

State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

PUBLIC HEARING TO CONSIDER ADOPTION OF PROPOSED AMENDMENTS TO
THE CALIFORNIA CONSUMER PRODUCTS REGULATION

Public Hearing Date: September 24, 2009
Public Availability Date: January 14, 2010
Deadline for Public Comment: January 29, 2010

At its September 24, 2009, public hearing, the Air Resources Board (ARB or Board) approved amendments to the Regulation for Reducing Emissions from Consumer Products (title 17, California Code of Regulations (CCR), sections 94507-94517). The amendments set new or lower volatile organic compound (VOC) standards and limited the global warming potential in Double Phase Aerosol Air Fresheners, Multi-purpose Solvents, and Paint Thinners. The amendments also prohibited the use of chlorinated toxic compounds and set an aromatic compound limit for Multi-purpose Solvents and Paint Thinners, and revised or clarified other regulatory requirements.

At the hearing, the Board approved modifications to the regulations originally proposed in the Staff Report released on August 7, 2009. These modifications include clarifications to the definitions for "Aromatic Compound," "Industrial Maintenance Coating," "Multi-purpose Solvent," "Paint Clean-up," and "Zinc-Rich Primer." Also included was a proposal to remove the VOC content labeling requirement, modifications to the public safety labeling requirement, and clarifications to the test methods and enforcement procedures used to determine compliance with the aromatic compound limit.

At the hearing, the Board adopted Resolution 09-51, which approved sections 94507-94517, as modified. Resolution 09-51 and other regulatory documents for this rulemaking are available online at the following ARB website:

<http://www.arb.ca.gov/regact/2009/cpmthd310/cpmthd310.htm>

In accordance with Government Code section 11346.8, the Board directed the Executive Officer to adopt the modified amendments to title 17, CCR, sections 94507-94517, after making them available to the public for comment for a period of at least fifteen days. The Board further provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if warranted.

Summary of Proposed Modifications

1. In section 94508(a), modifications were made to clarify the definitions for “Aromatic Compound,” “Industrial Maintenance Coating,” “Multi-purpose Solvent,” “Paint Clean-up,” and “Zinc-Rich Primer.” For clarity, the definition of “Paint Clean-Up” was also moved into the definition of “Multi-purpose Solvent,” and other definitions were renumbered to accommodate this change.
2. In section 94512(e), modifications were made to remove the VOC content labeling requirement staff originally proposed for Multi-purpose Solvents and Paint Thinners, to specify two additional warning display options and a font size, and to add language to the labeling requirement for flammable or extremely flammable Multi-purpose Solvents and Paint Thinners;
3. In section 94515, modifications were made to remove duplicative provisions and clarify what constitutes a violation of the aromatic compound limit;
4. In addition to the modifications described above, various modifications to the regulatory text have been made to improve clarity.

By this notice, the modified regulatory language is being made available for public comment prior to final action by the Board’s Executive Officer. Attached to this notice is the text of the modified regulatory language. The originally proposed amendments are shown in underline to indicate additions and ~~strikeout~~ to show deletions. Modifications to the originally proposed amendments are shown in double underline to indicate additions and ~~double-strikeout~~ to show deletions.

Written comments will only be accepted on the modifications identified in this notice and may be submitted by postal mail or electronic mail submittal as follows:

Postal mail: Clerk of the Board, Air Resources Board
1001 I Street, Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Gov. Code § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request. Additionally, this information may become available via Google, Yahoo, and any other search engines.

In order to be considered by the Executive Officer, comments must be directed to ARB in one of the two forms described above and received by ARB by 5:00 p.m., on the deadline date for public comment listed at the beginning of this notice. Only comments

relating to the above-described modifications to the text of the regulations shall be considered by the Executive Officer.

If you need this document in an alternate format (i.e., Braille, large print, etc.) or another language, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 no later than five (5) business days from the release date of this notice. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Si usted necesita este documento en un formato alterativo (es decir, sistema Braille, letra grande, etc.) u otro idioma, por favor llame a la oficina del Consejo a (916) 322-5594 o envíe un fax a (916) 322-3928 no menos de cinco días de la fecha de comunicado de este aviso. TTY/TDD/Personas que necesitan este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

Attachment

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see ARB's website at www.arb.ca.gov.