



Air Pollution Control Board

Greg Cox	District 1
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September 23, 2013

NOTICE OF WORKSHOP

**FOR DISCUSSION OF
PROPOSED NEW RULE 67.01 – ARCHITECTURAL COATINGS
AND REPEAL OF EXISTING RULE 67.0 – ARCHITECTURAL COATINGS**

The San Diego County Air Pollution Control District (District) will hold a public workshop to discuss proposed new Rule 67.01 – Architectural Coatings and the proposed repeal of existing Rule 67.0 – Architectural Coatings. Comments may be submitted in writing before, or made at, the workshop, which is scheduled as follows:

DATE: Tuesday, October 29, 2013
TIME: 9:00 a.m. – 11:00 a.m.
**PLACE: San Diego County Air Pollution Control District
Main Conference Room
10124 Old Grove Road
San Diego, CA 92131**

Air quality in San Diego County has significantly improved over the past 25 years as a result of air pollution control efforts. Notwithstanding this improvement, the region currently does not meet all California and national air quality standards for ozone, a widespread ground-level air pollutant. Consequently, the District is required by law to periodically update its rules to reflect the current state of air pollution control technology and further reduce emissions of ozone precursors, including volatile organic compounds (VOCs).

Architectural coatings are a variety of paints and other coatings applied in the field to stationary structures and their appurtenances, usually for protection and beautification. The use of architectural coatings in San Diego County results in VOC emissions throughout the region.

Existing Rule 67.0 regulates VOC emissions from architectural coatings and was last amended in 2001. Since then, advances in coating formulation processes have resulted in many types of architectural coatings with a lower VOC content. This is due in part to the California Air Resources Board's (CARB's) 2007 Suggested Control Measure (SCM) for architectural coatings, which is a model rule that many California air districts have already adopted to further improve air quality and promote statewide uniformity in the regulation of architectural coatings.

The District now proposes to adopt and implement CARB's 2007 SCM in San Diego County. Due to the extent of Rule 67.0 revisions that would be necessary for consistency with the 2007 SCM and for the purpose of clarity, the District proposes repealing Rule 67.0 and adopting new Rule 67.0.1 in its place. Compliant coatings are readily available.

OVER

Similar to existing Rule 67.0, proposed new Rule 67.01 will require any person who manufactures, supplies, sells, offers for sale, applies or solicits the application of any architectural coating within San Diego County to comply with applicable provisions, including VOC content limits, labeling and reporting requirements.

Compared to existing Rule 67.0, and consistent with the SCM, proposed new Rule 67.01 will:

- Establish lower VOC content limits for the following existing coating categories:

Coating Category	Existing VOC content limit, g/l	Proposed VOC content limit, g/l
Flat Coatings	100	50
Non-flat Coatings	150	100
Non-flat High Gloss Coatings	250	150
Bituminous Roof Coatings	300	50
Dry Fog Coatings	400	150
Floor Coatings	400	100
Mastic Texture Coatings	300	100
Primers, Sealers and Undercoaters	200	100
Roof Coatings	250	50
Traffic Marking Coatings	150	100

- Establish the following new coating categories and corresponding VOC content limits:

Coating Category	Proposed VOC Content Limit, g/l
Aluminum Roof Coatings	400
Basement Specialty Coatings	400
Concrete /Masonry Sealers	100
Driveway Sealers	50
Reactive Penetrating Sealers	350
Stone Consolidants	450
Tub and Tile Refinish Coatings	420
Waterproofing Membranes	250
Wood Coatings	275
Zinc-Rich Primers	340

- Eliminate the following existing coating categories: Antenna Coatings, Antifouling Coatings, Clear Wood Coatings, Clear Brushing Lacquer, Sanding Sealers, Varnishes, Fire Retardant Coatings, Flow Coatings, Quick-Dry Enamels, Quick-Dry Primers, Sealers and Undercoaters, Swimming Pool Repair & Maintenance Coatings, Temperature-Indicator Safety Coatings and Water Proofing Sealers.
- Provide new and clarify or update existing definitions of coating categories.
- Establish a rule effective date of one year after the date of adoption, allowing affected parties time to convert their operations to compliant coatings with a lower VOC content.

- Establish a sell-through provision allowing three years to sell products that were manufactured before the effective date of the rule. Additionally, a coating that was manufactured before the rule's effective date may be applied at any time provided the coating complies with the VOC content limits that applied at the time of manufacture.
- Provide new and clarify existing reporting and labeling requirements for coating manufacturers.
- Update the test methods for demonstrating compliance with the VOC content limits of the rule.
- Update the incorporated test methods for determining specific properties of general and specialty coatings.
- Provide an option for early compliance with Rule 67.01, before existing Rule 67.0 is repealed (one year after adoption of Rule 67.01).

It is expected that proposed Rule 67.01 will be presented to the San Diego County Air Pollution Control Board, for consideration of adoption, at a publicly noticed hearing in early 2014.

Workshop participants are advised to bring their own copies of proposed Rule 67.01 for review and discussion purposes. Copies of the rule are available and may be downloaded from the District's website at http://www.sdapcd.org/homepage/public_part/workshops/public_workshops.pdf. Those without internet access may contact Janet McCue at (858) 586-2712. If you have any questions concerning the proposal, please contact Natalie Yates (after October 14, 2013) at (858) 586-2756 or contact me at (858) 586-2640.



ROBERT C. REIDER, Deputy Director
Air Pollution Control District

NZ:RR:jlh

RULE 67.01. ARCHITECTURAL COATINGS (Adopted *(date of adoption)*,
Effective *(one year after date of adoption)*)

(a) **APPLICABILITY**

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

(2) Rule 66.1 shall not apply to any coating subject to this rule.

(b) **EXEMPTIONS**

This rule shall not apply to:

(1) 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.

(2) Any aerosol coating product.

(3) Emulsion-type bituminous pavement sealers subject to District's Rule 67.7 (Cutback and Emulsified Asphalts), and applied to roads.

(4) Any architectural coating sold in a container with a volume of one liter (1.057 quart) or less, provided that sales data of such coatings are submitted in accordance with the requirements of Subsection (f)(1), upon request of the Executive Officer of CARB or San Diego County Air Pollution Control Officer.

(c) **DEFINITIONS**

For the purpose of this rule the following definitions shall apply:

(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 containing pigments or resins that dispenses coating product ingredients by means of a propellant, and is packaged in a disposable can either for hand-held application or for use in specialized equipment for ground traffic marking applications.

(3) “**Aluminum Roof Coating**” means a coating labeled and formulated exclusively for application to roofs and containing at least 84 grams of elemental aluminum pigment per liter of coating (at least 0.7 lbs/gallon) as determined in accordance with South Coast Air Quality Management District's (SCAQMD) Test Method 318-95, incorporated by reference in Subsection (f)(2)(ii)(G).

(4) “**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, fire escapes and window screens.

(5) “**Architectural Coating**” means 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, to pavements, or to curbs. Coatings applied in off-site shops or to non-stationary structures such as airplanes, ships, boats, railcars, and automobiles, and adhesives are not considered architectural coatings.

(6) “**ASTM**” means ASTM International.

(7) “**Basement Specialty Coating**” means a clear or opaque coating that is labeled and formulated for application to concrete and masonry surfaces to provide a hydrostatic seal for basements and other below grade surfaces. Basement Specialty Coatings must meet the following criteria:

(i) Be capable of withstanding at least 10 psi of hydrostatic pressure as determined in accordance with ASTM D7088-08 incorporated by reference in Subsection (f)(2)(ii)(H); and

(ii) Be resistant to mold and mildew growth determined in accordance with ASTM D273-00 and achieve a microbial growth rating of 8 or more as determined in accordance with ASTM D3274-95, both incorporated by reference in Subsection (f)(2)(ii)(H).

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

(9) “**Bituminous Roof Coating**” means a coating which incorporates bitumens and is labeled and formulated exclusively for roofing.

(10) “**Bituminous Roof Primer**” means a primer which incorporates bitumens, is labeled and formulated exclusively for roofing and intended for preparing a weathered or aged surface or improving the adhesion of subsequent surfacing components.

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

(12) “**CARB**” means the California Air Resources Board.

(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 dispersion of a concentrated pigment in water, solvent and/or binder that is added to an architectural coating after packaging in sale units to produce the desired color.

(15) “**Concrete Curing Compound**” means a coating labeled and formulated for application to freshly poured concrete to perform the following functions:

- (i) Retard the evaporation of water; or
- (ii) Harden or dust proof the surface of freshly poured concrete.

(16) “**Concrete/Masonry Sealer**” means a clear or opaque coating labeled and formulated primarily for application to concrete and masonry surfaces to perform one or more of the following functions:

- (i) Prevent penetration of water;
- (ii) Provide resistance against abrasion, acids, alkalis, mildew, staining or ultraviolet light;
- (iii) Harden or dustproof the surface of aged or cured concrete.

(17) “**Driveway Sealer**” means a coating labeled and formulated for application to worn asphalt driveway surfaces to perform one or more of the following functions:

- (i) Fill cracks;
- (ii) Seal surface to provide protection;
- (iii) Restore or preserve the appearance.

(18) “**Dry Fog Coating**” means a coating labeled and formulated only for spray application to ensure that overspray droplets dry before subsequent contact with incidental surfaces in the vicinity of the surface coating activity.

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

(20) “**Faux Finishing Coating**” means a coating labeled and formulated to use as:

- (i) A glaze or textured coating to create artistic effects including, but not limited to, dirt, old age, smoke damage, suede, simulated marble or wood grain; or

(ii) A decorative coating to create a metallic, iridescent, or pearlescent appearance that contains at least 48 g/liter (0.4 lbs/gallon) of pearlescent mica pigment or other pearlescent pigment as applied, or

(iii) A decorative coating to create a metallic appearance that contains less than 48 g/liter (0.4 lbs/gal) of elemental metallic pigment, as applied, determined by SCAQMD Test Method 318-95, incorporated by reference in Subsection(f)(2)(ii)(K); or

(iv) A decorative coating to create a metallic appearance that required a clear topcoat to prevent the degradation of the finish under the normal use conditions. This coating must contain more than 48 g/liter (0.4 lbs/gal) of elemental metallic pigment, as applied, determined by SCAQMD Test Method 318-95, incorporated by reference in Subsection (f)(2)(ii)(K); or

(v) A clear topcoat to seal and protect a Faux Finishing coating defined in this Subsection (c)(20), sold and used solely as part of a Faux Finishing coating system and labeled in accordance with Subsection (e)(2)(i).

(21) “**Fire-Resistive Coating**” means a coating labeled and formulated to protect the structural integrity by increasing the fire endurance of interior or exterior steel and other structural materials. This coating category includes sprayed fire-resistive materials and intumescent coatings that are used to bring structural materials into compliance with federal, state, and local building code requirements. The fire resistive coatings shall be tested in accordance with ASTM E 119-07, incorporated by reference in Subsection (f)(2)(ii)(I). The fire-resistive coatings and the testing agency must also be approved by building code officials.

(22) “**Flat Coating**” means a coating that is not described under any other definition in this rule and that registers gloss less than 15 on an 85-degree meter, or less than 5 on a 60-degree meter in accordance with ASTM D 523-89 (1999) incorporated by reference in Subsection (f)(2)(ii)(J).

(23) “**Floor Coating**” means an opaque coating labeled and formulated for application to flooring, including, but not limited to, decks, porches, steps, garage floors, and other horizontal surfaces which may be subject to foot traffic.

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

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

(26) “**High-Temperature Coating**” means a high performance coating labeled and formulated for application to substrates exposed continuously or intermittently to temperatures above 400°F (204°C).

(27) “**Industrial Maintenance Coating**” means a high performance architectural coatings, including primers, sealers, undercoaters, intermediate coats, and topcoats, formulated for application to various substrates, including floors, labeled as specified in Subsection (e)(2)(ii) and exposed to one or more of the following extreme environmental conditions:

- (i) Immersion in water, wastewater, or chemical solutions (aqueous and non-aqueous), or chronic exposure of interior surfaces to moisture condensation; or
- (ii) Acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, chemical mixtures or solutions; or
- (iii) Frequent exposure to temperature above 250°F (121°C); or
- (iv) Frequent heavy abrasion, including mechanical wear and frequent scrubbing with industrial solvents, cleansers, or scouring agents; or
- (v) Exterior exposure of metal structures and structural components.

(28) “**Intumescent**” is a material that swells as a result of heat exposure, thus increasing in volume and decreasing in density.

(29) “**Low-Solids Coating**” means a coating that contains one pound or less of solids per gallon (120 grams or less of solids per liter) of coating material. The VOC content of low-solids coatings shall be calculated as VOC content of material in accordance with Subsection (d)(6)(ii).

(30) “**Magnesite Cement Coating**” means a coating labeled and formulated for application 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.

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

(33) “**Medium Density Fiberboard (MDF)**” means a composite wood product, panel, molding, or other building material composed of cellulosic fibers (usually wood) made by dry forming and pressing of a resinated fiber mat.

(34) “**Metallic Pigmented Coating**” means a coating labeled and formulated to provide a metallic appearance. The coating must contain at least 48 grams per liter of coating (0.4 lbs/gallon) of elemental metallic pigment (excluding zinc), as applied and as tested by SCAQMD Test Method 318-95, incorporated by reference in Subsection

(f)(2)(ii)(K). This coating category does not include Zinc-Rich Primers or coatings applied to roofs.

(35) “**Multi-Color Coating**” means a coating labeled and formulated to exhibit more than one color when applied in a single coat and packaged in a single container.

(36) “**Nonflat Coating**” means a coating that is not described by any other definition of this rule, and that registers a gloss of 15 or greater on an 85° meter and 5 or greater on a 60° meter as measured in accordance to ASTM D523-89(1999), incorporated by reference in Subsection (f)(2)(ii)(J).

(37) “**Nonflat-High Gloss Coating**” means a nonflat coating that is not described in any other definition in this rule and that registers a gloss of 70 or above on a 60° meter as measured in accordance with ASTM D523-89 (1999), incorporated by reference in Subsection (f)(2)(ii)(J). Nonflat- High Gloss coatings must be labeled in accordance to Subsection (e)(2)(iii).

(38) “**Particle Board**” means a composite wood product panel, molding, or other building component composed of cellulosic material (usually wood) in the form of discrete particles, as distinguished from fibers, flakes, or strands, which are pressed together with resin.

(39) “**Pearlescent**” means exhibiting various colors depending on the angle of illumination and viewing, as observed in mother-of-pearl.

(40) “**Plywood**” means a panel consisting of layers of wood veneers or composite core pressed together with resin. Plywood includes panels made by either hot or cold pressing (with resin) veneers to a platform.

(41) “**Post-Consumer Coating**” means a finished coating generated by a business or a consumer that has served its intended end uses, and is recovered from or otherwise diverted from the waste stream for the purpose of recycling.

(42) “**Pretreatment Wash Primer**” means a primer that contains a minimum of 0.5 percent acid, by weight, and labeled and formulated for application directly to bare metal surfaces to provide corrosion resistance and to promote adhesion of subsequent topcoats. The acidity of a Pretreatment Wash Primer shall be measured by ASTM D1613-96 incorporated by reference in Subsection (f)(2)(ii)(F).

(43) “**Primers, Sealers, and Undercoaters**” mean coatings labeled and formulated for one or more of the following purposes:

- (i) To provide a firm bond between the substrate and the subsequent coatings;
- (ii) To prevent subsequent coatings from being absorbed by the substrate;
- (iii) To prevent harm to subsequent coatings by materials in the substrate;

- (iv) To provide a smooth surface for the subsequent application of coatings;
- (v) To provide a clear finish coat to seal the substrate;
- (vi) To block materials from penetrating into or leaching out of the substrate.

(44) “**Reactive Penetrating Sealer**” means a clear or pigmented coating labeled and formulated for application to above-grade concrete and masonry to provide protection from water and waterborne contaminants, including but not limited to, alkalis, acids, and salts. This coating lines the pores of concrete and masonry with hydrophobic coating, but does not form a surface film.

Reactive Penetrating Sealers must be labeled as such according to the requirements of Subsection (e)(2)(v) and also meet the following requirements:

- (i) Improve water repellency after application on concrete or masonry by at least 80% verified on standardized test specimens in accordance with ASTM C67-07, ASTM C97-02 or ASTM C140-06, incorporated by reference in Subsection (f)(2)(ii)(M); and
- (ii) Not reduce the water transmission rate after application on concrete or masonry by more than 2% verified on standardized test specimens in accordance with ASTM E96/E96M-05, incorporated by reference in Subsection (f)(2)(ii)(M).

In addition, reactive penetrating sealers labeled and formulated for vehicular traffic surface chloride screening must meet the performance criteria in the National Cooperative Highway Research 244 (1981) incorporated by reference in Subsection (f)(2)(ii)(M).

(45) “**Recycled Coating**” means an architectural coating formulated to contain a minimum of 50% by volume of post-consumer coating, with a maximum of 50% by volume of secondary industrial or virgin materials.

(46) “**Residential**” means areas where people reside or lodge, including but not limited to, single and multiple family dwellings, condominiums, mobile homes, apartment complexes, motels and hotels.

(47) “**Roof Coating**” means a non-bituminous coating labeled and formulated for application to roofs for the primary purpose of preventing water penetration, reflecting ultraviolet light, or reflecting solar radiation.

(48) “**Rust Preventative Coating**” means a coating labeled and formulated to prevent the corrosion of metal surfaces for the following applications:

- (i) Direct-to-metal coating, or
- (ii) Coating over rusty, previously coated metal surfaces.

The Rust Preventative Coating category does not include coatings that are applied as a topcoat over a primer, or coatings that are intended for use on wood or other non-metallic surfaces. Rust Preventative Coatings must be used only for metal surfaces and labeled as such in accordance to Subsection (e)(2)(iv).

(49) “**Secondary Industrial Materials**” mean products or by-products of the paint manufacturing processes that are of known composition and have economic value but can no longer be used for their intended purpose.

(50) “**Semitransparent Coating**” means a coating that contains binders and colored pigments and is formulated to change the color of the surface but not conceal its grain patterns or texture.

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

(52) “**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.

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

(54) “**Specialty Primers, Sealers, and Undercoaters**” mean coatings formulated for application to a substrate to block water-soluble stains resulting from fire damage, smoke damage, or water damage. Specialty Primers, Sealers and Undercoaters must be labeled according to Subsection (e)(2)(vi).

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

(56) “**Stone Consolidant**” means a coating labeled and formulated for application to stone substrates to repair historical structures that have been damaged by weathering or other decay mechanisms. Stone Consolidants penetrate into stone substrates to create bonds between particles and consolidate deteriorated material. Stone Consolidants are for professional use only and must be labeled according to the requirements of Subsection (e)(2)(vii). Stone Consolidants must be specified and used in accordance with ASTM E2167-01, incorporated by reference in Subsection (f)(2)(ii)(N).

(57) “**Swimming Pool Coating**” means a coating labeled and formulated to coat the interior of swimming pools and to resist swimming pool chemicals. Swimming pool coatings include coatings used for swimming pool repair and maintenance.

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

(59) “**Traffic Marking Coating**” means a coating labeled and formulated for marking and striping streets, highways, or other traffic surfaces including, but not limited to, curbs, berms, driveways, parking lots, sidewalks, and airport runways. This coating category also includes Methacrylate Multicomponent Coatings used as traffic marking coatings.

(60) “**Tub and Tile Refinish Coating**” means a clear or opaque coating labeled and formulated exclusively for refinishing the surface of a bathtub, shower, sink, or countertop. Tub and Tile Refinish coatings must have all of the following properties:

(i) Scratch hardness of 3H or more and a gouge hardness of 4H or more. Scratch hardness must be determined on bonderite 1000, in accordance with ASTM D 3363-05, incorporated by reference in Subsection (f)(2)(ii)(O).

(ii) Weight loss of 20 milligrams or less after 1000 cycles. Weight loss must be determined with CS 17 wheels on bonderite 1000, in accordance with ASTM D 4060-07, incorporated by reference in Subsection (f)(2)(ii)(O).

(iii) Withstand 1000 hours of more of exposure, with few or no #8 blisters. This must be determined on unscribed bonderite, in accordance with ASTM 4585- 99 and ASTM D 714-02e1, incorporated by reference in Subsection (f)(2)(ii)(O).

(iv) Adhesion rating of 4B or better after 24 hours recovery. Adhesion rating must be determined by on unscribed bonderite, in accordance with ASTM D 4585-99 and ASTM D 3359-02, incorporated by reference in Subsection (e)(2)(ii)(O).

(61) “**Veneer**” means thin sheets of wood peeled or sliced from logs for use in the manufacture of wood products such as plywood, laminated veneer lumber, or other products.

(62) “**Virgin Materials**” mean materials that contain no secondary industrial materials or post-consumer coatings.

(63) “**Volatile Organic Compound (VOC)**” means the same as defined in Rule 2.

(64) “**VOC Content Actual**” means the weight of VOC per total volume of coating, including any water and exempt compounds, and calculated as specified in Subsection (d)(6)(ii).

(65) “**VOC Content Regulatory**” also known as “VOC content, less water and exempt compounds”, means the weight of VOC per volume of coating, excluding the volume of water and exempt compounds, and calculated as specified in Subsection (d)(6)(i).

(66) “**VOC Content of Material**” means the same as VOC content actual.

(67) “**Waterproofing Membrane**” means a clear or opaque coating labeled and formulated for application to concrete and masonry surfaces to provide a seamless coat that prevents any penetration of water into the substrate. These coatings are intended for the following waterproofing applications: below-grade surfaces, between concrete slabs, inside tunnels, inside concrete planters, and under flooring materials. Waterproofing membranes must meet the following criteria:

- (i) Coating must be applied in a single coat of at least 25 mils (0.025 inch) dry film thickness; and
- (ii) Coating must meet or exceed the requirements of ASTM C836-06 incorporated by reference in Subsection (f)(2)(ii)(P).

The Waterproofing Membranes do not include topcoats that meet the definition of Concrete/Masonry Sealers (e.g. parking deck topcoats, pedestrian deck topcoats).

(68) “**Wood Coating**” means a coating labeled according to the requirements of Subsection (e)(2)(vii) and formulated only for application to wood substrates. The wood coatings include the following clear and semitransparent coatings: lacquers, varnishes, sanding sealers, penetrating oils, clear stains and wood conditioners used as undercoats, and wood sealers used as topcoats. The wood coatings also include the following opaque coatings: opaque lacquers, opaque sealers and opaque lacquer undercoaters.

(69) “**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.

(70) “**Wood Substrate**” means a product made of wood, particleboard, plywood, medium density fiberboard, rattan, wicker, bamboo, or composite products with exposed wood grain. Wood Substrate does not include items comprised of simulated wood.

(71) “**Zinc-Rich Primer**” means a coating labeled according to the requirements of Subsection (e)(2)(viii) that also meets all of the following specifications:

- (i) Contains at least 65 weight percent of total solids as metallic zinc powder or zinc dust;
- (ii) Formulated for application to metal substrates to provide a firm bond between the substrate and subsequent coatings;
- (iii) Intended for professional use only and labeled as such in accordance with the labeling requirements of Subsection (e)(2)(viii).

(d) **STANDARDS**

(1) VOC Content Limits

With the exception of low solids coatings, VOC content limits of architectural coatings in Table 1 below are expressed as VOC content regulatory. VOC content limits of low solids coatings are expressed as VOC content actual (material).

Except as provided in Section (b) and Subsections (d)(2), (d)(3) and (d)(4) no person shall:

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

Table 1. VOC Content of Coatings*

Coating Categories	VOC	Content
General Coatings	Grams/liter	Lbs/gallon
Flat Coatings	50	0.4
Non-flat Coatings	100	0.8
Non-flat High Gloss Coatings	150	1.3
Specialty Coatings	Grams/liter	Lbs/gallon
Aluminum Roof Coatings	400	3.3
Basement Specialty Coatings	400	3.3
Bituminous Roof Coatings	50	0.4
Bituminous Roof Primers	350	2.9
Bond Breakers	350	2.9
Concrete Curing Compounds	350	2.9
Concrete Masonry Sealers	100	0.8
Driveway Sealers	50	0.4
Dry Fog Coatings	150	1.3
Faux Finishing Coatings	350	2.9
Fire Resistive Coatings	350	2.9
Floor Coatings	100	0.8
Form Release Compounds	250	2.1
Graphic Arts Coatings (Sign Paints)	500	4.2
High Temperature Coatings	420	3.5
Industrial Maintenance Coatings	250	2.1
Low-solids Coatings**	120	1.0
Magnesite Cement Coatings	450	3.8
Mastic Texture Coatings	100	0.8
Metallic Pigmented Coatings	500	4.2
Multi-color Coatings	250	2.1

Specialty Coatings	Grams/liter	Lbs/gallon
Pretreatment Wash Primers	420	3.5
Primers, Sealers and Undercoaters	100	0.8
Reactive Penetrating Sealers	350	2.9
Recycled Coatings	250	2.1
Roof Coatings	50	0.4
Rust Preventative Coatings	250	2.1
Shellacs: Clear	730	6.1
Opaque	550	4.6
Specialty Primers, Sealers and Undercoaters	100	0.8
Stains	250	2.1
Stone Consolidants	450	3.8
Swimming Pool Coatings	340	2.8
Traffic Marking Coatings	100	0.8
Tub and Tile Refinish Coatings	420	2.9
Waterproofing Membranes	250	2.1
Wood Coatings	275	2.3
Wood Preservatives	350	2.9
Zinc-Rich Primers	340	2.8

*Thinned to the manufacturer's maximum thinning recommendations excluding any colorant added to tint bases.

**VOC content of low-solids coatings is calculated as VOC content actual (material).

(2) Coatings Not Listed in Table I

For any coating that does not conform with any of the definitions for the specialty coating categories listed in Table I, the VOC content limit shall be determined by classifying this coating, based on its gloss, as either a flat coating, nonflat coating or a nonflat- high gloss coating, defined in Subsections (c)(22), (c)(36) or (c)(37), as applicable. The corresponding VOC content limit for a coating category classified by this determination shall apply.

(3) Most Restrictive VOC Content Limits

If a coating meets the definition in Section (c) for one or more specialty coating categories listed in Table 1, then that coating is not required to meet the VOC Content limits for Flat, Non-flat, or Non-flat High Gloss coatings, but is required to meet the VOC content limit for the applicable specialty coating category listed in Table 1.

With the exception of the specialty category coatings specified below, if a coating is recommended for use in more than one specialty categories listed in Table 1, the most restrictive VOC content limit shall apply. This requirement applies to usage recommendations that appear anywhere on the coating container, or on any label or sticker affixed to the container, or in any sales, advertising, or technical literature supplied by the manufacturer or anyone acting on his/her behalf.

This provision does not apply to the specialty coating categories specified below:

- (i) Aluminum roof coatings,
 - (ii) Bituminous roof primers,
 - (iii) High-temperature coatings,
 - (iv) Industrial maintenance coatings,
 - (v) Low-solids coatings,
 - (vi) Metallic pigmented coatings,
 - (vii) Pretreatment wash primers,
 - (viii) Shellacs,
 - (ix) Specialty primers, sealers, and undercoaters,
 - (x) Wood coatings,
 - (xi) Wood preservatives,
 - (xi) Zinc-Rich primers
- (4) Sell-Through of Coatings

A coating manufactured prior to (*rule's effective date*) may be sold, supplied, or offered for sale for up to three years after (*rule's effective date*), provided that the coating complies with all applicable provisions of current Rule 67.0 (effective 12/12/01). Such coating may also be applied at any time, both before and after (*rule's effective date*).

This Subsection does not apply to any coating that does not display the date or date-code required by Subsection (e)(1)(i).

- (5) Thinning

No person who applies or solicits the application of any architectural coating shall apply or specify the application of a coating that is thinned to exceed the applicable VOC limit specified in Table 1.

- (6) Calculations of VOC Content of Architectural Coatings

For the purpose of determining compliance with the VOC content limits in Table I, the VOC content of a coating shall be calculated as follows.

(i) With the exception of low-solids coatings, the VOC content of architectural coatings, also referred to as VOC content regulatory, shall be calculated as weight of VOC per volume of coating thinned to the manufacturer's maximum recommendation, excluding the volume of any water and exempt compounds, according to 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
W_{ec}	=	weight of exempt compounds, in grams
V_m	=	volume of coating, in liters
V_w	=	volume of water, in liters
V_{ec}	=	volume of exempt compounds, in liters

(ii) For low-solids coatings, the VOC content, also referred to as VOC actual, shall be calculated as weight of VOC per volume of coating, thinned to the manufacturer's maximum recommendation, including the volume of any water and exempt compound:

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

Where:

VOC content _{ls}	=	grams of VOC per liter of coating
W_s	=	weight of all volatiles, in grams
W_w	=	weight of water, in grams
W_{ec}	=	weight of exempt compounds, in grams
V_m	=	volume of coating, in liters

(iii) The VOC content of a tint base shall be determined without colorant that is added after the tint base is manufactured.

(iv) If the manufacturer does not recommend thinning, the VOC content must be calculated for the coating as supplied. If the manufacturer recommends thinning, the VOC content regulatory shall be calculated by including the maximum amount of thinning solvent as recommended by the manufacturer.

(v) The VOC content of a multi-component coating shall be calculated as mixed or catalyzed.

(vi) If the coating contains silanes, siloxanes or other ingredients that generate ethanol or other VOCs during the curing process, the calculated VOC content must include the VOCs emitted during curing.

(7) Painting Practices

All persons using containers for storing, transferring or otherwise utilizing architectural coatings, thinners, cleanup solvents, or other materials which contain volatile

organic compounds shall comply with the requirements of Rule 67.17 – Storage of Materials Containing Volatile Organic Compounds.

(e) **ADMINISTRATIVE REQUIREMENTS**

(1) General Container Labeling Requirements:

Each manufacturer of any architectural coating subject to this rule shall display the information listed in Subsections (e)(1)(i) through (e)(2)(viii) on the coating container (or its 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 and make it available on request to the Air Pollution Control Officer.

(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 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:**

VOC content of coatings shall be calculated using equations in Subsection (d)(6), as applicable.

Each coating container subject to this rule shall display one of the following values in grams of VOC per liter of coating:

(A) Maximum VOC content as determined from all potential product formulations; or

(B) VOC content as determined from actual formulation data for this coating; or

(C) VOC content as determined using test methods specified in Subsection (f)(2);

(D) If the manufacturer recommends thinning, the container must display the VOC content including the maximum recommended amount of thinning solvent. This requirement does not apply to the thinning of coatings with water;

(E) For multi-component coatings the container must display the VOC content as a mixture of all components including catalysts;

(F) If a coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the coating's curing process, the VOC content must include the amount of VOCs emitted during curing.

(2) Additional Container Labeling Requirements for Specified Coatings subject to this rule:

(i) **Faux Finishing Coatings:** The labels of all clear topcoat faux finishing coatings shall prominently display the following statement: "This product can only be sold or used as a part of a Faux Finishing coating system".

(ii) **Industrial Maintenance Coatings:** Each manufacturer of industrial maintenance coatings shall display on the label or lid of the container in which the coating is sold or distributed one or more of the statements listed below:

(A) "For industrial use only."

(B) "For professional use only."

(iii) **Nonflat-High Gloss Coatings:** The labels of nonflat-high gloss coatings shall prominently display the words "High Gloss."

(iv) **Rust Preventative Coatings:** The labels of rust preventative coatings shall prominently display the statement "For Metal Substrates Only."

(v) **Reactive Penetrating Sealers:** The labels of reactive penetrating sealers shall prominently display the statement "Reactive Penetrating Sealer".

(vi) **Specialty Primers, Sealers and Undercoaters:** The labels of specialty primers, sealers and undercoaters manufactured between January 1, 2010, and January 1, 2012, shall prominently display one or more the following statements:

(A) "For fire-damaged substrates."

(B) "For smoke-damaged substrates."

(C) "For water-damaged substrates"

(vii) **Stone Consolidants:** The labels of Stone Consolidants shall prominently display the statement "Stone Consolidant – For Professional Use Only".

(viii) **Wood Coatings:** The labels of Wood Coatings shall prominently display the statement "For Wood Substrates Only"

(ix) **Zinc-Rich Primers:** The labels of Zinc Rich Primers shall prominently display the statement "For Professional Use Only".

(f) **REPORTING AND TESTING REQUIREMENTS**

(1) Sales Data

A responsible official from each coating manufacturer shall upon request of the Executive Officer of CARB, or his/her delegate, provide data concerning the distribution and sales of architectural coatings. The responsible official shall within 180 days provide the following information, including but not limited to:

- (i) The name and mailing address of the manufacturer;
- (ii) The name, mailing address and telephone number of a contact person;
- (iii) The name of a coating product as it appears on the label and the applicable coating category;
- (iv) Whether the product is marketed for interior or exterior use or both;
- (v) The number of gallons of coatings sold in California in containers with a volume greater than one liter (1.057 quart) and in containers with a volume equal or smaller than one liter (1.057 quart).
- (vi) The VOC content of coatings, both actual and regulatory, in grams per liter.
If thinning is recommended, list the VOC content calculated using maximum recommended thinning. For a multi-component coating, list the VOC content as mixed or catalyzed. If paint containers with a volume greater than one liter and those with a volume equal to or less than one liter have a different VOC content, list them separately.
- (vii) The names and Chemical Abstract Service (CAS) numbers of the VOC constituents in the coating;
- (viii) The names and CAS numbers of exempt compounds, as listed in District Rule 2;
- (ix) Whether the product is marketed as containing 100% solids, or as solvent borne or waterborne;
- (x) Description of resins or binders in the coating;
- (xi) Whether the coating is single-component or multi-component;
- (xii) The density of the coating in pounds per gallon;
- (xiii) Weight percent of solids, all volatile materials, water and any exempt compounds, as applicable;

(xiv) Volume percent of solids, water and exempt compounds, as applicable.

All sales data listed in Subsection (f)(1) shall be maintained by a responsible official for a minimum of three years. Sales data submitted by the responsible official to the Executive Officer of CARB may be claimed as confidential and such information shall be handled in accordance to the procedures specified in Title 17, California Code of Regulations, Sections 91000 through 91022.

(2) Test Procedures

The procedures and test methods listed below shall be used to demonstrate compliance with this rule.

(i) **VOC Content of Coatings:**

Laboratory determination of the VOC content of coatings shall be conducted by the EPA Test Method 24, incorporated by reference in Subsection (f)(2)(ii)(A). To determine the physical properties of a coating the standard test methods incorporated by reference in the EPA Test Method 24 shall be used.

As an alternative, SCAQMD Method 304-91 (1996), incorporated by reference in Subsection (f)(2)(ii)(B) may be used.

The exempt compounds content shall be determined by SCAQMD Method 303-91 (revised in 1996) and incorporated by reference in Subsection (f)(2)(ii)(C), or BAAQMD Method 43 (revised in 1996) and BAAQMD Method 41 (revised in 1995), incorporated by reference in Subsections (f)(ii)(D) and (E), correspondingly.

To calculate the VOC content of a coating, the manufacturer may also use 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 Test Method 24 and any other means for determining VOC content, the Test Method 24 results will govern, except when an alternative method is approved as specified in Subsection (f)(2)(iii). The Air Pollution Control Officer may also require the manufacturer to conduct analysis according to EPA Test Method 24.

(ii) **Incorporated Test Methods:** The following test methods are incorporated by reference herein, and shall be used to test coatings subject to provisions of this rule. The most recent version of the ATCM incorporated test methods may be used instead of those specified below.

(A) VOC Content of Coatings: The VOC content of a coating shall be determined by EPA Test 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".

(B) Alternative Test for VOC Content of Coatings: Alternatively, the VOC content of coatings may be determined by SCAQMD Method 304-91 (1996), “Determination of Volatile Organic Compounds (VOC) in Various Materials”, SCAQMD “Laboratory Methods of Analysis for Enforcement Samples”.

(C) Exempt Compounds: The content of compounds exempt under U.S. EPA Method 24 shall be analyzed by SCAQMD Method 303-91 (1996), “Determination of Exempt Compounds”, SCAQMD “Laboratory Methods of Analysis for Enforcement Samples”

(D) Exempt compounds – Siloxanes: Cyclic, branched, or linear completely methylated siloxanes shall be analyzed by BAAQMD Test Method 43, “Determination of Volatile Methylsiloxanes in Solvent-based Coatings, Inks, and Related Materials”, BAAQMD Manual of Procedures, Volume III, adopted 11/6/96.

(E) Exempt Compounds – Parachlorobenzotrifluoride (PCBTF): PCBTF shall be analyzed by BAAQMD Test 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.

(F) Acid Content of Coatings: See Subsection (c) (42). The acid content of Pretreatment Wash Primer shall be determined by ASTM D 1613-96, “Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer, and Related Products”.

(G) Aluminum Roof Coatings: See Subsection (c) (3). Aluminum pigment content shall be determined in accordance with SCAQMD Test Method 318-95, “Determination of Weight Percent Elemental Metal in Coatings by X-ray Diffraction”, SCAQMD “Laboratory Methods of Analysis for Enforcement Samples”.

(H) Basement Specialty Coatings: See Subsection (c)(7). Hydrostatic Pressure Resistance of Basement Specialty Coatings shall be determined by ASTM D7088-08, “Standard Practice for Resistance to Hydrostatic Pressure for Coatings Used in Below Grade Applications Applied to Masonry”.

Mold and Mildew Growth Resistance of Basement Specialty Coatings shall be determined by ASTM D3273-00, “Standard Test Methods for Resistance to Growth of Mold on the Surface of Interior Coatings in an Environmental Chamber”, and ASTM D3274-95, “Standard Test Method for Evaluating Degree of Surface Disfigurement of Paint Films by Microbial (fungal or algal) Growth, or Soil and Dirt Accumulation”.

(I) Fire Resistance Rating: See Subsection (c)(21).

The fire resistance rating of fire-resistive coatings shall be determined by ASTM E119-07, "Standard Test Methods for Fire Tests of Building Construction and Materials".

(J) Gloss Determination: See Subsections (c)(22), (c)(36), (c)(37).

The gloss of flat, non-flat and nonflat-high gloss coatings shall be determined by ASTM D 523-89 (1999), "Standard Test Method for Specular Gloss".

(K) Metal Content of Coatings: See Subsections (c)(20), and (c)(34).

The metal content of a coating shall be determined by SCAQMD Test Method 318-95, "Determination of Weight Percent Elemental Metal in Coatings by X-ray Diffraction", SCAQMD "Laboratory Methods of Analysis for Enforcement Samples".

(L) Methacrylate Multicomponent Coatings: See Subsection (c)(59).

The VOC content of methacrylate multicomponent coatings used as traffic marking coatings shall be analyzed by the procedures described in 40 CFR Part 59, Subpart D, Appendix A, "Determination of Volatile Matter Content of Methacrylate Multicomponent Coatings Used as Traffic Marking Coating".

Please note that this method has not been approved for methacrylate multi-component coatings used for purposes other than traffic marking coatings or for other classes of multi-component coatings.

(M) Reactive Penetrating Sealer: See Subsection (c)(44).

The water repellency of Reactive Penetrating Sealers shall be determined by ASTM C67-07, "Standard Test Method for Sampling and Testing Brick and Structural Clay Tile"; or ASTM C97-02, "Standard Test Method for Absorption and Bulk Specific Gravity of Dimension Stone"; or ASTM C 140-06 "Standard Test Method for Sampling and Testing Concrete Masonry Units and Related Units".

The water vapor transmission of Reactive Penetrating Sealers shall be determined by ASTM E-96/E96M-05, "Standard Test Methods for Water Vapor Transmission of Materials".

The chloride screening for Reactive Penetrating Sealers shall be determined using the National Cooperative Highway Research Report 244 (1981), "Concrete Sealers for the Protection of Bridge Structures".

(N) Stone Consolidants: See Subsection (c)(56).

Selection and use of Stone Consolidants shall be determined by ASTM E 2167-01, "Standard Guide for Selection and Use of Stone Consolidants".

(O) Tub and Tile Refinish Coating: See Subsection (c)(60). The scratch hardness of Tub and Tile Refinish Coatings shall be measured by ASTM 3363-05, "Standard Test Method for Measuring Film Hardness by Pencil Test".

The abrasion resistance of Tub and Tile Refinish Coatings shall be determined by ASTM D 4060-07, "Standard Test Method for Abrasion Resistance of Organic Coatings by the Taber Abraser".

The adhesion of Tub and Tile Refinish Coatings shall be determined by ASTM 3359-02, "Standard Test Methods for Measuring Adhesion by Tape Test".

The water resistance of Tub and Tile Refinish Coatings shall be determined by ASTM D 4585-99, "Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation", and the ASTM D714-02e1, "Standard Test methods for Evaluating Degree of Blistering of Paints".

(P) Waterproofing Membranes: See Subsection (c)(67). The properties of waterproofing membranes shall be determined by ASTM C836-06, "Standard Specification for High Solids Content, Cold Liquid-Applied Elastomeric Waterproofing Membrane for Use with Separate Wearing Course".

(iii) **Alternative Test Methods:**

Other test methods demonstrated to provide results that are acceptable for purposes of determining compliance with Subsection (f)(2) after review and approval in writing by the District, CARB, and EPA, may also be used.

(g) **COMPLIANCE SCHEDULE**

(1) All persons subject to this rule shall be in compliance with all the rule's provisions by (*rule's effective date*).

(2) Prior to (*rule's effective date*), any coating that meets all the requirements of this rule shall be exempt from the current Rule 67.0 (effective 12/12/01).