

**REQUEST FOR AN EARLY EFFECTIVE DATE
Pursuant To Government Code Section 11343.4(b)**

**ADOPTION OF AMENDMENTS TO THE CONSUMER PRODUCTS REGULATION
AND METHOD 310**

The California Air Resources Board (CARB or Board) formally requests, under Government Code section 11343.4(b), that the Office of Administrative Law (OAL) prescribe an early effective date for the adoption of regulation for “Public Hearing to Consider the Proposed Amendments to the Consumer Products Regulation and Method 310,” title 17, California Code of Regulations, sections 94509, 94513, and 94515 that were considered by the Board on May 25, 2018, and subsequently adopted. Specifically, CARB requests that the amendments be effective on January 1, 2019. The following demonstrates “good cause” for OAL to allow the amendments to be effective on the date requested.

DEMONSTRATION OF GOOD CAUSE

In this rulemaking, the Board considered and adopted amendments to the consumer products regulation to establish an alternate compliance option for existing requirements applicable to multi-purpose lubricant (MPL) products. The amendments achieve three objectives:

- First, maintain the ozone air quality benefits that would be achieved by the existing 10 percent by weight VOC limit;
- Second, provide compliance flexibility to manufacturers, enabling them to continue offering effective products to consumers while achieving similar ozone air quality benefits to products complying with the 10 percent by weight volatile organic compound (VOC) limit; and
- Third, achieve these objectives without significantly impacting compliance costs or increasing the cost of MPL products to consumers.

The Board also approved amendments to CARB Test Method 310 that include additional reference methods for the purpose of implementing the proposed alternate compliance option for MPL products.

The proposed alternate compliance option would allow manufacturers to comply with the 10 percent by weight VOC limit by meeting a 25 percent by weight VOC limit and a product weighted reactivity limit of 0.45 grams of ozone per gram of product (g O₃/g product). The Board approved an extension of the effective date of the existing 10 percent by weight VOC limit from December 31, 2018, to July 1, 2019, to provide adequate time for manufacturers of MPL products to evaluate their products and decide whether to comply via the alternate compliance option or the 10 percent by weight VOC limit.

An early effective date of January 1, 2019, would allow manufacturers to continue evaluating their products for the amount of time approved by the Board without being

out of compliance with the current regulation. Without an early effective date, upon January 1, 2019, all MPL products that do not meet the 10 percent by weight VOC limit will be out of compliance with the consumer products regulation even if they meet the alternate compliance option.

For these reasons, CARB believes good cause exists for OAL to grant CARB's request for an early effective date of January 1, 2019.

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11/14/18
Date