UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 2 8 2017

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

The Honorable Ted Budd
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Budd:

Thank you for the letter of May 16, 2017, to the U.S. Environmental Protection Agency regarding the Formaldehyde Emissions Standards for Composite Wood Products.

On May 24, 2017, the EPA issued a direct final rule (82 FR 23735) to extend the compliance dates in the final Formaldehyde Emission Standards for Composite Wood Products. Compliance dates would be extended for: (1) formaldehyde emission standards, recordkeeping, and labeling provisions until March 22, 2018; (2) import certification provisions until March 22, 2019; and (3) laminated product producer provisions until March 22, 2024. Note that laminated product producers would still be required to comply with applicable fabricator provisions beginning March 22, 2018. Additionally, the direct final rule would extend the California Air Resources Board Third-Party Certifiers transitional period until March 22, 2019.

To save time in the event that the EPA receives adverse comment on the direct final rule, the EPA also published a companion Notice of Proposed Rulemaking (82 FR 23769) to extend the compliance dates. If the EPA receives no adverse comment on the direct final rule or proposed rule, then the direct final rule will become effective. If, however, the EPA receives relevant, adverse comment, then the agency will withdraw the direct final rule and proceed with the proposed rule through the rulemaking process.

In the near future, the agency plans to issue a direct final rule to remove 40 CFR 770.45(f) to allow early labeling of compliant composite wood products and finished goods as soon as compliance can be achieved. This will reduce the compliance burden for panel producers, fabricators, distributors and retailers who want to roll out compliant inventory prior to the rule's compliance date. Another future direct final rule will update several voluntary consensus standards referenced in the final rule.

Finally, the agency is aware of the concerns you raise related to laminated products and the Toxic Substance Control Act's import certification requirements. We also understand the industry's interest in having these issues addressed as quickly as possible and are giving consideration to these issues as we move forward.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Sven-Erik Kaiser in the EPA's Office of Congressional and Intergovernmental Relations at kaiser.sven-erik@epa.gov or at (202) 566-2753.

Sincerely,

Wendy Cleland-Hamnett
Acting Assistant Administrator