CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC MEETING TO CONSIDER A SUGGESTED CONTROL MEASURE FOR AUTOMOTIVE COATINGS

The Air Resources Board (ARB or Board) will conduct a public meeting at the time and place noted below to consider approval of a Suggested Control Measure (SCM) for emissions of volatile organic compounds (VOC) from the application of automotive coatings.

DATE: October 20, 2005

TIME: 9:00 a.m.

PLACE: California Environmental Protection Agency
Air Resources Board
Byron Sher Auditorium, Second Floor
1001 I Street
Sacramento, California 95814

This item will be considered at a two-day meeting of the ARB, which will commence at 9:00 a.m., October 20, 2005, and may continue at 9:00 a.m., October 21, 2005. This item may not be considered until October 21, 2005. Please consult the agenda for the meeting, which will be available at least 10 days before October 20, 2005, to determine the day on which this item will be considered.

If you have a disability-related accommodation need, please go to http://www.arb.ca.gov/html/ada/ada.htm for assistance or contact the ADA Coordinator at (916) 323-4916. If you are a person who needs assistance in a language other than English, please contact the Bilingual Coordinator at (916) 324-5049. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

Background

Automotive coatings are coatings used in motor vehicle or mobile equipment refinishing, repair, and restoration. Estimated VOC emissions from automotive coatings in California were about 20.7 tons per day in 2001, representing about two percent of the total stationary source (stationary and area-wide) VOC emissions. These coatings are used for refinishing vehicles such as automobiles, trucks, buses, golf carts, vans, motorcycles, trains, railcars, truck trailers, mobile cranes, bulldozers, and street cleaners.

Under California law, the primary authority for controlling emissions from automotive coatings is vested in the local air pollution control districts and air quality management districts ("districts", see Health and Safety Code, Sections 39002, 40000, and 40001). However, the ARB often provides guidance and other assistance to the districts, including the development of model rules such as the SCM for automotive coatings. The ARB's authority to do this is provided by sections 39001, 39003, 39500, 39600, 39602, 39605, 40916, and 41500 of the Health and Safety Code.

Of the 35 districts in California, 20 districts have rules regarding automotive coatings. Currently, approximately 95 percent of the State's population is covered by the existing district rules. The districts that do not have their own rule for automotive coatings implement the United States Environmental Protection Agency's (U.S. EPA) National Rule.

Automotive refinishing operations are conducted at auto body repair/paint shops, production auto body paint shops, new car dealer repair/paint shops, fleet operator repair/paint shops and custom restoration facilities. The total number of facilities in California involved in the repair and refinishing of vehicles is estimated to range from about 4,000 to over 6,000.

ARB staff developed the proposed SCM in consultation with the districts, the affected industry representatives, and the U.S. EPA. The proposed SCM is designed to be used by the districts as a model when they adopt or amend rules regarding automotive coatings. The proposed SCM will provide statewide uniformity, enhance enforcement, and reduce VOC emissions.

The Board's approval of the proposed SCM will not impose binding requirements on any person. Binding requirements will only be imposed if a district adopts the SCM as a district rule. Upon adoption, a district rule would then apply to affected persons within the jurisdiction of the district. In addition, the Board's approval of the SCM will not impose an obligation on any district to subsequently adopt the SCM. It will be up to each district to decide if adoption of the SCM as a district rule is needed to attain the state and federal ambient air quality standards within the district. Automotive coatings rules now in place in the districts will remain in effect, unchanged, until district adoption of the SCM.

Description of the Proposed SCM

The proposed SCM applies to manufacturers, distributors, sellers, and users of automotive coatings. The proposed SCM applies to coatings that are used to coat any part or component of motor vehicles (such as cars, buses, and golf carts) or mobile equipment (such as railcars and tractors). The proposed SCM also applies to manufacturers, distributors, sellers, and users of surface preparation and clean-up solvents associated with the use of automotive coatings. Implementation of the

proposed SCM would reduce VOC emissions by 13.4 tons per day statewide beginning in 2009.

The proposed SCM does not apply to aerosol coatings (e.g., spray paint) or automotive coatings that are sold, supplied, or offered for sale in 0.5 fluid ounce or smaller containers intended to be used by the general public to repair tiny surface imperfections. The proposed SCM also does not apply to coatings applied to motor vehicles or mobile equipment, or their associated parts and components, during manufacture on an assembly line.

The proposed SCM differs from the U.S. EPA's National Rule and current district rules by eliminating the composite VOC limit for base coat (color) and clear coatings systems. The composite VOC limit is being replaced with individual VOC limits for color coatings and clear coatings. The proposed SCM specifies VOC limits for 12 coating categories; these limits would become effective on January 1, 2009.

The coating categories include clear coatings, color coatings, single-stage coatings, primers, and a variety of specialty coatings such as pretreatment coatings and adhesion promoters. If the coating is represented in such a way that indicates it can be used for more than one of the coating categories listed, then the lowest, or most restrictive, VOC content limit will apply.

If a coating does not meet any of the definitions for the categories listed, that coating will fall into the category labeled "Any other coating type" and a VOC limit of 250 grams per liter will apply. Limits are expressed in grams of VOC per liter of coating as applied, excluding the volume of any water and exempt compounds.

The proposed SCM specifies that no person shall manufacture, blend, repackage for sale, supply, sell, offer for sale, distribute, or apply any automotive coating or automotive coating component that does not meet the VOC limits in the proposed SCM.

The proposed SCM also prohibits anyone from possessing (at an automotive refinishing facility) any coating that does not meet the VOC limits listed, except when the coating is used with an approved emission control system that is at least 85 percent efficient. It is a violation of the proposed SCM to solicit, require, or specify the use of a coating that does not meet the VOC limits set forth in the proposed SCM, unless the coatings are used at a facility that complies with the alternative compliance provisions.

The manner in which coatings may be applied is specified in the proposed SCM. With the exception of underbody coatings, truck bed liner coatings, coatings used in graphic arts, and coatings of any type if less than one fluid ounce, the automotive coating must be applied by brushing, dipping, rolling, electrostatic spraying, or spraying with a high-volume, low-pressure spray gun or its approved equivalent.

The proposed SCM prohibits the use of cleaning solvents that exceed a VOC content of 25 grams per liter at an automotive refinishing facility. Any coating components,

coatings, and VOC-containing products used for cleaning must be stored in closed, vapor-tight containers when not in use. Spray guns must be cleaned in a closed system or its approved equivalent.

The proposed SCM has recordkeeping and labeling requirements. The proposed SCM requires each manufacturer to provide written data for each of their products that include the physical properties of the coating, coating component, or solvent. Manufacturers must also clearly label all coatings and coating components with the applicable coatings category and the VOC content. Manufacturers must label solvents with the VOC content.

Those who use automotive coatings are required under the proposed SCM to keep records indicating the name and manufacturer of the coating, method of applying the coating, coating type and mix ratio, VOC content of the coating, and whether the product used is a coating or a solvent. This information, along with manufacturer's data sheets or other written materials that provide the actual and regulatory VOC content and purchase records listing the coating type, name, and volume of coatings or solvents must be kept at the location where the coatings are applied for a minimum of three years. These records are to be made available for inspection upon request.

Anyone using an approved emission control system instead of using coatings that meet the VOC limits in the proposed SCM must keep daily records, to be maintained for a minimum of three years. These records will prove continuous and correct use of the control system during the time that emissions are occurring.

AVAILABILITY OF DOCUMENTS AND AGENCY CONTACT PERSONS

The ARB staff has prepared a Staff Report on the proposed SCM. The Staff Report contains the full text of the proposed SCM, and discusses the background, necessity for, technical basis, and the environmental and economic impacts of the proposed SCM.

Copies of the Staff Report may be obtained from the ARB's Public Information Office, 1001 I Street, Visitors and Environmental Services Center, 1st Floor, Sacramento, CA 95814, (916) 322-2990. In addition, this notice and the Staff Report will be available on the ARB internet site at http://www.arb.ca.gov/coatings/autorefin/scm/scm.htm.

Inquiries concerning the substance of the proposed SCM may be directed to
Mr. Jose Gomez at (916) 324-8033 or by email at jgomez@arb.ca.gov, or
Mr. David Mehl at (916) 324-8177 or by email at dmehl@arb.ca.gov.

SUBMITTAL OF COMMENTS

The public may present comments relating to this matter orally or in writing at the meeting, and in writing or by email before the meeting. To be considered by the Board, written submissions not physically submitted at the public meeting must be received **no later than 12:00 noon, October 19, 2005,** and addressed to the following:

Postal mail is to be sent to:

Clerk of the Board
Air Resources Board
1001 I Street, 23rd Floor
Sacramento, California 95814

Electronic mail is to be sent to autocoat@listserv.arb.ca.gov and received by the ARB **no later than 12:00 noon, October 19, 2005**.

Facsimile transmissions are to be transmitted to the Clerk of the Board at (916) 322-3928 and received at the ARB **no later than 12:00 noon October 19, 2005.**

The Board requests, but does not require, that 30 copies of any written statement be submitted and that all written statements be filed at least 10 days prior to the public meeting so that ARB staff and Board Members have time to fully consider each document. The Board encourages members of the public to bring to the attention of staff in advance of the public meeting any suggestions for modification of the proposed suggested control measure.

CALIFORNIA AIR RESOURCES BOARD

Catherine Witherspoon
Executive Officer

Date: September 20, 2005