

M a n u f a c t s

GOOD NEWS ~ URGENT!!!!

SPECIAL BULLETIN 2011-14

PRE-PHASE 1 ~ FORMALDEHYDE EMISSIONS EXTENSION OF "SELL THROUGH" PERIOD

October 26, 2011

TO: All CMHI Members

FROM: Jess Maxcy



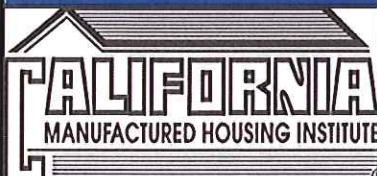
I am pleased to inform you that pursuant to Regulatory Advisory 11-02 (attached):

"The California Air Resources Board (ARB) staff has revised the enforcement of the sell-through date in the Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products ("Regulation," title 17, California Code of Regulations, sections 93120-93120.12) for new (previously unsold) manufactured homes (e.g., mobile homes) that contain pre-Phase 1 medium density fiberboard (MDF) and/or thin MDF. **These homes may be sold for an unlimited period of time in California, as long as the MDF and/or thin MDF were produced before January 1, 2009, and businesses provide information to ARB.**"

As a service to its members CMHI will gather the required inventory information and will report sales of the subject homes to CARB on a monthly basis.

By separate memo I will request the needed information from all manufacturers and CMHI member dealers. When requested it's extremely important that we receive a prompt and accurate as possible response. Once CMHI transmits the inventory of subject homes to CARB, our member retailers should not have to worry about the status of their pre-Phase 1 homes (homes built prior to 1/01/2009) again.

For more information, contact: Jess Maxcy, CMHI President
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Regulatory Advisory

October 2011



Composite Wood Products Regulation Advisory: 11- 02

CHANGE TO SELL-THROUGH DATE FOR MANUFACTURED HOMES THAT CONTAIN PRE-PHASE 1 MEDIUM DENSITY FIBERBOARD (MDF) AND/OR THIN MDF

The California Air Resources Board (ARB) staff has revised the enforcement of the sell-through date in the Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products ("Regulation," title 17, California Code of Regulations, sections 93120-93120.12) for new (previously unsold) manufactured homes (e.g., mobile homes) that contain pre-Phase 1 medium density fiberboard (MDF) and/or thin MDF. These homes may be sold for an unlimited period of time in California, as long as the MDF and/or thin MDF were produced before January 1, 2009, and businesses provide information to ARB, as specified below.

Why is ARB extending the sell-through date for manufactured homes?

The manufactured home industry continues to be adversely affected by the slow economy. Manufactured homes may not easily be transported for sale outside of California, especially because many of these homes have been placed in mobile home parks, but have not yet been sold. Therefore, ARB is providing an unlimited period of time to allow businesses to deplete their existing inventories of manufactured homes that contain pre-Phase 1 MDF and/or thin MDF produced prior to January 1, 2009.

How do fabricators, distributors, and retailers of manufactured homes take advantage of this unlimited sell-through period?

Fabricators, distributors, and retailers of manufactured homes that contain pre-Phase 1 MDF and/or thin MDF produced prior to January 1, 2009, that wish to take advantage of this unlimited sell-through period must provide ARB with the following information about each applicable manufactured home:

- the unit's unique serial number issued by the U.S. Department of Housing and Urban Development (HUD),
- the month and year the unit was manufactured,
- the name of the person or business that currently is in possession of the manufactured home and is offering it for sale, and
- where the manufactured home is currently located in California.

This information should be provided to ARB by January 1, 2012. Fabricators, distributors, and retailers are also required to notify ARB within 30 days of when the manufactured home is sold. The above specified information should be provided electronically to Mr. Lynn Baker at lbaker@arb.ca.gov or via mail at:

California Air Resources Board
Attn: Mr. Lynn Baker
P.O. Box 2815
Sacramento, CA 95812

If you have any questions regarding this advisory, you can contact Mr. Baker at (916) 324-6997 or at the email listed above.

Background Information

Businesses required to comply with the Regulation are: manufacturers, distributors, importers, fabricators, and retailers of composite wood product panels and finished goods that contain regulated products. The Regulation establishes a phased-in approach to formaldehyde emission standards with the most stringent standards going into effect between January 2010 and July 2012.

To comply with the Regulation, panels must meet the formaldehyde emission standards specified in the Regulation and must have been produced by a manufacturer that has been certified by an ARB-approved third party certifier. Similarly, panels used to make finished goods must also have been certified as complying with the emission standards. The Regulation does not apply to particleboard and hardwood plywood used in manufactured homes that are subject to HUD regulations.

The Regulation has provisions that allow businesses a limited amount of time to sell or use non-compliant composite wood products if those products were manufactured before the effective date of each emission standard. This is referred to as the sell-through period. Allowing businesses time to sell or use existing inventories is intended to provide a smoother market transition to each new emission standard. If a composite wood product was manufactured after an applicable effective date, the product must meet the applicable emission standard.

Definitions

- **“Pre-Phase 1 MDF”** means medium density fiberboard panels manufactured before January 1, 2009, that do not comply with the Phase 1 or Phase 2 emission standards specified in the Regulation.
- **“Pre-Phase 1 thin MDF”** means medium density fiberboard panels that have a maximum thickness of eight millimeters manufactured before January 1, 2009, that do not comply with the Phase 1 or Phase 2 emission standards specified in the Regulation.

For more information

The Regulation may be viewed at: <http://www.arb.ca.gov/toxics/compwood/compwood.htm>. Additional information about complying with the Regulation, including staff contacts, fact sheets and Frequently Asked Questions, is available on this website.