



# COMPOSITE PANEL ASSOCIATION

*Advancing the wood-based panel and decorative surfacing industries*

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## **FOR IMMEDIATE RELEASE**

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## **Court Rules on Sierra Club Case to Determine Final TSCA Title VI Compliance Dates; Industry and NGOs Work Together**

On March 13, 2018, the U.S. District Court of Northern California approved a joint stipulation agreement between the Sierra Club, the U.S. Environmental Protection Agency (EPA), the Composite Panel Association (CPA) and other trade groups that filed amicus briefs in the Sierra Club case against EPA. The agreement establishes the final implementation dates for EPA's Toxic Substances Control Act (TSCA) Title VI, Formaldehyde Emission Standards for Composite Wood Products regulation. Jackson Morrill, president of the Composite Panel Association (CPA) states,

"CPA and its members are extremely pleased with the terms of the stipulated agreement. It represents a remarkable example of cooperation between the Sierra Club, industry, and the Justice Department and EPA.

"Since 2008, the North American composite wood panel industry has voluntarily committed to implementing the California Air Resources Board (CARB) Airborne Toxic Control Measure (ATCM) emission levels on a nation-wide basis. This 10-year effort has been critical in establishing the industry's reputation for good stewardship and commitment to implementing the world's most stringent emissions requirements.

"CPA's longstanding engagement on this issue has also helped build unique technical expertise, which during negotiations, ensured that all parties understood the potentially grave implications of the Court's initial ruling. CPA was also critical in facilitating a constructive dialogue between the Sierra Club and the other parties. We thank both the Sierra Club and the Justice Department for their willingness to engage with all impacted industries to find a practical solution.

"The stipulated agreement serves two purposes. First, it requires manufacturers and importers to meet the TSCA Title VI emission levels at an earlier date (June 1), limiting the flow of composite wood products into the country that are not currently meeting the CARB Phase 2 levels. At the same time, however, it provides much-needed flexibility to the marketplace by recognizing CARB Phase 2-certified composite wood products as compliant with TSCA Title VI through March 22, 2019. This period of CARB-2 reciprocity will provide manufacturers the ability to certify their CARB compliant products to the new TSCA Title VI

system, while EPA is addressing some minor, but important, remaining issues still embedded in the regulation. We look forward to continuing to work with EPA to resolve these items in a timely manner.

“The North American industry has remained committed to supporting a national standard for composite wood products, and we eagerly await implementation of this regulation and strong enforcement to ensure a level playing field worldwide.”

#### **ABOUT CPA**

The Composite Panel Association (CPA), founded in 1960, represents the North American wood-based composite panel and decorative surfacing industries on technical standards, industry regulation, and product acceptance. CPA General Members include the leading manufacturers of particleboard, medium density fiberboard (MDF), hardboard and engineered wood siding/trim in North America, representing more than 95% of industry manufacturing capacity. For more information, visit [www.CompositePanel.org](http://www.CompositePanel.org).