



American Coatings ASSOCIATIONSM

May 14, 2018

Jose Gomez
Manager, Technical Development Section
California Air Resources Board
Air Quality Planning and Science Division
1001 I Street
Sacramento, CA 95814

RE: ACA Comments on CARB's Proposed Amendments to the Consumer Products Regulation

Dear Mr. Gomez:

The American Coatings Association¹ (ACA) submits the following comments regarding the California Air Resources Board's (CARB) proposed amendments to the consumer products regulation. Since the early-1990's, ACA has diligently worked with CARB in developing reasonable and appropriate consumer products regulations. ACA appreciates the opportunity to comment on the proposed rule, and looks forward to assisting CARB throughout the amendment process.

Background and Proposed Amendments

In 2008, CARB approved amendments to the consumer products regulation that established a more stringent 10 percent by weight VOC limit for the multi-purpose lubricant (MPL) products category. The effective date was supposed to be December 31, 2015. However, in 2013, CARB approved a three-year extension of the effective date to allow manufacturers additional time to reformulate products. At the time, CARB determined that the majority of the MPL market faced challenges in meeting the 10 percent by weight VOC limit. After CARB's approval of the three-year extension, the effective date became December 31, 2018.

Today, CARB recognizes that manufacturers of MPL products still face challenges in meeting the more stringent 10 percent by weight VOC limit. So, CARB is now proposing two compliance options for manufacturers of MPL products: (1) an extension of the effective date of the existing 10 percent by weight VOC limit from December 31, 2018 to July 1, 2019,² or (2) an alternate compliance option that would allow manufacturers to comply by meeting a 25 percent by weight VOC limit and a reactivity limit of 0.45 grams of ozone per gram of product.³ The alternate compliance option would achieve the same ozone air quality benefits as the 10 percent by weight VOC limit, while providing flexibility for manufacturers to continue offering a range of MPL products to consumers in California.

¹ The American Coatings Association (ACA) is a voluntary, nonprofit trade association working to advance the needs of the paint and coatings industry and the professionals who work in it. The organization represents paint and coatings manufacturers, raw materials suppliers, distributors, and technical professionals. ACA serves as an advocate and ally for members on legislative, regulatory, and judicial issues, and provides forums for the advancement and promotion of the industry through educational and professional development services.

² 17 CCR § 94509(a).

³ 17 CCR § 94509(r).

ACA's Support of the Proposed Amendments

ACA supports CARB's proposed amendments to the consumer products regulation relating to MPL products. ACA supports the first compliance option, which extends the effective date of the existing 10 percent by weight VOC limit from December 31, 2018 to July 1, 2019. This option would provide adequate time for manufacturers of MPL products to evaluate their products and determine whether to comply via the existing 10 percent by weight VOC limit by July 1, 2019 or comply via the alternate compliance option.

To that end, ACA also supports the alternate compliance option that would allow manufacturers to comply by meeting a 25 percent by weight VOC limit and a reactivity limit of 0.45 grams of ozone per gram of product. This option provides more flexibility for manufacturers in meeting the requirements for MPL products under CARB's consumer products regulation.

Lastly, ACA supports the annual sales reporting sunset date of April 1, 2023 for MPL products using the alternate compliance option.⁴

Conclusion

Overall, ACA supports CARB's proposed amendments to the consumer products regulation relating to MPL products. Both proposed compliance options provide more flexibility for manufacturers of MPL products to come into compliance with more stringent standards, while still ensuring emissions reductions and ozone air quality benefits for the State of California.

Thank you for your consideration of our comments. We look forward to continuing to work with CARB throughout the development of its consumer products regulations. Please do not hesitate to contact us if you have any questions.

/s/

Rhett Cash
Counsel, Government Affairs

/s/

Raleigh Davis
Assistant Director, Environmental Health & Safety

Sent via email

⁴ 17 CCR § 94513(h)(1).