



Air Pollution Control Board
Greg Cox District 1
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Air Pollution Control District
R. J. Sommerville Director

NOTICE OF WORKSHOP

FOR DISCUSSION OF PROPOSED AMENDMENTS TO DISTRICT RULE 67.0 – ARCHITECTURAL COATINGS

The San Diego County Air Pollution Control District will hold a public workshop to consider proposed amendments to Rule 67.0 – Architectural Coatings. Comments concerning this proposal may be submitted in writing before, or made at, the workshop which is scheduled as follows:

DATE: September 6, 2001
TIME: 2:00 p.m.
PLACE: San Diego Air Pollution Control District
Conference Room 139
9150 Chesapeake Drive
San Diego, CA

Rule 67.0 controls emissions of volatile organic compounds (VOC) from architectural coatings. VOCs are ozone precursors. San Diego County is classified as a serious ozone non-attainment area pursuant to the federal and California Clean Air Acts. State law requires the District to expeditiously adopt every feasible control measure to reduce emissions of ozone precursors and provide expeditious progress toward attaining the state ozone standard. The District is proposing to amend Rule 67.0 to achieve additional reductions in VOC emissions and to meet the 2001 Regional Air Quality Strategy (RAQS) Revision for the San Diego Air Basin.

Any person who manufactures, supplies, sells, offers for sale, applies or solicits the application of any architectural coating within San Diego County must comply with applicable Rule 67.0 requirements, including VOC content limits, labeling and reporting requirements. Specifically, the proposed amendments to Rule 67.0 will:

- Add 19 new coating categories, including: Flat, Nonflat, Nonflat-High Gloss, Antenna, Antifouling, Bituminous Roof, Bituminous Roof Primers, Clear Brushing Lacquer, Faux Finishing, Fire Resistive, Floor, Flow (Electrical Transformers), Low-solids, Recycled, Rust Preventative, Specialty Primers, Sealers & Undercoaters, Stains, Temperature-Indicator Safety and Waterproofing Concrete/Masonry Sealers.

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- Lower the VOC content limits for 12 existing coating categories as indicated in the table below. These proposed limits would go into effect upon rule adoption.

Category	VOC Limits (g/l)	
	Current	Proposed
Sanding Sealers	550	350
High Temperature Coatings	650	420
Industrial Maintenance Coatings	420	340
Magnesite Cement Coatings	600	450
Multi-Color Coatings	580	420
Pre-Treatment Wash Primers	780	420
Quick-Dry, Primers, Sealers & Undercoaters	525	450
Roof Coatings	300	250
Swimming Pool Coatings	650	340
Swimming Pool Repair & Maintenance Coatings	650	340
Traffic Marking Coatings	250	150
Wood Preservatives	600	350

- Establish lower VOC content limits for 10 coating categories that would go into effect January 1, 2003 (January 1, 2004 for Industrial Maintenance Coatings) as follows:

Category	VOC Limits (g/l)		
	(date of adoption)	Effective	
		1/1/2003	1/1/2004
Flat Coatings	250	100	
Nonflat Coatings	250	150	
Lacquers	680	550	
Industrial Maintenance Coatings	340		250
Multi-Color Coatings	420	250	
Primers, Sealers & Undercoaters	350	200	
Quick-Dry Enamels	400	250	
Quick-Dry, Primers, Sealers & Undercoaters	450	200	
Stains	350	250	
Waterproofing Sealers	400	250	

- Add container labeling specifications and manufacturer reporting requirements for selected coating categories.
- Update various definitions and test methods used to determine specific coating properties.
- Add an alternative averaging provision for use by manufacturers to comply with VOC content limits between January 1, 2003 and January 1, 2005.

The proposed Rule 67.0 amendments are consistent with the Suggested Control Measure (SCM) for Architectural Coatings adopted by the California Air Resources Board (ARB) on June 22, 2000. The SCM is largely consistent with the Environmental Protection Agency's (EPA) National Volatile Organic Compound Emission Standards for Architectural Coatings ("National Rule"). Coatings which meet the proposed January 1, 2003 VOC content limits are readily available. The performance of coatings which meet the proposed January 1, 2004 VOC content limits for Industrial Maintenance Coatings are currently being evaluated by ARB.

Draft Environmental Impact Report (EIR)

Pursuant to the California Environmental Quality Act (CEQA), an environmental impact report (EIR) will be prepared to analyze any potential adverse environmental impacts associated with the proposed amendments. Comments received at the public workshop will be considered when evaluating the potential for adverse environmental impacts from the proposal.

Socioeconomic Impacts

ARB's Architectural Coatings SCM staff report addresses the costs and economic impacts expected from the proposed Rule 67.0 amendments. ARB staff determined that the cost increase associated with the SCM is negligible, and believes that the retail cost survey utilized in the analysis is applicable statewide. The District has determined the ARB staff report conclusions are applicable in San Diego County and that a regional analysis of the social-economic aspects of adopting the proposed Rule 67.0 amendments is not needed.

If you would like a copy of the proposed Rule 67.0 amendments, please access the District's Web Site at www.sdapcd.co.san-diego.ca.us under "Advisory and Notices", Workshop Notices or call Luann Serbesku at (858) 650-4544. If you have any questions concerning the proposed amendments, please contact Adeline Suson at (858) 650-4595 or Laura Yannayon at (858) 650-4540.


for RICHARD J. SMITH
Assistant Director

RJSM:LY:jfo
8/6/01

SAN DIEGO AIR POLLUTION CONTROL DISTRICT

PROPOSED AMENDMENTS TO RULE 67.0

Amendments are to read as follows:

RULE 67.0. ARCHITECTURAL COATINGS

(a) APPLICABILITY

(1) Except as provided in Section (b), this rule is applicable to any person who manufactures, supplies, sells, offers for sale, applies, or solicits the application of, any architectural coating for use within San Diego County.

(2) Rule 66 shall not apply to any coating subject to this rule.

(b) EXEMPTIONS

~~The provisions of Section (d) of this rule shall not apply to the following coatings:~~

(1) This rule shall not apply to:

(i) Any architectural coating that is sold or manufactured for use outside of San Diego County or for shipment to other manufacturers for reformulation or repackaging.

(ii) Any non-refillable aerosol coating product.

(iii) Any architectural coating that is sold in a container with a volume of one liter (1.057 quart) or less.

~~(1) Architectural coatings supplied in containers having capacities of one liter or less;~~

~~(2) Architectural coatings sold in non-refillable aerosol containers having capacities of one liter or less;~~

(iv3) Emulsion-type bituminous pavement sealers.

(2) The provisions of Subsection (d)(1) shall not apply to lacquers applied on days with relative humidity greater than 70 percent and temperatures below 65°F. On such days, up to 10 percent by volume of VOC may be added, at the time of application,

provided that the lacquer contains acetone and no more than 550 grams of VOC per liter of lacquer, less water and exempt compounds, prior to the addition of VOC.

(c) **DEFINITIONS**

(1) "Adhesive" means any chemical substance that is applied for the purpose of bonding two surfaces together other than by mechanical means.

(2) "Aerosol Coating Product" means a pressurized coating product containing pigments or resins that dispenses product ingredients by means of a propellant, and is packaged in a disposable can either for hand-held application or use in specialized equipment for ground traffic/marketing applications.

(3) "Antenna Coating" means a coating labeled and formulated exclusively for application to equipment and associated structural appurtenances that are used to receive or transmit electromagnetic signals.

(4) "Antifouling Coating" means a coating labeled and formulated for application to submerged stationary structures and their appurtenances to prevent or reduce the attachment of marine or freshwater biological organisms. To qualify as an antifouling coating, the coating must be registered with both the U.S. Environmental Protection Agency (EPA) under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Section 136, et seq.) and with the California Department of Pesticide Regulation.

(5) "Appurtenance" means any accessory to a stationary structure coated at the site of installation, whether installed or detached, including but not limited to: bathroom and kitchen fixtures; cabinets; concrete forms; doors; elevators; fences; hand railings; heating equipment, air conditioning equipment, and other fixed mechanical equipment or stationary tools; lampposts; partitions; pipes and piping systems; rain gutters and downspouts; stairways, fixed ladders, catwalks, and fire escapes; and window screens.

(1) "Appurtenance" means an accessory to an architectural structure including but not limited to: hand railings, cabinets, bathroom and kitchen fixtures, fences, rain gutters and downspouts, window screens, lamp posts, heating and air conditioning equipment, large fixed stationary tools, and concrete forms.

(62) **"Architectural Coating"** means any coating to be applied to stationary structures and/or their appurtenances at the site of installation (stationary source), to portable buildings including mobile homes, at the site of installation, coated onsite or in close proximity to the intended installed location, to mobile homes, to pavement, or to curbs. Adhesives are not considered architectural coatings for the purposes of this rule.

(3) **"Below-Ground Wood Preservative"** means a coating formulated to protect below-ground wood from decay or insect attack and which contains a wood preservative chemical registered by the California Department of Food and Agriculture.

(7) **"Bitumens"** means black or brown materials including, but not limited to, asphalt, tar, pitch, and asphaltite that are soluble in carbon disulfide, consisting mainly of hydrocarbons, and obtained from natural deposits or as residues from the distillation of crude petroleum or coal.

(4) **"Bituminous Coating"** means a black or brownish coating material, soluble in carbon disulfide, consisting mainly of hydrocarbons and which is obtained from natural deposits or as residue from the distillation of crude petroleum oils or of low grades of coal.

(8) **"Bituminous Roof Coating"** means a coating which incorporates bitumens that is labeled and formulated exclusively for roofing.

(9) **"Bituminous Roof Primer"** means a primer which incorporates bitumens that is labeled and formulated exclusively for roofing.

(105) **"Bond Breaker"** means a coating labeled and formulated for application applied between layers of concrete to prevent a the freshly poured top layer of concrete from bonding to the layer over which it is poured.

(11) **"Clear Brushing Lacquers"** mean clear wood finishes, excluding clear lacquer sanding sealers, formulated with nitrocellulose or synthetic resins to dry by solvent evaporation without chemical reaction and to provide a solid, protective film, which are intended exclusively for application by brush, and which are labeled as specified in Subsection (e)(1)(v).

(12) **“Clear Wood Coatings”** mean clear and semi-transparent coatings, including lacquers and varnishes, applied to wood substrates to provide a transparent or translucent solid film.

(13) **“Coating”** means a material applied onto or impregnated into a substrate for protective, decorative, or functional purposes. Such materials include, but are not limited to paints, varnishes, sealers, and stains.

(14) **“Colorant”** means a concentrated pigment dispersion in water, solvent and/or binder that is added to an architectural coating after packaging to produce the desired color.

(156) **“Concrete Curing Compound”** means a coating labeled and formulated for application applied to freshly poured concrete to retard the evaporation of water.

(167) **“Dry Fog Coating (Mill White Coating)”** means a coating labeled and formulated only for spray application such that overspray droplets dry before subsequent contact with incidental ~~other~~ surfaces in the vicinity of the surface coating activity.

(178) **“Exempt Compound Solvent”** means the same as defined in Rule 2.

(18) **“Faux Finishing Coating”** means a coating labeled and formulated as a stain or glaze to create artistic effects including, but not limited to, dirt, old age, smoke damage, and simulated marble and wood grain.

(19) **“Fire-Resistive Coating”** means an opaque coating labeled and formulated to protect structural integrity by increasing the fire endurance of interior or exterior steel and other structural materials, and that has been registered with the State Fire Marshall.

(209) **“Fire-Retardant Coating”** means a coating labeled and formulated to retard ignition and which has a flame spread, and that has been registered with the State Fire Marshall, index of less than 25 when tested in accordance with the current version of ASTM Designation E 84-87, “Standard Test method for Surface Burning Characteristics of Building Material,” after application to Douglas fir according to the manufacturer’s recommendation.

(21) **"Flat Coating"** means a coating that is not defined under any other definition in this rule and that registers a gloss of less than 15 on an 85° meter, or less than 5 on a 60° meter.

(22) **"Floor Coating"** means an opaque coating that is labeled and formulated for application to flooring, including, but not limited to, decks, porches, steps, and other horizontal surfaces which may be subject to foot traffic.

(23) **"Flow Coating (Electrical Transformers)"** means a coating labeled and formulated exclusively for use by electric power companies or their subcontractors to maintain the protective coating systems present on utility transformer units.

(24) **"Form-Release Compound"** means a coating labeled and formulated for application applied to a concrete form to prevent the freshly poured concrete from bonding to the form. The form may consist of wood, metal or some material other than concrete.

(25) **"Graphic Arts Coating or (Sign Paint Coating)"** means a coating which is labeled and formulated for and hand application -applied by artists using brush or roller techniques to indoor and outdoor signs (excluding structural components) and murals, excluding structural components, including lettering enamels, poster colors, copy blockers, and bulletin enamels.

(26) **"High-Temperature Industrial Maintenance Coating"** means a high performance an industrial maintenance coating which is labeled and formulated for application and applied to substrates exposed continuously or intermittently to temperatures above 400°F (204°C). degrees Fahrenheit.

(13) **"Industrial Maintenance Anti-graffiti Coating"** means a two-component clear industrial maintenance coating which is formulated for and applied to exterior walls and murals to resist repeated scrubbing and exposure to harsh solvents.

(27) **"Industrial Maintenance Coating"** means a high performance architectural coating which is formulated for and applied, including primers, sealers, undercoaters, intermediate coats, and topcoats, formulated for application to substrates exposed to one or

more of the following extreme environmental conditions and labeled as specified in Subsection (e)(1)(iv):

~~(i)(ii)~~ Immersion in water, wastewater or chemical solutions (aqueous and non-aqueous solutions), or chronic exposure of interior surfaces to moisture condensation;

~~(ii)(iii)~~ Acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions;

~~(iii)(iv)~~ Repeated exposure to temperatures above in excess of 250°F (121°C); or

~~(iv)(i)~~ Repeated (frequent) heavy abrasion, including mechanical wear and repeated (frequent) scrubbing with industrial solvents, cleansers, or scouring agents; or

(v) Exterior exposure of metal structures and structural components.

~~(2815)~~ **“Lacquer”** means a clear or opaque wood pigmented coating, including clear lacquer sanding sealers, formulated with cellulosic nitrocellulose or synthetic resins to dry by evaporation without chemical reaction and to provide a solid, protective film.

~~(29)~~ **“Low-Solids Coating”** means a coating that contains 1 pound or less of solids per gallon (120 grams or less of solids per liter) of coating material.

~~(3016)~~ **“Magnesite Cement Coating”** means a coating labeled and formulated for application and applied to magnesite cement decking to protect the magnesite cement substrate from erosion by water.

~~(31)~~ **“Manufacturer’s Maximum Thinning Recommendation”** means the maximum recommended thinning ratio that is indicated on the label or lid of the coating container or in the technical data sheet for the coating.

~~(3217)~~ **“Mastic Texture Coating”** means a coating labeled and ~~which is~~ formulated to cover holes and minor cracks and to conceal surface irregularities, and is applied in a single coat thickness of at least 0.010 inch (10 mils) dry film thickness (dry, single coat).

~~(3318)~~ **“Metallic-Pigmented Coating”** means a coating containing at least 0.4 pounds of elemental metallic pigment metal particles per gallon (48 grams of elemental metallic pigment per liter) of coating as applied.

(3419) **"Multi-Colored Coating"** means a coating ~~that which~~ exhibits more than one color when applied and which is packaged in a single container, and exhibits more than one color when applied in a single coat.

(3520) **"Nonflat Non-Flat Architectural Coating"** means a coating ~~that is not defined under any other definition in this rule, and that which~~ registers a gloss of 15 or greater on an 85° meter or 5 or greater on a 60° meter, ~~and which is identified on the label as a gloss, semi-gloss, or eggshell enamel coating.~~

(36) **"Nonflat-High Gloss Coating"** means a nonflat coating that registers a gloss of 70 or above on a 60° meter.

(37) **"Nonindustrial Use"** means any use of architectural coatings except in the construction or maintenance of any of the following: facilities used in the manufacturing of goods and commodities; transportation infrastructure, including highways, bridges, airports and railroads; facilities used in mining activities, including petroleum extraction; and utilities infrastructure, including power generation and distribution, and water treatment and distribution systems.

(21) **"Opaque Stain"** means any stain that is not classified as a semi-transparent stain.

(22) **"Opaque Wood Preservative"** means any wood preservative that is not classified as a semi-transparent wood preservative or as a below-ground wood preservative.

(38) **"Post-Consumer Coating"** means the unused portion of coating after completion of a consumer's project that would have been disposed of in a landfill, having completed its usefulness to a consumer. Post-consumer coating does not include manufacturing wastes.

(3925) **"Pre-Treatment Pretreatment Primer (Wash Primer)"** means a coating primer that ~~which~~ contains a minimum of 0.5 percent acid, by weight, and is labeled and formulated for application ~~applied~~ directly to bare metal surfaces ~~and is necessary to provide corrosion resistance and to promote adhesion of subsequent topcoats surface etching.~~

(4026) **“Primer”** means a coating labeled and formulated for application to a substrate which is intended to be applied to a surface to provide a firm bond between the substrate and subsequent coats.

(4124) **“Quick-Dry Enamel”** means a nonflat coating that is labeled as specified in Subsection (e)(1)(viii) and that is formulated to have the following characteristics: which can be applied directly from the container by brush or roller at ambient temperatures between 60°F and 80°F and which is formulated to have a gloss of 70 or greater on a 60° meter and to have the following drying characteristics when tested in accordance with the current version of ASTM D 1640:

(i) Capable of being applied directly from the container under normal conditions at ambient temperatures between 60 and 80°F (16 and 27°C);

(ii) When tested in accordance with ASTM Designation D 1640-95, sets to touch in 2 hours or less, is tack free in 4 hours or less, and dries hard in 8 hours or less by the mechanical test method; and

(iii) Has a dried film gloss of 70 or above on a 60° meter.

(i) Set to touch in not more than two hours; be tack free (mechanical tester) in not more than four hours; and

(ii) Dry hard in not more than eight hours.

(4223) **“Quick-Dry Primer, Sealer, and Undercoater”** means a primer, sealer, or undercoater that which is dry to the touch in 30 minutes one-half hour and can be recoated in two hours, as determined under the current version of ASTM D1640 and which is intended to be applied to a surface for one or more of the following reasons: to provide a firm bond between the substrate and subsequent coats, or to prevent subsequent coatings from being absorbed by the substrate, or to prevent harm to subsequent coatings by materials in the substrate, or to provide a smooth surface for subsequent coats.

(43) **“Recycled Coating”** means an architectural coating formulated such that not less than 50 percent of the total weight consists of secondary and post-consumer coating, with not less than 10 percent of the total weight consisting of post-consumer coating.

(4427) **"Roof Coating"** means a non-bituminous coating labeled and ~~which is~~ formulated exclusively for application to ~~for and applied to exterior roofs for the primary purpose of preventing penetration of the substrate by water, or reflecting heat and reflecting ultraviolet radiation.~~ ~~Metallic-pigmented R~~roof coatings, which qualify as ~~M~~metallic ~~P~~pigmented ~~C~~eoatings shall not be considered to be in this category, but shall be considered to be in the ~~M~~metallic ~~P~~pigmented ~~C~~eoatings category.

(45) **"Rust Preventative Coating"** means a coating formulated exclusively for nonindustrial use to prevent the corrosion of metal surfaces and labeled as specified in Subsection (c)(1)(vi).

(4628) **"Sanding Sealer"** means a clear or semi-transparent wood coating labeled and formulated for application and applied to bare wood for sanding and to seal the wood and to provide a coat that can be abraded (sanded) to create a smooth surface for subsequent applications of coatings varnish. ~~To be considered a sanding sealer a coating must be clearly labeled as such. A sanding sealer that also meets the definition of a lacquer is not included in this category, but is included in the lacquer category.~~

(4729) **"Sealer"** means a coating labeled and formulated for application and applied to a substrates for either of the following purposes: to prevent subsequent coatings from being absorbed by the substrate; or to prevent harm to subsequent coatings by materials in the substrate.

(48) **"Secondary Coating (Rework)"** means the fragment of a finished coating or the finished coating from a manufacturing process that has converted resources into a commodity of real economic value, but does not include excess virgin resources of the manufacturing process.

~~(30) "Semi-Transparent Stain" means a coating which is formulated to change the color of a surface but not conceal the surface.~~

~~(31) "Semi-Transparent Wood Preservative" means a wood preservative stain, including clear wood preservatives, which is formulated and used to protect exposed wood from decay or insect attack by the addition of a wood preservative chemical registered by the California Department of Food and Agriculture, and which changes the color of a surface but does not conceal the surface.~~

(4932) **“Shellac”** means a clear or opaque pigmented coating formulated solely with the resinous secretions of the lac beetle (*Laccifer lacca*), thinned with alcohol, and formulated to dry by evaporation without a chemical reaction.

(5033) **“Solicit”** means to require for use or to specify, by written or oral contract.

(51) **“Specialty Primer, Sealer, and Undercoater”** means a coating that is labeled as specified in Subsection (e)(1)(vii) and formulated for application to a substrate to seal fire, smoke or water damage; to condition excessively chalky surfaces, or to block stains. An excessively chalky surface is one that is defined as having a chalk rating of four or less.

(52) **“Stain”** means a clear, semitransparent, or opaque coating labeled and formulated to change the color of a surface but not conceal the grain pattern or texture.

(5334) **“Swimming Pool Coating”** means a coating labeled and formulated ~~and used~~ to coat the interior of swimming pools and to resist swimming pool chemicals.

(5435) **“Swimming Pool Repair and Maintenance Coating”** means a rubber based ~~chlorinated rubber-based~~ coating labeled and formulated to be used over existing rubber based coatings for the repair and maintenance of swimming pools ~~over existing chlorinated rubber-based coatings.~~

(55) **“Temperature-Indicator Safety Coating”** means a coating labeled and formulated as a color-changing indicator coating for the purpose of monitoring the temperature and safety of the substrate, underlying piping, or underlying equipment, and for application to substrates exposed continuously or intermittently to temperatures above 400°F (204°C).

(56) **“Tint Base”** means an architectural coating to which colorant is added after packaging to produce a desired color.

(5736) **“Traffic Marking Coating”** means a coating labeled and ~~which is~~ formulated for marking and stripping ~~and applied to~~ public streets, highways, or other traffic surfaces

including, but not limited to, curbs, berms, driveways, and parking lots, sidewalks, and airport runways.

(5837) **“Undercoater”** means a coating labeled and ~~which is~~ formulated ~~for and~~ applied to substrates to provide a smooth surface for subsequent coats.

(5938) **“Varnish”** means a clear or semi-transparent wood coating finish, ~~excluding lacquers and shellacs,~~ formulated with various resins to dry by chemical reaction on exposure to air. Varnishes may contain small amounts of pigment to color a surface, or to control the final sheen or gloss of the finish.

(6039) **“Volatile Organic Compound (VOC)”** means the same as defined in Rule 2. ~~any compound of carbon which may be emitted to the atmosphere during the application of or subsequent drying or curing of coatings subject to this rule, except methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and exempt compounds. VOC content of coatings is expressed in grams of VOC per liter of coating, as applied, less water and less exempt compounds. (Rev. Effective 5/15/96)~~

(61) **“VOC Content Per Volume of Coating, Less Water and Exempt Compounds”** means the same as defined in Rule 2.

(62) **“VOC Content Per Volume of Material”** means the same as defined in Rule 2.

(40) **“Waterproofing Mastie Coating”** means a weatherproof or waterproof coating which is formulated to cover holes and minor cracks and to conceal surface irregularities and which is to be applied in thicknesses of at least 15 mils.

(63) **“Waterproofing Concrete/Masonry Sealer”** means a clear or pigmented film-forming coating that is labeled and formulated for sealing concrete and masonry to provide resistance against water, alkalis, acids, ultraviolet light, and staining.

(6441) **“Waterproofing Sealer”** means a colorless coating labeled and ~~which is~~ formulated for application to a and applied for the sole purpose of protecting porous substrates for the primary purpose of by preventing the penetration of water, and which does not alter surface appearance or texture.

(65) “Wood Preservative” means a coating labeled and formulated to protect exposed wood from decay or insect attack, that is registered with both the U.S. EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (7 United States Code Section 136, et seq.) and with the California Department of Pesticide Regulation.

(d) **STANDARDS AND REQUIREMENTS**

(1) **VOC CONTENT LIMITS**

Except as provided in Subsections (b)(2), (d)(2), (d)(3), and (d)(5)(d)(4), no a-person shall not:

- (i) manufacture, blend, or repackage for sale within San Diego County;
- (ii) supply, sell, or offer for sale within San Diego County; ~~apply,~~ or
- (iii) solicit for the application or apply within San Diego County, of any architectural coating with a VOC content in excess of the corresponding limits specified in Table 1 after the specified effective dates.

~~for use within San Diego County which at the time of sale or manufacture contains more than 250 grams of VOC per liter of coating (excluding water and exempt solvents and any colorant added to tint bases).~~

Table 1 - VOC Standards

<u>Coating Categories</u>	<u>Effective</u> <u>(Date of</u> <u>Adoption)</u> <u>Limit^{1,2}</u>		<u>Effective</u> <u>1/1/2003</u> <u>Limit^{1,2}</u>		<u>Effective</u> <u>1/1/2004</u> <u>Limit^{1,2}</u>	
	<u>lb/gal</u>	<u>(g/l)</u>	<u>lb/gal</u>	<u>(g/l)</u>	<u>lb/gal</u>	<u>(g/l)</u>
<u>General Coatings:</u>						
Flat Coatings	2.1	(250)	0.8	(100)		
Nonflat Coatings	2.1	(250)	1.3	(150)		
Nonflat Coatings – High Gloss	2.1	(250)				
<u>Specialty Coatings:</u>						
Antenna Coatings	4.4	(530)				
Antifouling Coatings	3.3	(400)				
Bituminous Roof Coatings	2.5	(300)				
Bituminous Roof Primers	2.9	(350)				
Bond Breakers	2.9	(350)				
<u>Clear Wood Coatings:</u>						
Clear Brushing Lacquer	5.7	(680)				
Lacquers	5.7	(680)	4.6	(550)		
(including lacquer sanding sealers)						
Sanding Sealers	2.9	(350)				
(other than lacquer sanding sealers)						
Varnishes	2.9	(350)				
Concrete Curing Compounds	2.9	(350)				
Dry Fog Coatings	3.3	(400)				
Faux Finishing Coatings	2.9	(350)				
Fire Resistive Coatings	2.9	(350)				
<u>Fire Retardant Coatings:</u>						
Clear	5.4	(650)				
Opaque	2.9	(350)				
Floor Coatings	2.1	(250)				
Flow Coatings	3.5	(420)				
Form-Release Compounds	2.1	(250)				
Graphic Arts Coatings (Sign Paints)	4.2	(500)				
High Temperature Coatings	3.5	(420)				
Industrial Maintenance Coatings	2.8	(340)			2.1	(250)
Low-Solids Coatings ³	1.0	(120)				
Magnesite Cement Coatings	3.8	(450)				
Mastic Texture Coatings	2.5	(300)				
Metallic Pigmented Coatings	4.2	(500)				
Multi-Color Coatings	3.5	(420)	2.1	(250)		
Pre-Treatment Wash Primers	3.5	(420)				
Primers, Sealers, and Undercoaters	2.9	(350)	1.7	(200)		
Quick-Dry Enamels	3.3	(400)	2.1	(250)		
Quick-Dry Primers, Sealers, Undercoaters	3.8	(450)	1.7	(200)		
Recycled Coatings	2.1	(250)				
Roof Coatings	2.1	(250)				
Rust Preventative Coatings ⁴	3.3	(400)				
<u>Shellacs:</u>						
Clear	6.1	(730)				
Opaque	4.6	(550)				
Specialty Primers, Sealers, and Undercoaters	2.9	(350)				
Stains	2.9	(350)	2.1	(250)		
Swimming Pool Coatings	2.8	(340)				

<u>Coating Categories</u>	<u>Effective</u> <u>(Date of</u> <u>Adoption)</u> <u>Limit^{1,2}</u>		<u>Effective</u> <u>1/1/2003</u> <u>Limit^{1,2}</u>		<u>Effective</u> <u>1/1/2004</u> <u>Limit^{1,2}</u>	
	<u>lb/gal</u>	<u>(g/l)</u>	<u>lb/gal</u>	<u>(g/l)</u>	<u>lb/gal</u>	<u>(g/l)</u>
<u>Swimming Pool Repair & Maintenance Coatings</u>	<u>2.8</u>	<u>(340)</u>				
<u>Temperature-Indicator Safety Coatings</u>	<u>4.6</u>	<u>(550)</u>				
<u>Traffic Marking Coatings</u>	<u>1.3</u>	<u>(150)</u>				
<u>Waterproofing Sealers</u>	<u>3.3</u>	<u>(400)</u>	<u>2.1</u>	<u>(250)</u>		
<u>Waterproofing Concrete/Masonry Sealers</u>	<u>3.3</u>	<u>(400)</u>				
<u>Wood Preservatives</u>	<u>2.9</u>	<u>(350)</u>				

¹ Remains in effect unless revised limits are indicated in subsequent columns. The VOC content limits take into account the "Manufacturer's Maximum Thinning Recommendation," if any.

² Expressed in lb VOC per gallon (or grams VOC per liter) of coating, as applied, less water and exempt compounds.

³ VOC content limits are expressed in lb of VOC per gallon (or grams of VOC per liter) of coating, as applied, including water and exempt compounds.

⁴ Effective January 1, 2004, this category only applies to non-industrial uses. Industrial uses are regulated under Industrial Maintenance Coatings on or after January 1, 2004.

(2) COATINGS NOT LISTED IN TABLE 1

For any coating that does not meet any of the definitions for the specialty coatings categories listed in Table 1, the VOC content limit shall be determined by classifying the coating as a flat coating or a nonflat coating, based on its gloss, as defined in Subsections (c)(21), (c)(35) and (c)(36) and the corresponding flat or nonflat VOC content limit shall apply.

(3) MOST RESTRICTIVE VOC LIMITS

If anywhere on the container of any architectural coating, or any label or sticker affixed to the container, or in any sales, advertising, or technical literature supplied by a manufacturer or anyone acting on their behalf, any representation is made that indicates that the coating meets the definition of or is recommended for use for more than one of the coating categories listed in Table 1, then the most restrictive VOC content limit shall apply. This provision does not apply to the coating categories specified below:

- (i) Antenna coatings,
- (ii) Bituminous roof primers,
- (iii) Fire-retardant coatings,
- (iv) Flow coatings (Electrical Transformers),
- (v) High-temperature coatings,
- (vi) Industrial maintenance coatings,

- (vii) Lacquers (including lacquer sanding sealers),
- (viii) Low-solids coatings,
- (ix) Metallic pigmented coatings,
- (x) Pre-treatment wash primers,
- (xi) Shellacs,
- (xii) Specialty primers, sealers, and undercoaters,
- (xiii) Temperature-indicator safety coatings, or
- (xiv) Wood preservatives.

(4) SELL-THROUGH OF COATINGS

(i) A coating manufactured prior to the January 1, 2003 or January 1, 2004 effective date specified for that coating in Table 1 may be sold, supplied, or offered for sale for up to three years after the specified effective date. In addition, a coating manufactured before the effective date specified for that coating in Table 1 may be applied at any time, both before and after the specified effective date, so long as the coating complied with the standards in effect at the time the coating was manufactured. This Subsection does not apply to any coating that does not display the date or date-code required by Subsection (e)(1)(i).

(ii) A coating included in an approved Averaging Program that does not comply with the specified limit in Table 1 may be sold, supplied, or offered for sale for up to three years after the end of the compliance period specified in the approved Averaging Program. In addition, such a coating may be applied at any time, both during and after the compliance period. This Subsection does not apply to any coating that does not display on the container either the statement: "This product is subject to architectural coating averaging provisions in California" or a substitute symbol specified by the Executive Officer of the CARB. This Subsection shall remain in effect until January 1, 2008.

(5) RUST PREVENTATIVE COATINGS

Effective January 1, 2004, no person shall apply or solicit the application of any rust preventative coating for industrial use, unless such a rust preventative coating complies with the industrial maintenance VOC limit specified in Table 1.

(6) STATEWIDE AVERAGING COMPLIANCE OPTION

On or after January 1, 2003, in lieu of compliance with the limits specified in Table 1 for floor coatings; industrial maintenance coatings; primers, sealers, and undercoaters; quick-dry primers, sealers, and undercoaters; quick-dry enamels; roof coatings; bituminous roof coatings; rust preventative coatings; stains; waterproofing sealers, as well as flats and nonflats (excluding recycled coatings), manufacturers may average designated coatings such that their actual statewide cumulative emissions from the averaged coatings are less than or equal to the cumulative statewide emissions that would have been allowed under those limits over a compliance period not to exceed one year. Such manufacturers must also comply with the statewide averaging provisions contained in Appendix A, as well as maintain and make available for inspection records for at least three years after the end of the compliance period. This Subsection and Appendix A shall cease to be effective on January 1, 2005, after which averaging will no longer be allowed.

Table of Standards
(grams of VOC per liter)

	Effective 12/1/87	Effective 2/2/90
Below-Ground Wood Preservative		600
Bond-Breakers		350
Concrete-Curing-Compounds	350	350
Dry-Fog-Coatings	400	400
Fire-Retardant-Coating		
Clear		650
Pigmented		350
Form-Release-Compounds	250	
Graphics-Arts (Sign)-Coatings		500
High-Temperature Industrial Maint.-Coatings		650
Industrial Maintenance Anti-graffiti Coatings		600
Industrial Maintenance Coatings	420	420
Lacquer	680	680
Magnesite-Cement-Coatings		600
Mastic-Texture-Coatings		300
Metallic-Pigmented-Coatings		500
Multi-Color-Coatings		580
Opaque-Stains	350	350
Opaque-Wood-Preservatives	350	350
Pretreatment (Wash)-Primer		780
Primers, Sealers & Undercoaters	350	350
Quick-Dry-Enamels	400	400
Quick-Dry-Primers, Sealers & Undercoaters		525
Roof-Coatings	300	300
Sanding-Sealers		550
Semi-Transparent-Stains	350	350
Semi-Transparent & Clear-Wood		
Preservatives	350	350
Shellac		
Clear		730
Pigmented		550
Swimming-Pool-Coatings		650
Swimming-Pool-Repair & Maintenance-Coatings		650
Traffic-Paints		250
Varnish	350	350
Waterproofing-Sealers	400	400
Waterproofing-Mastic-Coatings	300	300

(2) — A person shall not manufacture, blend or repackage for use or sale within San Diego County any architectural coating listed in the table of standards below which contains VOC (excluding water and exempt solvents, and excluding any colorant added to tint bases), in excess of the corresponding limit specified in the following table, after the corresponding date specified:

(3) — A person shall not supply, ship or distribute into San Diego County any architectural coating, for use within San Diego County, subject to the requirements of Subsection (d)(2) which contains VOC (excluding water and exempt solvents, and excluding any colorant added to tint bases) in excess of the corresponding limit specified in the Table of Standards in Subsection (d)(2) for more than three months after December 4, 1990.

~~(4) — A person shall not sell, offer for sale, apply or solicit the application of any architectural coating subject to the requirements of Subsection (d)(2) for use within San Diego County which, at the time of sale, contains VOC (excluding water and exempt solvents, and excluding any colorant added in tint bases) in excess of the corresponding new or revised limit that is effective on February 2, 1990 specified in the Table of Standards in Subsection (d)(2) for more than three years after the effective date of the standard.~~

~~(5) — A person shall not sell, offer for sale, or supply any architectural coating for use within San Diego County unless the coating container displays the date of manufacture of the contents or a code indicating the dates of manufacture. The manufacturers of such coatings shall file an explanation of each code with the Air Pollution Control Officer and the Executive Officer of the CARB.~~

~~(6) — A person shall not sell, offer for sale, or supply any architectural coating for use within San Diego County unless the coating container carries a statement of the manufacturer's recommendation regarding thinning of the coating. This requirement shall not apply to the thinning of architectural coatings with water. A person shall not sell or offer for sale any architectural coating for use within San Diego County unless the thinning recommended on the label for normal environmental and application conditions would not cause the coating to exceed its applicable standard.~~

~~(7) — A person shall not manufacture, sell, or offer for sale any architectural coating manufactured after December 4, 1991 for use within San Diego County unless the coating container or top of the lid displays the maximum VOC content of the coating as applied and after any thinning as recommended by the manufacturer. The VOC content shall be displayed as grams of VOC per liter of coating (less water and exempt solvents and excluding any colorant added to tint bases). The VOC content displayed may be calculated using product formulation data or may be determined using the test method in Section (h).~~

(e) ADMINISTRATIVE REQUIREMENTS

(1) CONTAINER LABELING REQUIREMENT:

Each manufacturer of any architectural coating subject to this rule shall display the information listed in Subsections (e)(1)(i) through (e)(1)(ix) on the coating container (or label) in which the coating is sold or distributed.

(i) **DATE CODE:** The date the coating was manufactured, or a date code representing the date, shall be indicated on the label, lid, or bottom of the container. If the manufacturer uses a date code for any coating, the manufacturer shall file an explanation of each code with the Executive Officer of the CARB.

(ii) **THINNING RECOMMENDATIONS:** A statement of the manufacturer's recommendation regarding thinning of the coating shall be indicated on the label or lid of the container. This requirement does not apply to the thinning of architectural coatings with water. If thinning of the coating prior to use is not necessary, the recommendation must specify that the coating is to be applied without thinning.

(iii) **VOC CONTENT:** Each container of any coating subject to this rule shall display either the maximum or the actual VOC content of the coating, as supplied, including the maximum thinning as recommended by the manufacturer. VOC content shall be displayed as grams of VOC per liter of coating. VOC content displayed shall be calculated using product formulation data or determined using the test methods in Subsection (f)(2). The equations in Subsection (e)(2) shall be used to calculate VOC content.

(iv) **INDUSTRIAL MAINTENANCE COATINGS:** In addition to the information specified in Subsections (e)(1)(i), (e)(1)(ii) and (e)(1)(iii), each manufacturer of any industrial maintenance coating subject to this rule shall display on the label or lid of the container in which the coating is sold or distributed one or more of the descriptions listed in Subsections (e)(1)(iv)(A) through (e)(1)(iv)(C).

(A) "For industrial use only."

(B) "For professional use only."

(C) "Not for residential use" or "Not intended for residential use."

(v) **CLEAR BRUSHING LACQUERS:** Effective January 1, 2003, the labels of all clear brushing lacquers shall prominently display the statements "For brush application only," and "This product must not be thinned or sprayed."

(vi) **RUST PREVENTATIVE COATINGS:** Effective January 1, 2003, the labels of all rust preventative coatings shall prominently display the statement "For Metal Substrates Only."

(vii) SPECIALTY PRIMERS, SEALERS, AND UNDERCOATERS:

Effective January 1, 2003, the labels of all specialty primers, sealers, and undercoaters shall prominently display one or more of the descriptions listed in Subsections (e)(1)(vii)(A) through (e)(1)(vii)(E).

- (A) For blocking stains.
- (B) For fire-damaged substrates.
- (C) For smoke-damaged substrates.
- (D) For water-damaged substrates.
- (E) For excessively chalky substrates.

(viii) QUICK-DRY ENAMELS: Effective January 1, 2003, the labels of all quick dry enamels shall prominently display the words "Quick Dry" and the dry hard time.

(ix) NONFLAT – HIGH GLOSS COATINGS: Effective January 1, 2003, the labels of all nonflat – high gloss coatings shall prominently display the words "High Gloss."

(2) CALCULATION OF VOC CONTENT

For the purpose of determining compliance with the VOC content limits in Table 1, the VOC content of a coating shall be determined by using the procedures described in Subsections (e)(2)(i) or (e)(2)(ii), as appropriate. The VOC content of a tint base shall be determined without colorant that is added after the tint base is manufactured.

(i) With the exception of low solids-coatings, determine the VOC content in grams of VOC per liter of coating thinned to the manufacturer's maximum thinning recommendation, excluding the volume of any water and exempt compounds.
Determine the VOC content using the following equation:

$$\text{VOC Content} = (W_s - W_w - W_{ec}) / (V_m - V_w - V_{ec})$$

Where: VOC content = grams of VOC per liter of coating

W_s = weight of all volatiles, in grams

W_w = weight of water, in grams

$\underline{W_{ec}}$	=	<u>weight of exempt compounds, in grams</u>
$\underline{V_m}$	=	<u>volume of coating, in liters</u>
$\underline{V_w}$	=	<u>volume of water, in liters</u>
$\underline{V_{ec}}$	=	<u>volume of exempt compounds, in liters</u>

(ii) For low-solids coatings, determine the VOC content in units of grams of VOC per liter of coating thinned to the manufacturer's maximum recommendation, including the volume of any water and exempt compounds. Determine the VOC content using the following equation:

$$\text{VOC Content}_{ls} = (W_s - W_w - W_{ec}) / (V_m)$$

Where: VOC content_{ls} = the VOC content of a low solids coating in grams of VOC per liter of coating

$\underline{W_s}$ = weight of all volatiles, in grams

$\underline{W_w}$ = weight of water, in grams

$\underline{W_{ec}}$ = weight of exempt compounds, in grams

$\underline{V_m}$ = volume of coating, in liters

(f) MONITORING AND RECORDS

(1) REPORTING REQUIREMENTS

(i) **CLEAR BRUSHING LACQUERS:** Each manufacturer of clear brushing lacquers shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the CARB. The report shall specify the number of gallons of clear brushing lacquers sold in California during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.

(ii) **RUST PREVENTATIVE COATINGS:** Each manufacturer of rust preventative coatings shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the CARB. The report shall specify the number of gallons of rust preventative coatings sold in California during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.

(iii) **SPECIALTY PRIMERS, SEALERS, AND UNDERCOATERS:** Each manufacturer of specialty primers, sealers, and undercoaters shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the CARB. The report shall specify the number of gallons of specialty primers, sealers, and undercoaters sold in California during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.

(iv) **TOXIC EXEMPT COMPOUNDS:** For each architectural coating that contains perchloroethylene or methylene chloride, the manufacturer shall, on or before April 1 of each calendar year beginning in the year 2004, report to the Executive Officer of the CARB the following information for products sold in California during the preceding year:

(A) the product brand name and a copy of the product label with legible usage instructions;

(B) the product category listed in Table 1 to which the coating belongs;

(C) the total sales in California during the calendar year to the nearest gallon; the volume percent, to the nearest 0.10 percent, of perchloroethylene and methylene chloride in the coating.

(v) **RECYCLED COATING:** Manufacturers of recycled coatings must submit a letter to the Executive Officer of the CARB certifying their status as a Recycled Paint Manufacturer. The manufacturer shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the CARB. The report shall include, for all recycled coatings, the total number of gallons distributed in California during the preceding year, and shall describe the method used by the manufacturer to calculate California's distribution.

(vi) **BITUMINOUS COATINGS:** Each manufacturer of bituminous roof coatings or bituminous roof primers shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the

CARB. The report shall specify the number of gallons of bituminous roof coatings or bituminous roof primers sold in California during the preceding calendar year, and shall describe the method used by the manufacturer to calculate California's sales.

(2) TESTING PROCEDURES

(i) **VOC CONTENT:** To determine the physical properties of a coating in order to perform the Subsection (e)(2) calculations, the reference method for VOC content is U.S. EPA Method 24, incorporated by reference in Subsection (f)(2)(iv)(K), except as provided in Subsections (f)(2)(ii) and (f)(2)(iii). An alternative method to determine the VOC content of coatings is SCAQMD Method 304-91 (Revised February 1996), incorporated by reference in Subsection (f)(2)(iv)(L). The exempt compounds content shall be determined by South Coast Air Quality Management District (SCAQMD) Method 303-91 (Revised August 1996), incorporated by reference in Subsection (f)(2)(iv)(J). To determine the VOC content of a coating, the manufacturer may use U.S. EPA Method 24, or an alternative method as provided in Subsection (f)(2)(ii), formulation data, or any other reasonable means for predicting that the coating has been formulated as intended (e.g. quality assurance checks, recordkeeping). However, if there are any inconsistencies between the results of a Method 24 test and any other means for determining VOC content, the Method 24 test results will govern, except when an alternative method is approved as specified in Subsection (f)(2)(ii). The Air Pollution Control Officer may require the manufacturer to conduct a Method 24 analysis.

(ii) **ALTERNATIVE TEST METHOD:** Other test methods demonstrated to provide results that are acceptable for purposes of determining compliance with Subsection (f)(2)(i), after review and approval in writing by the staffs of the District, the CARB, and the U.S. EPA, may also be used.

(iii) **METHACRYLATE TRAFFIC MARKING COATINGS:** Analysis of methacrylate multicomponent coatings used as traffic marking coatings shall be conducted according to a modification of U.S. EPA Method 24 (Appendix A), incorporated by reference in Subsection (f)(2)(iv)(M). This method has not been

approved for methacrylate multicomponent coatings used for purposes other than as traffic marking coatings or for other classes of multi-component coatings.

(iv) **TEST METHODS:** The following test methods are incorporated by reference herein, and shall be used to test coatings subject to provisions of this rule:

(A) **Flame Spread Index:** The flame spread index of a fire-retardant coating shall be determined by ASTM Designation E 84-99, "Standard Test Method for Surface Burning Characteristics of Building Materials," (see Subsection (c)(20), Fire-Retardant Coating).

(B) **Fire Resistance Rating:** The fire resistance rating of a fire-resistive coating shall be determined by ASTM Designation E 119-98, "Standard Test Methods for Fire Tests of Building Construction Materials," (see Subsection (c)(19), Fire-Resistive Coating).

(C) **Gloss Determination:** The gloss of a coating shall be determined by ASTM Designation D 523-89 (1999), "Standard Test Method for Specular Gloss," (see Subsections (c)(21), (c)(35), (c)(36) and (c)(41), Flat Coating, Nonflat Coating, Nonflat-High Gloss Coating, and Quick-Dry Enamels).

(D) **Metal Content of Coatings:** The metallic content of a coating shall be determined by SCAQMD Method 318-95, "Determination of Weight Percent Elemental Metal in Coatings by X-Ray Diffraction," SCAQMD "Laboratory Methods of Analysis for Enforcement Samples," (see Subsection (c)(33), Metallic Pigmented Coating).

(E) **Acid Content of Coatings:** The acid content of a coating shall be determined by ASTM Designation D 1613-96, "Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer, and Related Products," (see Subsection (c)(39), Pre-Treatment Wash Primers).

(F) **Drying Times:** The set-to-touch, dry-hard, dry-to-touch, and dry-to-recoat times of a coating shall be determined by ASTM Designation D 1640-

95, "Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature," (see Subsections (c)(41) and (c)(42), Quick-Dry Enamel and Quick-Dry Primer, Sealer, and Undercoater). The tack-free time of a quick-dry enamel coating shall be determined by the Mechanical Test Method of ASTM Designation D 1640-95.

(G) **Surface Chalkiness:** The chalkiness of a surface shall be determined using ASTM Designation D 4214-98, "Standard Test Methods for Evaluating the Degree of Chalking of Exterior Paint Films," (see Subsection (c)(51), Specialty Primer, Sealer, and Undercoater).

(H) **Exempt Compounds – Siloxanes:** Exempt compounds that are cyclic, branched, or linear completely methylated siloxanes, shall be analyzed as exempt compounds (for compliance with Subsection (e)(2)) by Bay Area Air Quality Management District (BAAQMD) District Method 43, "Determination of Volatile Methylsiloxanes in Solvent-Based Coatings, Inks, and Related Materials," BAAQMD Manual of Procedures, Volume III, adopted 11/6/96, (see Subsection (c)(60), Volatile Organic Compounds and Subsection (e)(2)(i)).

(I) **Exempt Compounds – Parachlorobenzotrifluoride (PCBTF):** The exempt compound parachlorobenzotrifluoride, shall be analyzed as an exempt compound for compliance with Subsection(f)(2) by BAAQMD Method 41, "Determination of Volatile Organic Compounds in Solvent-Based Coatings and Related Materials Containing Parachlorobenzotrifluoride," BAAQMD Manual of Procedures, Volume III, adopted 12/20/95, (see Subsection (c)(60), Volatile Organic Compound and Subsection (f)(2)(i)).

(J) **Exempt Compounds:** The content of compounds exempt under U.S. EPA Method 24 shall be analyzed by SCAQMD Method 304-91 (Revised 1993), "Determination of Exempt Compounds," SCAQMD "Laboratory Methods of Analysis for Enforcement Samples," (see Subsection (c)(60), Volatile Organic Compound and Subsection (f)(2)(i)).

(K) **VOC Content of Coatings:** The VOC content of a coating shall be determined by U.S. EPA Method 24 as it exists in appendix A of 40 Code of Federal Regulations (CFR) part 60, "Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings," (see Subsection (f)(2)(i)).

(L) **Alternative VOC Content of Coatings:** The VOC content of coatings may be analyzed either by U.S. EPA Method 24 or SCAQMD Method 304-91 (Revised 1996), "Determination of Volatile Organic Compounds (VOC) in Various Materials," SCAQMD "Laboratory Methods of Analysis for Enforcement Samples," (see Subsection (f)(2)(i)).

(M) **Methacrylate Traffic Marking Coatings:** The VOC content of methacrylate multicomponent coatings used as traffic marking coatings shall be analyzed by the procedures in 40 CFR Part 59, Subpart D, Appendix A, "Determination of Volatile Matter Content of Methacrylate Multicomponent Coatings Used as Traffic Marking Coating," (September 11, 1998), (see Subsection (f)(2)(i)).

Existing Sections (e), (f) and (g) are deleted in their entirety.

~~(e) If anywhere on the container of any coating listed on the Table of Standards, on any sticker or label affixed thereto, or in any sales or advertising literature, any representation is made that the coating may be used as, or is suitable for use as, a coating for which a lower VOC standard is specified in the table or in Subsection (d)(1), then the lowest VOC standard shall apply. This requirement does not apply to the representation of the following coatings in the manner specified:~~

~~(1)—High Temperature Industrial Maintenance Coatings, which may be represented as metallic pigmented coatings for use consistent with the definition of high temperature industrial maintenance coatings;~~

~~(2)—Lacquer Sanding Sealers, which may be recommended for use as sanding sealers in conjunction with clear lacquer topcoats;~~

~~(3)—Metallic Pigmented Coatings, which may be recommended for use as primers, sealers, undercoaters, roof coatings, or industrial maintenance coatings;~~

~~(4)—Shellacs; and~~

~~(5)—Fire Retardant Coatings.~~

(f) ~~Rule 66 shall not apply to the sale or application of coatings subject to this rule.~~

(g) ~~TEST METHODS~~

~~Measurement of VOC in architectural coatings shall be conducted and reported in accordance with EPA Test Method 24 (40 CFR 60, Appendix A) as it exists on December 4, 1990.~~

~~Measurement of the water content and exempt solvent content shall be conducted and reported in accordance with ASTM Test Methods D 4457-85 and D 3792-86.~~

~~Calculation of the VOC content of coatings less water and exempt solvents shall be performed in accordance with ASTM Standard Practice D 3960-87.~~

~~Measurement of acid content shall be conducted and reported in accordance with ASTM Test Method D 1613-81.~~

~~Measurement of elemental metal content shall be conducted and reported in accordance with the Spectrographic Method used by Pacific Spectrochemical Laboratory, Inc. for the analysis of carbon dust and carbon laminates, as it exists on December 4, 1990.~~

New proposed Appendix A is added to Rule 67.0.

Appendix A

A.1 AVERAGING PROVISION

The manufacturer shall demonstrate that actual emissions from the coatings being averaged are less than or equal to the allowable emissions, for the specified compliance period using the following equation:

$$\sum_{i=1}^n G_i M_i \leq \sum_{i=1}^n G_i V_i L_i$$

Where:

$$\sum_{i=1}^n G_i M_i = \text{Actual Emission:}$$

$$\sum_{i=1}^n G_i V_i L_i = \text{Allowable Emissions}$$

G_i = Total Gallons of Product (i) subject to Averaging;

M_i = Material VOC Content of Product (i), in pounds per gallon;

$$M_i = \frac{W_s - W_w - W_{ec}}{V_m}$$

V_i = Percent by Volume Solids and VOC in Product (i);

$$V_i = \frac{V_m - V_w - V_{ec}}{V_m}$$

Where: W_s , W_w , W_{ec} , V_m , V_w , and V_{ec} are defined in Subsection (e)(2), except that in this Appendix weights are in pounds and volumes are in gallons.

For Non-Zero VOC Coatings:

$$V_i = \frac{\text{Material VOC (also known as VOC Actual)}}{\text{Coating VOC (also known as VOC Regulatory)}}$$

$$\text{Where: Coating VOC} = \frac{W_s - W_w - W_{ec}}{V_m - V_w - V_{ec}}$$

For Zero VOC Coatings:

V_i = Percent Solids by Volume

L_i = Regulatory VOC Content Limit for Product (i), in pounds per gallon (as listed in Table 1)

The averaging is limited to coatings that are designated by the manufacturer. Any coating not designated in the averaging Program shall comply with the VOC limit in Table 1. The manufacturer shall not include any quantity of coatings that it knows or should have known will not be used in California, if statewide coatings data are used. If district-specific coatings data are used, the manufacturer shall not include any quantity of coatings that it knows or should have known will not be used in the District.

- A.1.1 In addition to the requirements specified in Section A.1, manufacturers shall not include in an Averaging Program any coating with a VOC content in excess of the following maximum VOC content, for the applicable categories.

<u>Averaging Categories and VOC Ceiling (Maximum VOC Allowed)</u>		
Category	Rule / VOC Limit (In effect or effective 1/1/2003 or 1/1/2004)	Averaging VOC Ceiling (Maximum)
Flat Coating	100	250
Nonflat Coating	150	250
Floor Coatings	250	400
Industrial Maintenance Coatings	250	420
Primers, Sealers, and Undercoaters	200	350
Quick-Dry Primers, Sealers, & Undercoaters	200	450
Quick-Dry Enamels	250	400
Roof Coatings	250	300
Bituminous Roof Coatings	300	300
Rust Preventative Coatings	400	400
Stains	250	350
Waterproofing Sealers	250	400

A.2 AVERAGING PROGRAM (PROGRAM)

At least six months prior to the start of the compliance period, manufacturers shall submit an Averaging Program to the Executive Officer of the Air Resources Board. As used in this Appendix A, "Executive Officer" means the Executive Officer of the Air Resources Board. Averaging may not be implemented until the Program is approved in writing by the Executive Officer.

Within 45 days of submittal of a complete Program, the Executive Officer shall either approve or disapprove the Program. The Program applicant and the Executive Officer may agree to an extension of time for the Executive Officer to take action on the Program.

A.3 GENERAL REQUIREMENTS

The Program shall include all necessary information for the Executive Officer to make a determination as to whether the manufacturer may comply with the averaging requirements over the specified compliance period in an enforceable manner. Such information shall include, but is not limited to, the following:

- A.3.1 An identification of the contact persons, telephone numbers, and name of the manufacturer who is submitting the Program.
- A.3.2 An identification of each coating that has been selected by the manufacturer for inclusion in this program that exceeds the applicable VOC limit in Table 1, its VOC content specified in units of both VOC actual and VOC regulatory, and the designation of the coating category.
- A.3.3 A detailed demonstration showing that the projected actual emissions will not exceed the allowable emissions for a single compliance period that the Program will be in effect. In addition, the demonstration shall include VOC content information for each coating that is below the compliance limit in Table 1. The demonstration shall use the equation specified in Section A.1 of this Appendix for projecting the actual emissions and allowable emissions during each compliance period. The demonstration shall also include all VOC content levels and projected volume sold within the State for each

coating listed in the Program during each compliance period. The requested data can be summarized in a matrix form.

- A.3.4 A specification of the compliance period(s) and applicable reporting dates. The length of the compliance period shall not be more than one year or less than six months.
- A.3.5 An identification and description of all records to be made available to the Executive Officer upon request, if different than those identified under Section A.3.6.
- A.3.6 An identification and description of specific records to be used in calculating emissions for the Program and subsequent reporting, and a detailed explanation as to how those records will be used by the manufacturer to verify compliance with the averaging requirements.
- A.3.7 A statement, signed by a responsible party for the manufacturer, that all information submitted is true and correct, and that records will be made available to the Executive Officer upon request.

A.4 REPORTING REQUIREMENTS

- A.4.1 For every single compliance period, the manufacturer shall submit a mid-term report listing all coatings subject to averaging during the first half of the compliance period, detailed analysis of the actual and allowable emissions at the end of the mid-term, and an explanation as to how the manufacturer intends to achieve compliance by the end of the compliance period. The report shall be signed by the responsible party for the manufacturer, attesting that all information submitted is true and correct. The mid-term report shall be submitted within 45 days after the midway date of the compliance period. A manufacturer may request, in writing, an extension of up to 15 days for submittal of the mid-term report.
- A.4.2 Within 60 days after the end of the compliance period or upon termination of the Program, whichever is sooner, the manufacturer shall submit to the Executive Officer a report listing all coatings subject to averaging during the compliance period, providing a detailed demonstration of the balance between the actual and allowable emissions for the compliance period, any identification and description of specific records used by the

manufacturer to verify compliance with the averaging requirement, and any other information requested by the Executive Officer to determine whether the manufacturer complied with the averaging requirements over the specified compliance period. The report shall be signed by the responsible party for the manufacturer, attesting that all information submitted is true and correct, and that records will be made available to the Executive Officer upon request. A manufacturer may request, in writing, an extension of up to 30 days for submittal of the final report.

A.5 RENEWAL OF A PROGRAM

A Program automatically expires at the end of the compliance period. The manufacturer may request a renewal of the Program by submitting a renewal request that shall include an updated Program, meeting all applicable Program requirements. The renewal request will be considered conditionally approved until the Executive Officer makes a final decision to deny or approve the renewal request based on a determination of whether the manufacturer is likely to comply with the averaging requirements. The Executive Officer shall base such determination on all available information, including but not limited to, the mid-term and the final reports of the preceding compliance period. The Executive Officer shall make a decision to deny or approve a renewal request no later than 45 days from the date of the final report submittal, unless the manufacturer and the Executive Officer agree to an extension of time for the Executive Officer to take action on the renewal request.

A.6 MODIFICATION OF A PROGRAM

A manufacturer may request a modification of the Program at any time prior to the end of the compliance period. The Executive Officer shall take action to approve or disapprove the modification request no longer than 45 days from the date of its submittal. No modification of the compliance period shall be allowed. A Program need not be modified to specify additional coatings to be averaged that are below the applicable VOC limits.

A.7 TERMINATION OF A PROGRAM

A.7.1 A manufacturer may terminate its Program at any time by filing a written notification to the Executive Officer. The filing date shall be considered the effective date of the termination, and all other provisions of this rule including the VOC limits shall immediately thereafter apply. The manufacturer shall also submit a final report 60 days after the termination date. Any exceedance of the actual emissions over the allowable emissions over the period that the Program was in effect shall constitute a separate violation for each day of the entire compliance period.

A.7.2 The Executive Officer may terminate a Program if any of the following circumstances occur:

A.7.2.1 The manufacturer violates the requirements of the approved Program, and at the end of the compliance period, the actual emissions exceed the allowable emissions.

A.7.2.2 The manufacturer demonstrates a recurring pattern of violations and has consistently failed to take the necessary steps to correct those violations.

A.8 CHANGE IN VOC LIMITS

If the VOC limits of a coating listed in the Program are amended such that its effective date is less than one year from the date of adoption, the affected manufacturer may base its averaging on the prior limits of that coating until the end of the compliance period immediately following the date of adoption.

A.9 LABELING

Each container of any coating that is included in averaging program, and that exceeds the applicable VOC limit in the table in Section 301 shall display the following statement: "This product is subject to architectural coatings averaging provisions in California." A symbol specified by the Executive Officer may be used as a substitute.

A.10 VIOLATIONS

The exceedance of the allowable emissions for any compliance period shall constitute a separate violation for each day of the compliance period. However, any violation of the requirements of the Averaging Provision of this rule, which the violator can demonstrate, to the Executive Officer, did not cause or allow the emission of an air contaminant and was not the result of negligent or knowing activity may be considered a minor violation.

A.11 SUNSET OF AVERAGING PROVISION

The averaging provision set forth in Appendix A shall cease to be effective on January 1, 2005, after which averaging will no longer be allowed.

SAN DIEGO AIR POLLUTION CONTROL DISTRICT

Date: September 6, 2001

To: All Workshop Participants

From: Laura Yannayon, Senior Engineer
Rule Development Section

Re: Proposed Revisions to Rule 67.0 Workshop Draft Copy
(Incorporating ARB's Comments)

Please find attached the proposed revisions to the Rule 67.0 Workshop Draft Copy incorporating ARB's comments. Revised Subsections include the following: (b)(1)(ii), (b)(1)(iv), (b)(2), (c)(6), (c)(14), (c)(19), (c)(20), (c)(31), (c)(38), (c)(46), (c)(50), (c)(61), (c)(62), (d)(1) Table 1 Note 2, (d)(3) and (f)(2)(iv)(J).

Deletions are indicated by **double strike outs**, while additions are indicated by **double underlines**.

Subsection (b) - EXEMPTIONS

Page 1 (1)(ii) Any ~~non-refillable~~ aerosol coating product.

(1)(iv) Emulsion-type bituminous pavement sealers applied to roads.

Page 1 (2) The provisions of Subsection (d)(1) shall not apply to lacquers applied on days with relative humidity greater than 70 percent and temperatures below 65°F at the time of application. On such days, up to 10 percent by volume of VOC may be added to a lacquer, ~~at the time of application, to avoid blushing of the finish,~~ provided that the lacquer contains acetone and no more than 550 grams of VOC per liter of lacquer, less water and exempt compounds, prior to the addition of VOC.

Subsection (c) - DEFINITIONS

Page 3 (62) “Architectural Coating” means any coating to be applied to stationary structures and/or their appurtenances at the site of installation (stationary source), to portable buildings including mobile homes, at the site of installation, ~~coated onsite or in close proximity to the intended installed location, to mobile homes, to~~ pavement, or to curbs. Coatings applied in off-site shop applications and ~~a~~Adhesives are not considered architectural coatings for the purposes of this rule.

Page 4 (14) “Colorant” means a concentrated pigment dispersion in water, solvent and/or binder that is added to an architectural coating after packaging in sale units to produce the desired color.

Page 4 (19) “Fire-Resistive Coating” means an opaque coating labeled and formulated to protect structural integrity by increasing the fire endurance of interior or exterior steel and other structural materials, and that has been fire tested and rated by a testing agency approved by building code officials for use in bringing assemblies of structural materials into compliance with federal, state and local building code requirements. The fire-resistive coating and the testing agency must be approved by building code officials ~~registered with the State Fire Marshall.~~

Page 4 (20) **“Fire-Retardant Coating”** means a coating labeled and formulated to retard ignition and ~~which has a flame spread, and that has been fire tested and rated~~ by a testing agency approved by building code officials for use in bringing building and construction materials into compliance with federal, state and local building code requirements. The fire-retardant coating and the testing agency must be approved by building code officials ~~registered with the State Fire Marshall.~~ index of less than 25 when tested in accordance with the current version of ASTM Designation E 84-87, “Standard Test method for Surface Burning Characteristics of Building Material,” after application to Douglas fir according to the manufacturer’s recommendation.

Page 6 (31) **“Manufacturer’s Maximum Thinning Recommendation”** means the maximum recommended thinning ratio that is indicated on the label or lid of the coating container ~~or in the technical data sheet for the coating.~~

Page 7 (38) **“Post-Consumer Coating”** means a finished coating ~~the unused portion of coating after completion of a consumer’s project~~ that would have been disposed of in a landfill, having completed its usefulness to a consumer. Post-consumer coating does not include manufacturing wastes.

Page 9 (4628) **“Sanding Sealer”** means a clear or semi-transparent wood coating labeled and formulated for application and applied to bare wood for sanding and to seal the wood and to provide a coat that can be abraded (~~sanded~~) to create a smooth surface for subsequent applications of coatings varnish. ~~To be considered a sanding sealer a coating must be clearly labeled as such.~~ A sanding sealer that also meets the definition of a lacquer is not included in this category, but is included in the lacquer category.

Add (50) **“Shop Application”** means application of a coating to a product or a component of a product in or on the premises of a factory or a shop as part of a

manufacturing, production, or repairing process (e.g., original equipment manufacturing coatings).

Page 11 (61) **“VOC Content Per Volume of Coating, Less Water and Exempt Compounds”** means the same as defined in Rule 2 and is calculated as specified in Subsection (e)(2).

Page 11 (62) **“VOC Content Per Volume of Material”** means the same as defined in Rule 2 and is calculated as specified in Subsection(e)(2).

Subsection(d) - STANDARDS AND REQUIREMENTS

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Page 13 (1) **Table 1 - VOC Standards**

<u>Coating Categories</u>	<u>Effective</u> <u>(Date of Adoption)</u>		<u>Effective</u> <u>1/1/2003</u>		<u>Effective</u> <u>1/1/2004</u>	
	<u>Limit^{1,2}</u>		<u>Limit^{1,2}</u>		<u>Limit^{1,2}</u>	
	<u>lb/gal</u>	<u>(g/l)</u>	<u>lb/gal</u>	<u>(g/l)</u>	<u>lb/gal</u>	<u>(g/l)</u>
...						
<u>High Temperature Coatings</u>	<u>5.4</u>	<u>(650)</u>				
	<u>3.5</u>	<u>(420)</u>	<u>3.5</u>	<u>(420)</u>		
	<u>3.5</u>	<u>(420)</u>				
<u>Industrial Maintenance Coatings</u>	<u>2.8</u>	<u>(340)</u>	<u>2.8</u>	<u>(340)</u>	<u>2.1</u>	<u>(250)</u>
	<u>6.5</u>	<u>(780)</u>				
<u>Pre-Treatment Wash Primers</u>	<u>3.5</u>	<u>(420)</u>	<u>3.5</u>	<u>(420)</u>		
	<u>5.4</u>	<u>(650)</u>				
<u>Swimming Pool Repair & Maintenance Coatings</u>	<u>2.8</u>	<u>(340)</u>	<u>2.8</u>	<u>(340)</u>		

...
² Expressed in lb VOC per gallon (or grams VOC per liter) of coating, as applied, less water, and exempt compounds or colorant added to tint bases.
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Page 14 **Subsection (d)(3) - MOST RESTRICTIVE VOC LIMITS**

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(ii) **Antifouling Coatings**

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Subsection (f)(2)(iv) TEST METHODS

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Page 25 (J) **Exempt Compounds:** The content of compounds exempt under U.S. EPA Method 24 shall be analyzed by SCAQMD Method 3034-91 (Revised 1996~~3~~), “Determination of Exempt Compounds,” SCAQMD “Laboratory Methods of Analysis for Enforcement Samples,” (see Subsection (c)(60), Volatile Organic Compound and Subsection (f)(2)(i)).