

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER W-20-006

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

PT Mutuagung Lestari

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

WHEREAS, section 93120.4(b)(1) of the ATCM requires that an application 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, PT Mutuagung Lestari (MUTU Certification or the applicant) submitted an original application dated May 28, 2008, which was deemed complete on June 18, 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, MUTU Certification was issued Executive Order W-08-006, signed on July 7, 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, MUTU Certification submitted the original and updated applications for approval to CARB as follows:

Executive Order #	Received Date	Signed Date	Actions
W-08-006	May 28, 2008	July 7, 2008	Original
W-10-006	March 15, 2010	July 9, 2010	Renewal
W-12-006	April 5, 2012	April 25, 2012	Renewal
W-12-006A	December 22, 2012	January 8, 2013	Amendment to add Forest Research Institute of Malaysia (FRIM) as a contract laboratory
W-14-006	February 20, 2014	June 4, 2014	Renewal
W-16-006	March 1, 2016	June 29, 2016	Renewal and removal of FRIM from list of contract laboratories
W-18-006	March 9, 2018	May 17, 2018	Renewal

WHEREAS, MUTU Certification submitted an updated application for re-approval to CARB on February 28, 2020; the re-approval application was deemed complete on March 13, 2020;

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

WHEREAS, the Executive Officer approved MUTU Certification's request for re-approval and it is appropriate that Executive Order W-18-006 be superseded by this Executive Order W-20-006.

NOW, THEREFORE, IT IS ORDERED that MUTU Certification continues to be approved as a TPC and shall continue to use the following number designating them as a CARB-approved TPC: **TPC-6**.

BE IT FURTHER ORDERED that MUTU Certification 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. MUTU Certification 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. MUTU Certification must participate in an interlaboratory study of their primary and/or secondary chamber facilities.
3. If MUTU Certification wishes to use a subcontractor, they 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. MUTU Certification must not use any subcontractor unless the Executive Officer approves the request in writing.
4. MUTU Certification must immediately notify the Executive Officer if any accreditation or certification provided in support of their application is renewed, allowed to expire, or revoked within the duration of this Executive Order.

BE IT FURTHER ORDERED that this Executive Order W-20-006 supersedes Executive Order W-18-006, which was issued on May 17, 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, the TPC 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 the TPC 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 the TPC 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, the TPC 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 the TPC 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 8th day of April, 2020.



Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division