California Environmental Protection Agency
Air Resources Board

2004 Consumer Products Regulations Amendments Workshop

March 11, 2004

Presentation Overview

- Background
- State Implementation Plan
- Proposed Amendments
  - Regulatory language changes
  - Category proposals
- Conclusion

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Background

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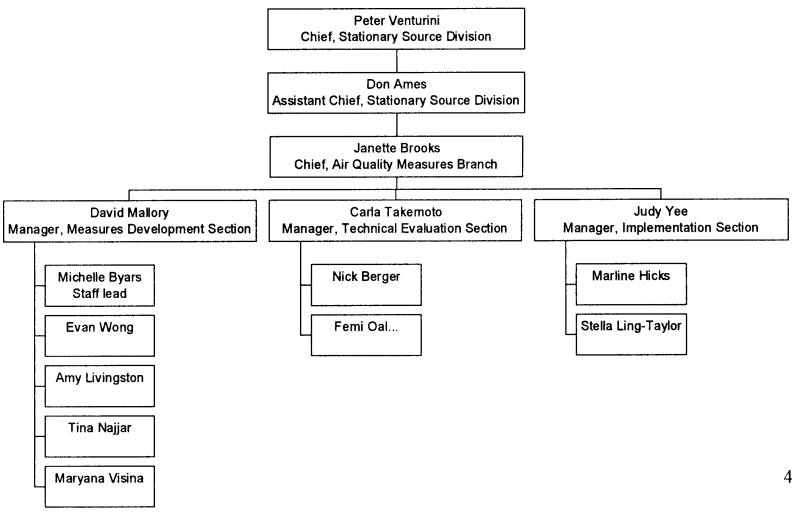
SSD Organization Chart



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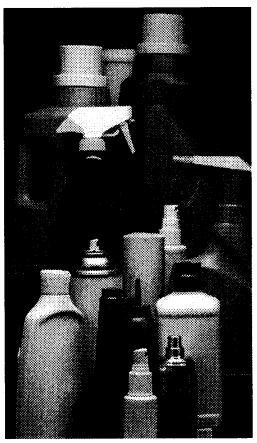
Consumer Products Are…

- Chemically Formulated Products
- Used by Household and Institutional Consumers
- Includes Personal Care, Automotive Care, and Household Care Products



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California Clean Air Act Requirements:

- Adopt Maximum Feasible Reduction of VOCs From Consumer Products
- Regulations Must be Feasible, Both Commercially and Technologically
- Prohibits Elimination of a Product Form

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Existing Measures

- Five Related Regulations (Antiperspirants and Deodorants, Consumer Products, Aerosol Coatings, Alternative Control Plan, Hairspray Credit Program)
- VOC Limits for 83 Categories
- Prohibit use of Perchloroethylene, Methylene Chloride, and Trichloroethylene in Specific Categories and Track Use in other Categories

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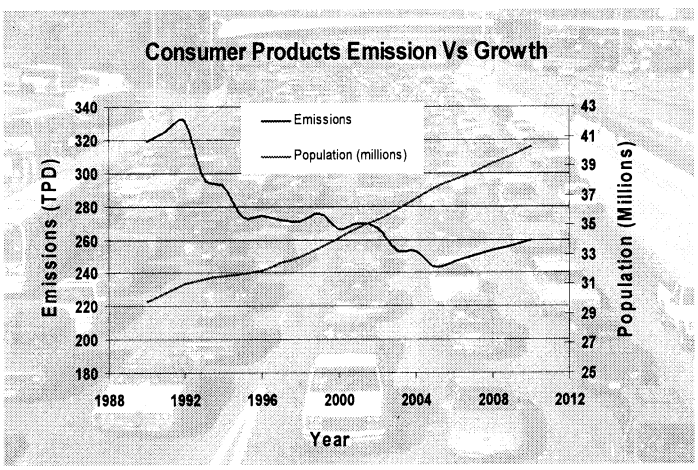
Emission Trend



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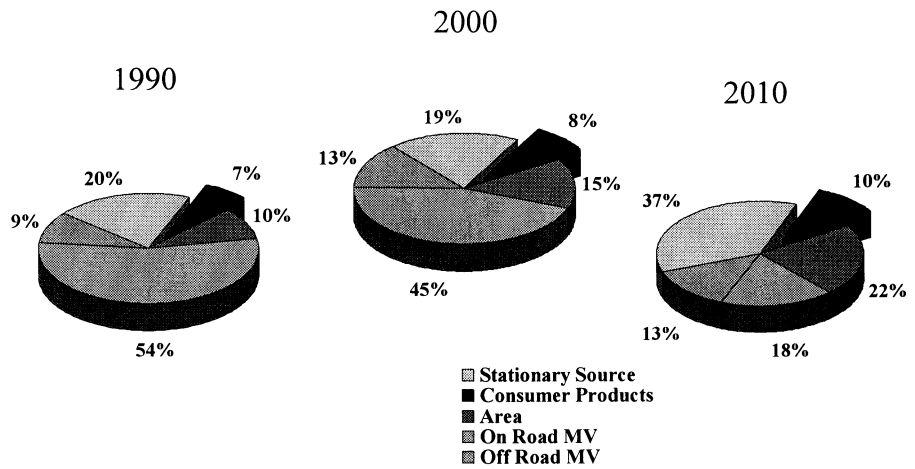
California Consumer Products Emissions 1990 - 2010



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State Implementation Plan

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State Implementation Plan

- Federally Enforced Commitment
- 25-40 tpd Reduction in VOC From Consumer Products
- 3 Separate Rulemakings
  - 2004 5 tpd
  - 2006 10-20 tpd
  - 2008 10-15 tpd
- Product Surveys
- Further Reductions from Category

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Regulation Development

- Public Process with Stakeholder Involvement Throughout
- Survey to Collect Necessary Data
- Evaluate Current and Emerging Low VOC Technology
- Assess Economic Impacts
- Analyze Environmental Impacts
- Propose Standards

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2004 Amendment Goal

- Adopt New Consumer Product Category VOC Limits That Will Achieve a *Minimum* Statewide Emission Reduction of 5 Tons Per Day by December 31, 2006.

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Proposed Regulatory Concept Changes

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Most Restrictive Limit

- Regulation Applies Standard Based on Principal Display Panel
- Changes Would Address Labels that Indicate Product is Suitable for Other Uses
- Changes Would Apply Lowest VOC Limit for Claims Made Anywhere on Label
- Proposal would also Apply Between Regulations

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Product Dating (Code Dating)

- Regulation Currently Requires That the Date of Manufacture be Displayed on a Regulated Product
- The Date May be Coded if Instructions on How to Interpret Code are Filed with ARB Staff
- Many Companies Have Not Filed Required Date Code Information or Have Changed Date Code without Notification

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Product Dating (Code Dating) (Continued)

- Proposed Changes Would Require That Date of Manufacture be Placed On Product
- Date Coding Would No Longer Be Permitted

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Diluted Products

- Applicable to Automotive Windshield Washer Fluids Only
- Washer Fluid is Subject to Different VOC Limits in Different Parts of The State
- Current Regulation Does Not Allow Multiple Dilution Instructions
- Proposed Changes Would Allow One Product With Multiple Dilution Instructions for All Areas of State

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Notification of End of Sell Through Period

- Products Allowed to be Sold up to 3 Years After Effective Date of VOC Limit if Manufactured Before Date of Applicable Limit
- Changes Address Issue of Out of Compliance Products on Shelves After Sell Through Period Expires
- Enables Retailers to Remove Non-Complying Products From Store Shelves at the Appropriate Time

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Proposal to Address Deodorants and Personal Fragrances

- Clarify Deodorant and Personal Fragrance Product Definitions
- Apply the Most Restrictive Limit Clause Between Regulations
- Ensures Emission Reductions Claimed Continue to be Achieved
- Allow Time for Products to Re-label, if Necessary

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Clarify/Modify Aerosol Product Definition

- Current Definition Refers to a Product Form
- Proposed Change is Minor in Nature - Clarification Only
- Change Would Clarify That Alternative Packaging Products are Included

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Change Gel to Semisolid

- Current Definition of Gel Refers to a Distinct Product Form
- Gel Definition is Not Clear
  - Subject to interpretation
  - Does not reflect many products in market
- Semisolid is More Descriptive of Products in Market

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Modification of LVP-VOC Definition

- LVP-VOCs are Lower Vapor Pressure Compounds Which can be Used to Meet VOC Weight % Limits
- Changes to Definition are Minor
- More than 12 Carbon Atom Cut Point Provision Remains
  - Invoked if Boiling Point is Unknown
  - Must be Verified by Formulation Data

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Clarification of Reporting Requirements

- Make Clear That any Party Holding Necessary Information Must Report to ARB if Requested
- No New Requirements
- Clarify Exisiting Requirements That are Already Part of State Law
- Changes Attempt to Address Difficulties Encountered Obtaining Information During Recent Survey

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Changes to Method 310

- Test method for Determining Products Compliance with VOC Limits
- Changes to Method are Minor
- Changes include Update to Test Method Citations, Dates, etc.

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Other Minor Changes to Regulation

- Clarify labeling requirements for Aerosol Adhesives
- Move limit for Wasp and Hornet Insecticides to appear with other Insecticides in the Table of Standards

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Categories Proposed for Regulation

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48 Categories from 2001 Survey

- Adhesive Remover
- Anti-Static Product
- Body Wipes
- Contact Adhesive
- Electronic Cleaner
- Fabric or Leather Waterproofer
- Footwear Care Product
- General Purpose Degreaser
- Graffiti Remover
- Insect Repellent: non-aerosol
- Jewelry Cleaner
- Leather Care Product
- Multi-purpose Remover
- Packaged Solvent
- Personal Foaming Product
- Personal Hygiene Product
- Shaving Gel
- Solvent Parts Cleaner: non-aerosol
- Wood Cleaner
- Fabric Care - 3 categories
- Hair Care - 16 categories
- Nail Care - 7 categories
- Toilet/Urinal Care - 3 categories

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Proposed Regulatory Categories

- Categories Broken out by Form
- Adjusted Emissions Listed
- Proposed VOC Limit
- Reductions Achieved
- Major Remaining Issues

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Adhesive Remover

- Proposing 3 subcategories
- Wallpaper & Flooring Adhesive Remover
  - Emissions: 0.627 tpd
  - Proposed Limit: 5 %
  - Reductions: **0.538 tpd**

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Adhesive Remover (continued)

- Chemically Cured Adhesive Remover
  - Emissions: 0.031 tpd
  - Proposed Limit: 50 %
  - Emissions Increase: **0.01 tpd**
- General Adhesive Remover
  - Emissions: 0.796 tpd
  - Proposed Limit: 20%
  - Reductions: **0.626 tpd**
- Issues

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Antistatic Product

- Aerosols
  - Emissions: 0.275 tpd
  - Proposed Limit: 20%
  - Reductions: **0.220 tpd**
- Non-Aerosols
  - Emissions: 0.00 tpd
  - Proposed Limit: 11 %
  - Reductions: **0.00 tpd**
- Issues

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Contact Adhesives

- 2 subcategories
  - Contact Adhesives - General Purpose
    - Emissions: 0.067 tpd
    - Proposed Limit: 55 %
    - Reductions: **0.003 tpd**
  - Contact Adhesives - Special Purpose
    - Emissions: 0.090 tpd
    - Proposed Limit: 80 %
    - Reductions: **0.000 tpd**

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Electronic Cleaner

- Emissions: 0.334 tpd
- Proposed Limit: 35%
- Reductions: **0.120 tpd**

- Issues

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Fabric or Leather Waterproofer

- Aerosols, Liquids, & Pump Spray
  - Emissions: 0.220 tpd
  - Proposed Limit: 60 %
  - Reductions: 0**.071** tpd
- Solid, Gel, and Other
  - Emissions: ---- tpd
  - Proposed Limit: 30 %
  - Reductions: **---- tpd**
- Issues

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Fabric Refresher

- Aerosols
  - Emissions: 0.424 tpd
  - Proposed Limit: 15 %
  - Reductions: 0**.202** tpd
- Pump Spray
  - Emissions: 0.459 tpd
  - Proposed Limit: 2 %
  - Reductions: **0.183 tpd**
- Issues

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Feminine Deodorant Spray

- Emissions: 0.279 tpd
- Proposed Limit: 55 %
- Reductions: **0.121 tpd**

- Issues

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Foot Deodorant

- Emissions: 0.125 tpd
- Proposed Limit: 55 %
- Reductions: **0.049 tpd**

- Issues

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Footware Care Product

- Aerosols
  - Emissions: 0.023 tpd
  - Proposed Limit: 12 %
  - Reductions: 0**.007** tpd
- Solid
  - Emissions: 0.219 tpd
  - Proposed Limit: 50 %
  - Reductions: **0.066 tpd**

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Footware Care Product (Continued)

- Gel
  - Emissions: 0.012 tpd
  - Proposed Limit: 15 %
  - Reductions: 0**.004** tpd
- Liquid, Pump Spray, & Other
  - Emissions: ---- tpd
  - Proposed Limit: 1 %
  - Reductions: **---- tpd**
- Issues

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Graffiti Remover

- Emissions: 0.187 tpd
- Proposed Limit: 30%
- Reductions: **0.106 tpd**

- Issues

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Hair Styling Product

- Aerosols
  - Emissions: 0.204 tpd
  - Proposed Limit: 6 %
  - Reductions: 0.**188** tpd
- All other Forms
  - Emissions: 0.658 tpd
  - Proposed Limit: 0 %
  - Reductions: **0.658 tpd**
- Issues

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Insect Repellant (non-aerosol)

- Emissions: 0.928 tpd
- Proposed Limit: 30%
- Reductions: **0.271tpd**

- Issues

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Leather Care Product

- Aerosols
  - Emissions: 0.103 tpd
  - Proposed Limit: 50 %
  - Reductions: 0.**046** tpd
- All other Forms
  - Emissions: 0.050 tpd
  - Proposed Limit: 1 %
  - Reductions: **0.040 tpd**
- Issues

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Nail Coatings

- Emissions: 0.734 tpd
- Proposed Limit: 50%
- Reductions: **0.204**

- Issues

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Shaving Gels

- Emissions: 1.030 tpd
- Proposed Limit: 3%
- Reductions: **0.628**

- Issues

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Special Purpose Remover

- Products Making Multiple Claims
- Chewing gum, candle wax, *stickers*, *decals*, latex paint drips, *adhesives*, *bumper stickers*, *tape*, *glue*, crayon, *markers*, *ink*, oil, grease, grime, goo, prewash, spots, carpet stains, lipstick, *shoe polish*, scuff marks, soap residue, asphalt, *flux*, nail polish, bugs, tar, and many more...

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Toilet/Urinal Care Product

- Aerosols
  - Emissions: ---- tpd
  - Proposed Limit: 7%
  - Reductions: ---- tpd
- All other Forms
  - Emissions: 2.6 tpd
  - Proposed Limit: 3 %
  - Reductions: **2.5 tpd**
- Issues

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Topical Anti-fungal Product

- Aerosols
  - Emissions: 0.519 tpd
  - Proposed Limit: 55%
  - Reductions: **0.208 tpd**
- Non-Aerosols
  - Emissions: 0.029 tpd
  - Proposed Limit: 55 %
  - Reductions: **0.004 tpd**
- Issues

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Wood Cleaner

- Aerosols
  - Emissions: 0.053 tpd
  - Proposed Limit: 17%
  - Reductions: **0.020 tpd**
- Non-Aerosols
  - Emissions: 0.226 tpd
  - Proposed Limit: 4 %
  - Reduction: **0.212 tpd**
- Issues

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Schedule

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Regulatory Schedule

- March 24, 2004
  - Deadline for Written Comments
- April 2004
  - Staff will finalize proposals
- May 7, 2004
  - 45 day notice (ISOR release)
- June 24 & 25, 2004
  - Board Hearing

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Comments

Comments Due March 24

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or

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Attn: SSD/ Measures Development Section, 2004 CP Amendments

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