

March 30, 2020

Joe Calavita  
Manager, Consumer Products Implementation Section  
California Air Resources Board, AQPSD  
P.O. Box 2815  
Sacramento, CA 95812

Subject: Using Reactivity as a Regulatory Strategy for Consumer Products

Dear Mr. Calavita,

The Household & Commercial Products Association (HCPA) respectfully urges the California Air Resources Board (CARB) to consider reactivity as a compliance option for consumer products in the current rulemaking. The maximum incremental reactivity (MIR) has been used for nearly two decades to regulate aerosol coatings and has been a compliance option for multi-purpose lubricants for more than one year. HCPA and our member companies share the common goal with CARB of improving the air quality in California and believe that reactivity should be considered in the current rulemaking process.

During the past 30 years, CARB has achieved significant improvements in air quality for California residents by developing regulatory standards for consumer products to achieve the maximum feasible reductions in volatile organic compounds (VOCs). However, as CARB has continually adopted new or revised stringent regulatory standards, further VOC reductions are becoming more technologically challenging to achieve.

With that in mind, HCPA member companies believe that it is critical for us to look at other regulatory strategies, such as utilizing reactivity-based MIR limits, to continue improving the air quality in California while still maintaining the efficacy of regulated consumer products. VOC reductions have demonstrably improved air quality and reduced the amount of ground level ozone. Reductions in MIR will also achieve ozone reductions while still providing manufacturers formulation flexibility in developing new or revised product formulations.

Product manufacturers spent a considerable amount of time and effort to provide detailed product information to comply with the reporting requirements of the Consumer Product Surveys, which has provided CARB with a vast amount of information about products sold in California. HCPA recognizes and appreciates the amount of work and effort that CARB staff has put into reviewing and summarizing the survey data and have found the summaries of each product category extremely useful in the transparent discussions in this ongoing regulatory

process. However, we also believe that it would be equally as valuable to see the amount of reductions in ozone forming potential that can be gained by applying MIR limits for the product categories that are included in this rulemaking. By providing stakeholders the same summaries for ozone forming potential reductions that has been provided for future mass weight VOC reductions, HCPA believes that meaningful discussions can occur about the best possible regulatory strategies achieving California's State Implementation Plan (SIP) commitments. However, those conversations cannot take place unless CARB provides these summaries to stakeholders.

HCPA greatly appreciates the transparent manner in which CARB staff has conducted, and continues to conduct, its rulemaking procedures. However, HCPA believes that in addition to considering mass weight-based VOC standards, CARB staff should also analyze ozone forming potential reductions that can be achieved by MIR limits. HCPA realizes that a reactivity-based regulatory strategy may not be feasible for achieving the 2023 SIP commitments, but there are compelling reasons for CARB and stakeholders to explore the possible use of reactivity-based MIR limits for achieving the 2031 commitments.

HCPA members are willing and able to further discuss reactivity-based strategies and provide CARB the information necessary to consider possible MIR limits. HCPA recommends that we schedule a conference call within in the next several weeks to discuss the relevant issues that need to be addressed by test methods to verify reductions in ozone forming potential achieved by reactivity-based limits for consumer products.

HCPA looks forward to continuing to work cooperatively with CARB to achieve our common goals of continuing to achieve additional improvements to California's air quality. HCPA believes that reactivity-based regulatory strategy should be to be part of the analysis and discussion of this and future rulemaking procedures.

If you have any questions about issues presented in these comments, please contact us *via* email.

Respectfully,

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