

State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

PUBLIC HEARING TO CONSIDER ADOPTION OF AMENDMENTS TO THE
CALIFORNIA REGULATIONS FOR REDUCING VOC EMISSIONS FROM CONSUMER
PRODUCTS AND AEROSOL COATING PRODUCTS

Public Hearing Date:	November 21, 1996
Public Availability Date:	March 17, 1997
Deadline for Public Comment:	April 1, 1997

At a public hearing held November 21, 1996, the Air Resources Board (the "Board") considered amendments to the Regulation for Reducing Volatile Organic Compound (VOC) Emissions from Consumer Products (the "consumer products regulation") and the Regulation for Reducing VOC Emissions from Aerosol Coating Products (the "aerosol coatings regulation"). The proposed amendments to the regulations are described in detail in the Initial Statement of Reasons released to the public on October 4, 1996.

At the hearing, the Board approved the amendments to the regulations with certain modifications to the originally proposed regulatory language. The proposed modifications incorporate the changes to State law made by Assembly Bill (AB)1849 (Stats. 1996; Chapter 766) and also address concerns regarding the exemption of perchloroethylene from the VOC definition in the consumer products and aerosol coatings regulations. The AB 1849 modifications extend the time manufacturers are allowed to sell non-complying products produced prior to the effective date of any VOC standard. This "sell-through" period is extended from 18 months to three years after each category's effective date. The amendments to incorporate the three-year sell-through period specified in AB 1849 were approved not only for the consumer products and aerosol coatings regulations but also for the Regulation for Reducing VOC Emissions from Antiperspirants and Deodorants ("the antiperspirant and deodorant regulation"). In addition, requirements relating to aerosol adhesives were added to the consumer products regulation to implement the provisions of AB 1849, including an amendment to the definition of "Adhesive." Finally, reporting requirements related to the exemption of perchloroethylene from the VOC definitions in the consumer products and aerosol coatings regulations were added to section 94513(e) of the consumer products regulation and section 94524 of the aerosol coatings regulation.

By this notice, the modified regulations are being made available for public comment prior to final action by the Board's Executive Officer. Attached to this notice is Board Resolution 96-58 (Enclosure 1), which approves the regulatory action. The text of the modified regulatory language is appended to the resolution as Enclosure 2. The originally proposed regulatory language is shown in **underline**, and the text to be removed is shown in ~~strikeout~~. Additions to the originally proposed regulatory language are shown in **double-underline**, and newly proposed text to be removed is shown in ~~bold-strikeout~~.

In accordance with section 11346.8 of the Government Code, the Board directed the Executive Officer to adopt the amendments to sections 94502, 94507-94515, 94517, 94521, 94522, and 94524, Title 17, California Code of Regulations, after making the modified regulatory language available for a supplemental written comment period of at least fifteen (15) days, provided that the Executive Officer shall consider such written comments as may be submitted during the period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted.

Written comments must be submitted to the following address, no later than April 1, 1997, for consideration by the Executive Officer prior to final action:

Clerk of the Board
Air Resources Board
P.O. Box 2815
Sacramento, CA 95812

The Executive Officer will consider only comments relating to the modifications which are described in this notice.

In a separate action at the November 21, 1996, Board hearing, ARB Method 310 was approved as a procedure for determining VOC content in consumer products. As a part of that action, the Board also approved modifications proposed at the November 21, 1996, hearing to the Test Methods sections of the consumer products, aerosol coatings, and antiperspirant and deodorant regulations. These modifications are available in a separate Notice of Public Availability of Modified Text.

Enclosures