

Section 94524(e) of the Regulation for Reducing Volatile Organic Compound Emissions from Aerosol Coating Products

Article 3, Aerosol Coating Products, Section 94524(e) Title 17, California Code of Regulations, to read as follows:

94524. Administrative Requirements

(e) Special Reporting Requirements for Perchloroethylene-Containing Aerosol Coatings

- (1) The requirements of this subsection shall apply to all responsible parties for perchloroethylene-containing aerosol coatings sold or offered for sale in California on or after January 1, 1996. For the purposes of this subsection, "perchloroethylene-containing aerosol coatings" means any aerosol coating that is required to comply with any VOC standard specified in section 94509(a) and contains more than 1.0 percent or more by weight (exclusive of the container or packaging) of perchloroethylene (tetrachloroethylene).
- (2) Reporting Requirements to Establish Baseline. On or before March 1, 1997, or 60 days after the effective date of this subsection (e) (whichever date occurs later), all responsible parties for perchloroethylene-containing aerosol coatings subject to the requirements of this subsection shall report to the Executive Officer the following information for each product:
 - (A) the product brand name and a copy of the product label with legible usage instructions;
 - (B) the product category to which the aerosol coating belongs;
 - (C) the applicable product form(s) (listed separately);
 - (D) for each product form listed in (C), the total amount of the aerosol coating sold in California between January 1, 1996 and December 31, 1996, to the nearest pound (exclusive of the container or packaging), and the method used for calculating the California sales;
 - (E) the weight percent, to the nearest 0.10 percent, of perchloroethylene in the aerosol coating;
- (3) Annual Reporting Requirements. On or before March 1, 1998, March 1, 1999, March 1, 2000, March 1, 2001, March 1, 2002, all responsible parties subject to the requirements of this subsection shall

provide to the Executive Officer an update which reports, for the previous calendar year, any changes to the annual California sales, perchlorethylene content, or any other information provided pursuant to subsections (e)(2)(A) through (e)(2)(E). After March 1, 2002, responsible parties are not required to submit this information unless specifically requested to do so by the Executive Officer.

- (4) Upon request, the Executive Officer shall make the information submitted pursuant to this subsection available to publicly-owned treatment works in California, in accordance with the procedures for handling of confidential information specified in Title 17, California Code of Regulations, sections 91000-91022.
 - (A) On or before January 1, 2002, the Executive Officer shall evaluate the information, along with data on influent and effluent levels of perchloroethylene as reported by publicly-owned treatment works and any other relevant information, to determine if it is likely that publicly-owned treatment works are experiencing increased levels of perchloroethylene, relative to 1996 levels, that can be attributed to aerosol coatings which contain perchloroethylene.
 - (B) If the Executive Officer determines that it is likely that increased perchlorethylene levels at the publicly-owned treatment works are caused by increased levels of perchloroethylene in aerosol coatings subject to this regulation, then the Executive Officer shall, in conjunction with the publicly-owned treatment works, implement measures which are feasible, appropriate and necessary for reducing perchloroethylene levels at the publicly-owned treatment works.