



## **Raymond Regulatory Resources (3R), LLC**

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To: Dan Garrett  
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Subject: Multi-purpose Lubricants Alternative Compliance Option

Raymond Regulatory Resources (3R) appreciates the opportunity to comment on the proposed Amendments to the Consumer Product Regulation. These Amendments propose to allow an Alternative Compliance Option to the Rule to comply with the future effective VOC limit for Multi-purpose lubricants.

3R has been involved with CARB regulations dating back to the 1990's. In addition 3R is very familiar with Reactivity regulations, having been highly involved in the first Reactivity rule on Aerosol Coatings.

### **Reactivity**

The staff has proposed to use Reactivity as a way to provide an alternative compliance option for the future effective VOC limit for Multi-purpose lubricants. Reactivity is a true science based method to achieve ozone reductions. A reduction in Reactivity of a product always reduces ozone production from that product. Mass based regulations do not always reduce ozone production from a product. The future effective limit of 10% VOC mass based is a technology forcing limit. Per the technical review done on Multi-purpose lubricants a vast majority of the category does not appear to have the technology to produce a compliant product that is efficient and efficacious for the consumer to use.

The staff has proposed a 0.45 MIR Reactivity limit as the Alternative Compliance option to the 10% VOC mass based limit. This Reactivity limit appears to retain the emission reduction that would have been achieved by the 10% mass based rule. In addition the 10% mass based rule is still in effect, thus any manufacturer that already complies with the limit does not need to reformulate their product.

3R supports the staff proposal of a product weighted Maximum Incremental Reactivity (MIR) limit of 0.45 with a maximum VOC level of 25%. The use of the

Concept of Reactivity in the reduction of ozone formation is sound science. The Aerosol Coating Regulation that CARB developed almost two decades ago has proven that this concept works, thus 3R supports the use of Reactivity as an Alternative Compliance Option.

3R provides the following comments to clarify the proposed regulation.

Section 94508 Definitions (82) (C) (6)

If a product claims to be used on Gears, Chain or Wires as a Gear, Chain or Wire lubricant and has claims for use for drilling, cutting or tapping metals as a Cutting or Tapping Oil, are these types of products considered Multi-purpose lubricants subject to the new Reactivity option? Or are these products categorized a Gear, Chain or Wire lubricant and a Cutting or Tapping Oil subject to the existing 25% VOC limit?

Section 94509 (a)

3R supports the extension of the effective date to 7/1/2019. This will provide the manufacturers time to comply with the amendments.

Section 94509(r) Assignment of Maximum Incremental Reactivity (MIR) Values

There should be additional statements added to this section such as the following.

A description of high carbon chain high boiling point and low vapor pressure compounds be assigned a MIR Value 0.0.

Or

Grouped LVP are assigned a MIR Value of 0.0.

Definition Grouped LVP is a compound that has a carbon number greater than 20 and a Boiling Point above 250°C. Examples are beeswax, cellulose, cornstarch, non-volatile silicones, oils non-volatile polymers, sodium xylene sulfonate, styrene butadiene rubber, tallow, triclosan, urea, xanthan gum, paraffin wax, and mineral oil.

Or

A statement “Compounds that contain at least one atom of carbon but do not contribute to ozone formation in the troposphere are assigned a MIR value of 0.0”.

**Comment:** These statements in this section will guide the public to know how to assign MIR values for compounds that contain at least one carbon atom but do not contribute to ozone formation, such as oils or base oils that historically have not been counted as VOC's. This wording is consistent with the following wording in section 94509(r)(1)(I) “Reactive Organic Compound (ROC)” Means any compound containing at least one atom of carbon and that has the potential, once emitted, to contribute to ozone formation in the troposphere. Any of the above statements will add clarity to the regulation.

Section 94513(h)(1)

The Responsible Party must report annual sales to the Executive Officer no later than March 31. The annual reporting requirement shall sunset on April 1, 2023.

**Comment:** Question: Can the calculation of the annual reporting be done by calculating the population density of the state using national sales numbers as done in the Consumer Product surveys? 3R supports the sunset of the annual reporting.

Section 94513( h )(2)

(D)For chemical mixtures not listed in sections 94700, 94701, or 94509(r)(5) each chemical compound in the mixture must be reported separately.

**Comment:** for clarity the section should add “greater or equal to 0.1 percent by weight.

(D)For chemical mixtures not listed in sections 94700, 94701, or 94509(r)(5) each chemical compound in the mixture greater or equal to 0.1 percent by weight must be reported separately.

(F) If an MIR value other than terpinolene is used for fragrance, the Responsible Party must provide the fragrance ingredients.

**Comment:** for clarity the section should add in a formula greater or equal to 0.1 percent by weight.

(F) If an MIR value other than terpinolene is used for fragrance in a formula greater or equal to 0.1 percent by weight, the Responsible Party must provide the fragrance ingredients.

**Conclusion**

3R would like to commend and thank the CARB staff for their work on these amendments. Staff was always willing to meet and engage in a dialogue on ways to improve the regulation. These amendments provide needed VOC emissions for the states clean air goals. As well the amendments provide flexibility for MPL manufactures to produce effective products. Lastly, the amendments do not disrupt these MPL manufactures that can comply with the 10% limit. Thus this is truly a win, win, win for the State and Industry. Any questions or comments feel free to contact me at 740-936-8120 or by e-mail [djraymond@me.com](mailto:djraymond@me.com).

Sincerely,



Douglas Raymond