

REQUEST FOR EARLY EFFECTIVE DATE

Pursuant to Government Code section 11343.4, the Air Resources Board (ARB) requests that the amendment of sections 94506(a), 94515(a), and 94526, Title 17, California Code of Regulations (CCR), become effective upon filing with the Secretary of State. Good cause for this request exists.

The amendments are being proposed to sections 94506(a), 94515(a), and 94526, Title 17, California Code of Regulations (CCR), in order to incorporate by reference the new test method for the Determination of VOC in Consumer Products.

Section 41712 of the California Health and Safety Code requires the ARB to adopt regulations to achieve the maximum feasible reduction in volatile organic compounds (VOCs) emitted by consumer products. To date, the Board has adopted three regulations which establish VOC limits for various categories of consumer products. These regulations are the Regulation for Reducing VOC Emissions from Antiperspirants and Deodorants (the “antiperspirant and deodorant regulation”; sections 94500-94506.5, Title 17, CCR), the Regulation for Reducing VOC Emissions from Consumer Products (the “consumer products regulation”; sections 94507-94517, Title 17 CCR), and the Regulation for reducing VOC Emissions from Aerosol Coating Products (the “aerosol coatings regulation”; sections 94520-94528, Title 17, CCR).

Each of these regulations contains a section specifying the applicable test methods. The test methods sections of the regulations are section 94506 (antiperspirants and deodorants), section 94515 (consumer products), and section 94526 (the aerosol coating products), Title 17, CCR. These sections incorporate by reference a number of different test methods. Some of the incorporated test methods are used to determine compliance with the applicable VOC limits, and some of the test methods are used for other compliance determinations.

The ARB staff has adopted a regulation establishing a new Test Method 310 for the Determination of VOCs in Consumer Products (Method 310). Method 310 would be used to determine compliance with the applicable VOC limits, and would be incorporated by reference in the test methods sections of the ARB regulations for antiperspirants and deodorants, consumer products, and aerosol coating products.

An early effective date is necessary to allow the ARB Compliance Division to use the Method 310 for compliance determinations as soon as possible. This will facilitate consistent enforcement of the regulations using the best available testing procedures.

Date: _____

Robert C. Jenne
Senior Staff Counsel