

Public Workshop

Proposed Amendments to the Consumer Products Regulation

March 5, 2008



California Environmental Protection Agency

Air Resources Board

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Overview

- Background
- Regulatory Timeline
- Proposed Amendments
 - Definitions
 - VOC Limits
 - Other Proposals
 - Toxics Prohibition
 - Greenhouse Gas Measure
- Ongoing Activities
- Next Steps



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Background



- VOC Statewide Strategy Commitment:
 - 30 – 40 tpd by 2014
- AB 32 Discreet Early Action Measure
- Proposals today are designed to partially fulfill these commitments

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Update on 2006 Amendments

- Regulation amendments became legally effective on December 8, 2007
- Adopted limits will achieve 11.5 tpd VOC reduction
 - Most become effective December 31, 2008



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Regulatory Timeline



Workgroup Meeting.....	August 29, 2007
Public Workshop.....	March 5, 2008
Second Public Workshop	Spring
45-Day Notice Release.....	May 9, 2008
2008 Board Hearing.....	June 26 - 27, 2008
2 nd Board Hearing	November, 2008 ₅

Proposed Amendments to the Consumer Products Regulation June 2008



Proposed Amendments

- New & Modified Definitions
- VOC Limits
- VOC Exemption: HFE 7200
- Other regulatory proposals
 - Concentrated products
 - Clarifying language related to date coding
- Toxics prohibitions in 6 categories
- AB 32 Discreet Early Action Greenhouse Gas Measure

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Proposed New Category Definitions

- Chemically Curing Sealant or Caulking Compound
- Fabric Softener – Single Use Dryer Product
- Floor Maintenance Product (Spray Buff)
- Motor Vehicle Wash
- Non-chemically Curing Sealant or Caulking Compound
- Odor Remover/Eliminator
- Postshave Product
- Tire or Wheel Cleaner
- Windshield Water Repellent

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Proposed Modified Category Definitions

- Air Freshener
- Astringent/Toner
- Carpet/Upholstery Cleaner
- Dusting Aid
- Fabric Protectant
- Floor Polish or Wax
- Glass Cleaner
- Multi-Purpose Dry Lubricant
- Multi-Purpose Lubricant
- Penetrant
- Personal Fragrance Product
- Pressurized Gas Duster
- Sealant or Caulking Compound
- Spot Remover
- Wood Floor Wax

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Proposed VOC Standards

- New or lower VOC limits
 - 20 Categories; 27 limits
- Effective dates for most categories
 - December 31, 2010
- Effective date for Multi-Purpose Lubricant, Penetrant, Chemically Curing Sealant or Caulking Compound:
 - December 31, 2012



Total Reductions: 5.4 tpd VOC

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Evaluation Process

- State law requires VOC limits to achieve maximum feasible reduction
 - Limits must be commercially and technologically feasible
 - Cannot eliminate a product form
- Proposals based on 2003 Survey
 - Sales data
 - Formulation data
 - Product labels

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Evaluation Process (cont.)

- Considerations in developing limits:
 - Range of VOC content reported
 - Product forms
 - Technology transfer
 - Recent research
 - Non-VOC substitutions
 - Dialogue with stakeholders
 - Patent and literature searches
 - Developments in other countries
 - Cost effectiveness

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Proposed Categories and VOC Limits

Air Care

Air Freshener – Liquid (dilutable and ready-to-use).....	0.1%
Air Freshener (solid/semisolid).....	0.1%
Odor Remover (aero.).....	25%
Odor Remover (non-aero.).....	0.1%

Automotive Care

Motor Vehicle Wash.....	0.2%
Tire or Wheel Cleaner (aero.).....	8%
Tire or Wheel Cleaner (non-aero.).....	2%
Windshield Water Repellent.....	75%

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Proposed Categories and VOC Limits *(cont.)*

Cleaners & Degreasers

Dusting Aid (aero.)	17%
Dusting Aid (non-aero.).....	3%
Glass Cleaner (aero.).....	8%
Pressurized Gas Duster.....	1%

Fabric Care

Carpet/Upholstery Cleaner (aero.).....	5%
Carpet/Upholstery Cleaner (non-aero.).....	1%
Fabric Protectant (non-aero.).....	1%

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Proposed Categories and VOC Limits *(cont.)*

Fabric Care (cont.)

Fabric Softener – Single Use

Dryer Product	0.1%
Spot Remover (aero.).....	15%
Spot Remover (non-aero.).....	3%

Lubricants/Penetrants

Multi-Purpose Lubricant.....	25%
Penetrant.....	25%

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Proposed Categories and VOC Limits *(cont.)*

Personal Care

Astringent/Toner (non-FDA regulated)...	10%
Personal Fragrance Product (20% or less fragrance)*	75%
Postshave Products.....	1%

Sealant or Caulking Compound

Chemically Curing.....	3%
Non-chemically Curing.....	0.5%

* Remove Grandfathering

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Proposed Categories and VOC Limits *(cont.)*

Waxes and Polishes

Floor Maintenance Product.....	1%
Floor Polish or Wax (Wood Floor Wax).....	70%

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Proposed VOC Exemption: Hydrofluoroether (HFE) 7200

- Used in precision (Electronic) cleaning
- Partial or sole replacement for HCFC 141b
- No adverse impacts identified
- Provides potential pathway to formulation of “nonflammable” products without the use of HFC 134a

<http://www.arb.ca.gov/research/reactivity/reactivity.htm>

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Other Regulatory Proposals

- Products that are diluted prior to use
 - Section 94509(b)(4)
 - VOC content for diluted products that are sold in pump spray containers shall be determined prior to minimum dilution
- Streamlining of date code language in several subsections of section 94509 related to sell-through

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Other Regulatory Proposals (cont.)

- Date Code clarification in section 94512(b)(1)
 - Batch code numbers do not satisfy requirement
- “Furniture Maintenance Product” correction
 - Reinstate the exemption for solid/paste forms to section 94509(a)

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Proposed Prohibition on Use of Toxic Compounds

- Proposed new subsection 94509(q) would prohibit the use of:
 - Perchloroethylene, Methylene Chloride, Trichloroethylene
- Prohibition would apply to these categories:
 - Carpet/Upholstery Cleaner
 - Fabric Protectant
 - Multi-Purpose Lubricant
 - Penetrant
 - Sealant or Caulking Compound
 - Spot Remover
- Toxics Reductions: 0.23 tpd in 2010

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Climate Change – Discreet Early Action Measure

- AB 32: California Global Warming Solutions Act of 2006
 - Requires cap on Greenhouse Gas emissions at 1990 levels by 2020 (~170 MMTCO₂e reductions)
 - Consumer Products is Discreet Early Action Measure
 - Goal is a Greenhouse Gas Reduction of 0.25 MMTCO₂e

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Greenhouse Gas Proposal – June 2008

- Definitions
 - Global Warming Potential (GWP)
 - Pressurized Gas Duster
- GWP is based on the IPCC
- Proposed new subsection 94509(r)
- GWP limits for Pressurized Gas Duster:
 - 150 CO₂e, effective 12/31/10
 - 10 CO₂e, effective 12/31/15



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Major Comments from Stakeholders

- VOC limit proposals
- Regulation of Paint Thinner should not be delayed
- VOC limits for institutional cleaning products should be set at 1%
- Toxics in Nail Coatings and other categories should be addressed
- Ensure limits do not lead to increased use of toxic compounds

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Ongoing Consumer Products Activities



- 2006 Consumer Products Survey Update
- Paint Thinner
- Nail Coatings
- Reactivity
- Method 310
- Future Greenhouse Gas Proposals

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2006 Consumer & Commercial Survey

- Released July 24, 2007
- Due November 21, 2007
- More than 500 completed surveys received
- Completed surveys in review/data entry
- Expect data summaries to be posted early Summer



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Paint Thinner Work Plan

- Evaluating comments related to feasibility for all coatings
- Develop “Issues” document reflecting all stakeholder comments
- Future meetings with stakeholders to evaluate and resolve issues

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Nail Coatings Risk Assessment

- Concern with xylenes, toluene, dibutyl phthalate, formaldehyde
- Develop modeling scenarios
 - Cumulative impacts from multiple facilities located in close proximity to people
- Assess risk to public in outdoor ambient air

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Reactivity Program Update

- New chemical mechanism to derive MIR values
 - SAPRC 2007
 - Developed by Dr. Carter, U.C. Riverside
- Consumer product work finalized
 - Updated MIR values for amines
 - MIR values established for additional compounds
http://www.arb.ca.gov/research/reactivity/consumer_products.pdf
 - Mechanism peer review underway

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Consumer Products Compliance Testing Procedure

- Method 310 contains analytical methods for VOC compliance testing
- Current process generally begins with gravimetric analysis
- Most are familiar with this equation to calculate VOC content (for non-aerosol products):

$$\% \text{ VOC} = (\text{TV-A-H-EL}) \times 100$$

Where:

TV = weight fraction of non-propellant total volatile material

A = weight fraction of ammonia

H = weight fraction water

EL = weight fraction exempt compounds

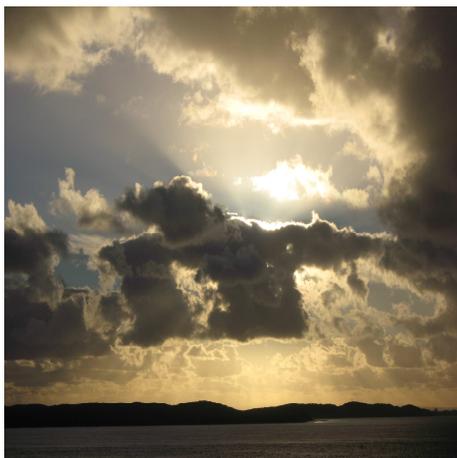
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Modifications to Consumer Products Testing Procedure

- Modifications needed to test for some products
 - When VOC content is low and/or water content is high
- Direct VOC analysis using gas chromatography
 - Analytical methods may be added to Method 310
- Would replace current VOC calculation process for these products
- Expect changes to be part of Fall rulemaking

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Future Greenhouse Gas Proposal

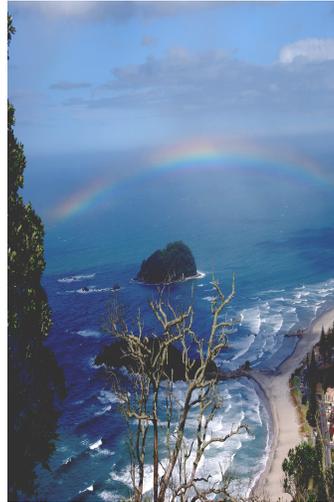


- Categories Under Evaluation:
 - Tire Sealants and Inflators
 - Chewing Gum Remover
 - Other categories in 2003 or 2006 Consumer Products survey

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Next Steps

- Second Public Workshop
- Continue to confer with interested parties on issues and concerns
- Continue 2006 survey review
- Release Staff Report on May 9, 2008
- Board hearing in Sacramento
 - June 26-27, 2008



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Contact Information

Name	Responsibility	Phone	Email
Janette Brooks	Chief, Air Quality Measures Branch	(916)322-7072	jbrooks@arb.ca.gov
Carla Takemoto	Manager, Technical Evaluation Section Lead Manager on 2008 Regulatory Amendments; Aerosol Coating reg; Antiperspirant & Deodorant reg; VOC Exemptions; Reactivity; Toxics; Select CP categories	(916)324-8028	ctakemot@arb.ca.gov
David Mallory	Manager, Measures Development Section 2006 Consumer Products Survey; Select CP categories; Climate Change; Innovative Emission Reduction Concepts	(916)445-8316	dmallory@arb.ca.gov
Judy Yee	Manager, Implementation Section ACP; IPE; CP Fees; Select CP categories	(916)322-9148	jyee@arb.ca.gov
Femi Olaluwoye	Staff Lead, 2008 Regulatory Amendments	(916)327-1503	oolaluwo@arb.ca.gov
Trish Johnson	Staff Lead, 2006 Consumer Products Survey	(916)445-3365	tjohnson@arb.ca.gov

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Websites



- **Air Resources Board website:** <http://www.arb.ca.gov>
- **Consumer Products website:**
<http://www.arb.ca.gov/consprod/consprod.htm>
- **2006 Survey website:**
<http://www.arb.ca.gov/consprod/regact/2006surv/2006surv.htm>
- **Consumer Products Regulations website:**
<http://www.arb.ca.gov/consprod/regs/regs.htm>
- **Consumer Products List Server website:**
<http://www.arb.ca.gov/listserv/listserv.php>
- **2008 Consumer Products Regulation Amendments website:**
<http://www.arb.ca.gov/consprod/regact/cpwg2008/cpwg2008.htm>
- **Climate Change Program website:**
<http://www.arb.ca.gov/cc/cc.htm>

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