



















SMALL CONTAINER EXEMPTION (SCE) Comment

-  Needed for touch up of shop applied coatings
-  Safety valve for low limits of Rule 1113
-  Leave in rule for transition to lower-VOC products and specialty usage
-  Use OTC language for Anti-Bundling Provision

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SMALL CONTAINER EXEMPTION (SCE) Response

-  Consider limiting to certain categories where higher VOC niche coating may be needed
 -  Faux
 -  Floor
 -  Graphic Arts
 -  IM
 -  Metallic
 -  Primers
 -  Stains
 -  Waterproofing
 -  Concrete/Masonry Sealers
-  Proposal includes removal of Quantity Caps
-  Consider ceiling limit 3 X current limit

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SCE Proposed Rule Language

Proposed Anti-Bundling language:


The coating containers are not bundled or sold together as a unit or a recommendation to combine multiple containers is not listed on the label or any other product literature. For the purpose of this subparagraph, any products that are sold in kits, including multi-component coatings, where one part is not functional as a coating without the addition of other part(s), is not considered bundling.

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Sell-Through Comment

-  Need three year given distribution systems, concern that good coatings will be disposed of as waste.



Response

-  Staff would like stability data from manufacturers to justify the three year sell-through

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COLORANTS



Comment

-  Need a 50 g/L VOC limit to alleviate tip drying issues
-  Need more time for testing and color-match - delay implementation date

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COLORANTS

Response

-  Consider a higher VOC limit
-  Separate Table of Standard for Colorants with the following categories:
 - Waterborne
 - Solvent Based

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COLORANTS

Potential Emissions Reductions¹

	80% Gallons sold			Emissions tpd		
	2004 ²	2008	2009	2004	2008	2009
Flat & Non-Flat	25,608,202	18,755,636	17,718,674	2.8	2.0	1.9

1. Assumes an average of 4 ounces of colorant at 325g/L VOC material and 80% of all flat and non-flat tinted at the point of sale; stains, primers or other categories that may be tinted not included.
2. Based on the 2005 CARB Survey of 2004 sales within California; assumes 45% of sales were in the AQMD.

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PROHIBITION OF POSSESSION

Comments

-  Confiscation
-  Hazardous Waste
-  Cost Impacts
-  Justification





-  Should allow user/retailer to remove from AQMD

Prohibition of Possession, Specification and Sale

Effective July 1, 2011, no person that applies architectural coatings subject to this rule, retail outlets that sell architectural coatings subject to this rule, or work sites that store architectural coatings subject to this rule, shall possess any coating with the label indicating a VOC content greater than the applicable VOC limit. The retailer, manufacturer, or project superintendant of the worksite must certify in a written format that the non-compliant coating has been removed from the District and provide the name and address of the recipient of the coatings within 7 days.

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VOC Labeling Comments

-  Tie the font size to the label size
-  Do not have font requirement
-  Allow three year phase-in period
-  Require information to be separated from other text

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VOC Labeling Response

- ✎ Consider removing font requirement if:
 - ✎ Manufactures to include VOC data in UPC
 - ✎ Manufacturers to report UPC code in Rule 314
- ✎ If staff finds labels with VOC data too small to read, the rule will be amended.
- ✎ Staff will recommend a three year phase in.

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Prominently Displayed

EPA requirements for warnings for pesticides.

Size of Label on Front Panel in Square Inches	Signal Word as Required Minimum Type Size [All Capitals]	"Keep Out of Reach of Children" as Required
5 and under	6 point	6 point
above 5 up to 10	10 point	6 point
above 10 up to 15 Typical pint	12 point	8 point
above 15 up to 30 Typical quart	14 point	10 point
over 30 Typical gallon	18 point	12 point

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Effective Dates

Comment

- 🔧 Public hearing too soon, effective dates are too soon.

Response

- 🔧 Staff is working toward a March hearing, we have been discussing PAR since 2009.
- 🔧 Staff is sensitive to the current economic outlook and will consider delaying effective dates.

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Faux Coatings

FAUX FINISHING COATINGS are coatings labeled and formulated to meet one or more of the following criteria:

1. Glazes are coating designed for wet-in-wet techniques used to create artistic effects, including but not limited to dirt, old age, smoke damage, simulated marble and wood grain finishes, decorative patterns, color blending, and wet edge techniques.
2. Decorative coatings are coatings used to create a gonioapparent appearance, such as metallic, iridescent, or pearlescent appearance, that contain at least 48 grams of pearlescent mica pigment or other iridescent pigment per liter of coating as applied (at least 0.4 pounds per gallon).

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Faux Coatings (cont.)

FAUX FINISHING COATINGS are coatings labeled and formulated to meet one or more of the following criteria:

3. Trowel Applied Decorative Coatings are trowel applied decorative texture coatings used to create aesthetic effects, including, but not limited to polished plaster, clay, suede and dimensional, tactile textures.
4. Clear Topcoats are clear coatings used to enhance, seal and protect a Faux Finishing coating that meets the requirements of subsection (1), (2), and (3). These clear topcoats must be sold and used solely as part of a Faux Finishing coating system, and must be labeled in accordance.

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Japans

JAPAN COLORS are pure, concentrated pigments, finely ground in a slow drying alkyd vehicle used by Motion Picture and Television Production Studios to create simulated marble, wood grain, dirt, smoke damage and other aged finishes.

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Faux/Japans

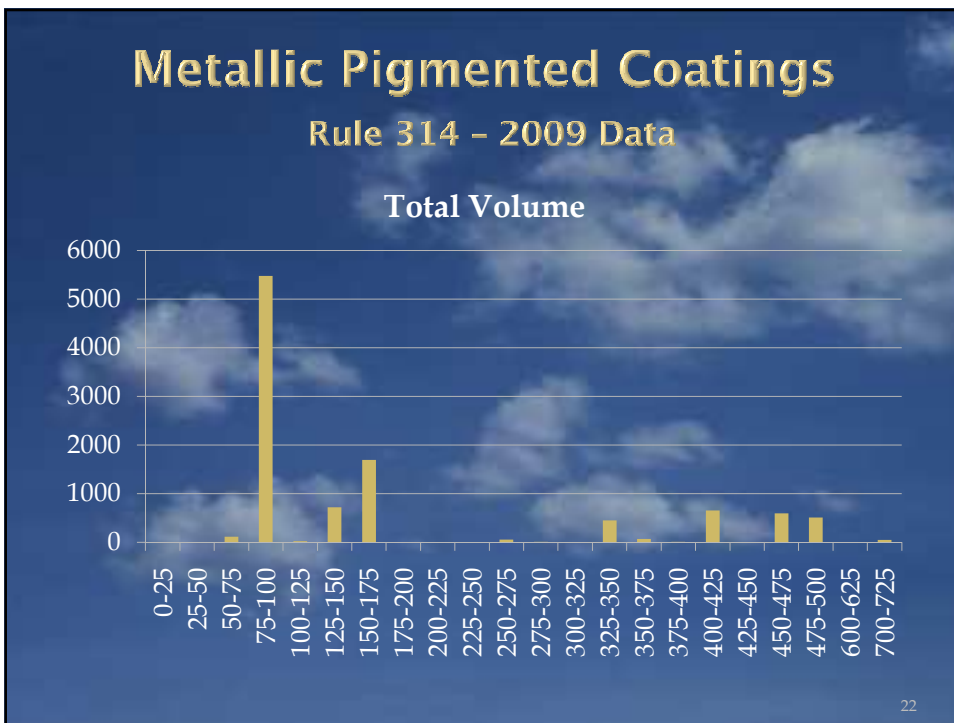
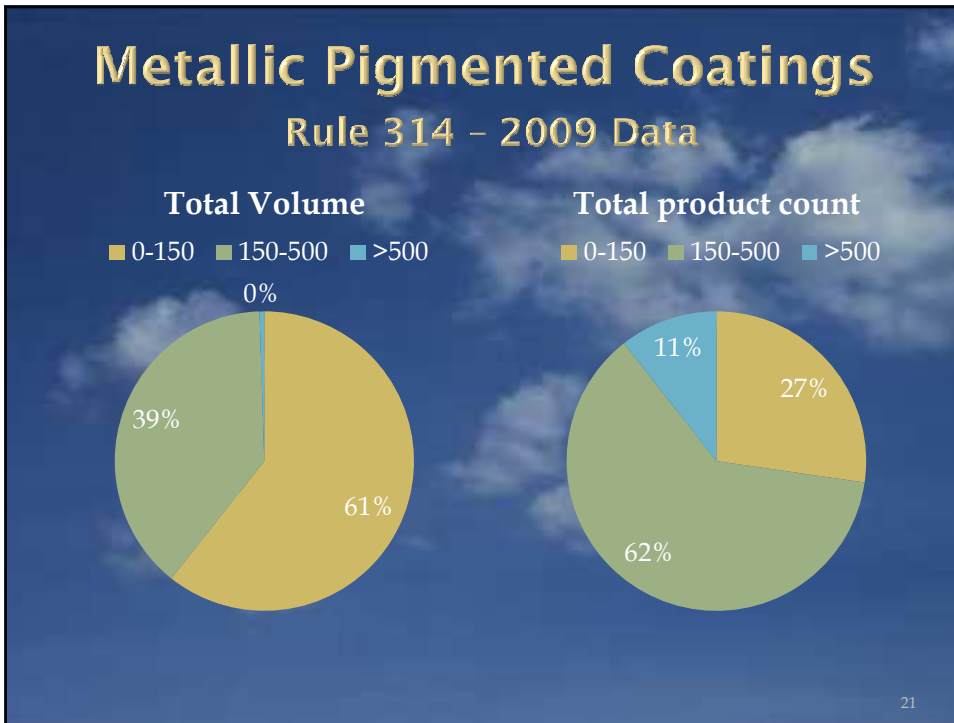
	Current Limit	January 1, 2012
Faux		
Glaze	350	350
Decorative Coatings	350	350
Trowel Applied Decorative	350	50
Clear topcoat	350	200
Japan	350	350

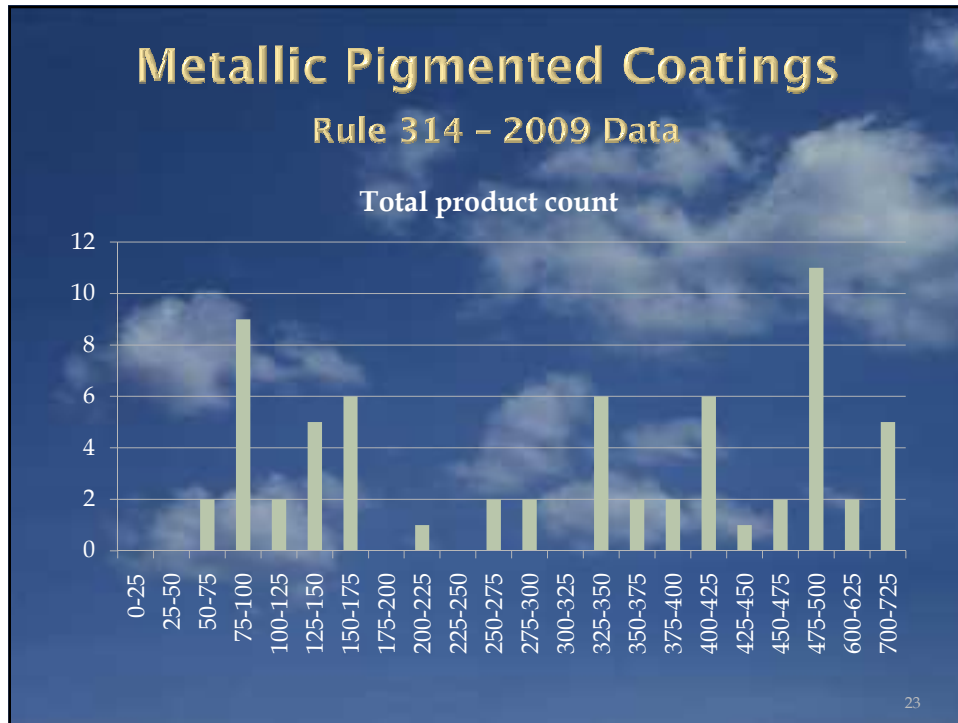
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Potential VOC Reduction

-  Bond Breakers
-  Concrete Surface Retarders
-  Driveway Sealers
-  Default
-  Dry-Fog Coatings
-  Faux Finishes
-  Fire-Proofing
-  Exterior Coatings
-  Form Release Compounds
-  Graphic Arts
-  Metallic Pigmented Coatings
-  Multi-Color Coatings
-  Primers, Sealers, & Undercoater
-  Specialty Primers
-  Shellacs - Clear

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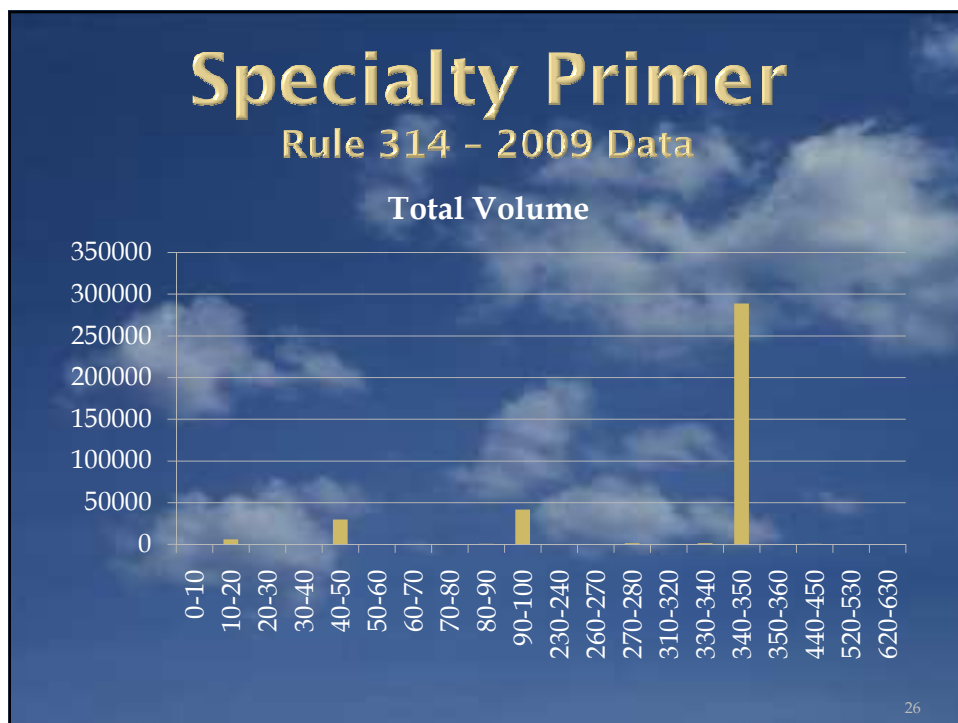
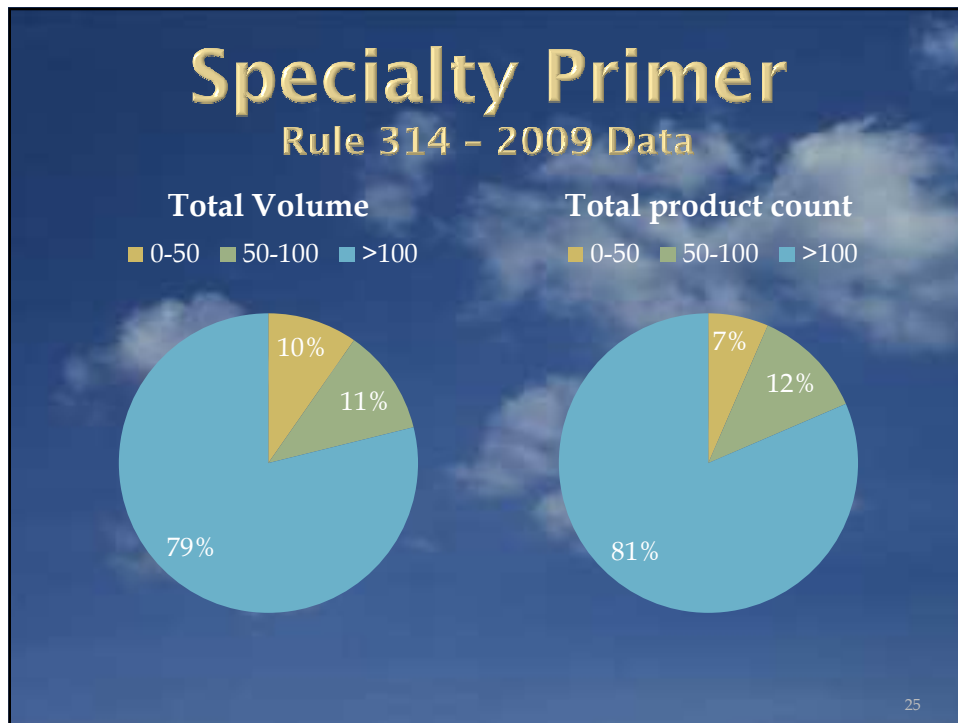


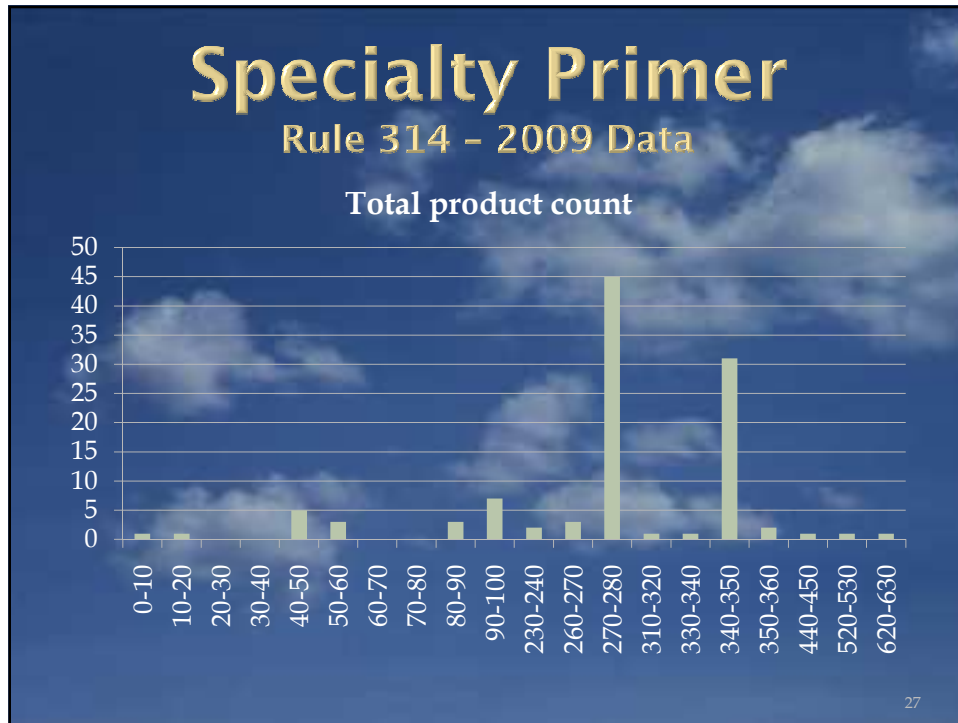


Metallic Pigmented Coatings

MANUFACTURER	PRODUCT NAME	VOC
CARBOLINE	CARBOMASTIC 15	84
DEFT	BRIGHT METALLIC	0
DEFT	MEDIUM METALLIC	0
DEFT	SPARKLE COURSE METALLIC	0
DEFT	FINE METALLIC	0
HIRSHFIELD'S	METALLI-COAT	150
HIRSHFIELD'S	ENVIROMETAL	150
MODERN MASTERS	PALE GOLD	84
MODERN MASTERS	COPPER	84
MODERN MASTERS	RICH GOLD	95
MODERN MASTERS	IRON	141
MODERN MASTERS	BAROQUE	120
MODERN MASTERS	BRONZE	66
MODERN MASTERS	ENGLISH BROWN	139

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Specialty Primer

MANUFACTURER	PRODUCT NAME	VOC
BENJAMIN MOORE	FRESH START 100% ACRYLIC PRIMER	45
BENJAMIN MOORE	BUSAN 100% ACRYLIC EXT. PRIMER 166	41
BENJAMIN MOORE	AQUALOCK PLUS	46
DURON	TERMINATOR 2	44
GARDNER-GIBSON	STAIN-HIDE PRIMER/SEALER	0
ICI DULUX	TRADE STAIN BLOCK PLUS	25
KILZ	CLEAN START PRIMER	0
RICHARD'S	H2O FUSION WATERBORNE ALKYD	50
RICHARD'S	PREPS, PRIMES, SEALS 100% ACRYLIC	50
RUST-OLEUM	SMART PRIME	0
UGL	ECOLOK PRIMER SEALER	50
VALSPAR	INT/EXT LATEX PRIMER	50
VISTA	CAREFREE PRIME-ZALL	48
ZINSSER	BULLS EYE ZERO	0

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Form Release Compound Reported in Rule 314

Manufacturer	Product Name	VOC	Type
NOX-CRETE MANUFACTURING	UTILITY RELEASE CONCENTRATE	89	WB
NOX-CRETE MANUFACTURING	PRO RELEASE / PEAK RELEASE	110	WB
NOX-CRETE MANUFACTURING	FORM COATING EB	73	WB
NOX-CRETE MANUFACTURING	FORM COATING E	97	WB
THE EUCLID CHEMICAL COMPANY	FORM-EZE NATURAL	0	SB
THE EUCLID CHEMICAL COMPANY	FORMSHIELD PURE	90	SB

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Emissions

	Total Annual Sales Volume				
		SB	WB	SB	WB
2008	39,006,780	2,815,527	36,191,253	7.2%	92.8%
2009	34,117,105	2,025,777	32,091,328	5.9%	94.1%
	-12.5%	-28.0%	-11.3%		
2004*	44,304,827	7,607,795	36,697,032	17.2%	82.8%
Total Emissions (tpd)**					
	Total	SB	WB	SB	WB
2008	15.05	6.51	8.54	43.3%	56.7%
2009	11.64	4.77	6.87	41.0%	59.0%
	-22.7%	-26.7%	-19.6%		
2004*	49.4	28.9	20.5	58.5%	41.5%

* Based on CARB survey of coatings sold in the 2004 calendar year.

** Lower VOC limits for major categories implemented since 2004.

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QUESTIONS AND COMMENTS

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Contacts



Rule Amendment

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