

November 14, 2006

Sent *via* e-mail

Air Resources Board  
1001 I Street, 23rd Floor  
Sacramento, California 95814  
Attn: Clerk of the Board  
<http://www.arb.ca.gov/lispub/comm/bclist.php>

**Re: Supplemental Comments on ARB's Proposed 2006 Amendments to the California Consumer Products Regulation; Agenda Item # 06-10-8**

Dear Air Resources Board Members:

The Automotive Specialty Products Alliance (ASPA) appreciates the opportunity to submit supplemental comment on the California Air Resources Board (ARB) proposed 2006 Amendments to the California Consumer Products Regulation and the Aerosol Coatings Regulation, dated September 29, 2006. ASPA has appreciated working with the ARB and its staff during this rulemaking process and appreciates this opportunity to provide comment on provisions of this important rulemaking that will establish new limits for the volatile organic compound (VOC) content of various automotive specialty products. These comments are in addition to our initial comments already submitted on the public record for this rulemaking<sup>1</sup>.

ASPA is an alliance of three non-profit, national trade associations representing companies engaged in the manufacture, formulation, distribution, and sale of automotive specialty products. This alliance combines the efforts of Automotive Aftermarket Industry Association (AAIA), the Consumer Specialty Products Association (CSPA), and the Motor & Equipment Manufacturers Association (MEMA) to form a unified industry voice for their members engaged in the automotive chemical and vehicle appearance products markets. ASPA's members market products on a national and regional basis.

ASPA member companies would be directly impacted by the proposed 2006 Amendments to the Consumer Products Regulation. In these comments, we are identifying specific proposed changes in the proposed rule amendments. If these final changes in these few specific areas of the Proposed Regulation Order are made prior to adoption at the November 16-17 Board hearing, we are willing to accept the challenge of working to comply with these new requirements. However, developing new products that meet these standards will take significant research and development (R&D) effort and it is still uncertain if the resulting products will be commercially *or* technologically infeasible. Therefore, ASPA requests that ARB commit to reconsider these limits in the future if they prove to be infeasible.

---

<sup>1</sup> ASPA Initial Comments submitted on October 27, 2006.

## **Remaining Changes Needed for Specific Automotive Categories**

### **1. Automotive Brake Cleaner**

In our initial comments submitted on October 27, ASPA argued that the proposed 10% VOC standard is not technologically or commercially feasible for Brake Cleaners. However, since filing those comments, ASPA and CSPA have continued to work with ARB staff to seek a resolution to our concerns and the need for stringent standards in California. As a result of those efforts and discussions, ASPA and CSPA have agreed to accept adoption of a 20% VOC limit effective December 31, 2008, and a 10% VOC limit effective December 31, 2012 for Brake Cleaners.

ASPA member companies are willing to work toward these very challenging new VOC limits for this category, and undertake a significant research and development effort to hopefully determine that these standards are technologically and commercially feasible. We cannot be certain at this time, however, whether either of these two VOC limits and implementation dates will prove to be technologically and commercially feasible. Due to the uncertainty of this R&D effort, ASPA requests that ARB commit to reconsider these limits expeditiously in the future if one or both prove to be infeasible, and make suitable adjustments if the limit is being found to be commercially *or* technologically infeasible.

### **2. Carburetor or Fuel-Injection Air Intake Cleaner**

In our initial comments submitted on October 27, ASPA argued that the proposed 10% VOC standard is not technologically or commercially feasible for Carburetor or Fuel-Injection Air Intake Cleaner. However, since filing those comments, ASPA and CSPA have continued to work with ARB staff to seek a resolution to our concerns and the need for stringent standards in California. As a result of those efforts and discussions, ASPA and CSPA have agreed to accept adoption of a 20% VOC limit effective December 31, 2008, and a 10% VOC limit effective December 31, 2012 for Carburetor or Fuel-Injection Air Intake Cleaner.

ASPA member companies are willing to work toward these very challenging new VOC limits for this category, and undertake a significant research and development effort to hopefully determine that these standards are technologically and commercially feasible. We cannot be certain at this time, however, whether either of these two VOC limits and implementation dates will prove to be technologically and commercially feasible. Due to the uncertainty of this R&D effort, ASPA requests that ARB commit to reconsider these limits expeditiously in the future if one or both prove to be infeasible, and make suitable adjustments if the limit is being found to be commercially *or* technologically infeasible.

### **3. Engine Degreaser (Aerosol)**

In our initial comments submitted on October 27, ASPA argued that the proposed 10% VOC standard is not technologically or commercially feasible for Engine Degreasers. However, since filing those comments, ASPA and CSPA have continued to work with ARB staff to seek a resolution to our concerns and the need for stringent standards in California. As a result of those efforts and discussions, ASPA and CSPA have agreed to accept adoption of a 10% VOC limit effective December 31, 2010, for Engine Degreasers.

ASPA member companies are willing to work toward these very challenging new VOC limits for this category, and undertake a significant research and development effort to hopefully determine that these standards are technologically and commercially feasible. We cannot be certain at this time, however, that this VOC limit and implementation date will prove to be technologically and commercially feasible. Due to the uncertainty of this R&D effort, ASPA requests that ARB commit to reconsider this limit expeditiously in the future if it proves to be infeasible, and make suitable adjustments if the limit is being found to be commercially *or* technologically infeasible.

### **4. General Purpose Degreaser (Aerosol)**

In our initial comments submitted on October 27, ASPA argued that the proposed 10% VOC standard is not technologically or commercially feasible for aerosol General Purpose Degreasers. However, since filing those comments, ASPA and CSPA have continued to work with ARB staff to seek a resolution to our concerns and the need for stringent standards in California. As a result of those efforts and discussions, ASPA and CSPA have agreed to accept adoption of a 20% VOC limit effective December 31, 2008, and a 10% VOC limit effective December 31, 2012 for aerosol General Purpose Degreasers.

ASPA member companies are willing to work toward these very challenging new VOC limits for this category, and undertake a significant research and development effort to hopefully determine that these standards are technologically and commercially feasible. We cannot be certain at this time, however, whether either of these two VOC limits and implementation dates will prove to be technologically and commercially feasible. Due to the uncertainty of this R&D effort, ASPA requests that ARB commit to reconsider these limits expeditiously in the future if one or both prove to be infeasible, and make suitable adjustments if the limit is being found to be commercially *or* technologically infeasible.

## **Comments on Other Provisions**

### **Sections 94523(a) and 94508(a)(121): Rubber/Vinyl Protectants**

This revised definition (effective December 31, 2008) appears to be intended to clarify the definition to include products that protect only rubber or only vinyl (thereby including additional

products in the category and making them subject to this VOC limit), as well as to move some products to this category from the Vinyl/Fabric/Leather/Polycarbonate Coating subcategory under Section 94521(a) of the Aerosol Coatings Regulation. These are categories of products that were deferred from the 2003 Consumer and Commercial Products Survey, and there are therefore inadequate data to review the impact of this modification at this time.

ASPA believes the voluntary and very limited survey reported in the Staff Report as having been conducted earlier this year is not sufficient to evaluate this modification. ASPA believes that that this proposed change be deferred until the next Consumer and Commercial Products Survey is conducted next year to provide the data needed to assess this modification as part of the final CONS-2 regulation.

#### **Section 94508(a)(46): Electronic Cleaner**

ASPA supports the proposed revision to the definition for “Electronic Cleaner” to exclude products that are not for retail sale and sold only to manufacturers. However, we believe that it would be a better solution to simply extend the effective date of the limit for this category in Section 94509(a) by one year to December 31, 2007. This obviates the need for labeling and allows companies that produce these products to determine what alternative formulation technologies might be available to replace HFC-141b.

#### **Conclusion**

ASPA wants to express our appreciation to the ARB and ARB staff for their extremely hard work on this proposal over the last two years and for this opportunity to submit supplemental comment on the proposed changes in the proposed rule amendments.

ASPA believes the ARB staff’s revised proposals to the Proposed Amendments to the California Consumer Products Regulations provide reasonable and necessary time for the automotive specialty products industry to undertake an extensive R&D effort on this full-line of product categories. These proposed standards will be particularly challenging for ASPA’s small and medium sized member companies that will need to commit significant resources to developing this chemical technology for a wide range of products. However, ASPA hopes that these standards prove feasible and that they will help improve California’s and allow our members to continue to provide essential products to consumers.

Thank you again for this opportunity to comment on the ARB’s Proposed Amendments to the California Consumer Products Regulations and proposed changes in the proposed rule amendments. Please feel free to contact ASPA directly at (202) 833-7327, or email Andrew Hackman at: [ahackman@cspa.org](mailto:ahackman@cspa.org) if you have any questions or concerns about these comments.

November 14, 2006

Page 5 of 5

Respectfully,

A handwritten signature in blue ink, reading "Andrew R. Hackman". The signature is fluid and cursive, with the first name "Andrew" and last name "Hackman" clearly legible.

Andrew R. Hackman

On behalf of the ASPA Operating Committee and Board of Directors

cc: Janette M. Brooks, Chief, Air Quality Measures Branch, Stationary Source Division  
David Mallory, P.E., Manager, Measures Development Section  
Carla Takemoto, Manager, Implementation Section, Stationary Source Division  
Judy Yee, Manager, Technical Evaluation Section, Stationary Source Division  
Trish Johnson, Measures Development Section, Stationary Source Division  
ASPA Technical Advisory Committee  
Bill Lafield, Consumer Specialty Products Association  
Aaron Lowe, Automotive Aftermarket Industry Association  
Ann McCulloch, Motor and Equipment Manufacturers Association