

Rule 1168

Adhesive and Sealant Applications

(A) General

- (1) The purpose of this rule is to reduce emissions of Volatile Organic Compounds (VOCs) and to eliminate emissions of chloroform, ethylene dichloride, methylene chloride, perchlorethylene, and trichlorethylene from the application of Adhesives, Adhesive Bonding Primers, Adhesive Primers, Sealants, Sealant Primers or any other Primers.
- (2) This rule shall apply to all commercial and industrial sales and applications of Adhesives, Adhesive Bonding Primers, Adhesive Primers, Sealants, Sealant Primers, or any other Primers, unless otherwise specifically exempted by this rule.

(B) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) Acrylonitrile-Butadiene-Styrene (ABS) - A plastic made by reacting monomers of acrylonitrile, butadiene, and styrene and is normally identified with an ABS marking.
- (2) Adhesive - Any substance that is used to bond one surface to another surface by attachment. Adhesives include, Adhesive Bonding Primers, Adhesive Primers, Adhesive Primers for Plastics and any other Primer used with Adhesives.
- (3) Adhesive Bonding Primer - An Adhesive applied to a surface to improve the bond of subsequent Adhesives and sometimes to inhibit corrosion.
- (4) Adhesive Primer - A coating applied to a substrate, prior to the application of an adhesive, to provide a bonding surface.
- (5) Adhesive Primer For Plastic - A material applied to a Plastic substrate alone or before applying an Adhesive in order to obtain better adhesion.
- (6) Adhesive Promoter - A coating applied to a substrate in a monomolecular thickness to promote wetting and form a chemical bond with the subsequently applied material.
- (7) Adhesive Solid - The nonvolatile portion of an Adhesive that remains after heating a sample of the material at 110°C for one hour.

- (8) Aerosol Adhesive - Any Adhesive packaged as an aerosol product in which the spray mechanism is permanently housed in a non-refillable can designed for hand-held application without the need for ancillary hoses or spray equipment. Aerosol Adhesives include special purpose spray Adhesives, mist spray Adhesives, and web spray Adhesives as defined by 17 Cal. Code Regs. §§94507 et seq.
- (9) Aerosol Spray Can - A hand held, pressurized, non-refillable container which expels Adhesives from the container in a finely divided spray when a valve on the container is depressed.
- (10) Aerospace Component - The fabricated part, assembly of parts, or completed unit of any Aircraft or space vehicle (excluding tires), and includes models, mock-ups, prototypes, and test coupons.
- (11) Aircraft - Any machine designed to travel through the air, without leaving the earth's atmosphere, whether heavier or lighter than air, including airplanes, balloons, dirigibles, helicopters, and missiles.
- (12) Air Pollution Control Officer (APCO) - The person appointed to the position of Air Pollution Control Officer of the District pursuant to the provisions of California Health & Safety Code §40750 and his or her designee.
- (13) Aircraft Tire Repair - The repair and retreading of used tires used on Aircraft. This includes the repair of damage to the tire casing, removal of old tread rubber and tread reinforcing materials, and application of new tread and tread reinforcing materials.
- (14) Architectural Application - The use of an Adhesive, Sealant, Adhesive Primer, or Sealant Primer on stationary structures, including mobile homes, and their appurtenances. Appurtenances to an architectural structure include, but are not limited to: hand railings, cabinets, bathroom and kitchen fixtures, fences, rain gutters and downspouts and windows.
- (15) Architectural Sealant or Sealant Primer - Any Sealant or Sealant Primer applied to stationary structures, including mobile homes, and their appurtenances. Appurtenances to an architectural structure include, but are not limited to: hand railings, cabinets, bathroom and kitchen fixtures, fences, rain gutters and downspouts and windows.
- (16) California Air Resources Board (CARB) - The California State Air Resource Board the powers and duties of which are described in Part 2 of Division 26 of the California Health & Safety Code (commencing with §39500).
- (17) Carpet Pad Adhesive - An Adhesive used for the installation of carpet pad (or cushion) beneath a carpet.
- (18) Ceramic Tile Adhesive - Is an Adhesive used in the installation of Ceramic Tile products.

- (19) Ceramic Tiles - A ceramic surfacing unit made from clay or a mixture of clay and other materials.
- (20) Chlorinated Polyvinyl Chloride (CPVC) - Plastic which is a polymer of the chlorinated polyvinyl monomer that contains 67 percent chlorine and is normally identified with a CPVC marking.
- (21) Coating Solid - The nonvolatile portion of a coating that remains after heating a sample of the material at 110°C for one hour.
- (22) Computer Diskette Manufacturing - The process where the fold-over flaps are glued to the body of a vinyl jacket.
- (23) Contact Adhesive - An Adhesive applied to two separate surfaces, allowed to dry, and brought together for adhesion and bonding with subsequent pressure.
- (24) Cove Base Installation - An Adhesive used during the installation of cove base (or wall base), which is generally made of vinyl or rubber, on a wall or vertical surface at floor level.
- (25) Cyanoacrylate Adhesive - A single-component reactive diluent Adhesive that contains at least 85 percent by weight ethyl, methyl, methoxymethyl or other functional groupings of cyanoacrylate.
- (26) District - The Antelope Valley Air Quality Management District the geographical area of which is describe in District Rule 103.
- (27) Dry Wall Adhesive - An Adhesive used during the installation of gypsum dry wall to studs or solid surfaces.
- (28) Exempt Compounds - A compound identified as exempt in 40 CFR 51.100(s)(1).
- (29) Facility - Any permit unit or grouping of permit units or other air contaminant-emitting activities which are located on one or more contiguous properties within the District, in actual physical contact or separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person (or by persons under common control). Such above-described groupings, if not contiguous, but connected only by land carrying a pipeline, shall not be considered one facility.
- (30) Fiberglass - Fine filaments of glass.
- (31) Foam - A rigid or spongy cellular mass with gas bubbles dispersed throughout.
- (32) Glue - A hard gelatin obtained from hides, tendons, cartilage, bones, etc., of animals.
- (33) Grams Of VOC Per Liter Of Adhesive, Less Water And Less Exempt Compounds - The weight of VOC per combined volume of VOC and Adhesive or Sealant solids, and can be calculated by the following equation:

Grams of VOC per Liter of Adhesive,

$$\text{Less Water and Less Exempt Compounds} = \frac{W_s - W_w - W_{es}}{V_m - V_w - V_{es}}$$

Where: W_s = weight of volatile compounds, in grams
 W_w = weight of water, in grams
 W_{es} = weight of exempt compounds, in grams
 V_m = volume of material, in liters
 V_w = volume of water, in liters
 V_{es} = volume of exempt compounds, in liters

For Adhesives or Sealants that contain reactive diluents, the VOC content of the adhesive or Sealant is determined after curing. The grams of VOC per liter of Adhesive or Sealant (except a low solids Adhesive or Sealant) shall be calculated by the following equation:

Grams of VOC per Liter of Adhesive,

$$\text{Less Water and Less Exempt Compounds} = \frac{W_{rs} - W_{rw} - W_{res}}{V_{rm} - V_{rw} - V_{res}}$$

Where: W_{rs} = weight of volatile compounds not consumed during curing, in grams
 W_{rw} = weight of water not consumed during curing, in grams
 W_{res} = weight of exempt compounds not consumed during curing, in grams
 V_{rm} = volume of material prior to reaction, in liters
 V_{rw} = volume of water not consumed during curing, in liters
 V_{res} = volume of exempt compounds not consumed during curing, in liters

- (34) Grams Of VOC Per Liter Of Material - The weight of VOC per volume of material calculated by the following equation:

$$\text{Grams of VOC per Liter of Material} = \frac{W_s - W_w - W_{es}}{V_m}$$

Where: W_s = weight of volatile compounds, in grams
 W_w = weight of water, in grams
 W_{es} = weight of exempt compounds, in grams
 V_m = volume of material, in liters

- (35) Hand Application Methods - The application of Adhesive or Sealant by manually held equipment. Such equipment includes paint brush, hand roller, trowel, spatula, dauber, rag, sponges, and mechanically- and/or pneumatic-driven syringes without atomization of the materials.
- (36) High-Volume, Low-Pressure (HVL) Spray - Equipment used to spray a coating by means of a gun that operates between 0.1 and 10 pounds per square inch gauge (psig) air pressure.
- (37) Indoor Carpet Adhesive - An Adhesive used during the installation of a carpet that is in an enclosure and is not exposed to ambient weather conditions during normal use.
- (38) Light Curable Adhesives and Sealants - Single-component reactive Adhesives and Sealants that cure upon exposure to visible-light, ultra-violet light or to an electron beam.
- (39) Low-Solids Adhesive - An Adhesive which has less than one pound (120 grams) of solids per gallon of material.
- (40) Low-Solids Adhesive Primer - An Adhesive Primer which has less than one pound (120 grams) of solids per gallon of material.
- (41) Marine Deck Sealant Primer - Any Sealant Primer to be applied to wooden marine decks.
- (42) Modified Bituminous Primer - Primer consisting of bituminous materials and a high flash solvent used to prepare a surface by (1) improving the adhesion and (2) absorbing dust from the surface for Adhesive or flashing cement bitumen membrane.
- (43) Modified Bituminous Materials - Materials obtained from natural deposit of asphalt or residues from the distillation of crude oil petroleum or coal which consist mainly of hydrocarbons, and include, but are not limited to, asphalt, tar, pitch and asphalt tile that are soluble in carbon disulfide.
- (44) Multipurpose Construction Adhesive - Any Adhesive to be used for the installation or repair of various construction materials, including but not limited to: drywall, subfloor, panel, fiberglass reinforced plastic (FRP), ceiling tile and acoustical tile.
- (45) Nonmembrane Roof Adhesive - Any Adhesive to be used for the installation or repair of nonmembrane roofs. This category includes Plastic or asphalt roof cement, asphalt roof coatings, and cold application cement.
- (46) Nonmembrane Roof Sealant - Any Sealant to be used for installation or repair of nonmembrane roofs. This category includes Plastic or asphalt roof cement, asphalt roof coatings, and cold application cement.

- (47) Orthotics and Prosthetics - Medical devices designed and fabricated to address human neuromuscular and structural skeletal problems in order to activate, supplement, or replace weakened, atrophied or missing limbs.
- (48) Outdoor Carpet Adhesive - An Adhesive used during the installation of carpet that is not in an enclosure and is exposed to ambient weather conditions during normal use.
- (49) Panel Adhesive - An Adhesive used for the installation of plywood, pre-decorated hardboard (or tileboard), fiberglass reinforced plastic (FRP), and similar pre-decorated or non-decorated panels to studs or solid surfaces.
- (50) Percent VOC By Weight - The ratio of the weight of the VOC to the weight of the material, expressed as a percentage of VOC by weight. The percent VOC by weight can be calculated as follows:

$$\text{Percent VOC weight} = \frac{W_v}{W} \times 100$$

Where: W_v = Weight of the VOCs, in grams

W = Weight of material in grams

- (51) Person - Any individual, firm, association, organization, partnership, business, trust, corporation, company, contractor, supplier, installer, user or owner, or any state or local governmental agency or public district or any other officer or employee thereof. Person also means the United States or its agencies to the extent authorized by federal law.
- (52) Plastic Cement Welding - The use of Adhesives made of resins and solvents which are used to dissolve the surfaces of Plastic, except ABS, CPVC, and PVC Plastic, to form a bond between mating surfaces.
- (53) Plastic Foam - A foam constructed of Plastics.
- (54) Plastics - Synthetic materials chemically formed by the polymerization of organic (carbon-based) substances. Plastics are usually compounded with modifiers, extenders, and/or reinforcers. They are used to produce pipe, solid sheet, film, or bulk products.
- (55) Polycarbonate - A thermoplastic resin derived from bisphenol A and phosgene, a linear polyester of carbonic acid, dihydroxy compound and any carbonate diester, or by ester interchange.
- (56) Polyethylene Terephthalate - A thermoplastic polyester formed from ethylene glycol by direct esterification or by catalyzed ester exchange between ethylene glycol and dimethyl terephthalate.
- (57) Polyethylene Terephthalate Glycol (PETG) - A glycol modified polyethylene terephthalate.

- (58) Polyurethane Foams - Plastic foams, as defined in "Whittington's Dictionary of Plastics," page 329, and may be either rigid or flexible.
- (59) Polyvinyl Chloride (PVC) - Plastic which is a polymer of the chlorinated vinyl monomer that contains 57 percent chlorine and is normally identified with a PVC marking.
- (60) Porous Material - A substance which has tiny openings, often microscopic, in which fluids may be absorbed or discharged.
- (61) Primer - A material applied to a substrate to improve adhesion of subsequently applied Adhesive.
- (62) Propellant - A fluid under pressure which expels the contents of a container when a valve is opened.
- (63) Reactive Diluent - A liquid which is a VOC during application and one in which, through chemical and/or physical reactions, such as polymerization, 20 percent or more of the VOC becomes an integral part of a finished material.
- (64) Roadway Sealant - Any Sealant to be applied to public streets, highways, and other surfaces, including but not limited to curbs, berms, driveways, and parking lots.
- (65) Roll Coater - A series of mechanical rollers that form a thin coating or Adhesive film on the surface roller, which is applied to a substrate by moving the substrate underneath the roller.
- (66) Rubber Flooring Adhesive - The installation of flooring material in which both the back and the top surface are made of synthetic rubber, and which may be in sheet or tile form.
- (67) Rubber Foam - A foam constructed of natural or synthetic rubber.
- (68) South Coast Air Quality Management District (SCAQMD) - The air quality district created pursuant to Division 26, Part 3, Chapter 5.5 of the California Health & Safety Code (commencing with §40400).
- (69) Sealant - Any material with Adhesive properties that is formulated primarily to fill, seal, or waterproof gaps or joints between two surfaces. Sealants include Sealant Primers and caulks.
- (70) Sealant Primer - Any product applied to a substrate, prior to the application of a Sealant, to enhance the bonding surface.
- (71) Shoe Repair, Luggage And Handbag Adhesive - An Adhesive used to repair worn, torn or otherwise damaged uppers, soles, and heels of shoes, or for making repairs to luggage and handbags.

- (72) Sheet-Applied Rubber Lining Operation - The hand application of sheet rubber lining to metal or Plastic substrates in order to protect the underlying substrate from corrosion or abrasion. These operations also include laminating sheet rubber to fabric.
- (73) Single-Ply Roof Membrane Adhesive - Any Adhesive Sealant to be used for the installation or repair of single-ply roof membrane. Installation includes, but is not limited to attaching the edge of the membrane to the edge of the roof and applying flashings to vents, pipes, or ducts that protrude through the membrane.
- (74) Single-Ply Roof Membrane Sealant - Any Sealant to be used for the installation or repair of single-ply roof membrane to the edge of the roof and applying flashings to vents, pipes, or ducts that protrude through the membrane.
- (75) Solvent Welding - The softening of the surfaces of two substrates by wetting them with solvents and/or Adhesives, and joining them together with a chemical and/or physical reaction(s) to form a fused union.
- (76) Space Vehicle - A vehicle designed to travel beyond Earth's atmosphere.
- (77) Special Purpose Contact Adhesive - A Contact Adhesive that is used to bond all of the following substrates to any surface: melamine covered board, metal, unsupported vinyl, Teflon, ultra-high molecular weight polyethylene, rubber and wood veneer 1/16 inch or less in thickness.
- (78) Structural Glazing Adhesive - Any Adhesive to be used to adhere glass, ceramic, metal, stone, or composite panels to exterior building frames.
- (79) Structural Wood Member Adhesive - An Adhesive used for the construction of any load bearing joints in wooden joists, trusses, or beams.
- (80) Subfloor Adhesive - An Adhesive used in the installation of subflooring material over floor joists.
- (81) Thin Metal Laminating - A process of bonding multiple layers of metal to metal or metal to Plastic in the production of electronic or magnetic components in which the thickness of the bond line(s) is less than 0.25 mil.
- (82) Tire Repair - The expanding of a hole, tear, fissure, or blemish in a tire casing by grinding or gouging, applying Adhesive, and filling the hole or crevice with rubber.
- (83) Tire Retread Adhesive - Any Adhesive to be applied to the back of precured tread rubber and to the casing and cushion rubber, or to be used to seal buffed tire casings to prevent oxidation while the tire is being prepared for a new tread.
- (84) Top and Trim Adhesive - An Adhesive used during the installation of automotive and marine trim, including, but not limited to, headliners, vinyl tops, vinyl trim, sunroofs, dash covering, door covering, floor covering, panel covering and upholstery.

- (85) Traffic Marking Tape - Preformed reflective to be applied to public streets, highways, and other surfaces, including but not limited to curbs, berms, driveways, and parking lots.
- (86) Traffic Marking Tape Adhesive Primer - Any Adhesive Primer to be applied to surfaces prior to installation of traffic marking tape.
- (87) Transfer Efficiency - The ratio of the weight or volume of Coating Solids adhering to an object to the total weight or volume, respectively, of Coating Solids used in the application process, expressed as a percentage.
- (88) United States Environmental Protection Agency (USEPA) - The United States Environmental Protection Agency, the Administrator of the USEPA and his or her authorized representative.
- (89) Vinyl Composition Tile (VCT) - A material made from thermoplastic resins, fillers and pigments.
- (90) Viscosity - The internal friction of a liquid that makes it resistant to flow.
- (91) Volatile Organic Compound (VOC) - Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions and those compounds listed in 40 CFR 51.100(s)(1).
- (92) Wood Flooring Adhesive - An Adhesive used to install a wood floor surface, which may be in the form of parquet tiles, planks, or strip-wood.
- (93) Wood Parquet Flooring - Wood flooring in tile form constructed of smaller pieces of wood which are joined together in a pattern by the maker to form the tile.
- (94) Wood Plank Flooring - Solid or laminated wood in plank form.

(C) Requirements

- (1) After January 1, 1993, a person shall not apply any Adhesives, Sealants, Adhesive Bonding Primers, Adhesive Primers, Sealant Primers, or any other Primer which have a VOC content in excess of 250 g/L less water and less exempt compounds unless otherwise specified in subsection (C)(2)
- (2) After January 19, 2010, a person shall not apply Adhesives, Sealants, Adhesive Bonding Primers, Adhesive Primers, Sealant Primers, or any other Primer which have a VOC content in excess of the limits specified in Table 1:

Table 1

VOC – Less Water and Less Exempt Compounds ¹	
	Limit (Grams per Liter)
Architectural Applications	
Indoor Carpet Adhesives	50
Carpet Pad Adhesives	50
Outdoor Carpet Adhesives	150
Wood Flooring Adhesives	100
Ceramic Tile Adhesives	65
Dry Wall and Panel Adhesives	50
Subfloor Adhesives	50
Rubber Floor Adhesives	60
VCT and Asphalt Tile Adhesives	50
Cove Base Adhesives	50
Multipurpose Construction Adhesives	70
Structural Glazing Adhesives	100
Single Ply Roof Membrane Adhesives	250
Specialty Applications	
PVC Welding	510
CPVC Welding	490
ABS Welding	325
Plastic Cement Welding	250
Adhesive Primer for Plastic	550
Computer Diskette Manufacturing	350
Contact Adhesives	80
Special Purpose Contact Adhesives	250
Tire Retread	100
Adhesive Primer for Traffic marking Tape	150
Structural Wood member Adhesives	140
Sheet Applied Rubber Lining Adhesives	850
Top and Trim Adhesives	540
Sealants	
Architectural	250
Marine Deck	760
Nonmembrane Roof	300
Roadway	250
Single-Ply Roof Membrane	450
Other	450
Sealant Primers	
Architectural - Non Porous	250
Architectural - Porous	775
Modified Bituminous	500
Marine Deck	760
Others	750

If an Adhesive is used to bond dissimilar substrates together the Adhesive with the highest VOC content shall be allowed

¹ For low-solids Adhesives or Sealants the VOC limit is expressed in grams per liter of material as determined pursuant to subsection (B)(34); for all other Adhesives and Sealants, VOC limits are expressed as grams of VOC per liter of Adhesive or Sealant less exempt compounds pursuant to subsection (B)(33).

- (3) Containers used to dispose of VOC-laden cloth or paper used in stripping cured Adhesives or Sealants shall be closed except when depositing or removing VOC-laden cloth or paper from the container.
- (4) Solvent Cleaning Operations: Storage and disposal of VOC-containing materials shall be conducted in accordance with the provisions of District Rule 1171 - Solvent Cleaning Operations.
- (5) Transfer Efficiency

A person shall not apply Adhesives or Sealants unless the Adhesive or Sealant is applied with properly operating equipment in accordance with operating procedures specified by either the equipment manufacturer or the APCO. Application of Adhesives shall be accomplished only by the use of one (1) of the following methods:

- (a) Electrostatic application; or
 - (b) Flow coat; or
 - (c) Dip coat; or
 - (d) Roll coater; or
 - (e) High-Volume, Low-Pressure (HVLP) spray; or
 - (f) Hand Application Methods; or
 - (g) Such other Adhesive application methods as are demonstrated to the APCO Officer to be capable of achieving at least sixty-five percent (65 percent) transfer efficiency and for which prior written approval of the APCO has been obtained; or
 - (h) For Adhesives with a viscosity of 200 centipoise or greater, as applied, airless spray, air-assisted airless, and air-atomized spray may also be used.
- (6) A person may comply with the provisions of subsections (C)(1), (C)(2), or (C)(5), or all three, by using approved air pollution control equipment, provided that the VOC emissions from such operations and/or materials are reduced by 80 percent overall, by weight.
 - (7) A person may comply with the provisions of subsection (C)(1) and subsection (C)(2) by means of an Alternative Emission Control Plan pursuant to Rule 108.
 - (8) If anywhere on the container of any Adhesive or Sealant, on any sticker or label affixed thereto, or in any sales or advertising literature, any representation is made that the Adhesive or Sealant may be used for any other source specific rule application, for which there is a lower VOC standard, the lowest VOC standard shall apply.

- (9) The VOC content of Adhesives and Sealants that are applied with the use of refillable pressurized containers are subject to the VOC limits of this rule.

(D) Recordkeeping Requirements

Notwithstanding provisions of subdivision (I), records shall be maintained pursuant to Rule 109.

(E) Methods of Analysis

- (1) The VOC content of cleaning materials and Adhesives or Sealants shall be determined by using USEPA Reference Method 24 (Determination of Volatile Matter Content, Water Content, Density Volume Solids, and Weight Solids of Surface Coating, 40 CFR Part 60, Appendix A, utilizing Procedure B of ASTM Method D2369), or the SCAQMD Method 304.
- (2) The exempt compound's content shall be determined by Methods 302 and 303 in SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples" Or ASTM Method D4475-85.
- (3) The VOC content of PVC, CPVC, and ABS pipe cements, Adhesive Primer for Plastic shall be determined by Method 316A in SCAQMD's "Laboratory Method of Analysis for Enforcement Samples."
- (4) The VOC content of cyanoacrylate Adhesives shall be determined by Method 316B in SCAQMD's "Laboratory Methods of Analysis for Enforcement Samples."

(F) Test Methods

- (1) The efficiency of the control device and the VOC content measured and calculated as carbon in the control device exhaust gases shall be determined by USEPA's Test Method 18, or CARB Method 422 for the determination of emissions of Exempt Compounds and USEPA's Test Methods 25, 25A; or SCAQMD's Method 25.1 or Method 25.3 (Determination of Total Gaseous Non-Methane Organic Emissions as Carbon) for the determination of total organic compound emissions. Emissions determined to exceed any limits established by this rule through the use of any of the above-referenced test methods shall constitute a violation of the rule.
- (2) Viscosity will be determined by ASTM D 1084-88.
- (3) The following classes of compounds: cyclic, branched, or linear, completely fluorinated alkanes; cyclic, branched, or linear, completely fluorinated ethers with no unsaturations; cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine, will be analyzed as exempt compounds for compliance with Section (C), only at such time as manufacturers specify which individual compounds are used in the coating

formulations and identify the test methods, which, prior to such analysis, have been approved by the USEPA, that can be used to quantify the amounts of each exempt compound.

(G) Prohibition of Specifications

- (1) A person shall not solicit or require any other person to use, in the District, any Adhesives, Sealants or combination of Adhesives or Sealants in violation of the requirements of this rule.
- (2) The requirements of this section shall apply to all written or oral agreements executed or entered into after July 1, 1989.

(H) Prohibition of Sales and Use

- (1) On and after January 19, 2009, except as provided in section J, or subsection (3) below, no person shall use, supply, sell, or offer for sale an Adhesive, Sealant, or Adhesive or Sealant Primer for use in the District that at the time of sale exceeds the applicable VOC limits specified in subsections (C)(1) and (C)(2).
- (2) On and after January 19, 2009, except as provided in subsection (3) below, no person shall use, supply, sell, or offer for sale an Adhesive, Sealant, or Adhesive or Sealant Primer for use in the District that contains chloroform, ethylene dichloride, methylene chloride, perchloroethylene, and trichloroethylene.
- (3) The prohibition of sales and use as specified in subsections (H)(1) and (H)(2) shall not apply to the following:
 - (a) Adhesives and Sealants shipped, supplied or sold to persons for use outside the District;
 - (b) Any manufacturer of Adhesives or Sealants, provided that the manufacturer has complied with the labeling requirements of Rule 443.1 – Labeling of Materials Containing Organic Solvents, and the product is not sold directly to a user located in the District, or the product was sold to an independent distributor or a sales outlet located in the District that is not a subsidiary of, or under the control of the manufacturer, and was informed in writing by the manufacturer about the compliance status of the product with this rule; and
 - (c) Adhesives and Sealants that contain less than one percent by weight of methylene chloride.

(I) Rule 442 Applicability

- (1) Any Adhesive, Sealant, Adhesive or Sealant application, operation, or person which is exempt from all or a portion of this rule, shall comply with the applicable provisions of Rule 442.

(J) Exemptions

- (1) The provisions of subsection (C)(1) and subsection (C)(2) shall not apply to the following:
 - (a) Adhesives used in tire repair; or
 - (b) Adhesives and/or Adhesive application processes that are subject to the provisions of District Rules 1104, 1124, 1128, 1130 and 1130.1.
- (2) The provisions of this rule shall not apply to Aerospace Components that are subject to the provisions of District Rule 1124.
- (3) The provisions of subsection (C)(5) and subdivision (D) shall not be applied to the application of Adhesives or Sealants that contain less than 20 g/L of VOC per liter of Adhesives or Sealants, less water and less exempt compounds.
- (4) The provisions of this rule shall not apply to any Facility that uses less than one pint of Adhesives in any one day so long as the products were purchased prior to [adoption date].
- (5) The provisions of Section (C) shall not apply to research and development programs and quality assurance labs, provided that:
 - (a) A record is kept of:
 - (i) the date when the Adhesives are used, and the type of application(s); and
 - (ii) the amount of Adhesives used and the VOC content of such Adhesives; and
 - (iii) the amount of solvents used and VOC content of such solvents; and
 - (iv) the manufacturer/suppliers identification and type of material.
 - (b) Such records shall be retained in accordance with the provisions of subdivision (D) of this rule.
- (6) The provisions of subsection (C)(1) and subsection (C)(2) shall not apply to a facility that demonstrates that the total volume of non-compliant Adhesives, Sealants, Adhesive Primers, Sealant Primers, and Adhesive Bonding Primers is less than 55 gallons per Facility per rolling 12 month period. On or after January 19, 2009, a Facility may not use this subsection to exclude non-compliant Adhesives used in Architectural Applications, Contact Adhesives, Special Purpose Contact Adhesives and Adhesives used on porous substrates.
- (7) The provisions of subdivision (C) shall not apply to solvent welding operations used in the manufacturing of medical devices.
- (8) The provisions of this rule shall not apply to Aerosol Adhesives and Primers dispensed from Aerosol Spray Cans.

- (9) The provisions of subsection (C)(1) and subsection (C)(2) shall not apply to any Adhesive used exclusively for thin metal laminating operations, provided that the Adhesive contains less than 780 grams of VOC per liter of Adhesive, less water and less exempt compounds, as applied, and the Facility uses a total of three (3) gallons per day or less of these Adhesives.
- (10) The provisions of this rule, except subsection (H)(2) and section (D), shall not apply to light curable Adhesives and Sealants with a VOC content no more than 50 grams per liter, less water and less exempt compounds.
- (11) The provisions of this rule, except subsection (H)(2), shall not apply to the use of cyanoacrylate Adhesives.
- (12) The provisions of this rule shall not apply to Adhesives and Sealants subject to the California Air Resources Board consumer products regulation found in Title 17 of the California Code of Regulations, beginning at §94507.
- (13) A person may sell or apply a non-complying VOC-containing or methylene chloride-containing product for one year after the effective date in subsection (C)(2) for VOC-containing Adhesives and Sealants, and for one year after the applicable effective date of subsection (H)(2), provided:
 - (a) The product complies with the previous applicable VOC limit,
 - (b) The product was manufactured prior to the effective date, and
 - (c) The date of manufacture or a code indicating that date is clearly displayed on the product.
- (14) The provisions of this rule, except subsection (H)(2), shall not apply to Adhesives used to fabricate orthotics and prosthetics under a medical doctor's prescription.
- (15) The provisions of this rule, except subsection (H)(2), shall not apply to shoe repair, luggage, and handbag Adhesives.

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