

S 1660

Formaldehyde Standards for Composite Wood Products Act

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Sep 10, 2009

Current Status: Became Public Law No: 111-199.

Latest Action: Became Public Law No: 111-199. (Jul 7, 2010)

Law: 111-199 (Enacted Jul 7, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/1660>

Sponsor

Name: Sen. Klobuchar, Amy [D-MN]

Party: Democratic • **State:** MN • **Chamber:** Senate

Cosponsors (19 total)

| Cosponsor | Party / State | Role | Date Joined |
|-----------------------------------|---------------|------|--------------|
| Sen. Crapo, Mike [R-ID] | R · ID | | Sep 10, 2009 |
| Sen. Risch, James E. [R-ID] | R · ID | | Sep 17, 2009 |
| Sen. Gregg, Judd [R-NH] | R · NH | | Sep 25, 2009 |
| Sen. Landrieu, Mary L. [D-LA] | D · LA | | Sep 29, 2009 |
| Sen. Murkowski, Lisa [R-AK] | R · AK | | Oct 5, 2009 |
| Sen. Tester, Jon [D-MT] | D · MT | | Oct 6, 2009 |
| Sen. Shaheen, Jeanne [D-NH] | D · NH | | Oct 7, 2009 |
| Sen. Isakson, Johnny [R-GA] | R · GA | | Oct 8, 2009 |
| Sen. Feinstein, Dianne [D-CA] | D · CA | | Oct 19, 2009 |
| Sen. Vitter, David [R-LA] | R · LA | | Oct 19, 2009 |
| Sen. Begich, Mark [D-AK] | D · AK | | Oct 22, 2009 |
| Sen. Cochran, Thad [R-MS] | R · MS | | Oct 22, 2009 |
| Sen. Bayh, Evan [D-IN] | D · IN | | Oct 28, 2009 |
| Sen. Brownback, Sam [R-KS] | R · KS | | Nov 2, 2009 |
| Sen. Alexander, Lamar [R-TN] | R · TN | | Nov 9, 2009 |
| Sen. Corker, Bob [R-TN] | R · TN | | Nov 10, 2009 |
| Sen. Lieberman, Joseph I. [ID-CT] | ID · CT | | Dec 1, 2009 |
| Sen. Durbin, Richard J. [D-IL] | D · IL | | Dec 8, 2009 |
| Sen. Boxer, Barbara [D-CA] | D · CA | | Mar 16, 2010 |

Committee Activity

| Committee | Chamber | Activity | Date |
|----------------------------------------|---------|-------------|--------------|
| Environment and Public Works Committee | Senate | Reported By | Apr 19, 2010 |

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

| Bill | Relationship | Last Action |
|-------------|--------------|----------------------------------------------------------------------|
| 111 HR 4805 | Related bill | Jun 22, 2010: Placed on the Union Calendar, Calendar No. 291. |

(This measure has not been amended since it was passed by the Senate on June 14, 2010. The summary of that version is repeated here.)

Formaldehyde Standards for Composite Wood Products Act - (Sec. 2) Amends the Toxic Substances Control Act (TSCA) to establish formaldehyde emission standards for hardwood plywood, medium-density fiberboard, and particleboard sold, supplied, offered for sale, or manufactured in the United States. Lists exemptions from such standard for hardboard, structural plywood (as specified in the Voluntary Product Standard-Structural Plywood standard numbered PS 1-07), structural panels (as specified in the Voluntary Product Standard-Performance Standard for Wood-Based Structural-Use Panels standard numbered PS 2-04), structural composite lumber (as specified in the Standard Specification for Evaluation of Structural Composite Lumber Products standard labeled ASTM D 5456-06), oriented strand board, glued laminated lumber (as specified in the Structural Glued Laminated Timber standard labeled ANSI A190.1-2002), prefabricated wood I-joists (as specified in the Standard Specification for Establishing and Monitoring Structural Capacities of Prefabricated Wood I-Joists labeled ASTM D 5055-05), finger-jointed lumber, wood packaging (including pallets, crates, spools, and Dunnage), and composite wood products used inside new vehicles, rail cars, boats, aerospace craft, aircraft, or windows, exterior doors, and garage doors that contain de minimis amounts of composite wood products. Sets forth provisions concerning compliance with such standards.

Requires the Administrator of the Environmental Protection Agency (EPA) to conduct a rulemaking process to determine whether the definition of hardwood plywood should exempt engineered veneer or any laminated product.

Applies the formaldehyde emission standard regardless of whether an applicable hardwood plywood, medium-density fiberboard, or particleboard is in the form of an unfinished panel, or incorporated into a finished good.

Establishes emission standards for: (1) composite wood products made with no-added formaldehyde-based resins; and (2) ultra low-emitting formaldehyde resin.

Directs the Administrator, by July 1, 2013, to promulgate implementing regulations that ensure compliance with the standards, including its provisions relating to labeling, chain of custody requirements, sell-through provisions, ultra low-emitting formaldehyde resins, no-added formaldehyde-based resins, finished goods, third-party testing and certification, auditing and reporting of third-party certifiers, recordkeeping, enforcement, laminated products, and exemptions from the emission requirements for products and components containing de minimis amounts of composite wood products.

Requires sell-through provisions, with respect to composite wood products and finished goods containing regulated wood products, to: (1) be based on a designated date of manufacture (which shall be no earlier than the date 180 days following the promulgation of such regulations) of the composite wood product or finished good, rather than date of sale of the composite wood product or finished good; and (2) provide that any inventory of composite wood products or finished goods containing regulated composite wood products manufactured before the designated date of manufacture of the composite wood products or finished goods shall not be subject to the formaldehyde emission standard requirements.

Requires implementing regulations to: (1) prohibit the stockpiling of inventory to be sold after the designated date of manufacture; and (2) not require any labeling or testing of composite wood products or finished goods containing regulated composite wood products manufactured before the designated date of manufacture.

Requires the Administrator, by July 1, 2013, in coordination with the Commissioner of Customs and Border Protection

(CBP) and other appropriate federal agencies, to revise regulations promulgated under TSCA concerning import certification of any chemical substance, mixture, or article containing a chemical substance or mixture as necessary to ensure compliance with this Act.

Provides that an individual or entity that violates any requirement under this Act shall be considered to have committed a prohibited act under TSCA.

(Sec. 3) Requires the Administrator within a year of this Act's enactment and annually thereafter through December 31, 2014, to report to specified congressional committees on the status of the measures to be carried out pursuant to formaldehyde standards for composite wood products and the extent to which relevant industries have achieved compliance with such requirements.

(Sec. 4) Requires the Secretary of Housing and Urban Development (HUD), within 180 days of the Administrator promulgating such standards, to update its regulation regarding formaldehyde emission controls standards for plywood and particleboard materials in manufactured homes to ensure that the regulation reflects TSCA formaldehyde standards.

Actions Timeline

- **Jul 7, 2010:** Signed by President.
- **Jul 7, 2010:** Became Public Law No: 111-199.
- **Jun 25, 2010:** Presented to President.
- **Jun 23, 2010:** Ms. Matsui moved to suspend the rules and pass the bill.
- **Jun 23, 2010:** Considered under suspension of the rules. (consideration: CR H4701-4705)
- **Jun 23, 2010:** DEBATE - The House proceeded with forty minutes of debate on S. 1660.
- **Jun 23, 2010:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H4701-4703)
- **Jun 23, 2010:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H4701-4703)
- **Jun 23, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 23, 2010:** Cleared for White House.
- **Jun 15, 2010:** Received in the House.
- **Jun 15, 2010:** Message on Senate action sent to the House.
- **Jun 15, 2010:** Held at the desk.
- **Jun 14, 2010:** Measure laid before Senate by unanimous consent. (consideration: CR S4891-4892; text of measure as reported in Senate: CR S4891-4892)
- **Jun 14, 2010:** The committee reported substitute amendment agreed to by Unanimous Consent.
- **Jun 14, 2010:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Jun 14, 2010:** Passed Senate with an amendment by Unanimous Consent.
- **Apr 19, 2010:** Committee on Environment and Public Works. Reported by Senator Reid for Senator Boxer with an amendment in the nature of a substitute. With written report No. 111-169.
- **Apr 19, 2010:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 352.
- **Dec 10, 2009:** Committee on Environment and Public Works. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Sep 10, 2009:** Introduced in Senate
- **Sep 10, 2009:** Read twice and referred to the Committee on Environment and Public Works.