Personal Care Products Council
Committed to Safety, Quality & Innovation

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Via Electronic Mail
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P.O. Box 2815
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Re: Request to Allow Regulated Entities the Option of Using Reactivity

The Personal Care Products Council (PCPC)[1] respectfully requests that the California Air Resources Board (CARB) permit companies to utilize Maximum Incremental Reactivity (MIR) as a compliance option in its current rulemaking for Consumer Products.

Reactivity is sound science and utilizing MIR always leads to a reduction in ozone; the same cannot be said for mass-based reductions in VOC. By allowing a reactivity-based approach *as an alternative* to the current VOC reduction targets, there would be several tangible benefits, including:

a) Greater flexibility for product formulators struggling to meet increasingly lower VOC limits;
b) Increased reduction of ozone forming potential for consumer products; and
c) A reduction in the use of greenhouse gases, such as HFC-152A.

Using MIR targets would enable CARB to ensure that formulation changes drive the appropriate ozone reduction rather than using VOC targets, which are easier to administer but are less effective at reducing ozone and smog.

Despite the benefits, CARB announced at its March 10, 2020, Public Workgroup meeting in Sacramento that it would not include reactivity limits in its proposed rulemaking. This came as a surprise to many stakeholders, especially those companies that had begun collaborating to develop MIR testing protocols that CARB could use to administer (and enforce) a reactivity-based approach. While it's true that reactivity limits were never formally proposed in any of CARB's initial drafts of the proposed rule, there was widespread belief that it would be permitted since CARB had continually raised it as a topic at its

[1] Based in Washington, D.C., PCPC is the leading national trade association representing the global cosmetic and personal care products industry. Founded in 1894, PCPC's more than 600 member companies manufacture, distribute, and supply the vast majority of finished personal care products marketed in the United States. As the makers of a diverse range of products that millions of consumers rely on every day, from sunscreens, toothpaste, and shampoo to moisturizer, lipstick, and fragrance, member companies are global leaders committed to product safety, quality, and innovation.

workshops. It was also generally agreed that reactivity would likely be the only feasible option by which companies could achieve the draconian reductions CARB needed to meet its SIP requirements.

Importantly, reactivity is already permitted for certain product categories under the Consumer Product Regulations. CARB, therefore, has tacitly acknowledged the validity of reactivity by allowing its use in regulating aerosol coatings and multi-purpose lubricants. CARB should expand this approach to all regulated aerosol categories in order to provide much needed flexibility to formulators and to attain tangible reductions to ozone levels in California. If companies can lower ozone formation from consumer products while helping California meet its ozone attainment goals, then they should be given the option to do so to the benefit of all.

Finally, we urge CARB to provide industry with the data it has already promised – namely, the equivalency data between reactivity and VOC limits – and to allow companies to use reactivity as a compliance option in its current rulemaking. We would welcome the opportunity to work with CARB staff in whatever capacity necessary to help make this option a reality.

Respectfully submitted,

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