



September 22, 2021

## Compliance Advisory

### Amendments to Rule 67.0.1 – Architectural Coatings

The San Diego County Air Pollution Control District (District) adopted amendments to Rule 67.0.1 – Architectural Coatings, on February 10, 2021. The amended rule takes effect on **January 1, 2022**. Rule 67.0.1 can be found on the District's website at:

[https://www.sdapcd.org/content/dam/sdc/apcd/PDF/Rules\\_and\\_Regulations/Prohibitions/APCD\\_R67-0-1-2021.pdf](https://www.sdapcd.org/content/dam/sdc/apcd/PDF/Rules_and_Regulations/Prohibitions/APCD_R67-0-1-2021.pdf)

Rule 67.0.1 is based on the California Air Resources Board's 2019 Suggested Control Measure for architectural coatings. The rule will require any person who manufactures, blends or repackages, supplies, sells, markets, offers for sale, applies, or solicits the application of any architectural coating for use within San Diego County on or after January 1, 2022, to comply with applicable provisions, including volatile organic compound (VOC) content limits and labeling and reporting requirements.

Rule 67.0.1 includes a “sell-through” provision allowing three years (through December 31, 2024) to sell products that were manufactured **before** January 1, 2022. Those products must still be in compliance with the current existing version of Rule 67.0.1, effective until December 31, 2021. Such products may be applied at any time. The coating container must display the date or date code of manufacture in order for this provision to apply.

Beginning January 1, 2022, Rule 67.0.1 will:

- Establish new coating categories and corresponding VOC content limits.
- Establish lower VOC content limits for various existing coating categories.
- Establish new VOC content limits for colorants added to coatings. Please see Rule 67.0.1 Section (d) Standards for these new limits.
- Add an anti-bundling provision to prevent bundling of exempt small containers (one liter or less) to avoid meeting coating category limits.
- Rule 67.0.1(b)(4)(i) will restrict the small container exemption for coatings of the same coating category bundled together to be sold at retail. Such coatings, if bundled together, must not exceed one liter if added together, or the small container exemption will not apply.

**OVER**

- Rule 67.0.1(b)(4)(ii) will restrict the small container exemption for coatings by stating that small container labeling and literature must not suggest combining multiple small containers so that the combination exceeds one liter, or the small container exemption will not apply.
- Pursuant to the Clean Air Act, a contingency measure provision was added that removes the small container exemption from the rule only if and when the Environmental Protection Agency were to issue a finding that the region did not meet certain federally mandated requirements regarding the 2008 or 2015 8-hour Ozone National Ambient Air Quality Standard.

If you have any questions regarding this advisory, please contact the District's Compliance Division at (858) 586-2650 or Suha Haddad, District Small Business Assistant, at (858) 586-2656.

DP:jlmm