

## **Advocacy Comments on EPA's Proposed Rules on Formaldehyde Emissions Standards for Composite Wood Products**

On August 21, 2013, the Office of Advocacy (Advocacy) submitted a letter to the U.S. Environmental Protection Agency (EPA) alerting EPA to small business concerns with two proposed rules: "Formaldehyde Emissions Standards for Composite Wood Products" and "Third-Party Certification Framework for the Formaldehyde Standards for Composite Wood Products", Docket Nos. EPA-HQ-OPPT-2011-0380, EPA-HQ-OPPT-2013-0018. EPA's proposed rules endeavor to protect the public from the risks associated with exposure to formaldehyde. The first proposed rule would implement formaldehyde emission standards under TSCA Title VI, and would apply to hardwood plywood, medium-density fiberboard, particleboard, and finished goods containing these products that are sold, supplied, offered for sale, or manufactured (including imported) in the United States. The second proposed rule would establish a framework for a third-party certification program to ensure that composite wood panel producers comply with the formaldehyde emission limits established under TSCA Title VI.

Advocacy's letter includes the following comments:

- Small businesses that we heard from were unprepared for the extent to which the Formaldehyde Emissions Standards proposed rule would surpass the California Air Resources Board's (CARB) Airborne Toxic Control Measure (ATCM) on Composite Wood Products. In many instances, EPA used its Congressionally-mandated authority to impose greater burdens on small businesses without any indication that the ATCM provisions were underperforming.
- EPA accepted only about two-thirds of the Small Business Regulatory Enforcement Fairness Act (SBREFA) panel's recommendations to the EPA Administrator. EPA almost always follows the SBREFA panel consensus recommendations. To reduce the burden on small businesses Advocacy urges EPA to follow the recommendations made by the SBREFA panel to the EPA Administrator, especially the SBREFA Panel's recommendation to adopt regulatory requirements consistent with the ATCM wherever possible. The SBREFA panel's recommendations include regulatory alternatives that will achieve the agency's goal while minimizing the burden on small businesses.

For further information regarding this issue, as well as a complete copy of Advocacy's letter to EPA, please visit Advocacy's website at: [www.sba.gov/advocacy](http://www.sba.gov/advocacy) or contact Sarah Bresolin at (202) 205-6790.