessary qualifications to provide laboratory testing for FCBA;

WHEREAS, it is appropriate to approve FCBA's request to add their laboratory for formaldehyde emissions testing;

WHEREAS, the Executive Officer finds that the completed and updated application demonstrated the TPC's ability to continue to comply with section 93120.4(b)(1); and

WHEREAS, the Executive Officer approves FCBA's request for approval to add the FCBA laboratory for laboratory testing, and it is appropriate that Executive Order W-20-017 be superseded by this Executive Order W-20-017A.

NOW, THEREFORE, IT IS ORDERED that FCBA is hereby approved as a TPC and is issued the following number designating them as a CARB-approved TPC: **TPC-017**.

BE IT FURTHER ORDERED that FCBA 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. FCBA 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. FCBA and their subcontracted laboratory listed in Attachment A must participate in an inter-laboratory study of their primary and/or secondary chamber facilities.
3. If FCBA wishes to use a subcontracted laboratory other than AIDIMME, listed in Attachment A, FCBA 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. FCBA shall not use the subcontractor unless the Executive Officer approves the request in writing.
4. FCBA 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-20-017A supersedes Executive Order W-20-017, which was issued on June 30, 2020.

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, FCBA 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 FCBA with 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 FCBA 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, FCBA 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 FCBA 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 4<sup>th</sup> day of February 2021.



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Richard Boyd  
Assistant Division Chief  
Transportation and Toxics Division

**Attachment A**

List of Subcontractors for FCBA (TPC-017)  
Under Executive Order W-20-017A

| <b>Company Name</b> | <b>Company Contact Information</b>  | <b>Subcontractor Function</b>     |
|---------------------|---|-----------------------------------|
| AIDIMME             | Maria Jesus Soler AIDIMME<br>Contact: Maria Jesus Soler<br><a href="mailto:mjsoler@aidimme.es">mjsoler@aidimme.es</a> | Accredited Laboratory<br>Services |