

Proposed MLD Consumer Products Regulations (CP Regulation) Changes

Multi-Article Related

- Revise for consistency when making references to limits, such as determination of VOCs and ROCs (i.e. “present in an amount greater than or equal to 0.1 percent” – [page 141](#)) versus when impurities which are not reportable (i.e. “in a combined amount equal to or less than 0.1% by weight” – [page 86](#)). The overlap at 0.1% is problematic.
 - In these same instances, it is advisable to be consistent when these values are cited (i.e. use of “%” symbol versus the word “percent”)
 - Also, verify the use of significant figures (i.e. “or containing VOCs at 0.10% by weight or less” – [page 105](#), versus “in a combined amount equal to or less than 0.1% by weight” – [page 86](#)).

Article 1

- No changes suggested.

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Article 2

- Modify language in §94515(a) (1) (*page 111 – Test Methods*), for consistency with M310.

- 3.5 Determination of ~~the LVP-VOC, as that term is defined in the Consumer Products Regulation, Article 2, section 94508~~ status of compounds and mixtures. ~~This section does not apply to antiperspirants and deodorants or aerosol coating products.~~ Effective January 1, 2015, this section ~~also~~ does not apply to non-aerosol “Multi-purpose Solvent” and “Paint Thinner” products sold, supplied, offered for sale, or manufactured for sale in the South Coast Air Quality Management District. ~~There is no LVP-VOC exemption for these products.~~

- 3.5.1 Formulation data. If the vapor pressure ~~and/or boiling point are~~ is unknown, the following ASTM methods, which are incorporated by reference herein, may be used to determine ~~the LVP-VOC content:~~ status of compounds and mixtures: ~~ASTM D86-01 (August 10, 2001), ASTM D850-00 (December 10, 2000), ASTM D1078-01 (June 10, 2001), ASTM D2879-97 (April 10, 1997), ASTM D2887-01 (May 10, 2001), and ASTM E1719-97 (March 10, 1997).~~

- 3.5.1.1 Testing to determine vapor pressure may be performed using one of the following ASTM methods: ASTM D2879-97, ASTM E1719-97, and ASTM E1782-08.

- 3.5.1.2 Testing to determine boiling point may be performed using one of the following ASTM methods: ASTM D86-01, ASTM D850-00, ASTM D1078-01, and ASTM D2887-01.

- 3.5.2 LVP-VOC ~~determination~~ status of “compounds” or “mixtures.” The Executive Officer ~~may will perform boiling point analysis.~~ test a sample of the LVP-VOC used in the product formulation to determine the boiling point for a compound or for a mixture. ~~If the boiling point exceeds 216°C, the compound or mixture is an LVP-VOC. If the boiling point is less than 216°C, then the weight percent of the mixture which boils above 216°C is an LVP-VOC.~~ The Executive Officer will use the nearest 1 percent distillation cut that is greater than 216°C ~~as determined under 3.5.1~~ to determine the percentage ~~of the mixture~~ qualifying as an LVP-VOC.

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The resulting language for section 3.5 would read:

- 3.5 Determination of LVP-VOC, as that term is defined in the Consumer Products Regulation, Article 2, section 94508. Effective January 1, 2015, this section does not apply to non-aerosol “Multi-purpose Solvent” and “Paint Thinner” products sold, supplied, offered for sale, or manufactured for sale in the South Coast Air Quality Management District.
- 3.5.1 Formulation data. If the vapor pressure and/or boiling point are unknown, the following ASTM methods, which are incorporated by reference herein, may be used to determine LVP-VOC content:
 - 3.5.1.1 Testing to determine vapor pressure may be performed using one of the following ASTM methods: ASTM D2879-97, ASTM E1719-97, and ASTM E1782-08.
 - 3.5.1.2 Testing to determine boiling point may be performed using one of the following ASTM methods: ASTM D86-01, ASTM D850-00, ASTM D1078-01, and ASTM D2887-01.
- 3.5.2 LVP-VOC determinations. The Executive Officer may perform boiling point analysis. The Executive Officer will use the nearest 1 percent distillation cut that is greater than 216oC to determine the percentage qualifying as an LVP-VOC.

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Article 3

- Insert the following language directly after §94526(a) (1) – Test Methods ([page 141](#)).
- (2) **Metal Content. The metal content of metallic aerosol coating products shall be determined by ASTM D5381-93, Standard Guide for X-Ray Fluorescence (XRF) Spectroscopy of Pigments and Extenders (Reapproved 2009), which is incorporated by reference herein.**
- (3) **Specular Gloss. Specular gloss of flat and non-flat coatings shall be determined by ASTM D523-08, Standard Test Method for Specular Gloss (June 1, 2008), which is incorporated by reference herein.**
- (4) **Acid Content. The acid content of rust converters shall be determined by ASTM D1613-06, Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer, and Related Products (April 1, 2006), which is incorporated by reference herein.**

Article 4

- Definition §94542(14) ([page 182](#)) is incomplete and inconsistent with other occurrences in the CP Regulation. Considering the precedence already set with other definitions (i.e. “VOC” [[page 186](#)]) in §94542, the definition should align with those in §94508(a).
 - (14) “LVP” or “LVP Compound” shall have the same meaning as “LVP-VOC”, as defined in § 94508(a).