

EPA Withdraws Rule That Would Have Extended Formaldehyde Emission Compliance Deadlines

Article By:

Michael J. Sullivan

Christa E. Burger

Patrick G. Spaugh

Our [June 5](#) post concerned the EPA's direct final rule that would have extended compliance deadlines in its Formaldehyde Emission Standards for Composite Wood Products. The EPA has now withdrawn this rule due to two anonymous adverse comments. Thus, as of now, businesses should revert back to ensuring compliance with the original deadlines as follows:

- Dec. 12, 2017, for emissions standards, record keeping and labeling provisions;
- Dec. 12, 2018, for import certification;
- Dec. 12, 2018, for the California Air Resources Board Third Party Certification transitional period;
- And Dec. 12, 2023, for meeting the provisions applicable to laminated products.

Although businesses should immediately plan to comply with the original deadlines, the deadlines may still be extended through the normal rulemaking process. EPA has already issued proposed rule under this process and received comments. Comments received on this rule included concerns that the extension was not sufficient to address inherent issues with the regulation.

The proposed deadline extensions were implemented by the EPA to alleviate substantial compliance burdens and to prevent disruptions to supply chains. If the Agency concludes the proposed rule helps to achieve these goals, then it may move forward with a final rule. Alternatively, it may reopen the comment period, revise the proposed rule, or terminate the rulemaking.

Industry concerns regarding compliance burdens and supply chain disruptions are more prevalent than ever, and we expect the EPA to give them full consideration throughout the rulemaking process.

National Law Review, Volume VII, Number 174

Source URL: <https://natlawreview.com/article/epa-withdraws-rule-would-have-extended-formaldehyde-emission-compliance-deadlines>