

October 24, 2007

Via e-mail

Clerk of the Board
California Air Resources Board
1001 I Street
Sacramento, California 95814
<http://www.arb.ca.gov/lispub/comm/bclist.php>

Subject: Air Resources Board's Proposed Additions to the List of Early Action Measures to Reduce Greenhouse Gas Emissions Under the California Global Warming Solutions Act of 2006

Dear Board Members:

The Consumer Specialty Products Association (CSPA) appreciates the opportunity to comment on the final staff report titled "Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California Recommended for Board Consideration," dated October 2007, which is being considered for approval by the Air Resources Board (ARB) tomorrow. CSPA and its members are specifically impacted by the newly proposed Discrete Early Action Measure, "Reduction of High GWP GHGs Used in Consumer Products." While CSPA is not objecting to the adoption of this measure, we do have some concerns regarding the feasibility of the reduction goal proposed for the measure.

CSPA is a voluntary, non-profit national trade association representing more than 260 companies engaged in the manufacture, formulation, distribution, and sale of chemical specialties products for household, institutional, commercial and industrial use. CSPA member companies' wide range of products includes home, lawn and garden pesticides, antimicrobial products, air care products, automotive specialty products, detergents and cleaning products, polishes and floor maintenance products, and various types of aerosol products. These products are formulated and packaged in many forms and are generally marketed nationally. CSPA and its member companies are committed to the safe manufacture, distribution, use and disposal of consumer products, and assuring that our products provide the numerous environmental, public health and safety benefits that household and commercial consumers need in California and elsewhere.

CSPA and the consumer products industry has worked cooperatively with the California Air Resources Board (ARB) for nearly 20 years to develop numerous regulations controlling the emissions of volatile organic compounds (VOCs) from the use of our products. To date, the

ARB has promulgated seven comprehensive sets of regulations that set nearly 200 emission standards affecting more than 100 categories and forms of consumer products. Since 1989, CSPA and the consumer products industry have worked cooperatively with ARB staff to do our part in helping improve California's air quality through reductions in the volatile organic compound (VOC) content of consumer products, while maintaining beneficial and effective products.

These regulations to date have obtained a 50% reduction in VOC emissions from our products while maintaining the ability of our products to provide the significant environmental, public health and safety benefits which consumers require and expect. We believe that this is a very significant accomplishment for both our industry and the ARB. CSPA continues efforts with the ARB to achieve maximum feasible reductions as necessary to attain air quality standards.

CSPA is not objecting to the adoption of the proposed Discrete Early Action Measure for the "Reduction of High GWP GHGs in Consumer Products." Indeed, CSPA and the consumer products industry has already been working cooperatively this year with ARB staff to develop and conduct the 2006 Consumer and Commercial Products Survey to collect the data needed to evaluate the use of greenhouse gases in our products and determine what reductions are feasible in the 2008 Amendments to the Consumer Products Regulation that are planned for completion next year.

We are concerned, however, regarding the staff estimate of a potential emissions reduction of up to 0.25 MMTCO₂E from consumer products for this Discrete Early Action Measure. The consumer products industry has been minimizing its use of high-global-warming-potential green house gases, such as hydrofluorocarbons (HFCs) for many years. These compounds are used in aerosol products only where necessary to meet VOC reduction goals, such as those mandated by the ARB, or to meet important safety goals in products where flammability must be low. We therefore believe that obtaining additional reductions in the upcoming rulemaking will be exceedingly difficult.

The only current VOC-exempt and low-flammability liquefied aerosol propellants currently available are the HFCs. Five years ago, CSPA adopted a set of principles aimed at assuring responsible use of HFCs, and became a Founding Member of a partnership that includes the Alliance for Reasonable Atmospheric Policy, the U.S. Environmental Protection Agency, the United Nations Environmental Programme and the Japan Ministry of Economy, Trade and Industry. This partnership finalized its broad set of principles entitled "Responsible Use Principles for HFCs" in 2002, an international agreement that limits the use of these propellants.¹ The Principles include specific provisions for the responsible use of HFCs as aerosol propellants. Therefore, the U.S. aerosol products industry is already committed to strictly limiting its use of HFC propellants.

While the reduction potential might be minimal, CSPA and its members remain committed to work with ARB staff to investigate ways to minimize any global climate change impacts of our products. It is important, however, that this effort be considered broadly, and not limited

¹ These Responsible Use Principles can be seen at <http://www.arap.org/responsible.html>.

to considering only the use of greenhouse gases in products. CSPA members seek to design products to not only minimize overall environmental impacts, but also maximize environmental and public health benefits. Regulatory requirements that increase the GHG emissions from the transportation of goods, such as requirements that discourage concentrated and effective products, can significantly increase the GHG footprint of products, even if no GHGs are used. These factors must also be taken into account before mandatory regulations are adopted for consumer products.

Summary and Conclusions


CSPA is not objecting to the adoption of the proposed Discrete Early Action Measure for the "Reduction of High GWP GHGs in Consumer Products." We are concerned, however, that the significant reduction estimate for the measure might not be feasible in light of the responsible use policy under which our industry has minimized the use of HFCs in its products. We plan to continue to work in a cooperative manner with the ARB in California to seek reductions in GHGs as well as VOCs while maintaining our industry's ability to supply effective products that consumers can rely upon to contribute positively to their health, safety, and quality of life.

If you have any questions, please contact us at (202) 872-8110.

Respectfully submitted,



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cc: CSPA Air Quality Committee
CSPA Aerosol Products Division Atmospheric Policy Committee