

State of California  
AIR RESOURCES BOARD

**Proposed Updates to the Suggested Control Measure for Architectural Coatings**

Resolution 19-14

**May 23, 2019**

Agenda Item No.: 19-5-2

WHEREAS, the California Air Resources Board (CARB or Board) and the United States Environmental Protection Agency (U.S. EPA) have established health-based ambient air quality standards for ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, and these standards are exceeded in a number of the State's air basins;

WHEREAS, Health and Safety Code sections 39003, 39500, 39602, and 41500 authorize the Board to coordinate, encourage, and review efforts to achieve and maintain the State and national ambient air quality standards;

WHEREAS, Health and Safety Code sections 39001, 39600, 39602, 39605, 40916, and 41500 authorize the Board to act as necessary to execute the powers and duties granted to and imposed upon the Board and to assist the local air pollution control and air quality management districts (districts);

WHEREAS, the use of architectural coatings—which include a wide variety of paints and other coatings that are applied to stationary structures and their appurtenances—results in emissions of volatile organic compounds (VOC) throughout the State;

WHEREAS, under California law the districts have the primary legal authority for adopting control measures for nonvehicular sources such as architectural coatings, as provided in sections 39002, 40000, and 40001 of the Health and Safety Code; however, CARB often provides guidance and other assistance to the districts, including the development of Suggested Control Measures (SCM) for nonvehicular sources over which the districts have primary authority;

WHEREAS, an SCM approved by the Board is not directly applicable to persons conducting activities addressed in the SCM; the provisions of an SCM only apply to affected persons to the extent that one or more districts choose to adopt the SCM as a district rule;

WHEREAS, a number of districts adopted architectural coatings rules based on the original SCM for architectural coatings approved by CARB in 1977; CARB approved revisions to the SCM in 1985, 1989, 2000 and 2007, and 15 of California's 35 districts

have adopted architectural coating rules based on the SCM that was approved by CARB in 2007;

WHEREAS, CARB staff has developed a proposed updated SCM to control VOC emissions from architectural coatings that reflects various changes to the 2007 SCM, and has brought the proposed updated SCM to the Board for consideration;

WHEREAS, in developing the proposed updated SCM, CARB staff conducted a comprehensive survey of architectural coatings; evaluated data from durability and performance testing for various coating categories; and performed a technology assessment of all the coating categories in the proposed updated SCM;

WHEREAS, the proposed updated SCM is designed to be considered for adoption by the districts, and is intended to improve air quality, as well as the clarity and enforceability of district architectural coatings rules;

WHEREAS, upon adoption by the districts, implementation of the VOC limits in the proposed updated SCM will reduce the emissions of VOCs from the application of architectural coatings;

WHEREAS, CARB staff has prepared a Staff Report for the proposed updated SCM, which includes the proposed updated SCM, that was made available for public review and comment on April 19, 2019;

WHEREAS, the Board has held a duly-noticed public meeting, in accordance with all applicable provisions of law, to consider approval of the proposed updated SCM for architectural coatings, and has heard and considered the comments presented by representatives of the Board, districts, affected industries, and other interested persons and agencies;

WHEREAS, concepts or drafts of the proposed updated SCM were discussed at a public workshop on February 19, 2019;

WHEREAS, CARB staff consulted with interested districts throughout the process and held numerous meetings with individual manufacturers and other interested parties from March 2018 through April 2019;

WHEREAS, in response to the comments made by a coating manufacturer to evaluate adding a new coating category in the SCM for coatings intended for use on solar panels, and considering the extra time that is necessary to complete such an evaluation, CARB staff has agreed to work with industry, the districts, and the U.S. EPA to complete said evaluation and assess the viability of such an inclusion in the SCM.

WHEREAS, CARB's regulatory program that involves the adoption, approval, amendment, or repeal of standards, rules, regulations, or plans has been certified by the Secretary for Natural Resources under Public Resources Code section 21080.5 of the California Environmental Quality Act (CEQA; California Code of Regulations, title 14, section 15251 (d)), and CARB conducts its CEQA review according to this certified program (California Code of Regulations, title 17, sections 60000-60007);

WHEREAS, staff determined that for the proposed amendments, CARB can rely on the environmental analysis prepared under its certified regulatory program included in the Staff Report released in 2000, and no additional environmental review is required because the record evidence shows that the amendments will not result in new significant adverse environmental impacts or a substantial increase in severity of previously identified impacts, as described in Chapter VI of the Staff Report;

WHEREAS, the Board finds that:

The application of architectural coatings in the State emits about 30 tons per day of VOCs into the atmosphere;

The emissions of VOCs from architectural coatings contribute to exceedances in many areas of the State of both State and national ambient air quality standards for ozone;

The control and reduction of VOC emissions is necessary to attain and maintain the State and national ambient air quality standards for ozone;

Adequate data exist to establish that the proposed updated SCM is necessary to attain State and federal ambient air quality standards;

Statewide implementation of the proposed updated SCM would reduce VOC emissions from the various coating categories by up to 2.5 tons per day (excluding the South Coast Air Quality Management District);

The proposed updated SCM will achieve a feasible reduction in VOCs emitted by the architectural paints or coatings listed therein;

To effectively control the emissions of VOCs from architectural coatings applied at widely dispersed locations, and to minimize the regulatory burden on the architectural coatings industry, architectural coatings limits should be uniform among districts which need architectural coatings rules;

The technology to control VOC emissions from architectural coatings to the extent provided in the proposed updated SCM is reasonably available and cost-effective;

The proposed updated SCM is commercially and technologically feasible and necessary;

An economic analysis of the proposed updated SCM was conducted by CARB, and the conclusions and supporting documentation for this analysis are set forth in the Staff Report;

The cost of implementing the proposed updated SCM is justified by the benefit to human health, public safety, public welfare, or the environment;

The proposed updates utilized the prior environmental analysis prepared to comply with CEQA, and no additional environmental review, or revisions to the prior environmental analysis, are required because substantial evidence in the records shows there are no changes that will result in new significant adverse environmental impacts or a substantial increase in severity of previously identified impacts;

The proposed updates were developed in an open public process, in consultation with affected parties, through numerous public workshops, individual meetings, and other outreach efforts, and these efforts are expected to continue;

The proposed updates are consistent with CARB's environmental justice policies and do not disproportionately impact people of any race, culture, or income;

No reasonable alternative considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the updated SCM is proposed, or be as effective and less burdensome to affected private persons and businesses than the proposed updated SCM;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the proposed updated SCM for architectural coatings as set forth in Attachment A.

BE IT FURTHER RESOLVED that the Executive Officer is directed to forward the approved SCM to the districts for their consideration of its adoption in regulatory form.

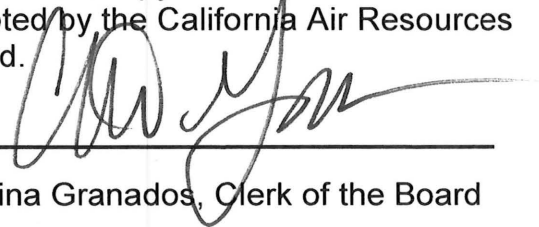
BE IT FURTHER RESOLVED that the Board strongly encourages districts to adopt the SCM as approved by the Board, without modification.

BE IT FURTHER RESOLVED that the Executive Officer is directed to provide assistance to any district requesting assistance in adopting, interpreting, or implementing the approved SCM.

BE IT FURTHER RESOLVED that districts in need of further VOC reductions than what are expected to be achieved by the approved SCM should consider and adopt, if appropriate, the more stringent regulation adopted by the South Coast Air Quality Management District as its Rule 1113.

BE IT FURTHER RESOLVED that the Board directs the CARB Executive Officer to take the following actions: (1) monitor the progress of manufacturers in meeting the VOC limits in the approved SCM; and (2) propose any future modifications to the approved SCM that may be appropriate.

I hereby certify that the above is a true and correct copy of Resolution 19-14 as adopted by the California Air Resources Board.

A handwritten signature in black ink, appearing to read 'Cristina Granados', is written over a horizontal line.

Cristina Granados, Clerk of the Board

Proposed Resolution 19-14

May 23, 2019

**Identification of Attachments to the Board Resolution**

**Attachment A\*:** Proposed Updated Suggested Control Measure (SCM) for Architectural Coatings, dated May 23, 2019.

\*Attachment A is NOT attached to the proposed resolution; it is simply described on this page.