



COMPLIANCE ADVISORY

IMPLEMENTATION OF NEW AIRBORNE TOXIC CONTROL MEASURE FOR EMISSIONS OF HEXAVALENT CHROMIUM AND CADMIUM FROM MOTOR VEHICLE AND MOBILE EQUIPMENT COATINGS

On September 21, 2001, the California Air Resources Board (ARB) approved a new airborne toxic control measure, or ATCM, (Section 93112, Title 17, California Code of Regulations) designed to eliminate the use of coatings containing hexavalent chromium and cadmium in automobile refinishing operations.

Automotive refinishing coatings and coatings used in vehicle manufacturing operations containing hexavalent chromium or cadmium cannot be:

- **Manufactured for sale in California after January 1, 2003;**
- **Sold, supplied, or offered for sale in California after June 30, 2003; or**
- **Used in automotive refinishing coatings or coatings used in vehicle manufacturing operations after December 31, 2003, provided they were manufactured prior to January 1, 2003.**

Under the California Health and Safety Code, the San Diego County Air Pollution Control District is required to enforce state airborne toxic control measures.

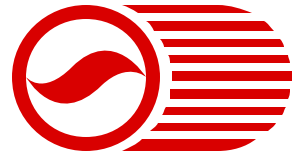
Hexavalent chromium and cadmium have been determined to be toxic air contaminants (TAC) by the ARB. Both of these TACs are found in automotive coatings in relatively small amounts, but even small amounts pose an unnecessary health risk to the public.

Attached is a copy of the California Air Resources Board Regulatory Advisory for the new Air Toxics Regulation for Emissions of Hexavalent Chromium and Cadmium from Motor Vehicle and Mobile Equipment Operations that further discusses the scope of the ATCM. Copies of the ATCM, and additional information, may be obtained from the ARB websites <http://www.arb.ca.gov/coatings/autorefin/atcm/appen901.pdf> and <http://www.arb.ca.gov/coatings/autorefin/autorefin.htm>, or you can call Luann Serbesku at (858) 650-4544 to obtain a copy of the ATCM. If you have any questions regarding the ATCM, please call Scott Underhill at (858) 650-4555.

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Regulatory Advisory



Airborne Toxic Control Measure for Emissions of Hexavalent Chromium and Cadmium from Motor Vehicle and Mobile Equipment Coatings

What is the purpose of this regulation?

At its September 21, 2001 public hearing, the California Air Resources Board (ARB) approved an Airborne Toxic Control Measure (ATCM) for Emissions of Hexavalent Chromium and Cadmium from Motor Vehicle and Mobile Equipment Coatings (automotive coatings). The ATCM was developed to eliminate public exposure to hexavalent chromium and cadmium from the use of automotive coatings.

Why is public exposure to hexavalent chromium and cadmium of concern?

Hexavalent chromium and cadmium are human carcinogens for which no safe exposure levels have been identified. The use of even a small volume of automotive coatings containing hexavalent chromium can result in significant near-source cancer risks because hexavalent chromium is extremely toxic.

To whom does the ATCM apply?

The ATCM applies to any person who sells, supplies, offers for sale, distributes, or manufactures automotive coatings for use in California. The ATCM also applies to the owner or operator of any coating facility that uses automotive coatings in California. The ATCM does not impact the sale or distribution of automotive coatings manufactured in California for use outside of California.

Does the ATCM also apply to handheld aerosol automotive coatings?

Yes. The ATCM applies to all automotive coatings irrespective of the application method. Some handheld aerosol coatings are intended for multiple uses, which include automotive use. Manufacturers of these aerosol coatings must either reformulate them to comply with the ATCM or discontinue their sale for use as automotive coatings in California.

What are the basic requirements of the ATCM?

The ATCM prohibits the sale, offer for sale, and distribution of automotive coatings that contain hexavalent chromium or cadmium for use in California. The ATCM also prohibits the use of these coatings in California. The ATCM applies to automotive refinishing coatings and coatings used in vehicle manufacturing operations.

The ATCM allows the sale of noncompliant coatings manufactured prior to January 1, 2003, through June 30, 2003. To qualify for this provision, manufacturers must clearly display on each product container or package the date, or a code indicating the date, of manufacture. The ATCM allows for the use of noncompliant coatings through December 31, 2003, if they are manufactured prior to January 1, 2003.

The ATCM allows manufacturers and distributors to sell coatings containing hexavalent chromium or cadmium for use outside of California. However, retailers located in California are not allowed to possess or sell automotive coatings containing hexavalent chromium or cadmium for use anywhere after June 30, 2003. The regulation does not have recordkeeping provisions, but manufacturers and distributors who sell these coatings for use outside of California must demonstrate that they have taken precautions to ensure that they are not used in California.

How do I determine if automotive coatings contain hexavalent chromium or cadmium?

To determine the contents of an automotive coating, the user should read the product label and examine the Material Safety Data Sheet (MSDS) for the coating. If the user has questions about the coating content, the manufacturer should be consulted. Some of the chemical names to look for on the product label are hexavalent chromium, lead chromate, zinc chromate, strontium chromate, and sodium dichromate.

What are the exemptions?

The ATCM does not apply to any automotive coatings manufactured in California for shipment and use outside of California.

When does this regulation go into effect?

The regulation became effective September 19, 2002. No later than January 19, 2003, each air pollution control and air quality management district must implement and enforce the ATCM, or propose their own ATCM as required by Health and Safety Code section 39666.

For more information

To obtain a copy of the regulation, staff report, or other related documents, please visit our website at <http://www.arb.ca.gov/regact/autoref/autoref.htm>.

If you are a person with a disability and desire to obtain this document in an alternative format, please contact the Air Resources Board ADA Coordinator at (916) 323-4916. Persons with hearing or speech impairments can contact us by using our Telephone Device for the Deaf (TDD) at (916) 324-9531, or (800) 700-8326 for TDD calls from outside the Sacramento area. If you have further questions, please contact Mark Watkins of the Stationary Source Division at (916) 323-9687.

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 our web site: www.arb.ca.gov.