



January 29, 2010

California Air Resources Board
1001 I Street
Sacramento, California 95814
Attn: Alexa Malik, Clerk of the Board
<http://www.arb.ca.gov/lispub/comm/bclist.php>

Subject: Comments to ARB's 15 Day Notice of Modified Text to 2009 Amendments

Dear Clerk of the Board,

The National Aerosol Association (NAA) appreciates the opportunity to comment on the California Air Resources Board's (ARB's) 15-Day Notice of Public Availability of Modified Text for the Public Hearing to Consider Proposed Amendments to the California Consumer Products Regulation. The NAA represents marketers, manufacturers and suppliers in the aerosol industry. NAA is the only national association focused solely on the aerosol product form. The NAA has a long history of working cooperatively with the Air Resources Board (ARB) on past rulemakings dealing with Consumer Products. NAA's goal is to provide ARB staff with the required emission reductions while maintaining safe, effective, efficient and efficacious aerosol products for the consumer. After reviewing the changes in the 15 Day Notice, the NAA has the following comments.

The definition of the aromatic compound (13) is in conflict with the current definition for (94) LVP-VOC. The current definition of LVP-VOC is as follows:

"LVP-VOC" means a chemical "compound" or "mixture" that contains at least one carbon atom and meets one of the following:

- (A) has a vapor pressure less than 0.1 mm Hg at 20°C, as determined by ARB Method 310; or
- (B) is a chemical "compound" with more than 12 atoms, or a chemical "mixture" comprised solely of "compounds" with more than 12 carbon atoms, as verified by formulation data, and the vapor pressure and boiling point are unknown; or
- (C) is a chemical "compound" with a boiling point greater than 216°C, as determined by ARB Method 310; or
- (D) is the weight percent of a chemical "mixture" that boils above 216°C, as determined by ARB Method 310.

For the purpose of the definition of LVP-VOC, chemical "compound" means a molecule of definite chemical formula and isomeric structure, and chemical "mixture" means a substance comprised of two or more chemical "compounds."

The current definition of aromatic compound is as follows:

"Aromatic Compound" means a carbon containing compound that contains one or more benzene or equivalent heterocyclic rings and has an initial boiling point less than or equal to 280°C. "Aromatic Compound" does not include compounds excluded from the definition of Volatile Organic Compound (VOC) in this Section 94508(a).

The two definitions are clearly in conflict with each other. NAA's recommendation is

"Aromatic Compound" means a carbon containing compound that contains one or more benzene or equivalent heterocyclic rings and has an initial boiling point less than or equal to 280°C. "Aromatic Compound" does not include compounds excluded from the definition of Volatile Organic Compound (VOC) **and compounds defined as a LVP-VOC** in this Section 94508(a).

This minor change to the newly defined aromatic compound definition will prevent any confusion with these two definitions. We believe this was the intent of the Boards direction at the hearing. At the hearing, there was no reference to modifying the long standing definition of the LVP-VOC.

NAA appreciates the opportunity to comment on these changes, any questions do not hesitate to contact our consultant Doug Raymond of Raymond Regulatory Resources at 440-474-4999 or by e-mail to djraymond@reg-resources.com.

Respectfully submitted



Douglas Raymond