



October 24, 2007

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

**PROSOCO**  
SINCE 1939

**Corporate Office**

3741 Greenway Circle  
Lawrence, KS 66046  
800.255.4255  
785.865.4200  
fax 785.830.9016

auto attendant  
800.491.0721

customer care fax  
800.877.2700

email  
prosoco@prosoco.com

Dear Board Members,

I am writing on behalf of PROSOCO, Inc. with comments on the Air Resources Board (ARB) draft Suggested Control Measure (SCM) for Architectural and Industrial Maintenance Coatings (AIM) coatings. PROSOCO is a Small Business Administration defined small company specializing in cleaners and protective coatings for concrete and masonry construction and restoration. Our California project portfolio includes a number of prominent historic, institutional, and commercial structures.

We appreciate this opportunity to comment and commend ARB Staff for their efforts in crafting this SCM proposal and the accompanying Staff Report. PROSOCO has previously provided comments on various technology and application issues to Staff directly and through the industry work group and Public Workshop process. We have specific concerns regarding the final SCM adoption in the areas of averaging, reactivity based standards, and a potential tertiary butyl acetate VOC exemption listing as described below.

*Averaging*

PROSOCO supports the current SCM adoption without an averaging provision. In our opinion, averaging programs disproportionately favor a relative few manufacturers who produce large quantities of low VOC materials, such as flat and nonflat paints.

Further, averaging favors companies with a vertically integrated distribution model including company owned retailers. Companies who sell through independent retailers or for individual, specified projects have no mechanism to push sell low VOC products to create breathing room for averaged products. In addition, there is no means to predict quarter-to-quarter, or year-to-year, product sales into the state.

*Reactivity*

The ongoing debate regarding the application of incremental reactivity to AIM coatings VOC regulation involves a number of complex factors. In principal, we believe that reactivity is a more accurate means to assess the actual ozone creation potential of an individual coating formulary component. However, due to the complexities of application of reactivity to real formulations, we cannot offer unqualified support for a universal reactivity based standard at this time.

Reactivity based standards are ultimately necessary in order to accurately reflect the overall contribution of AIM coatings to the California VOC inventory. However, we believe that initial implementation of a reactivity based AIM VOC system must be neutral with regard to technologies and formulations compliant with contemporaneous mass based limits. The phase in period will be extraordinarily difficult and require a fundamental industry shift in how formulary VOC content is calculated. We believe small and medium sized enterprises will be at a significant disadvantage during implementation due to staff to sales volume ratios.

Additionally, some coatings components have yet untested MIR values. We urge ARB to continue building an accurate MIR data set for specialty product components and resins.

We believe a tiered reactivity rule implementation may be appropriate. Some entities have proposed reactivity based innovative product variance programs or a phase-in involving select, high volume categories. We generally support these types of approaches as long as they are structured to provide equitable treatment of small and large formulators.

*Tertiary Butyl Acetate (TBAC)*

We support the ongoing efforts of California regulatory agencies in determining the suitability of TBAC for use in AIM coatings formulations. Our hope is that further analysis will lead to listing TBAC as an exempt solvent.

Formulators operate under a number of constraints in our efforts to create lower VOC products. In addition to resin compatibility issues, the clear water, graffiti, and stain repellent sector must also produce products that do not substantially alter substrate appearance. This is becoming increasingly difficult given the limited range of currently available exempt solvents.

We believe that TBAC health and safety concerns should be viewed in context with other non-VOC solvents currently available to formulators. Certainly, chlorinated solvents such as methylene chloride and perchloroethylene present substantial health risks associated with their use. From a user safety perspective, we are concerned about the wholesale use of VOC exempt acetone given a flashpoint below zero degrees Fahrenheit and associated fire and explosion risks.

Again, we appreciate this opportunity to comment on the proposed SCM. I look forward to continued dialogue with ARB staff.

Sincerely,

A handwritten signature in black ink, appearing to read "Dwayne Fuhlhage". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dwayne Fuhlhage, CHMM  
Regulatory Affairs Director

*Sent via Electronic Submission*