



September 24, 2013

Clerk of the Board
California Air Resources Board
1001 I Street
Sacramento, CA 95812
Submitted electronically

Dear Board Members:

3M appreciates the opportunity to provide comments on the Air Resources Board's (ARB's) proposed amendments to California's *Regulation for Reducing the Ozone Formed from Aerosol Coating Product Emissions* (i.e., the Aerosol Coatings Rule) and its *Regulation for Reducing Emissions from Consumer Products* (i.e., the Consumer Products Rule) (as detailed in the Staff Report dated August 7, 2013).

3M also appreciates the opportunity for stakeholder input as these proposals were being developed and the ARB staff's willingness to consider our technical comments on previous proposals.

3M has a long history of continuous environmental improvements to minimize the impact of our manufacturing processes and products on the global environment. In 2011 3M launched a set of global, corporate five-year goals, one of which is to reduce volatile air emissions from manufacturing facilities (indexed to net sales) by 15% from 2010 to 2015. This reduction commitment is in addition to a 95% volatile organic compound (VOC) reduction (in total pounds emitted from manufacturing) since 1990. 3M is also dedicated to reducing the VOC content of its products and expends considerable research and development resources doing so.

3M supports the comments being submitted by the American Coatings Association and the Consumer Specialty Products Association. In addition, we offer the following comments on the ARB's proposal.

Proposed Amendments to the Consumer Products Rule

§94509: Standards for Consumer Products

Aerosol Adhesives

3M supports the proposed VOC limits for mist and web spray adhesives. Despite the wide variety of uses for these products, and therefore the varied performance requirements, we are confident that we will be able to meet the proposed 30% VOC

limit for mist spray adhesives and the proposed 40% limit for web spray adhesives by the effective date of 1/1/2017.

3M supports a balanced approach to assessing risks and benefits of various chemistries for our customers. Such an approach should consider characteristics such as toxicity, flammability, VOC content, ozone-depleting potential, and potential climate impacts and then allow the best balance of properties to be brought to market. That said, 3M does not object to the Global Warming Potential limit for the aerosol adhesive product categories.

Non-aerosol Multi-purpose Solvents and Paint Thinners

3M understands the unique circumstances behind the ARB's proposal that the South Coast Air Quality Management District's (SCAQMD's) VOC limits for non-aerosol multi-purpose solvents and paint thinners would apply in that jurisdiction, while the ARB's VOC limits for those product categories would apply elsewhere in the state. 3M does not oppose this solution to this unique situation, but we urge that this not be used as a precedent for other consumer product categories.

However, if it is the ARB's intent that products sold in the SCAQMD after the effective date and at all times in the future comply with the SCAQMD VOC limits, 3M urges the Board to not replicate the South Coast's regulatory language in its Consumer Products Rule but instead to refer the reader to SCAQMD's *Rule 1143: Consumer Paint Thinners and Multi-Purpose Solvents*. Otherwise, the ARB will need to update its Consumer Products Rule whenever Rule 1143 is updated.

§94508: Definitions

3M supports the change in the definition of "undercoating." The revised definition more accurately reflects how these products are used and clearly delineates which products are regulated by the Consumer Products Rule vs. the Aerosol Coatings Rule.

3M also supports the addition of definitions for "special purpose cleaner" and "special purpose degreaser" and the revised definitions for "fabric protectant," "general purpose cleaner," "general purpose degreaser," "silicone-based multi-purpose lubricant," and "waterproofer." These new and revised definitions improve the clarity of the rule.

3M supports the addition of HFO-1234ze to the list of compounds considered not to be VOCs.

Proposed Amendments to the Aerosol Coatings Rule

§94522: Reactivity Limits and Requirements

As noted in previous comments submitted to ARB staff by 3M and trade associations, the proposed product-weighted maximum incremental reactivity (PW-MIR) limits for the general coatings categories and the "group A" specialty coatings categories are quite aggressive, with many categories having a low current complying market share and a low percentage of complying products. 3M has

been concerned that many of the proposed limits may not be technologically and commercially feasible for the variety of products that are in these categories. However, 3M has evaluated the technological and commercial feasibility of the proposed limits for product categories that we sell (especially auto body primers). Our assessment is that they will be technology-forcing, but we are hopeful that they will be feasible.

3M supports the proposed changes to how MIR values are assigned to a product's components, including the use of an isomer's MIR value and the use of default MIR values.

§94521: Definitions

3M strongly supports the addition of a definition for "resin." This definition will improve the clarity of the applicability section of this regulation.

§94523: Exemptions

3M supports using the reference to the Consumer Products Rule's definitions when stating the exemptions for rubber/vinyl protectants, fabric protectants, and undercoatings. 3M also supports the removal of the definition of "automotive underbody coating" in §94521. These changes improve clarity and consistency between the rules.

§94526: Compliance Verification

3M understands the need for ARB Enforcement to be able to verify that aerosol coating products sold in California meet the state's reactivity limits. However, we remain concerned about the proposed use of Table 94526(b)(4)(A). In particular, we are concerned that a situation may arise in which we have formulated a product to meet its PW-MIR limit, using the ingredient MIR values found in §94701, but testing and the use of Table 94526(b)(4)(A) indicate that the product does not meet its limit. 3M is hopeful that ARB Enforcement will fully consider the formulation information presented by companies and use this table judiciously.

Additional Comment

As stated in our October 2012 and March 2013 comments, 3M encourages the ARB to account for and claim additional, existing, SIP-creditable emission reductions. The available survey data demonstrate that many current aerosol coating formulas are below the MIR limits. The ARB should "take credit" for the difference between what the emissions actually are now and what the ARB calculated they would be when first setting the limits in the aerosol coatings rule. Accounting for these "limit-to-limit" reductions would both benefit the ARB and recognize the progress the aerosol coatings industry has made in terms of reducing ozone formation.

Thank you for your consideration of 3M's comments. Please contact me via phone (651-736-5932) or email (cfjacobson@mmm.com) if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Catherine F. Jacobson". The signature is written in black ink and is positioned above the typed name.

Catherine F. Jacobson, Ph.D., DABT
Senior Toxicology Specialist

cc: Carla Takemoto
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