



June 8th, 2020

RE: Draft Scope of the Risk Evaluation for Formaldehyde Docket ID HQ-OPPT 2018-0438

These comments are submitted by the Decorative Hardwoods Association (DHA) in response to the “Draft Scope of the Risk Evaluation of Formaldehyde” (the “Draft Scope”). DHA represents over 75% of the hardwood veneer producers, 90% of the hardwood plywood manufacturers, and 85% of the engineered wood flooring industry in North America who produce over \$9 billion of value-added products.

DHA is a member of the Federal Wood Industries Coalition (FWIC) and supports the comments FWIC submitted regarding the Draft Scope. Our comments serve to emphasize some of FWIC’s comments as they relate to concerns held by our member companies.

- 1.) DHA strongly supports EPA’s decision to exclude composite wood panels already regulated under EPA TSCA Title VI and the CARB 93120 ATCM (CARB) from the Draft Scope.
- 2.) Composite wood products specifically exempted from EPA TSCA Title VI per Section 770.1(c) (e.g. hardboard, PS-1 rated structural plywood, oriented strand board, etc.) should also be excluded from the Draft Scope. These products were exempted from CARB and TSCA Title VI specifically because of their low-level risk of emitting formaldehyde; to now include them in this Draft Scope is illogical and unreasonable. The exemption should pass through to this undertaking.
- 3.) Clarification is needed regarding the definition of the term “Panel” in the Draft Scope. The definition of “panel” should be identical to the definition included in TSCA Title VI, such that simply cutting a panel into smaller pieces does not result in that product being considered a component part of a finished good and thus losing its exclusion from the scope. Our members produce Title VI compliant panels: some panels are cut down to size by the customer, while others are “cut to size” for a customer directly by the member. The panel emissions remain the same, regardless of the who does the cutting. The panel should therefore be excluded from the Draft Scope in either case.
- 4.) Laminated products and finished goods made with composite wood panels should be excluded from the Draft Scope. These products are already regulated under TSCA Title VI, having specific procurement, recordkeeping, and labeling requirements. Laminated product producers also have the added requirement of being certified as hardwood plywood manufacturers in 2024 if they use a resin that contains formaldehyde (other than phenol formaldehyde). Additionally, if an impregnated paper, finish, etc. used by a laminated product or finished goods producer contains formaldehyde, then that laminating material or finish should already be included in the Draft Scope as a separate product. In that case, the composite wood panel substrate is exempt, and the laminate/finish is being evaluated separately, so there is no reason to evaluate the laminated product/finished good that simply combines those products together.



**DECORATIVE
HARDWOODS**
Association

Decorative Hardwoods Association®

42777 Trade West Drive, Sterling, VA 20166
Phone: (703) 435-2900; Fax: (703) 435-2537
E-mail: Resources@decorativehardwoods.org;
Website: www.decorativehardwoods.org

- 5.) Solid wood in all forms should be excluded from the Draft Scope. Formaldehyde is naturally occurring in wood, as well as in many other materials and organisms, including our own breath. Such naturally occurring sources are beyond the scope of this regulation.

Sincerely,

A handwritten signature in black ink that reads 'Kip Howlett'.

C.T. "Kip" Howlett Jr.
President

A handwritten signature in blue ink that reads 'Josh Hosen'.

Josh Hosen
Technical Director