

Message

From: Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]
Sent: 8/30/2017 8:44:06 PM
To: Cindy Squires [cindy@iwpawood.org]
CC: Courtnage, Robert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0178328a90b644929cc8981cf34f5fad-RCourtna]; Winchester, Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=83262ec17cfa43f3bac66c8513641712-Winchester, Erik]; Joe O'Donnell [joe@iwpawood.org]; Jackson Morrill [JMorrill@cpamail.org]; Avivah Jakob (Jakob.Avivah@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ca1aecd941984ff2939fe77425b0e2f3-Jakob, Avivah]; Schmit, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7077ecbac4914a00ad465398f92bbe78-Schmit, Ryan]
Subject: RE: Early Labeling Relief -- Thank you -- Lab Correlation issue in light of early labeling date
Attachments: FWICresponseAug302017pdf.pdf

Cindy,

Please see the attached letter which responds to your concerns. I believe IWPA was cc'd on this. If you still have questions, please feel free to contact Erik or myself.

Regards,
Nancy

Nancy B. Beck, Ph.D., DABT
Deputy Assistant Administrator, OCSPP
P: 202-564-1273

Ex. 6

beck.nancy@epa.gov

From: Cindy Squires [mailto:cindy@iwpawood.org]
Sent: Tuesday, August 8, 2017 3:47 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>
Cc: Courtnage, Robert <Courtnage.Robert@EPA.GOV>; Winchester, Erik <Winchester.Erik@epa.gov>; Joe O'Donnell <joe@iwpawood.org>
Subject: Early Labeling Relief -- Thank you -- Lab Correlation issue in light of early labeling date

Thank you for putting out the notice today on the early voluntary labeling. This is much appreciated!

As you can expect this has led to many questions specifically in light of the fact that without a fix to the ability to use a small chamber test to correlate most will not be able to take advantage of the early labeling provision. This concern will be improved first by immediately putting out the final rule extending the effective date of the rule and second by EPA announcing guidance allowing for the small chamber test.

Can you tell me when we will get guidance on the small chamber test issue?

As you know the industry asked for the following relief:

FWIC respectfully requests that this problem be addressed immediately. We reiterate the recommendation of CPA that EPA issue the following clarification by way of guidance or interpretation:

For purposes of Section 770.20(d)(2)(i), correlation of quality control test results may also be shown through use of equivalent D-6007 test results as the independent variable (X-axis).

We submit that informal guidance is well within the authority of the Agency given the ambiguity in the final rule. Such expedited action will bring clarity and certainty to the regulated community. We know of no opposition to our proposed interpretation.

This clarification could and should also be later embodied in a “technical correction” amendment to the Regulation which we understand is currently being evaluated to address updated test and standard references and other minor matters. We recommend the following amendment language to Section 770.20(d)(2)(i) for this purpose:

The correlation must be based on a minimum sample size of five data pairs and a simple linear regression where the dependent variable (Y-axis) is the quality control test value and the independent variable (X-axis) is the ASTM E-1333-10 test value or the equivalent ASTM D-6007 test value. Either composite wood products or formaldehyde emissions reference materials can be used to establish the correlation.

Thanks!

Cindy

Cindy Squires, Esq.
Executive Director
International Wood Products Association

Ex. 6

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