



October 18, 2017

Via email: Beck.Nancy@epa.gov

Ms. **Nancy B. Beck**

Deputy Assistant Administrator
Office of Chemical Safety and Pollution Prevention
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

Re: **§770.4(b) Rulemaking Petitions for Exemptions**

Ms. Beck:

The American Home Furnishings Alliance (AHFA) welcomes the opportunity to discuss the petition process¹ outlined in the 'Formaldehyde Emission Standards for Composite Wood Products.' As detailed in our written comments², AHFA has held the long-standing belief that EPA was granted broad discretion by Congress to exempt certain laminated products from the definition of hardwood plywood³.

AHFA submitted to the docket three definitive studies that clearly demonstrate that the value-added process of finishing further reduces the emission characteristics of an already certified composite wood product by, at a minimum, 80%⁴. The conclusion of the data contained in the studies submitted to EPA, clearly supports the fact, that when a compliant composite wood core is veneered and finished, the emissions profile is further reduced beyond that of the already compliant panel.

AHFA has read the language of the rule, both in the preamble and at §770.4(b) and would like to better understand the petition process. AHFA believes the data request as stipulated in the section titled '**Rulemaking Petitions for Exemption**'⁵, has been adequately addressed and respectfully asks that EPA publish a proposed rule in the Federal Register exempting the intermediate laminated product produced by fabricators as a component part of a finished good. It is understood that this component part is not a commodity and is not offered

¹ §770.4(b)(1-3)

² EPA-HQ-OPPT-2012-0018-0616

³ Section 601(a)(3)(C)((i)(I)&(II))

⁴ EPA-HQ-OPPT-2012-0018-0562

⁵ §770.4(b)(2)

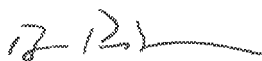
for sale to consumers. The data already submitted is representative of how the consumer will interface with the component part produced using a compliant composite wood product (CWP) and takes advantage of the value-added process of finishing which is proven to further reduce the emission profile of a compliant CWP platform.

The CARB ATCM exempts the intermediate laminated product based on the understanding that the component part stays in the control of the fabricator and is not offered for sale as a commodity to the consumer. AHFA strongly urges EPA to harmonize with the CARB ATCM, using their legislative discretion, to also exempt this component part from the definition of hardwood plywood. AHFA and its members have already put in place compliance systems for the CARB ATCM and understand that you must start with a compliant CWP platform and be able to produce verifiable documentation if asked during an enforcement evaluation of the finished good.

If after reviewing the data and in consideration of the proposed rule, EPA determines the data lacking, AFHA respectfully asks EPA to outline what additional data needs to be submitted and outline the specific process of the petition process during our meeting. It is critical that we expedite this matter and bring a positive resolution to the exemption request.

AHFA has a long-standing history of working with EPA on this rule and welcomes the opportunity to walk through the petition process and adequately address the exemption of the intermediate laminated product from the definition of hardwood plywood. It has always been understood that this is a 'raw board' standard and AHFA members are committed to sourcing compliant CWP platforms. As demonstrated, if you start with a compliant CWP platform to produce a component part of a finished good, the value-added process of finishing provides an additional measure of emissions reduction, thereby reducing the potential exposure to the consumer. This is a 'win-win' for the agency, the U.S. consumer, and the U.S. based furniture industry.

Sincerely,



Bill Perdue
VP Regulatory Affairs
AHFA
336-881-1017
bperdue@ahfa.us

c.c: Erik Winchester