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Regulatory Issues

CARB releases new proposal

As predicted last month, the California Air Resources Board (CARB) staff released an updated document on the current rule development scheduled for June 2008. This document included the following: 1) updated proposed VOC limits; 2) a list of postponed proposed categories; 3) a list of categories under consideration; and 4) announced one category to be regulated to address climate change issues.

CARB changed some VOC limits and dates for the categories, which will be adopted in June of this year. The changes are the following:

	New	Old
• Motor Vehicle Wash	0.2%	0.1%
• Aerosol Wheel and Tire Cleaner	8%	6%
• Non-Aerosol Wheel and Tire Cleaner	2%	0.1%/3%
• Aerosol Fabric Protector	50%	25%
• Non-Aerosol Spot Remover	3%	1%
• Wood Floor Wax	70%	1%
• Aftershave/Post-Shave Products	1%	1%/30%

One significant change was to Multipurpose Lubricants. The effective date was moved to 2012 instead of 2010, meaning an additional two years to comply. Also, the Aftershave category was changed to Post-Shave and the VOC limits went from 30% to 1%, but it appears as though many products have dropped off the list.

For some in the industry, these changes will provide flexibility and the ability to formulate products to meet the limits. However, industry continues to gather data to convince CARB that some of the proposed limits still need to be changed. There are outstanding issues with the current rule development. First, several product categories such as Spot Removers and Multipurpose Lubricants encompass a large variety of products with a variety of claims and formula types. All of this variation adds complexity to developing appropriate VOC limits. In some cases, there is a need for further sub-categorization or the proposed VOC limits need to be raised to account for all uses of the product. Next, some categories' limits do not appear to be as stringent. For example, Carpet Upholstery aerosol and Glass Cleaner aerosol have proposed reduction at 2% VOC and 4% VOC respectively. However, these reductions are approximately a 30% reduction in VOC levels for the category. This is an extremely large reduction proposal for only a very small reduction in VOC emissions, not to mention the effects on the product. Industry will continue to gather data to present to CARB on these categories, as well as others.

CARB staff postponed all product categories that had proposed reactivity limits until at least November 2008. All of the Maximum Incremental Reactivity (MIR) limits were reviewed and a majority of changes were made. CARB staff is dealing with the changes, as well as trying to incorporate reactivity into the Consumer Products Regulation. This is a large task. Categories that had proposed reactivity limits

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