

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER W-19-025A

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

ICC NTA, LLC

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 applications to become a CARB-approved, TPC 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, NTA, Inc. (NTA or the applicant) submitted an original application to become a TPC, dated November 5, 2008; the application was deemed complete on March 11, 2009;

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, NTA was issued Executive Order W-09-025, signed on April 16, 2009;

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

Executive Order #	Received Date	Signed Date	Actions
W-09-025	November 5, 2008	April 16, 2009	Original
W-11-025	March 8, 2011	April 15, 2011	Renewal
W-13-025	April 5, 2013	May 10, 2013	Renewal
W-15-025	May 5, 2015	June 24, 2015	Renewal
W-17-025	June 19, 2017	June 20, 2017	Renewal
W-17-025A	November 27, 2018	December 7, 2018	Amended to add subcontractors Beijing Products Quality Supervision and Inspection Institute (BPQSII) for laboratory testing and GICIA India Pvt. for inspection services
W-19-025	June 4, 2019	September 24, 2019	Renewal

WHEREAS, on February 25, 2020, NTA informed CARB staff that they were acquired by International Code Council (ICC) and that their company name has been changed to ICC NTA, LLC (ICC NTA) and that their accreditations had been updated to reflect the name change; on March 6, 2020, ICC NTA informed CARB staff that they will no longer use their testing laboratory in Nappanee, Indiana and will use their subcontract laboratory, Beijing Products Quality Supervision and Inspection Institute, listed in Attachment A, for all testing services; and

WHEREAS, the Executive Officer approved ICC NTA's name change request and it is appropriate that Executive Order W-19-025 be superseded by this Executive Order W-19-025A.

NOW, THEREFORE, IT IS ORDERED that ICC NTA is hereby approved as a TPC and is issued the following number designating them as a CARB-approved TPC:
TPC-025.

BE IT FURTHER ORDERED that ICC NTA 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. ICC NTA 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. ICC NTA's subcontract laboratory listed in Attachment A must participate in an inter-laboratory study of their primary and/or secondary chamber facilities.
3. If ICC NTA wishes to use a subcontractor other than those listed in Attachment A, ICC NTA 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. ICC NTA shall not use the subcontractor unless the Executive Officer approves the request in writing.
4. ICC NTA 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-19-025A supersedes Executive Order W-19-025, which was issued September 24, 2019.

BE IT FURTHER ORDERED that this Executive Order shall have a duration of two years from the date Executive Order W-19-025 was executed; within 120 days prior to the expiration of this Executive Order, ICC NTA 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 ICC NTA 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 ICC NTA 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, ICC NTA 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 ICC NTA 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 20th day of April, 2020.



Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division

Attachment A

List of Subcontractors for ICC NTA (TPC-25)
Under Executive Order W-19-025A

Company Name	Company Contact Information	Subcontractor Function
Beijing Products Quality Supervision and Inspection Institute	Doug Berger, ICC NTA, LLC dberger@ntainc.com	Accredited Laboratory Testing
GICIA India Pvt. Ltd.	Doug Berger, ICC NTA, LLC dberger@ntainc.com	Inspection/Audit Services