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## Regulatory Issues

### CARB

On March 5, The California Air Resources Board (CARB) held their second public workshop on their new rule development scheduled to be adopted in June of 2008. Attending the meeting were industry members, CARB staff, environmental groups and other agencies.

CARB listed the timeline for the rest of 2008. Another public workshop is proposed for sometime in late April. The technical support document for the June hearing is due to be released on May 9. The Board hearing is scheduled for June 26-27. The survey data from the 2006 survey year is to be released in early summer. The board hearing on reactivity limits and other categories is scheduled for Nov. 20, 2008.

CARB began the meeting with a staff presentation. The presentation covered the following:

- Short history on the past VOC activity
- **Newly released** definitions
- **Newly released** regulatory changes
- Changes to proposed VOC limits and effective dates
- List of categories where toxic ingredients are proposed to be prohibited
- Update on 2006 survey data
- Proposed limits on Dusters for the Green House Gases

CARB needs to develop regulations that get a twenty to thirty ton per day (TPD) VOC reduction by 2014. Originally, CARB needed thirty to forty tons; however, in the last rulemaking, CARB was able to achieve an eleven and a half TPD emission reduction. This further reduction will be a very challenging feat since most product categories have been regulated numerous times and not much VOC is left in these categories.

The newly released definitions need to be reviewed closely by the industry. CARB has made changes that can add products to a definition. Other changes may drastically alter how your product is labeled. For example, the proposed definition change for penetrants is from "labeled primarily" to "labeled exclusively" as a penetrant. Most penetrants have numerous claims; this proposed change would alter a marketer's label significantly or would place the penetrant into a multi-purpose lubricant category. This and other subtle changes to the definitions could greatly affect your products. Again, industry needs to review these changes very closely.

CARB staff has proposed some newly released wording. Changes include a specific requirement for dilution of pump spray containers and a slight change to date coding. Most notable is the addition of six categories where methylene chloride, perchloroethylene and trichloroethylene will be prohibited in manufacturing after Dec. 31, 2010. A three-year sell-through for products manufactured with these chemicals until Dec. 31, 2013 is provided. The six proposed categories are the following: Carpet/Upholstery Cleaner, Fabric Protectant, Multi-Purpose Lubricant, Penetrant, Sealant or Caulking Compound and Spot Remover.

Not many changes were made to the chart with the proposed VOC categories and limits released by CARB. Two changes are worth noting. First, the effective date for penetrants was moved to Dec. 31, 2012. This change was needed due to the significant reduction in VOC that CARB is proposing. Second, CARB added Pressurized Gas Duster with a VOC limit of 1% in Dec. 31, 2010. This limit is in addition to the Global Warming Potential limit, which is discussed later in this article.

A short update on the progress of the 2006 Consumer & Commercial survey was presented. The survey was released on July 24, 2007 and the completed survey due back to CARB by Nov. 21, 2007. More than five hundred surveys were received. The staff is currently reviewing these surveys and adding the information into a data base. CARB expects the composite data summaries in early summer of 2008. Remember, this is the data that will be used to develop the

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