Air Resources Board

Mary D. Nichols, Chairman
1001 I Street • P.O. Box 2815
Sacramento, California 95812 • www.arb.ca.gov

Matthew Rodriquez
Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

October 11, 2013

Dear Sir or Madam:

I am writing to remind you that requirements for various consumer product categories will become effective on December 31, 2013. The requirements include volatile organic compound (VOC) and Global Warming Potential (GWP) standards, as well as prohibitions on use of alkylphenol ethoxylate surfactants and specific toxic compounds. For your convenience, the affected consumer product categories and requirements are listed in Enclosure 1 to this letter. I am also using this letter to remind you of recent changes that affect Automotive Windshield Washer Fluid products and amendments approved for adoption at the September 26, 2013, hearing pertaining to lubricants. The specific regulatory requirements are contained in the Regulation for Reducing Emissions from Consumer Products (Consumer Products Regulation), sections 94507–94517, title 17, California Code of Regulations.

We routinely monitor manufacturers' progress in meeting regulatory requirements prior to the dates the requirements become effective. If your company anticipates it will successfully reformulate prior to the requirements becoming effective you do not need to contact us. Alternatively, if your company is experiencing difficulty with reformulating by the applicable effective date, we request that you contact us in writing by November 29, 2013, and provide sufficient detail so we can understand the nature and extent of the problem; the details of the research and development efforts undertaken; and the costs incurred by your company to comply.

To facilitate the transition period when regulatory requirements become effective, the Consumer Products Regulation contains a "sell-through" provision. This provision allows the sale or supply of noncomplying consumer products for up to three years if they were manufactured prior to the effective date of the applicable standard. In order to qualify for this sell-through provision:

- The products must be marked with the date of manufacture or an appropriate code-date that has been filed with the Air Resources Board's Enforcement Division; and

- The date or code-date must be displayed on containers beginning at least 12 months prior to the effective date of the standard.

As specified in the regulation, the effective date of the limits for products requiring Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and California Department of Pesticide Regulation (DPR) registration, is one year after the effective date listed on Enclosure 1 to allow adequate time for the registration process.

On July 1, 2013, a revised definition for Automotive Windshield Washer Fluid (AWWF) products became legally effective. The definition was modified to expand the areas where ready-to-use AWWF products with a VOC content of up to 25 percent by weight may be sold (Type "A" areas). The added areas are mountainous regions that routinely experience freezing temperatures in the winter. For your convenience, Enclosure 2 sets forth the Type "A" areas. In all other areas of the State, ready-to-use products must contain no more than 1 percent by weight VOC.

However, concentrated (dilutable) AWWF products may be sold in all areas of the State as long as the dilution instructions clearly specify the recommended dilutions to apply in Type "A" areas and in other areas of the State. Other amendments that became effective on July 1, 2013, allow concentrated products to indicate on the product label that the consumer should follow the dilution instructions for Type "A" areas when traveling to areas where freezing temperatures are expected [see §94509(b)(3)(C)]. Additional information related to AWWF products can be found at: http://www.arb.ca.gov/consprod/regact/awwf/awwf.htm.

Additionally, at a September 26, 2013, hearing, the Board approved for adoption amendments to the consumer products regulations. Among the amendments were provisions that pertain to various lubricant categories. The amendments explicitly exclude all Dry Lubricants from the requirements for any other regulated lubricant category; clarify that lubricants labeled solely for a single purpose are not Multi-purpose Lubricants or Silicone-based Multi-purpose Lubricants; and exclude lubricants labeled solely for use on the chains of chain-driven vehicles from the Gear, Chain, or Wire Lubricant category. Information can be found at the Consumer Products Rulemaking website: http://www.arb.ca.gov/regact/2013/cp2013/cp2013.htm. We anticipate these amendments will become legally effective in 2014.

The Consumer Products Regulation, in its entirety (except amendments approved for adoption at the September 26, 2013, hearing), is available on the internet at http://www.arb.ca.gov/consprod/regs/regs.htm.

If you have any questions about the standards or other aspects of the regulation, please contact Mr. Jose Gomez of my staff at (916) 324-8033, or via email at jgomez@arb.ca.gov or Mr. Nicholas Berger, at (916) 327-1516, or via email at nberger@arb.ca.gov.

Sincerely,

Jose Gomez for

Carla D. Takemoto, Chief
Area Source and Emission Inventory Programs Branch
Air Quality Planning and Science Division

Enclosures

cc: Mr. Jose Gomez, Manager
Technical Development Section
Air Quality Planning and Science Division

Mr. Nicholas Berger
Air Pollution Specialist
Technical Development Section
Air Quality Planning and Science Division

Enclosure 1

Table 1
Consumer Products Standards
(As set forth in sections 94509(a) and 94509(n))
Effective December 31, 2013

Product Category	GWP Limit[1]	VOC Standard (percent by weight)[2]	Sell-through Date
Furniture Maintenance Product aerosol	150	12	12/31/2016
Heavy-duty Hand Cleaner or Soap nonaerosol	N/A	1	12/31/2016
Insecticide:			
Flying Bug Insecticide aerosol[3]	150	20	12/31/2016
Wasp or Hornet Insecticide aerosol[3]	150	10	12/31/2016
Lubricant:			
Anti-Seize Lubricant aerosol	150	40	12/31/2016
nonaerosol	150	3	12/31/2016
Cutting or Tapping Oil aerosol	150	25	12/31/2016
nonaerosol	150	3	12/31/2016
Gear, Chain, or Wire Lubricant aerosol	150	25	12/31/2016
nonaerosol	150	3	12/31/2016
Multi-purpose Lubricant (excluding solid or semisolid products)	N/A	25	12/31/2016
Penetrant[4]	N/A	25	12/31/2016
Rust Preventative or Rust Control Lubricant aerosol	150	25	12/31/2016
nonaerosol	150	3	12/31/2016
Multi-purpose Solvent[5]	150	3	12/31/2016
Paint Thinner[5]	150	3	12/31/2016

[1] Global warming Potential value or "GWP value" as specified in the Intergovernmental Panel on Climate Change's (IPPC) Second Assessment Report (SAR). Use of any chemical compound that has a GWP value of 150 or greater is prohibited.

[2] The regulation contains exemptions for fragrances (in an amount of up to 2 percent by weight) and low vapor pressure VOCs. See sections 94510(c) and (d), respectively.

[3] Products subject to FIFRA and DPR registration requirement are given an extra year to comply with the applicable standards. See section 94509(d).

[4] The regulation contains an exclusion for certain Penetrant products. See subsection 94509(m)(7).

[5] The GWP limits already apply to nonaerosol Multi-purpose Solvent and Paint Thinner products, effective December 31, 2010. See section 94509(n).

Table 2
Consumer Product Categories Where
Use of Alkylphenol Ethoxylate Surfactants
(As set forth in section 94509(m))
is Prohibited Effective December 31, 2013

Product Category	**Sell-through Date**
Heavy-duty Hand Cleaner or Soap (nonaerosol)	12/31/2016

Table 3
Consumer Product Categories Where
Use of Methylene Chloride, Perchloroethylene, and Trichloroethylene
(As set forth in section 94509(m))
is Prohibited Effective December 31, 2013

Product Category	**Sell-through Date**
Lubricant:	
• Anti-Seize Lubricant	12/31/2016
• Cutting or Tapping Oil	12/31/2016
• Gear, Chain, or Wire Lubricant	12/31/2016
• Rust Preventative or Rust Control Lubricant	12/31/2016

Enclosure 2

Automotive Windshield Washer Fluid Type "A" Areas*

Table 94508(a)(20)(A) Counties that are Type "A" Areas	
Air Basin	**Counties**
Great Basin Valleys	Alpine, Inyo, Mono
Lake Tahoe	El Dorado
Mountain Counties	Amador, Calaveras, El Dorado, Mariposa, Nevada, Plumas, Sierra, Tuolumne
Northeast Plateau	Lassen, Modoc, Siskiyou
North Coast	Del Norte, Trinity
Sacramento Valley	Shasta

Table 94508(a)(20)(B) Type "A" Areas Identified by ZIP Code					
County**	**ZIP Code**	**County****	**ZIP Code**	**County****	**ZIP Code**
Butte	95954	Placer	95703	San Bernardino	92315
Butte/Tehama	95942	Placer	95713	San Bernardino	92317
Fresno	00017	Placer	95714	San Bernardino	92321
Fresno	93621	Placer	95715	San Bernardino	92325
Fresno	93628	Placer	95717	San Bernardino	92339
Fresno	93664	Placer	95722	San Bernardino	92352
Fresno/Tulare	93633	Placer	95724	San Bernardino	92358
Glenn	00047	Placer	96140	San Bernardino	92382
Humboldt	00050	Placer	96141	San Bernardino	92385
Kern	00016	Placer	96142	San Bernardino	92397
Kern	93255	Placer	96143	San Diego	91962
Kern	93285	Placer	96145	Santa Barbara	00032
Kern/Ventura	93225	Placer	96146	Tehama	00037
Kern	93226	Placer	96148	Tehama	00038
Kern/Ventura/ Santa Barbara/ San Luis Obispo	93252	Placer	96161	Tehama	96063
Madera	00020	Placer	96162	Tulare	00026
Madera	93643	Riverside	92549	Tulare	93260
Madera	93644	Riverside	92561	Tulare	93262
Placer	95602 (portion)***	San Bernardino	91759	Tulare	93265
Placer	95603 (portion)***	San Bernardino	92256	Tulare	93271
Placer	95631 (portion)***	San Bernardino	92305		
Placer	95701	San Bernardino	92314		

* Type "A" areas are those parts of California where ready-to-use AWWF with up to 25% by weight VOC may be sold.

** County name is provided as a point of reference only. Except as specified for ZIP codes 95602, 95603, and 95631, all portions of the identified ZIP codes are Type "A" areas.

*** Only the portion of ZIP codes 95602, 95603, and 95631 that lie to the east of Range 9 east, Mount Diablo Baseline and Meridian.