

State of California  
AIR RESOURCES BOARD

Resolution 96-36

June 14, 1996

Agenda Item No.: 96-5-2

WHEREAS, sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board (ARB or Board) to adopt standards, rules and regulations and to do such acts as may be necessary for the proper execution of the powers and duties granted to, and imposed upon, the Board by law;

WHEREAS, June 16, 1995, the United States Environmental Protection Agency (U.S. EPA) exempted acetone from its volatile organic compound (VOC) definition on the basis that acetone has negligible photochemical reactivity;

WHEREAS, June 16, 1995, U.S. EPA granted a petition to delete acetone from its list of toxic chemicals under section 313 of the federal Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986;

WHEREAS, September 21, 1995, the Chemical Manufacturers Association (CMA) petitioned ARB to remove acetone from its list of air toxics and take any other action necessary to exclude acetone from regulation as an air toxic under applicable state regulations, including the California Air Toxics "Hot Spots" Program;

WHEREAS, September 28, 1995, ARB amended the VOC definition of California Code of Regulations (CCR), Title 17, section 94501, to exempt acetone from all consumer product regulations. This decision was based on computer modeling that showed acetone has low photochemical reactivity and when substituted for more reactive compounds should not result in adverse impacts to ground-level ozone;

WHEREAS, December 12, 1995, ARB granted CMA's petition and agreed to schedule a public meeting to consider removal of acetone from the nonregulatory Assembly Bill (AB) 1807 Toxic Air Contaminant Identification List, Category III. The ARB has scheduled a public hearing, tentatively scheduled for July 25-26, 1996, proposing to remove acetone from the Air Toxic "Hot Spots" list;

WHEREAS, the removal of acetone from the nonregulatory AB 1807 Toxic Air Contaminant Identification List, Category III, will allow its subsequent removal from the Air Toxics "Hot Spots" Program list adopted under Health and Safety Code section 44321 and contained in Appendix A of the Emissions Inventory Criteria and Guidelines regulation (17 CCR sections 93300 - 93355);

WHEREAS, the Office of Environmental Health Hazard Assessment (OEHHA) reviewed and agreed with the U.S. EPA's documentation on the removal of acetone from EPCRA. OEHHA concluded that acetone cannot be reasonably anticipated to cause adverse acute or chronic health effects at ambient concentrations;

WHEREAS, ARB staff conducted a technical analysis of facilities in California to determine the potential air impacts of removing acetone from the nonregulatory AB 1807 Toxic Air Contaminant List, Category III. The analysis concluded that ambient concentrations will be below levels which may pose an acute or chronic health hazard;

WHEREAS, removal of acetone from the Air Toxics "Hot Spots" Program list will be considered by the Board at a separate Board hearing scheduled for July 25-26, 1996. This action will facilitate industry use of acetone as a substitute for federal hazardous air pollutants and ozone-depleting substances.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the removal of acetone from Category III of the nonregulatory AB 1807 Toxic Air Contaminant Identification List;

BE IT FURTHER RESOLVED that as part of ARB's VOC program, the staff will track future acetone emissions to determine if there is the potential for adverse impacts on health and ozone attainment efforts;

BE IT FURTHER RESOLVED that removal of acetone from the nonregulatory AB 1807 Toxic Air Contaminant Identification List, Category III, does not preclude its future consideration by the Toxic Air Contaminant Identification Program should new health effects and emissions information indicate that such consideration is warranted.

I hereby certify that the above is a true and correct copy of Resolution 96-36, as adopted by the Air Resources Board.

  
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Pat Hutchens, Board Secretary