

The New EPA Formaldehyde Rule
What You Should Know
(and Do!)

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Tim Spayde

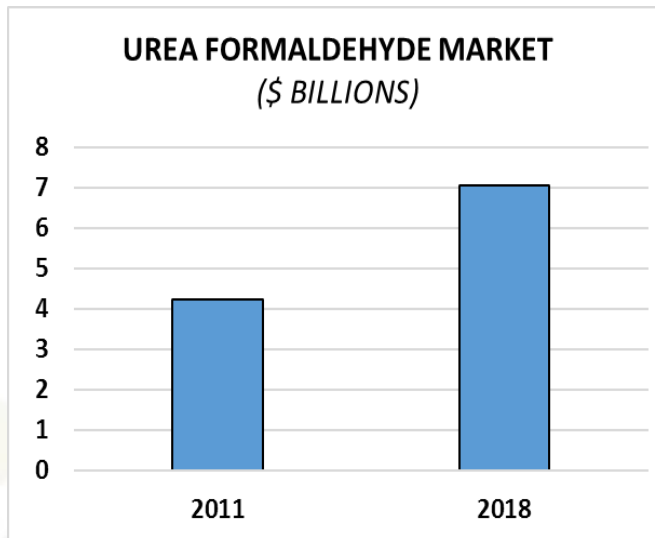
Formaldehyde

What It Is and Where It Is...

- **Naturally occurring compound**
- **Uses and products containing HCHO**
 - Wood adhesive
- **CARB regulation development**
- **Columbia's response to the market**
 - PureBond development
- **Current status in NA wood products**


Formaldehyde Use

- **Urea Formaldehyde**
 - Growing 7.5%/year!



- **Melamine Formaldehyde**
- **Phenyl Formaldehyde**

- **Used in wood adhesives for years**
- **Also widely used in:**
 - Automotive parts
 - Wrinkle resistant fabric
 - Carpeting
 - Paper products
 - Paints/coatings
 - Preservative/biocide




YOU'VE KNOWN SINCE
EIGHTH GRADE BIOLOGY
THAT FORMALDEHYDE
ISN'T REALLY MEANT
FOR LIVING CREATURES.
NOW YOU CAN DO
SOMETHING ABOUT IT.

INTRODUCING PUREBOARD™ THE COLT-COMPETITIVE, FORMALDEHYDE-FREE JOINTWOOD™

Superior value, all quality
without using toxic sol-
vents. Superior strength for heavy
duty workloads from
Columbia Forest Products.
Down the formaldehyde free
index all quality products
conformably to form.
Resistant physical stress
and weather (with the use
Green Building Directly
LEED® accredited which
means Formaldehyde free and
meets the green customer
and helps other the form.

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Role of Science and Government

- **Early 80's science began to ID the harmful aspects of HCHO – HUD standards established**
 - Initially determined that it was a eye, nose, skin irritant
 - Further studies validated it as a carcinogenic substance
- **California developed threshold levels; CARB compliance began in 2008 for composite wood**
- **Some European countries have specific bans on several products**
- **Nearly \$50 million awarded in lawsuits during FEMA Hurricane Katrina response in temporary housing HCHO levels**
- **In the US, a law was passed in 2010 limiting HCHO level in composite wood products**

Role of Non-Governmental Orgs

- **In 2000, the US Green Building Council's LEED rating system**

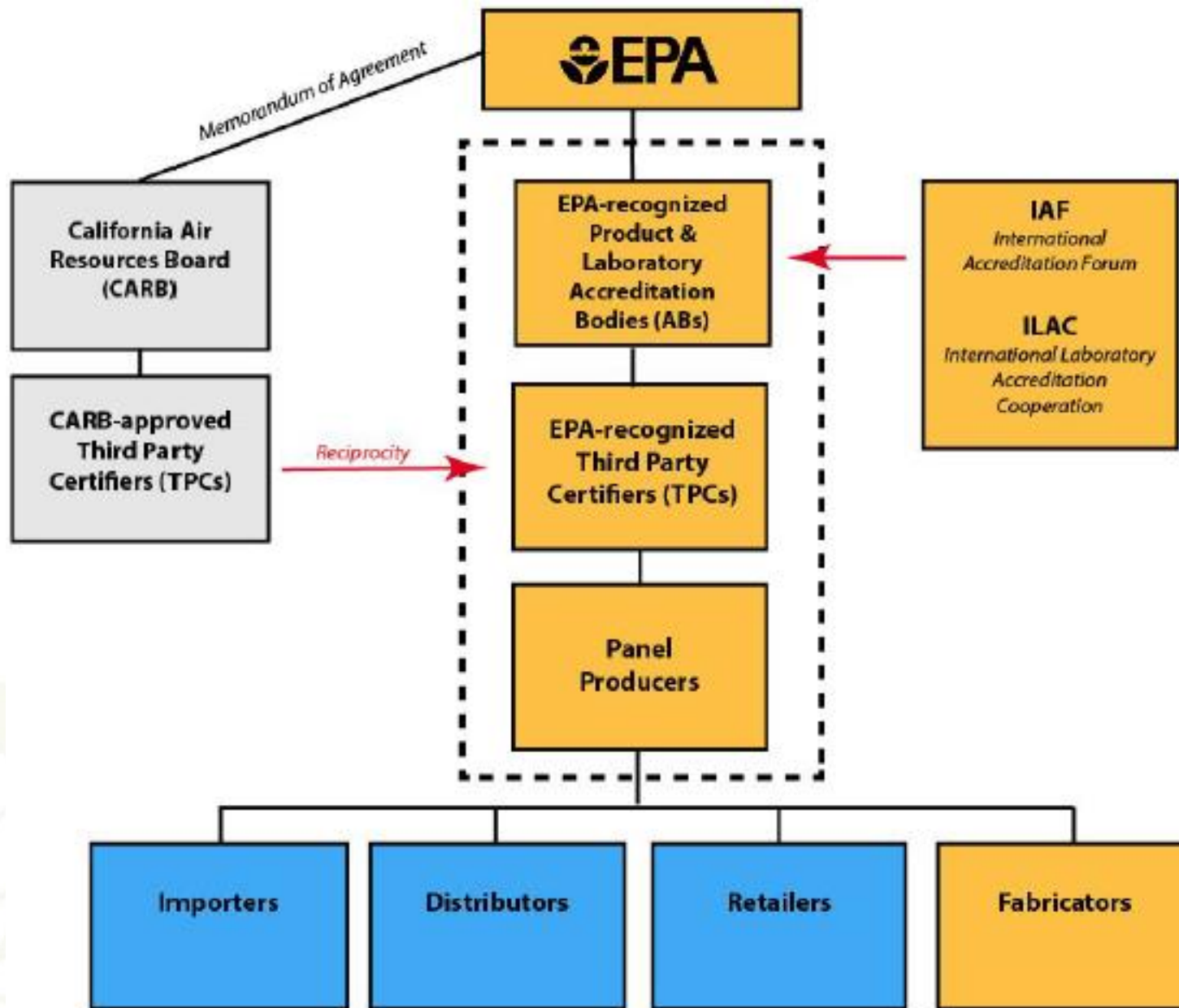
- Began awarding a credit for use of composite wood products with no added urea formaldehyde

- **To architects, designers, and suppliers, the race was on...**



EPA Determines the National Path Forward...

- **Acceptance of CARB standards**
- **TSCA Title VI: Toxic Substances Control Act**
 - Years of debate and delay
- **EPA eventually published final rule December 12, 2016**
 - Several additional regs included or amended
- **Time line going forward**
 - Current administration delays – now effective May 22, 2017
 - Effects TPC certification schedule, but Dec 12, 2017 is still “go live”
- **Probable outcome and my crystal ball**



Key Obligations in EPA Rule

Composite Wood Product Producers

Products must comply with emission standards:

Hardwood plywood (made with a veneer core or a composite core) = 0.05 ppm	December 12, 2017.
Particleboard = 0.09 ppm	
MDF = 0.11 ppm	
Thin MDF = 0.13 ppm	
(40 CFR 770.10)	
Products must be certified by an EPA TSCA Title VI TPC unless they are eligible for a limited exemption for products made with NAF-based or ULEF resins. (40 CFR 770.15, 770.17, 770.18)	December 12, 2017.
Products must undergo quarterly testing and routine quality control testing using specified methods	December 12, 2017.
(40 CFR 770.20)	
Panels must be labeled with the producer's name (or other identification), lot number, TPC number, and a statement of compliance with TSCA Title VI. (40 CFR 770.45)	December 12, 2017.
Records, including testing, production, purchaser, transporter, and non-complying lot information, must be kept for 3 years.	December 12, 2017.
Records demonstrating initial eligibility for reduced testing or a limited third-party certification exemption for products made with NAF-based or ULEF resins must be kept for as long as exemption eligibility is claimed. (40 CFR 770.40)	

Producers of Laminated Products That Are Not Exempt From the Definition of Hardwood Plywood

Bills of lading, invoices, or comparable documents must be obtained and maintained for 3 years	December 12, 2017.
(40 CFR 770.30, 770.40)	
Finished goods must be labeled with the producer's name, the date the good was produced, and a statement of TSCA Title VI compliance. (40 CFR 770.45)	December 12, 2017.
Laminated products must comply with the hardwood plywood emission standard of 0.05 ppm, and the testing, certification, and recordkeeping requirements for composite wood products. (40 CFR 770.10, 770.15, 770.20, 770.40)	December 12, 2023.

Producers of Laminated Products That Are Exempt From the Definition of Hardwood Plywood

Records demonstrating purchase/use of compliant platforms and NAF or PF resins and bills of lading, invoices, or comparable documents must be obtained and maintained for 3 years. (40 CFR 770.40)	December 12, 2023.
Bills of lading, invoices, or comparable documents must be obtained and maintained for 3 years (40 CFR 770.30, 770.40)	December 12, 2017.
Finished goods must be labeled with the producer's name, the date the good was produced, and a statement of TSCA Title VI compliance. (40 CFR 770.45)	December 12, 2017.

Fabricators (Other Than Laminated Product Producers)

Bills of lading, invoices, or comparable documents must be obtained and maintained for 3 years. (40 CFR 770.30, 770.40)	December 12, 2017
Finished goods must be labeled with the producer's name, the date the good was produced, and a statement of TSCA Title VI compliance. (40 CFR 770.45)	December 12, 2017.

Importers

Bills of lading, invoices, or comparable documents bearing a statement of TSCA Title VI compliance must be obtained and maintained for 3 years. In addition, must have the ability to make records identifying the panel producer, the date the products were produced, the supplier (if different) and the date the products were purchased available to EPA within 30 calendar days of request. (40 CFR 770.30, 770.40)	December 12, 2017.
Import certification under TSCA section 13 is required (40 CFR 770.30, 770.40)	December 12, 2018.

Distributors and Retailers

Bills of lading, invoices, or comparable documents must be obtained and maintained for 3 years. (40 CFR 770.30, 770.40)	December 12, 2017
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Formaldehyde

Get the Facts



- [What is formaldehyde?](#)
- [Where formaldehyde is found](#)
- [How you can be exposed to formaldehyde](#)
- [Health effects of formaldehyde](#)

Composite Wood Products



- [Formaldehyde Emission Standards for Composite Wood Products](#)
- [Webinars on the new rule](#)

Regulated Stakeholders

March 2, 2017 – Information to help you understand the requirements of EPA's Formaldehyde Emission Standards for Composite Wood Products final rule:

- [Resources and guidance materials](#)
- [Webinar presentations](#)

ENVIRONMENTAL PROTECTION
AGENCY

40 CFR Part 770

[EPA-HQ-OPPT-2016-0461; FRL-9949-90]

RIN 2070-AJ44

Formaldehyde Emission Standards for
Composite Wood Products

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Final rule.

How Manufacturers are Regulated

- Domestic NA compliance
- International compliance
- Testing requirements
- Exempt, certified, compliant...what's it mean?
- Third part certifier (TPC) oversight
- How will this change?
- How many will be left standing?
- Currently 43 TPCs, 233 panel producers within CARB
- How this may affect fabricators

Key Role:

Fabricators and Distributors

- **Reliable, certified wood supply – you are responsible**
- **Limited EPA resources will initially, probably, focus on imports**
- **Most North American producers are compliant, or familiar with the regs, some are not compliant**
- **Canadian material is considered an import**
- **Documentation and record keeping**
- **Labeling to the end-user**
- **Audits, enforcement, and penalties**

How Will CFP Support the Path to the Final Consumer

- **Current CFP / CARB status**
- **Participation in development of regulation**
- **Existing labeling and future changes**
- **Availability of documentation to the end user**
- **Supporting our distributors and fabricators in compliance**
- **Provide 3-year material documentation library**

What You Should be Doing Today

- **Appoint a point person in your company**
- **Understand your supply chain**
 - Confirm the current CARB status of your suppliers
 - Ask them what their plan is to support you
- **Identify a point of contact for CFP to provide continuing information, program changes, compliance updates, etc.**
- **Rest assured that CFP will be a source of compliant material and information, documentation, and labeling support**

CHECKLIST FOR EPA RULE SUCCESS

*(WHAT WOULD IT SAY FOR A
TYPICAL SHOP??)*

- Vet your Sources
- Organize your record keeping
- Determine your labeling plan
- Determine your reporting plan

Questions and Concerns?

TSCA Title VI Compliant

Columbia Forest Products

Mfg Date – December 12, 2017