

# Domestic TPC Perspective on EPA Formaldehyde Regulation

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# TPCs Under EPA Regulation

- Composite Panel Industry and CPA
- Grademark and ITCC Programs
- EPA Regulation and Fabricator Requirements
- Role of TPCs
- TPC Oversight
- Final Thoughts re Due Diligence



# Profile of the Composite Panel Industry



# NA Industry Stewardship

- Developed voluntary formaldehyde standard for composite wood panels 30 years ago
- Drive innovation working with resin suppliers
- Worked closely with CARB and FWIC
- Voluntarily complied with CARB for all NA
- Lead role in supporting
  - Bipartisan legislation (July 7, 2010)
  - EPA Regulations – most stringent standard in world
- Lead role in enforcement – level playing field

# CPA's Grademark Certification

- Formaldehyde Emissions Grademark Certification Program
  - North America's Largest CARB-Approved Third Party Certifier (TPC-1)
  - Extensive experience and technical understanding built over many years



# International Testing and Certification Center (ITCC)

- Trusted, worldwide leader in formaldehyde testing
  - Extensive expertise and excellent reputation for accuracy built over thirty years
- Accredited to ISO/IEC 17025:2005 as testing laboratory by ANSI-ASQ National Accreditation Board (ANAB)
- Recognized for reliable test results by:
  - U.S. Department of Housing and Urban Development (HUD)
  - CARB (TPC-1)
  - Major U.S. building codes



# ITCC

Designed specifically to help companies comply with CARB 2 and EPA requirements

- ▣ Capabilities include small/large chamber (emissions), desiccators and perforator (content) testing
- ▣ State-of-the-art sample conditioning area made entirely of inert material to ensure ultra-low background levels
- ▣ 3 E1333/large chambers
- ▣ 6 D6007/small chambers



# Grademark ECC Program



- Voluntary industry sustainability standard for composite wood panels
  - ANSI accredited
  - Third-party audits
  - Follows ISO/IEC 17065 and ISO/IEC 17020 standards
- Covers five areas – assess lifecycle footprint
  - Carbon footprint (use of carbon calculator)
  - Local/Renewable Resourcing
  - Recycled/Recovered
  - Sustainable manufacturing
  - Wood sourcing
- Look for logo when purchasing composite wood!



# Key Provisions – CARB Alignment!

- Same product scope (w/ exemptions)
- Same emissions limits
- Reduced testing and no third-party certification required for “exempt” ULEF and NAF
- Same test methodologies
- Similar methods for recognition of equivalency and correlation
- Similar labeling requirements
- Similar reporting requirements
- Similar record-keeping requirements
- **Same rigorous TPC system**
  - ▣ **Recognize CARB TPCs for 2 year transition period (12/12/18)**

# Key Dates/Reqmt's for Fabricators

- First Set of Requirements - **12/12/17**
  - Document use of compliant core material
    - Significant alignment with CARB Phase 2
    - NA producers ready to go now
    - Labeling issue
  - Applies to all fabricators
  - *TPC role is clear – ensure compliant panels*
- Second Set of Requirements – **12/12/18**
  - Import certification (TSCA) for articles containing regulated composite wood
  - *Requirements not yet developed – TPC role unclear*

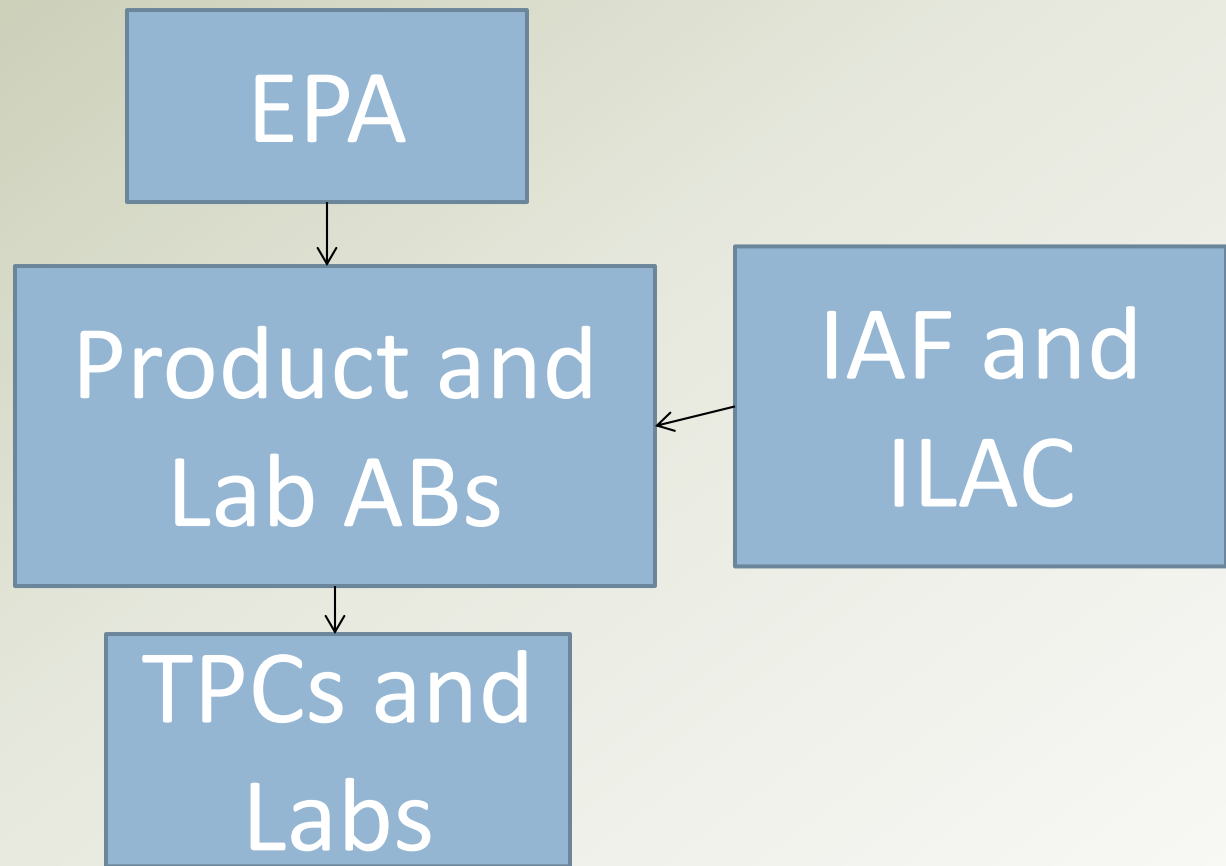
# Key Dates/Reqmt's for Non-Exempt Laminated Products

- Third Set of Requirements - **12/12/23**  
(Turns on whether producing “laminated products”)
  - Panels that use any other resin to attach wood/woody grass veneer (e.g., UF, ULEF)
    - Meet 0.05 ppm for HWPW
    - Comply with certification, recordkeeping and testing
- *Clear role for TPC – certify non-exempt laminated products*

# NEW - Non-Complying Lots

- Panel purchasers must be given notice with 72 hours of a non-complying lot via plant QC test or quarterly compliance test
- Purchaser (fabricator, importer, distributor or retailer) must retain panels or finished products made with non-complying lot panels until panel producers resolves the non-complying event

# Hierarchy of Certification Oversight Responsibilities



# EPA Responsibilities

- Will approve ABs
- Will approve TPCs
- Will have list of panel producers participating in an approved TPC certification program
- Marketplace enforcement



# EPA Oversight of ABs

- Good checks on credibility and capability
  - ▣ Must apply to EPA – recognition agreement
    - Must have assigned point of contact
    - Recognition agreement for 3 years, renewable
  - ▣ Demonstrate IAF/ILAC (MLA/MRA)
  - ▣ Impartiality requirements
  - ▣ Must meet with EPA at least once every 2 years
  - ▣ Allow for EPA to inspect AB's facilities

# AB Qualifications and Responsibilities

- Qualifications
  - IAF/ILAC (MLA/MRA)
  - Conform with ISO 17011 and competent to perform accreditation under relevant ISO standards
- In person audits of TPCs (done every two years)
  - Checklist review – must meet relevant ISO requirements
  - Review approaches by TPC and Labs for their respective duties
  - Ensure accreditation to ISO 17025 and in conformance with 17020 (incl. ASTM E1333 and D6007)

# AB Qualifications and Responsibilities

- Can suspend, reduce or withdraw TPC accreditation
  - ▣ notify EPA within 72 hours
- Recordkeeping requirements and annual report
- If not a domestic entity, an AB must have a domestic agent registered with EPA

# TPC Responsibilities

- TPCs manage applications for certification (not EPA)
  - Grants approval of Quality Control Limits
  - Producers using CARB-approved TPCs can continue without application process (2 years)
  - Manage NAF/ULEF applications and exemptions/reduced requirements
- Verify that panel producers meeting in-house QC requirements
- Notify EPA when required (e.g., QCL exceedance, rejected application, failed quarterly test)
- Data management
  - Submit all applications, notifications and annual reports to EPA Central Data Exchange (CDX)

# TPC Responsibilities

- Third-party auditing – similar function as under CARB
  - ▣ Quarterly audits for each product type
  - ▣ Must notify EPA w/in 72 hours of failed quarterly test or exceeded QCL for more than 2 consecutive tests
- TPCs can approve reduced QCL testing
  - ▣ Panel producers must demonstrate low variability of test results

# TPC Accreditation

- Qualifications
  - ▣ Recognized by EPA (application process or reciprocity as CARB-accredited TPCs)
  - ▣ AB-accredited
  - ▣ Be an or have contracted with AB-accredited lab
  - ▣ Ability to conduct inspections in conformance with applicable ISO standards
  - ▣ Demonstrated experience in composite wood industry
  - ▣ Demonstrated experience in performing or validating formaldehyde emissions
- Impartiality provisions included to protect against conflicts



# TPC Certification Process

- Plant develops internal QC manual
- Plant identifies number of product types
- Correlation (QCL) developed between QC test and compliance test using a minimum of 5 matched pairs of samples
- Plant submits application to TPC with a response due within 90 calendar days
- TPC conducts initial on-site qualification audit and accompanying quarterly compliance test

# Due Diligence on TPCs

- TPCs form the critical front line administering the regulation
  - Potentially important tool for your peace of mind
- When buying from supplier, ask:
  - Are you using a reputable, trustworthy TPC?
  - Is the TPC accredited by recognized AB?
    - ANSI/ANAB serve as our ABs
  - Check public records to confirm TPC status

Thank you!

