March 18, 2021

Clerk’s Office

California Air Resources Board

1001 I Street

Sacramento, California 95814

<https://www.arb.ca.gov/lispub/comm/bclist.php>

Subject: Comments on Proposed Amendments to the California Consumer Products Regulation; Board Agenda Item # 21-2-1

Dear Board Members:

The Western Aerosol Information Bureau, Inc. (WAIB) commends the staff for all their hard work and time spent in developing the proposed amendments to Consumer Product VOC Regulations.

WAIB is a regional association of companies supporting the production, marketing and use of aerosol products. The membership consists of approximately 50 companies ranging in size from small to large and in scope from national to international.

WAIB has worked with CARB staff to develop reasonable VOC limits while maintaining viable products for the public and achieving the agency’s clean air goals.

Our comments are the following.

**Air fresheners**

WAIB supports the proposal for the Aerosol Air Freshener categories. The addition of the definitions for the new categories as well as the new VOC limits are supported by WAIB. The Association would like to thank the staff for their work with the Industry through numerous meetings in person and virtually to provide a reasonable and workable outcome for these categories. Adding the niche categories concentrated Aerosol Air Freshener and Total Release Air Freshener is valuable to the Industry.

**Hairspray, Dry Shampoo and Personal Fragrance**

WAIB supports the proposal for Hairspray, Dry Shampoo and Personal Fragrance. However, the Personal Fragrance VOC limits are technology forcing. The Technology review will be needed to ensure these stringent limits are able to be met.

**Sunset of Two Percent Fragrance Exemption**

WAIB supports sun setting the two percent fragrance exemption.

**Monoterpenes**

WAIB supports the inclusion of the 0.25% VOC of Monoterpenes for General Purpose Cleaners and General Purpose Degreasers non-aerosol. This has been a long term issue and the staff proposal will hopefully settle this issue. We appreciate the staff’s approach to the issue.

**Energized Electrical Cleaner**

WAIB supports the proposed definition change for this category. Energized Electrical Cleaner must be non-flammable to prevent the potential for a fire when used on a live electrical connection. The current change allows for the formulation of nonflammable products. Also the wording that only “currently generated sales records be maintained” does not add additional burden to the Industry.

**Plastic Pipe Adhesive**

WAIB supports the new definition and VOC limit for Plastic Pipe Cement.

**Innovative Product Exemption (IPE)**

WAIB cannot support the IPE provision for Compressed Gas. The provision lacks clarity and needs to be amended. There are no calculations for volume of compressed gas or for figuring out ozone formation potential. Both of these issues need to be clarified. Also, the use of compressed gases has limitations and restrictions due to the chemistry.

WAIB has extremely disappointed that staff did not include the National Aerosol Association (NAA) IPE language into the proposal. The NAA proposal was submitted only 30 days after the staff proposal, both provisions were submitted very late in the process. However, the NAA proposal uses Reactivity to reduce Global Warming Potential (GWP) compounds. Reactivty is a known and respected science in Consumer Products. The use of Reactivity is known to CARB due to being utilized in Aerosol Coatings and Multi-purpose lubricants. The use of Reactivity allows more flexibility to manufacturers to reformulate.

**Addition of Compounds to MIR Table**

WAIB supports the proposal to add diethyl carbonate, 1-chloro-3,3,3-trifluoropropane, HFO-1233zd and alkane mixed-minimally 90% C13 and higher to the MIR table of Values. WAIB supports the use of Reactivity.

**Conclusion**

WAIB supports the VOC limits and definitions for Air Freshener, Hair care products and Personal Fragrance with the exceptions noted above. The staff worked hard on these amendments. Unfortunately, WAIB cannot support the IPE for Compressed gases. More work is needed on this provision. WAIB does respectfully request that the Board direct staff to incorporate the NAA Reactivity provision or an alternative Reactivity provision. The compressed gas IPE and addition of the Reactivity provision both can be handled in a 15-day comment period.

Thank you in advance for consideration to these comments. Feel free to call me with questions or comments.

Sincerely,



John Davis

President

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