

AMERICAN LUMBER STANDARD COMMITTEE, INCORPORATED®

BOARD OF REVIEW

LUMBER ENFORCEMENT REGULATIONS

NOVEMBER 13, 2009

TABLE OF CONTENTS

| | | |
|-----|---|----|
| 1. | ACCREDITATION..... | 3 |
| 2. | PARTICIPATION IN PS 20 PROGRAM..... | 3 |
| 3. | AGENCY ACCREDITATION REQUIREMENTS..... | 3 |
| 4. | CERTIFICATION OF GRADING RULES | 8 |
| 5. | GRADEMARKING AND/OR REGRADEMARKING | 8 |
| 6. | GRADEMARK REQUIREMENTS..... | 10 |
| 7. | WARNINGS AND SUSPENSIONS..... | 11 |
| 8. | REINSPECTIONS..... | 12 |
| 9. | AGENCY REPORTS | 12 |
| 10. | RECORD RETENTION | 12 |
| 11. | FIELD EXAMINATION | 13 |
| 12. | RANDOM SAMPLE CHECK INSPECTIONS | 13 |
| 13. | HEAT CHAMBER | 13 |
| 14. | AGENCY FOLLOW-UP | 15 |
| 15. | DESTINATION CHECKS..... | 15 |
| 16. | BOARD OF REVIEW ENFORCEMENT ACTIONS | 16 |
| 17. | LAPSE OF ACCREDITATION | 16 |
| 18. | PRENOTIFICATION..... | 16 |
| 19. | INTERPRETATIONS | 17 |

1. ACCREDITATION

1.1 The initial and continuing accreditation of an agency to provide lumber inspection service under the American Lumber Standard Committee, Incorporated® (Committee) program shall be contingent upon providing competent, reliable and adequate inspection service in accordance with PS 20 (Standard), Bylaws and these Regulations. The Board of Review (Board) shall use these Regulations to judge the competency, reliability and adequacy of lumber inspection agencies.

2. PARTICIPATION IN PS 20 PROGRAM

2.1 Any agency which formulates, publishes, and maintains grading rules, and any lumber inspection agency which does not publish grading rules, both of which maintain inspection facilities covering the various softwood lumber species, are eligible to participate in the program established by PS 20. The agency's facilities shall meet the standards of competency, reliability and adequacy in conformance with the Standard and all of the rules, regulations and policies of the Committee and the Board, current and as hereinafter adopted. The agency shall agree to pay charges and fees as fixed and assessed by the Committee. Any agency desiring accreditation shall apply in writing to the Secretary in such form as may be prescribed by the Secretary. If the application is in proper order, the Secretary shall promptly forward the application to the Board for its consideration, and the Secretary shall undertake any further investigation of the applicant as requested by the Board. The applying agency shall be responsible for the fees established to cover the expenses incurred in conducting the qualification tests.

3. AGENCY ACCREDITATION REQUIREMENTS

3.1 General -- For initial and continuing accreditation of the inspection services of an agency, the Board shall require proof that the agency conforms to the following requirements:

3.1.1 It shall maintain the practice of having all inspections done only by properly supervised and qualified inspectors all of whom shall be un-

der the direct control of the agency. The agency shall demonstrate to the satisfaction of the Board that each inspector is thoroughly competent in the grading of lumber of the species for which the inspection services are offered and shall meet any tests required by the Board to determine the required degree of expertness in the interpretation and application of the rules which apply. Inspectors shall be directed by a chief inspector, supervisor or manager who is thoroughly experienced in the manufacture and grading of lumber and who shall be held responsible for the proper functioning of the members of the inspection staff.

3.1.2 It shall maintain a bona fide supervisory service for the purpose of assuring the uniform interpretation and application of the rules and protecting the integrity of its grademark. A written report of each inspection shall be made to the mill or facility and a copy of the report shall be kept available by the agency for examination by the Board upon request. The report shall show at least the complete description and quantity of each item checked, the quantity below grade, whether grademarked, when checked, and the name of the mill or facility grader if it can be determined. Deviations from standard sizes and the results of moisture content sampling on seasoned lumber shall be recorded in the report.

3.1.3 It shall conform to all the requirements for grademarking as set forth in the American Lumber Standard. It shall require that when its mark is applied to any standard grade, the lumber shall conform at least to the minimum provisions of the applicable standards or grading rules, and no special agreements between buyer and seller shall justify any deviation from this requirement.

3.1.4 It shall adhere to the policy of uniformly requiring its inspectors to make a piece-by-piece examination of all lumber inspected to determine its conformance to all of the applicable specifications before issuing a certificate thereon or grademarking the lumber with the agency symbol.

3.1.5 It shall uphold the standards of the industry through sound inspection procedure, and shall maintain sufficient checks on its inspection staff to assure the continuing honesty, compe-

tence and consistency of its members in the proper application of lumber specifications.

3.1.6 It shall not be controlled by any person or firm whose own products are subject to its inspection and certification, nor shall the Board approve inspection services furnished by buyers and users for the inspection of their own purchases. The inspectors of the agency shall not be employed by any lumber manufacturer or by any buyer of lumber or engage in any other undertaking which might conflict with their independent positions as inspectors.

3.1.7 It, or such other agency as may have been agreed upon by the buyer and seller, shall provide, upon complaint, for reinspections of lumber bearing its grademark to be made under whose rules the lumber was graded in accordance with the reinspection provisions of those rules.

3.1.8 It shall authorize the Board to require the complete reinspection of incorrectly graded lumber, and to cooperate fully in taking such steps as necessary to eliminate or minimize the recurrence of such improper grading.

3.1.9 It shall provide reports required by the Board. In addition, the agency shall immediately report to the Board any flagrant violation of the agency's contract with the mill or facility and the agency action in regard thereto.

3.1.10 It shall include in its contract with each mill or facility at which agency inspectors are stationed and/or with each supervised mill or facility a provision giving the Board the continuing right to have a representative examine the manufacture and grading at the point where the agency's official grademark is being used.

3.1.11 It shall permit representatives of the Board to spot check at destination points any lumber bearing its grademark or certificate, and shall incorporate a similar provision in its contract with mills or facilities receiving its services giving the Board representatives the right to make such examinations wherever such lumber may be encountered.

3.1.12 Fees -- The Board shall require as a condition of agency accreditation the payment, annually or quarterly in advance, of all charges and fees assessed by the Committee to cover the cost of carrying out its functions.

Basis for footage fees:

- a. In the case of a domestic mill all the mill shipments.
- b. In the case of a foreign mill the mill shipments coming into the United States.
- c. Under the agreement reached in 1972 with Canada the ALSC fees are based upon total Canadian shipments to the United States minus the shipments from the United States to Canada.

Clarifications:

- a. At remanufacturing mills only the lumber that is changed in form or altered in any manner (i.e., trimmed, ripped, resawn, cut to length, dog eared, bored, grademarked, etc.) shall be included in reporting shipments for dues purposes. Lumber that is passed through the remanufacturing mill but not changed in form or altered in any manner is not to be included in shipments for dues purposes.
- b. A mill that receives service from more than one accredited agency shall include in its report to each agency of shipments for dues purposes all lumber shipped under the jurisdiction of that respective agency. The total allocation between agencies shall be 100% of the above identified shipments from that mill.

When requested by ALSC the auditor for each agency shall confirm to ALSC that the agency is employing the established fee imposition approach.

The agency shall reimburse the Committee for all costs and expenses incurred by the Committee or its Board in any investigation of the activities or practices of the agency, whether or not the investigation is initiated by the Committee or its Board or upon complaint.

3.1.13 Contracts -- The Board shall require that the accredited agency execute a contract with the Committee in such form and containing such provisions as the Committee shall from

time to time decide, and that the agency observe and act in a manner consistent with the provisions of the contract. The Board shall require the accredited agency to prepare and submit to it for approval, a form of contract which the agency shall require the subscribing mill or facility to execute. The accredited agency shall maintain copies of contracts executed with each mill or facility receiving its services for a period of not less than two years after termination of such contracts.

3.1.14 Policy Changes -- If at any time there is any change in any of the policies or procedures of an agency in relation to matters that are required under the American Lumber Standard or these Regulations, the agency shall immediately notify the Board of such change.

3.2 Agency Accreditation to Supervise Mill or Facility Grading

3.2.1 The Board shall require that an applicant agency submit complete information as to its form of organization, the length of time it has been functioning, the experience of the management and the individual inspection personnel, the mills or facilities under its supervision, the aggregate production volume of the mills or facilities, the species of lumber involved, supervision of inspection staff, supervision of mill or facility grading, and the handling of requests for certificate inspections, together with evidence that all of the other requirements of the American Lumber Standard program are being met. The inspection services of an agency accredited to supervise mill or facility grading, and the administration of the services, shall conform to all of the requirements established herein.

3.2.2 The inspection services shall include adequate provisions for the supervision of mill or facility grading and the performance of mills or facilities authorized to grademark.

3.2.3 The agency shall meet all the requirements of PS 20 in authorizing mills or facilities to grademark. The agency shall agree to withdraw its services promptly from any mill or facility found to be not in conformity with the requirements established by the Committee, and to recover its grademarking stamps or other

grademarking devices promptly. It shall have a definitely outlined procedure for the withdrawal of the grademarking privilege if abused. A complete written description of the quality auditing and grademarking procedures of the agency shall be submitted to the Board for approval.

3.2.4 The agency shall perform a minimum of twelve inspections per year at approximately monthly intervals at each mill or facility receiving its supervisory or resident inspection service. When a mill or facility is inactive for at least one month, an inspection shall be required for each month the mill or facility is actively producing softwood lumber. The agency shall inspect the performance of all mills or facilities authorized to grademark with the agency symbol as to grading efficiency and conformance of all manufacturing and shipping practices to the requirements of the rules.

3.3 Agency Accreditation to Certify Lumber

3.3.1 The Board shall require the applicant agency to submit complete information as to its form of organization, the length of time it has been functioning, the experience of the management and the individual inspection personnel, the monthly or annual volume of lumber certified during recent periods, the species of lumber involved for which services are offered, and the policies and procedures that shall be followed in relation to supervision of inspection staff and the handling of certificate inspections, together with evidence that all the other requirements of the American Lumber Standard program are being met. The Board shall require that the inspection services of an accredited agency have adequate facilities for the inspection and certification of lumber by the inspection staff of the agency or its agents and for the issuance of an agency certificate covering the shipments, or for the grademarking of the lumber so inspected and certified. Certification work shall be performed by the accredited agency's salaried employees or by competent lumber graders designated as agents by the agency and specifically authorized to perform certificate work. The certificate practices of an accredited agency shall be in conformance with the following minimum standards of certificate

inspection service as established by the Committee.

3.3.2 Qualifications of Inspectors

3.3.2.1 The agency shall adopt and use procedures to ensure that the Inspector is experienced and fully qualified to inspect properly the items on which the Inspector is authorized to issue certificates of inspection. The agency shall maintain an experience record file on each Inspector on whose work it issues certificates of inspection. This file shall be available to the Board personnel at all times for the purpose of checking compliance.

3.3.2.2 The agency shall issue a qualification card or appointment letter as an agent to each of its Inspectors when they are stationed at a mill or facility on a permanent basis and a copy shall also be furnished to the mill or facility. The qualification card or appointment letter shall list items the agency has determined the Inspector is qualified to inspect. A copy of the Inspector's qualification list shall be kept in the Inspector's file in the agency office. No agency certificate of inspection shall be issued on any item which does not appear on the Inspector's qualification list unless the certificate is accompanied by specific authorization by an agency grade Supervisor advising that the Inspector has been examined and approved on that item.

3.3.2.3 If the Inspector does not maintain the proper level of efficiency on items appearing on the qualification list as determined by supervision checks, field surveys or reinspections, the authorization shall be cancelled and agency certificates shall not be issued on the Inspector's work.

3.3.2.4 The Inspector shall have the qualification card or letter available and show it on request to any Committee Inspector or yield it on demand to the agency supervisor.

3.3.2.5 Transient inspectors employed by the agency rendering day-to-day assignments shall be exempt from the requirements for qualification cards or appointment letters.

3.3.3 Procedures in Making Inspections

3.3.3.1 Inspection of lumber for certificate purposes shall be made only under working conditions approved by the superintendent or supervisor of the respective accredited agency.

3.3.3.2 Prior to the inspection, the Inspector shall be furnished a copy of the order or written instructions outlining all specifications necessary for certification of the item.

3.3.3.3 If a person other than the Inspector tallies the lumber, that person shall co-sign the tally with the Inspector, but in every case, the Inspector shall be held responsible for the tally unless clearly indicated otherwise on the certificate.

3.3.3.4 All pieces accepted by the Inspector on a certificate inspection shall be identified by the Inspector's hammerbrand or other identifying mark and the identifying mark shall be shown on the certificate.

3.3.4 Processing Inspection Certificates on Work Performed by Resident Inspectors or Certified Mill Graders

3.3.4.1 The tally and the Inspector's copy of the order shall be supplied to the agency's office where the agency's staff shall verify, countersign and issue the certificate. In cases where the mill or facility has adequate office facilities and staff, the certificate may first be typed in the mill or facility office to facilitate the work of the agency. The certificate shall then be sent to the agency for issuance by the agency.

3.3.4.2 In cases where the certificate is typed in the mill or facility office, the certificate shall be subject to correction by the agency and shall not be valid until it bears the agency's countersignature.

3.3.5 Maintenance of Records

3.3.5.1 The agency, regardless of the Inspector's status, shall maintain a file on each certificate issued, consisting of a copy of the certificate and the Inspector's copy of the order. This file shall be maintained in accordance with Sections 9 and 10 herein.

3.3.6 Inspector's Status

3.3.6.1 Certificate inspections performed by an accredited agency shall be made only by experienced, qualified inspectors employed by the agency or by mill or facility employees specifically authorized as agents who hold a current agency grader's certificate and are otherwise reliable and are authorized to act as agent for the agency. Any mill or facility employee authorized to perform certificate inspections shall be designated as an agent of the agency.

3.3.6.2 Employees of an accredited agency or its agents shall be authorized by the agency to perform certificate inspections only under the terms of Section 3.3.1.

3.3.6.3 Authorization to perform certificate inspections by resident inspectors and the agency appointment of mill or facility employees as agents shall be cancelled whenever the person terminates employment at which it was issued or if they are otherwise disqualified by the agency. In either event, the authorization card or letter shall be surrendered to the agency.

3.4 Agency Accreditation to Grademark Lumber

3.4.1 The Board shall require the applicant agency to submit complete information as to its form of organization, the length of time it has been functioning, the experience of the management and the individual inspection personnel, the monthly or annual volume of lumber grade-marked during recent periods, the species of lumber for which services are offered, and the policies and procedures that shall be followed in relation to supervision of inspection staff and the handling of requests for inspections, together with evidence that all the other requirements of the American Lumber Standard program are being met.

3.4.2 Inspection services for the grademarking of lumber by an agency not accredited to supervise mill grademarking shall conform to all of the requirements of the Standard, these Regulations, and the other requirements of the program.

3.4.3 The agency shall maintain a file on each

request for grademarking, consisting of a copy of the inspector's report and a copy of the inspector's order or written instructions outlining all specifications necessary for the grademarking of the item.

3.5 Machine Stress Grading

3.5.1 The accreditation by the Board of an agency shall be limited to visual grading unless specific accreditation has been granted by the Board to supervise grading by mechanical means. Grading by mechanical means shall be limited to machines of a manufacture certified by the Board. The grading of lumber by mechanical means shall be permitted in accordance with the Machine Graded Lumber Policy, or other machine stress grading policies adopted by the Committee. All other pertinent sections of these Regulations will be applicable to visual and machine stress grading.

3.5.2 The conditions under which the supervision of an agency is extended to machine grading at any mill or facility shall be set forth in written agreement between the agency and the mill or facility. Such agreement shall contain provisions for suspension or revocation for cause. If there is joint ownership of the stress grading machine, or if the mill or facility owning the machine should wish to perform grading services for other manufacturers of the same species on a custom basis, the supervision of the grading agency shall extend only to the mill or facility where the machine is installed and this mill or facility shall be responsible for the proper adjustment and operation of the machine. The mill or facility shall maintain records of the lumber produced by others serviced by the machine, and all lumber going through the machine shall be graded and marked in accordance with the established rules for machine stress grading of the species in question as certified by the Board.

3.5.3 Lumber graded by means of a stress machine, or a combination of stress machine and visual means shall bear a distinctive marking which shall distinguish it from lumber graded on a visual basis alone.

3.6 Structural Glued Lumber

3.6.1 Specific accreditation by the Board is required to supervise the grading of structural glued lumber. The grading of structural glued lumber shall be permitted in accordance with the Glued Lumber Policy adopted by the Committee. All pertinent sections of these Regulations shall be applicable to structural glued lumber.

4. CERTIFICATION OF GRADING RULES

4.1 All agencies which formulate and publish grading rules shall maintain competent, reliable and adequate inspection services. The Board shall determine that the inspection facilities of any agency meet all of the requirements of these Regulations before certifying the grading rules of the agency.

4.2 All grading rules submitted for certification shall conform to the requirements of the Standard including the National Grading Rule for Dimension Lumber (NGR), as set forth in the Standard. If, in its review of rules, the Board finds that the rules do not conform, the deficiencies therein shall be called to the attention of the applicant, who shall have the privilege either of amending the rules so that they do conform or if dissatisfied with the decision of the Board, of requesting a hearing.

4.3 No grading rule for any species in any region shall be certified by the Board if certified published rules and services applicable thereto are adequate and already fully and fairly available to all manufacturers, distributors, and consumers of such lumber on equal terms and conditions without discrimination.

4.4 The publisher of the rules shall agree (a) to have the rules carry specific reference to the certification of the Board as conforming to the Standard, (b) to provide for reinspection upon complaint, and (c) to make the rules fully and fairly available to all manufacturers, distributors, users, and consumers of lumber on equal terms and conditions and without discrimination.

4.5 When grading rules for any species have been certified by the Board, subsequent revisions when proposed by the promulgating agency shall be filed with the Board. The Board

shall act thereon within 90 days after filing.

5. GRADEMARKING AND/OR REGRADEMARKING

5.1 The grademarking and/or regrademarking of lumber shall be accomplished by:

5.1.1 mill or facility employees under the supervision of an accredited inspection agency or

5.1.2 employees or agents of the inspection agency, as specified herein.

5.2 The agency shall conform to all of the regulations that apply to agencies accredited to conduct mill supervisory service when it stations its own employees full time as graders or inspectors at mills or facilities.

5.3 Any agency which stations its own employees or agents full time or part time as graders or inspectors at a mill or facility as authorized in this section shall, by written agreement, make the mill or facility management co-responsible with the agency's employees or agents for the maintenance of proper grades and standards.

5.4 If any agency employee is stationed at a mill or facility, the agency shall enter into a written agreement with the mill or facility setting forth the conditions that shall be met by the mill or facility in order to be entitled to the agency's services, including the provision required under Section 5.3 above, and providing for the termination of the service if any of the grademarking requirements are abused and requiring forfeiture of the grademarking stamps or other grademarking devices to the inspection agency when the service is terminated for any cause. When an agency employee is stationed full time at a mill or facility, provision shall be made for grademarking stamps or other grademarking devices to be used only at that mill or facility.

5.5 All agency grademarking and/or regrademarking shall be conducted under the requirements of the Standard, applicable to an agency accredited to conduct a supervisory service, including the withdrawal of service for unsatisfactory performance, to the same extent and with the same effect as though the agency's em-

ployee or agent was an employee or agent of the mill or facility.

5.6 When an employee or agent of an agency is regularly stationed at a mill or facility, that person shall be checked at the same intervals and in the same manner as a mill or facility employee would be checked by a supervisory agency except as indicated in this section.

5.7 Transient inspections may be conducted at any point where there is a good and sufficient reason for them and shall be performed only by the personnel of an accredited agency.

5.8 Grademarking and/or regrademarking shall be authorized by an accredited agency only as follows:

5.8.1 Grademarking and/or regrademarking at a mill or at a remanufacturing facility that has a major and on-going activity in remanufacturing (ripping, resawing or surfacing) shall be permitted by mill employees, by agents or by agency employees.

5.8.2 Grademarking and/or regrademarking at facilities which cut to length, trim or regrade without changing the size or length of the piece, but do not have major and on-going activity in remanufacturing (ripping, resawing, or surfacing) shall be permitted by agency employees or duly appointed agents only.

5.8.3 It is the obligation of the agency to supervise the mill or facility grading on a regular basis, and the obligation of the mill or facility to be on grade. A maximum of 5 percent below grade is the allowable variation between graders in recognition that the grading of lumber cannot be considered an exact science because it is based on either a visual inspection of each piece and the judgment of each grader or on the results of a method of machine stress grading determining the strength characteristics of structural lumber and the visual inspection of that piece and the judgment of the grader. Samples of previously graded lumber, when available, shall be taken as a part of the agency supervision for both types of service referenced above (grading by agency employees and grading by mill or facility employees). The agency shall sample a sufficient

number of grades, sizes and quantities to adequately evaluate the grading proficiency of the mill or facility graders. When any item sampled is found to contain 7.5 percent or greater below grade or 7.5 percent or greater excess moisture content the item shall be regraded. The agency shall verify that the item has been regraded and is on grade before releasing it for shipment. The agency shall take whatever steps necessary to prevent recurrence. Each month the agency headquarters personnel shall review the performance of each mill or facility and take whatever action is warranted. In addition, when any mill or facility has at least three items sampled for that month and the average of the three or more items is over 5 percent below grade or over 5 percent excess moisture content or any one item sampled is 7.5 percent or greater below grade or 7.5 percent or greater excess moisture content, the agency shall increase inspections until all items of grademarked lumber sampled average 5 percent or less below grade and 5 percent or less excess moisture content with no item equal to or more than 7.5 percent below grade or 7.5 percent excess moisture content at which time the number of inspections shall return to normal.

When a mill or facility has less than three items sampled each month, and when the rolling average of the items sampled for the most recent three inspections exceed 5 percent below grade or 5 percent excess moisture content, or any one item sampled in any inspection is 7.5 percent or greater below grade or 7.5 percent or greater excess moisture content the agency shall increase inspections until all items of grademarked lumber sampled average 5 percent or less below grade and 5 percent or less excess moisture content with no item sampled equal to or more than 7.5 percent below grade or 7.5 percent excess moisture content at which time the number of inspections shall return to normal.

5.8.4 For mills or facilities which have attempted inspections the agency shall show evidence that it reviewed lumber or grading rules with the grader at least every three months.

5.9 Grademarking and/or regrademarking of lumber shall be permitted when the species can be positively identified. In the event the species included in rules certified by the Board cannot be positively identified, grademarking and/or re-

grademarking shall be authorized only when the grademark signifies the lowest stress rated species group as listed in the applicable grading rules.

5.9.1 Any item sampled found to contain 7.5 percent or more pieces mislabeled for species shall be held for remarking and be correctly marked for species before released for shipment.

5.10 Whenever lumber is regraded and/or regrademarked, the grademark on each piece in the entire original item or items from which lumber is to be regrademarked shall be obliterated and each piece in that item or items shall be regrademarked. A producer with single or multiple locations remanufacturing materials bearing its own grademark will not be required to remove the original grademark unless new grademarks are being applied that indicate a different grade than the original grademark.

5.10.1 When grade stamped lumber is resawn or remanufactured in such a way as to potentially alter the grade, the original mark shall be removed or obliterated except in the following circumstances:

5.10.1.1 Lumber for pre-cut packaging components marked for HT or KDHT compliance is not required to have the preexisting grade mark removed or obliterated.

5.10.1.2 It is not required to remove or obliterate an existing grade stamp and remark dimension lumber which is trimmed for not more than two feet length, but otherwise unmodified in cross-section.

5.10.2 For facilities that purchase material from agency certified HT or KDHT facilities, re-work this material and subsequently mark this material HT or KDHT; each facility shall maintain an agency approved systematic method of keeping records that identifies if the volumes of HT or KDHT material purchased from agency certified HT or KDHT facilities are adequate to produce the quantities of HT or KDHT material that are being labeled.

5.11 No agency nor any other person or or-

ganization shall grademark or regrademark lumber installed in a structure or certify the lumber as conforming to the applicable specifications.

5.12 Any item containing 10% or more pieces with grade marks deemed to be illegible or incomplete shall be held for remarking.

6. GRADEMARK REQUIREMENTS

6.1 Grademarks of accredited agencies shall be uniform in providing information in the grademarks as follows:

6.1.1 Identification of the accredited agency.

6.1.2 Identification of the grade of lumber.

6.1.3 Identification of the mill or facility or of the agency inspector.

6.1.4 Identification of species or species group, except where the agency symbol also indicates the species or except where the grademark indicates a grouping or mix of species.

6.1.5 For NGR grades, the rules-writing agency may be indicated on the grade mark for species which are covered in more than one grading rule. For non-NGR grades, the rules-writing agency shall be indicated on the grade mark when not indicated by the species identification or agency symbol. National Lumber Grades Authority (NLGA) members may reference its rules on the grade mark.

6.1.6 Identification of the green or dry seasoning condition at time of surfacing on lumber under 5-inch nominal thickness using designations as determined by the Board.

6.1.7 The certified grade rules contain provisions for the marking of lumber as "HT" and where applicable all provisions of these Enforcement Regulations shall also apply. Lumber marked "HT" to identify compliance to heat treatment requirements with no reference to grade shall at a minimum include:

- the identification of the accredited agency
- the identification of the mill or facility or of the agency inspector
- the term "HT"

6.2 Each accredited agency shall require of its subscribers that in all shipments of grade-marked lumber, each grade shall be properly marked. If a buyer specifically requests that some portion of a shipment be unmarked, that portion shall be segregated from the grade-marked lumber and not included in the same package.

6.2.1 Except as provided in section 6.2.2 or 6.2.3 when the HT or KDHT mark of an agency is used, each piece shall be marked and lumber bearing a HT or KDHT mark shall not be mixed with non-marked product.

6.2.2 When pieces are marked HT or KDHT only, with no reference to grade, and the size of individual pieces is a) 30 inches or less in length; or b) 1/2 inch nominal or less in thickness; or c) 2 inches nominal or less in width, the HT or KD HT mark shall be applied by stamping not less than 25% of the pieces of a unit. Units that are partially marked shall also be stenciled with the same information as indicated by the agency HT or KDHT stamp.

6.2.3 Unstamped heat treated rough lumber which has been heat treated at one mill or kiln operation and subsequently shipped to a second mill for surfacing or further processing, may be stamped HT or KDHT after processing provided all mills or kiln operations involved have in place an approved quality control program which maintains the identity of the material from heat treatment to final processing and marking, and which can be audited to verify compliance with heat treatment requirements. ALSC shall be informed in writing of each mill approved under this section. At a minimum the written quality control program shall require that:

1. Lumber bundle(s) shall be maintained intact until final processing and marking of the lumber.
2. Lumber bundle(s) shall be marked with an identification mark which permits traceability to an approved heat treatment operation.
3. All facilities involved in the treating and processing of the lumber are audited by ALSC accredited agencies.
4. When multiple accredited agencies audit

the different mill or kiln operation, each auditing agency shall be permitted access to review the quality control records of both treating and processing operation to verify compliance.

6.3 It is the policy of the Committee that mill or facility grademarks shall not be deceptively similar to the grademarks of any Board accredited agency.

6.4 Each accredited agency shall be responsible for the control of its grademarks. Grademarks shall only be used at mills or by personnel authorized by accredited agencies. Accredited agencies shall require a participating mill or facility to provide care and security of the agency grademarks. An accredited agency shall retain on file a facsimile of each grademark issued, require worn out or discarded grademarks to be destroyed, and require missing or stolen grademarks be reported to the agency. The agency shall report missing, stolen, or misuse of its stamps to the Board as soon as the agency is aware of such.

6.4.1 Except by prior written arrangement with the agency, the grade marks issued by an agency to a specific mill location are to be used only at that location.

6.5 Each agency shall require its inspection staff to obliterate the grade marks on all below grade pieces found during any Board or agency inspection.

6.6 To obliterate means to render the approved mark or stamp unreadable or clearly inapplicable. Examples of obliteration of the approved mark or stamp include, but are not limited to removal by sanding or abrasion, over-stamping with opaque indelible ink or paint applied in a solid block, multiple 'x' stamp or other means of over-marking with opaque indelible ink or paint. Marking through the approved mark or stamp with a semi-transparent ink, paint, or crayon which allows full, though possible reduced visibility of the approved mark or stamp does not constitute obliteration.

7. WARNINGS AND SUSPENSIONS

7.1 Each agency shall immediately notify the Manager of the Board by letter when it warns, withdraws or suspends the grademarking services from any mill or facility for cause, supplying all pertinent details. Upon receipt of a notice, the Manager of the Board shall immediately notify by letter all other accredited agencies extending service in the area.

7.2 Unless a mill or facility under notice of warning, suspension or withdrawal has been reinstated by the agency issuing the notice, no other agency shall extend supervisory service to that mill or facility for a period of 180 days after the date of the letter of notice in the case of withdrawal or suspension, or 60 days in the case of a warning, when such service results in evading the warning, suspension or withdrawal.

7.3 The agency shall reinstate the mill or facility only after the mill or facility involved demonstrates the ability and willingness to maintain the requirements on a continuing basis. The agency shall then file a complete report with the Manager of the Board outlining the corrective steps taken.

8. REINSPECTIONS

8.1 Any agency which publishes grade rules shall provide for prompt reinspection at a reasonable charge at any point in the customary trade territory of lumber graded and shipped under its grading rules. The purpose of a reinspection is to resolve disputes between buyer and seller in accordance with the provisions for reinspection set forth in the rules.

8.2 If the inspection agency under whose supervision the lumber in dispute was graded is not the rules-writing agency for that species, the reinspection shall be performed by any accredited agency agreed upon by all affected parties. The reinspection shall be conducted in accordance with the reinspection provisions of the governing grade rules.

8.3 If the reinspection of the material in dispute is performed by any agency other than the grade supervisory agency of the manufacturer, the grade supervisory agency shall have the right to request the Board to require a rep-

resentative of the rules-writing agency to review the reinspected lumber in the presence of both the reinspector and a representative of the grade supervisory agency for the purpose of determining the correctness of the reinspection. The agency requesting the review shall agree to abide by the results of the review and pay all expenses incurred if the reinspection is sustained. This requirement shall not apply if the grade supervisory agency originally declined to do the reinspection.

9. AGENCY REPORTS

9.1 The Board shall require reports rendered at such times as it determines and shall include such information as follows:

9.1.1 The number of certificate inspections handled during a particular period and the volume of lumber involved.

9.1.2 Reinspections of lumber originally certified by the agency or grademarked with the agency symbol during a particular period, with details on each, including name of original inspector, point of origin, date of original inspection, name and location of consignee, date of reinspection, item and quantity involved, and results of reinspection.

9.1.3 A summary report on the agency's own mill and facility inspections during any given period. Such period shall coincide generally with the period of the random sample mill and facility inspection conducted by the Board in accordance with Section 12 herein.

9.1.4 A summary of the grademarking reports on lumber grademarked by inspectors of an agency for any given period.

10. RECORD RETENTION

10.1 The Board shall require, as a condition to its accreditation of any agency, that the agency shall maintain for a period of at least two years records of all inspections made, including copies of all certificates and reports of inspectors, and that these records shall be available for examination by a representative of the Board at any time during normal business hours.

11. FIELD EXAMINATION

11.1 Each agency, as a condition to its accreditation, shall agree that the Board shall have the right to have examined at destination points or at mills or facilities any lumber that has been graded, certified or grademarked by the agency, through the employment of other competent individuals to make such examinations, for the purpose of checking the performance of agency inspectors and the competency of the service.

11.2 The agency shall agree that if any lumber which it has graded, certified or grademarked is found to be incorrectly graded, the agency shall cooperate fully in taking such steps as may be necessary to eliminate or minimize the risk of recurrence of such improper grading by the same mill, facility or inspector.

11.3 Each agency shall also agree that if serious misgrading is encountered, the Board may require complete reinspection of the shipment, and in that event the agency shall be given at least three days' notice as to the time when the reinspection will be made and shall have the privilege of having a representative present during the reinspection.

11.4 If an inspection agency, after having had a representative present during the reinspection, should be dissatisfied with the results it may request a further review of the lumber in accordance with the procedures outlined in Section 8 herein.

12. RANDOM SAMPLE CHECK INSPECTIONS

12.1 When the Board deems it necessary, the Manager shall conduct on a random sampling basis, periodic check inspections on lumber grademarked at mills or facilities utilizing the services of an accredited agency.

12.2 The mills and/or facilities and/or agency inspectors included in such sample shall be selected at random and shall be of sufficient number to be deemed representative of the total quantity of lumber grademarked or certified under the agency's authority.

12.3 The random sample inspections shall be conducted in each instance on as nearly a representative cross section as is practicable of the mill's or facility's grademarked production or on graded lumber prepared for final shipment.

12.4 The results of this sample check shall be used by the Board as one measure of determining the continued competency and reliability of accredited agencies.

13. HEAT CHAMBER

This section establishes minimum criteria to be used by agencies to verify that equipment and heat treating schedules meet the minimum time and temperature requirements of the IPPC standard.

Heat Chamber is defined as any enclosed equipment used to heat treat lumber or wood packaging material and includes kiln, heat boxes, or any other apparatus used to heat treat the product.

a) Initial qualification of a facility

1) Agencies shall verify the accuracy of temperature measuring and recording devices in the heating chamber. Agencies shall require that thermocouple(s) be located to accurately measure the temperature achieved in the heat chamber and that an appropriate number of thermocouples are utilized given the chamber configuration.

2) Agencies shall conduct a verification study for heat treating chambers and heat treating schedules when any of the following conditions are present:

- i)** except for Option C of CFIA PI-07, heating chambers using only dry heat which utilize one or more schedules that do not maintain an operating temperature of 160° F (71° C) or greater (not including ramping temperatures);
- ii)** heating chambers using both dry and wet heat (steam) which utilize one or more schedules that do not maintain a wet bulb operating temperature of

140° F (60° C) or greater (not including ramping temperatures).

iii) Heat treat chambers utilizing no set schedule, but instead using thermocouples inserted directly into wood which do not maintain a core temperature of 140°F (60° C) or greater.

The verification study shall employ an appropriate number of thermocouples to accurately measure the temperature conditions in the chamber and the wood to assure the time and temperature requirements for heat treating are met. Any equipment variance of more than plus or minus 5° F (2.8° C) must be recalibrated or replaced.

The verification study shall be maintained at both the agency and the facility locations.

b) Monitoring

1) Agencies shall require facilities to monitor temperatures throughout the heat treatment cycle by any of the following options:

i) wet and dry bulb temperature

ii) dry bulb only - unless the specific schedule has been verified, required heating times shall be equal to or greater than the time specified for the applicable schedule assuming the maximum wet bulb depression as provided in either:

a) FPL-RP-607 "Heat Sterilization

Time of Ponderosa Pine and Douglas Fir Boards and Square Timbers"; or

b) FPL-RP-604 "Effect of Wet Bulb Depression on Heat Sterilization Time of Slash Pine Lumber"; or

c) CFIA PI-07 "The Technical Heat Treatment Guidelines and Operating Conditions Manual" Option C.

iii) direct measurement of wood core temperature of the thickest piece(s) by use of thermocouple(s) properly sealed with non-conductive material. The number of thermocouples in use shall be determined by the agency's initial qualification of the facility or any subsequent verification study. All thermo-

couples in use must meet heat treat requirements unless the chamber in question utilizes duplication of thermocouples to account for failures of the thermocouples to record, or to record accurately, during the heat treat cycle. Duplication shall employ the use of thermocouples in a manner which allows for close comparative measurement of temperature between the thermocouples in question. Evaluation of the effectiveness of duplication shall be judged from similar charges where all thermocouples recorded properly. Failure of thermocouples to record, or failures to adequately duplicate recording of a malfunctioning thermocouple, or failure to have comparative charges shall call into question heat treating results for the affected charges. Any charge(s) determined to not meet heat treat requirements shall not be quality marked unless properly re-heat treated.

2) Agencies shall require that facilities subject to the requirements of 13.a.2, annually calibrate the temperature monitoring and recording equipment for each facility HT chamber.

3) Agencies shall require facilities subject to the requirements of 13.a.2 to requalify a heat treating chamber any time there is a major change in equipment or remodeling of the HT chamber.

4) Except in the case of 13.b.1.iii, when wood moisture content is not determined at the beginning of the HT cycle, agencies shall require that facilities select and use appropriate time-temperature schedules assuming the lowest initial wood moisture content from one of the following publications:

i) FPL-GTR-130 "Heating Times for Round and Rectangular Cross Sections of Wood in Steam";

ii) FPL-RP-607 "Heat Sterilization Time of Ponderosa Pine and Douglas Fir Boards and Square Timbers"; or

iii) FPL-RP-604 "Effect of Wet Bulb Depression on Heat Sterilization Time

of Slash Pine Lumber"; or
iv) CFIA PI-07 "The Technical Heat Treatment Guidelines and Operating Conditions Manual" Option C.

14. AGENCY FOLLOW-UP

14.1 Unsatisfactory Reports -

14.1.1 On each occasion when a field report by a Board inspector reveals a serious infraction, the Manager of the Board shall promptly notify the agency of the infraction, send the agency a copy of the inspector's report, and request the agency to take corrective action with the mill, facility or agency employee involved to prevent a recurrence of the infraction.

14.1.1.1 The agency shall reply to this notice stating in detail the corrective action it has taken and shall continue to make such reports on request until such time as it is satisfied that a recurrence of the infraction is unlikely and it notifies the Board that it is so satisfied.

14.1.2 The Manager of the Board shall periodically determine the effectiveness of the agency's follow-up and make certain, to the extent possible, that the action represented to have been taken by the agency was in fact taken.

14.1.3 The Manager of the Board shall maintain records of the agency's follow-up performance, such records to be used by the Board as another measure of determining the continued competence and reliability of the agency.

14.2 Board Requested Regrading and/or Reinspections -

14.2.1 Destination -

14.2.1.1 Upon finding that a given shipment of grademarked and/or certified lumber appears to be seriously misgraded, the Board inspector shall not divulge detailed information as to the condition of such lumber to the customer, but shall immediately advise the Board office of the findings. The Board office shall, in turn, immediately contact the agency whose mark appears on the lumber. The agency shall then immediately advise the customer holding the stock that a prompt

reinspection is to be made by the agency at no cost to the customer, providing the customer will hold the stock, furnish labor (for which the customer will be reimbursed by the agency) and not assess holding charges for the lumber held for reinspection.

14.2.1.2 The agency shall furnish results of the reinspection to all parties of the transaction.

14.2.1.3 Cost of such reinspections shall be funded by the Committee except when the lumber is found to be more than 5 percent below grade, the shipping mill or facility shall be responsible to the agency for the cost of the reinspection.

14.2.2 Origin -

14.2.2.1 Upon finding grademarked and/or certified lumber at the point of origin that is seriously misgraded, the Board inspector shall immediately advise the Board office. It shall in turn immediately so notify the grading agency whose mark appears on the lumber. The grading agency shall then immediately notify the mill or facility management to hold such lumber in inventory at the mill for prompt regrading. The agency shall either regrade or supervise the regrading of such misgraded lumber in inventory at the mill or facility. Any mill or facility failing to have such lumber regraded shall be subject to having the use of its grademarks or grademarking devices suspended immediately.

14.3 If the agency disagrees with the ALS field representative's finding as to the labeling of the lumber, the agency shall notify the ALS office and give the ALS an opportunity to review the lumber with an agency representative if necessary. If this procedure is not followed, the ALS report stands.

15. DESTINATION CHECKS

15.1 While the results of destination check inspections made by Board inspectors shall be used by the Board as one means of determining the agency's follow-up performance to correct any indicated misgrading, the overall record of destination checks is not intended as the sole measure of agency competency or reliability.

15.2 The destination check program is one where Board inspectors are searching out mis-graded shipments with no sampling made of shipments that appear properly graded.

15.3 If, for any reason, lumber found at any location which appears to be seriously below grade is not regraded, reinspected or corrected under the various requirements of these Enforcement Regulations, the agency under whose supervision the lumber was graded shall notify the shipping mill and the owner of the lumber of their responsibilities should any liability arise from said shipment.

16. BOARD OF REVIEW ENFORCEMENT ACTIONS

16.1 Probation, Suspension or Revocation of Agency Accreditation -

16.1.1 The Board shall judge the continued competency, reliability, adequacy and integrity of accredited agencies under the requirements of the American Lumber Standard and the regulations thereunder adopted by the Committee. The Board, after reviewing the competency, adequacy and performance of an agency, may take any of the following actions as in the judgment of the Board is necessary to maintain the integrity and standards of the American Lumber Standard program:

16.1.1.1 Place an agency on probation,

16.1.1.2 Suspend the accreditation of an agency,

16.1.1.3 Revoke the accreditation of an agency.

16.1.2 In arriving at its decision to take any of the above actions, the Board shall consider any information at its disposal including, but not necessarily limited to, the information contained in agency reports to the Board, the results of Board random sample mill and facility inspections, Board destination checks, and the follow-up performance of an agency in specific instances of mis-grading.

16.1.3 Actions of probation, suspension, or

revocation by the Board shall be made public.

16.2 Board of Review Procedure –

16.2.1 Before any agency is placed on probation or its accreditation suspended or revoked by the Board, the Board shall notify the agency that enforcement action against that agency may be taken by the Board and the agency shall be afforded opportunity to appear before the Board in person and by counsel in connection with such pending action by the Board.

16.2.2 Board action placing an agency on probation, suspending the accreditation of an agency, or revoking the accreditation of an agency shall be taken on the basis of evidence introduced on the record in a hearing held by the Board with opportunity on the part of the agency concerned to examine the evidence of record and to cross-examine witnesses testifying before the Board and the opportunity on the part of the agency concerned to submit its own evidence in the hearing.

17. LAPSE OF ACCREDITATION

17.1 If an accredited agency shall not have graded or grademarked, or supervised the grading or grademarking of any lumber for a period of two years, the accreditation of that agency shall thereupon lapse and terminate, unless the agency establishes grounds for the continuance of its accreditation. Lapse and termination of accreditation shall not prejudice subsequent application for reaccreditation.

18. PRENOTIFICATION

18.1 For any planned changes in MOE and/or stress values, rules-writing agencies shall be required to notify the Manager of the Board as soon as these changes are decided upon by the rules-writing agency.

18.2 When notification of proposed changes in MOE and/or stress values are received by the Manager of the Board, the proposed changes will be forwarded to all members and alternates of the Committee at least thirty (30) days (seven days if there is no expressed objection) prior to the next scheduled Board meeting at which time

such proposal shall be considered. Any affected party may request to appear before the Board and present its position.

19. INTERPRETATIONS

19.1 The purpose of interpretations is to promote consistency in the application and understanding of the provisions of this document. Interpretations are occasionally needed to add further clarification to the requirements of these regulations. An interpretation of the American Lumber Standard Committee, Incorporated® (ALSC) Board of Review Enforcement Regulations may be obtained through the submission of a written request to the President.

(a) The written request shall identify the specific section of the Enforcement Regulations involved.

(b) The interpretation shall be made by the President or his designated staff person in writing.

(c) The interpretation of the President shall be distributed to all participants in the Committee Program.

(d) If the interpretation is acceptable to the requestor and all participants, the interpretation shall be endorsed by the Enforcement Subcommittee at its next scheduled meeting and made part of the Enforcement Regulations when ratified by the Committee.

(e) If the requestor or any participant in the program finds the interpretation of the President/Enforcement Subcommittee unacceptable, the requestor or any participant may submit a written request for an interpretation to be provided by the Committee. The interpretation approved by the Enforcement Subcommittee shall be subjected to a ballot of the full Committee within 30 days. If approved by the Committee, the interpretation shall be distributed to all participants and with copies of the Enforcement Regulations.

(1) Any Committee members voting negative on the proposed interpretation must provide written justification for their negative vote, together with a recommended revision if possible. All negative ballots shall be considered by the Enforcement Subcommittee

(2) The Enforcement Subcommittee shall attempt to resolve all negative ballots

deemed persuasive. The Enforcement Subcommittee shall make a recommendation for the disposition of all negative ballots to the Committee in the form of a ballot.

(3) The ballot shall provide three response options:

- Approve the Subcommittee recommendation.
- Disapprove the Subcommittee recommendation.
- Abstain.

(f) If a majority of the Committee does not approve the recommendation of the Enforcement Subcommittee, the matter shall be referred back to Enforcement Subcommittee for further consideration. If the negative cannot be disposed of, it shall be placed on the Agenda for the next Committee meeting for resolution

(g) A complete record of all interpretations and committee actions on interpretations shall be maintained at the offices of the Committee and shall be fully available upon written request to the Committee President.