

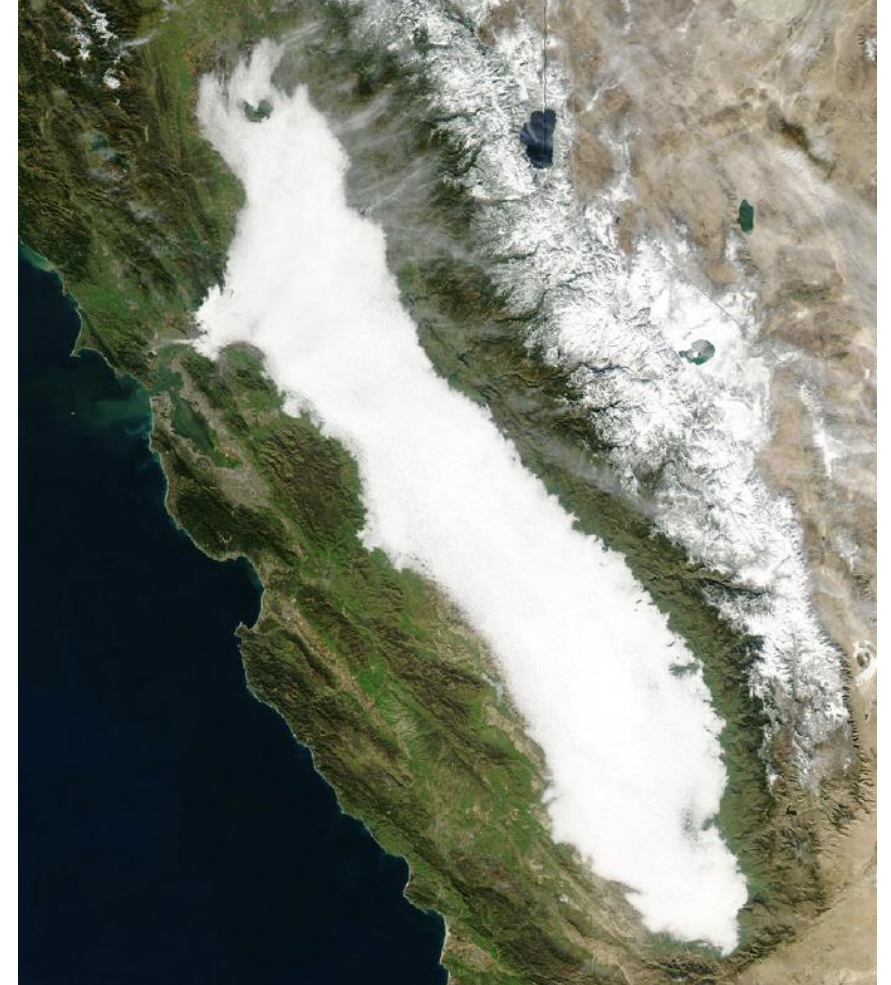
# Draft Amendments to District Rule 4601 (Architectural Coatings)

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# Valley's Air Quality Challenges - Ozone

- Valley designated as “Extreme” non-attainment of the 8-hour Ozone NAAQS
- Ozone formed by reactions between sunlight, VOCs, and NOx
  - Combustion-related NOx emissions can become trapped on Valley floor due to area’s topography and summertime weather patterns
  - High “background” levels, goods movement, and increasing population contribute to ozone formation
- Strategies for attainment of federal health-based air quality standards included in District’s *2016 Ozone Plan*; new plan under development



# Current Rule 4601 Requirements

- Adopted April 11, 1991, to limit VOC emissions from Architectural Coatings
  - Architectural Coatings are paints, varnishes, sealers, stains, etc. applied to stationary structures, portable buildings at the site of installation, pavements, or curbs
- Rule establishes VOC emission limits for different categories of coatings, labeling requirements, reporting requirements, and test methods
  - Rule applies to any person who supplies, sells, offers for sale, applies, or solicits the application of any architectural coating or who manufactures, blends or repackages any architectural coating for use in the Valley
  - Last amended December 2009, to include VOC limits, labeling, and reporting requirements consistent with CARB's 2007 Suggested Control Measure (revised in 2019 and currently undergoing additional revisions)
  - Rule 4601 fully approved by CARB and EPA
  - Rule provisions do not apply to coatings sold in small containers (1 liter or less)

# Need for Attainment Contingency Measure for 2008 Ozone NAAQS

- US EPA conditionally approved District's *2016 Plan for the 2008 8-Hour Ozone Standard* based on commitment to include contingency measure
  - As a result of *Bahr v. U.S. Environmental Protection Agency* (2016), EPA requires that attainment plan contingency measures include a future action to be triggered only if EPA makes finding that an area fails to show progress towards or to meet attainment
  - October, 2018: Governing Board direction (with CARB and EPA support) to address contingency deficiency in *2016 Ozone Plan* through amendment of Rule 4601 (Architectural Coatings)
- Per District commitment, proposing to amend Rule 4601 to add clause addressing contingency requirement
  - If triggered, would remove exemption for specific categories of coatings sold in containers with a volume of one liter or less

# Proposed Rule 4601 Amendments: Small Container Exemption

- Add provision to Section 4.2 to remove rule exemption for certain categories of architectural coatings in containers smaller than one liter, should EPA issue a final rulemaking necessitating implementation of a contingency measure for the 2008 Ozone NAAQS
  - Specified coatings sold in small containers will then have to meet VOC emissions limits for coating category

# Proposed Rule 4601 Amendments:

## Small Container Exemption (cont'd)

- The exemption removal would apply to the following coating categories:
  - Bituminous Roof Coatings
  - Flat and Nonflat coatings sold in containers greater than eight fluid ounces, or for purposes other than touch up
  - Magnesite Cement Coatings
  - Multi-Color Coatings
  - Pre-Treatment Wash Primers
  - Reactive Penetrating Sealers
  - Shellacs (Clear and Opaque)
  - Stone Consolidants
  - Swimming Pool Coatings
  - Tub and Tile Refinishing Coatings
  - Wood Coatings, including Lacquers, Varnishes, and Sanding Sealers
  - Wood Preservatives

# 2019 CARB Suggested Control Measure

- On May 23, 2019 CARB approved an update to the Suggested Control Measure (SCM) for Architectural Coatings as guidance for District's that need further VOC reductions to attain ozone NAAQS
  - Current Rule 4601 requirements based upon SCM adopted in 2007
- CARB currently revising SCM to address photovoltaic coatings
  - CARB scheduled to adopt revised SCM in April/May 2020
- District is proposing to update Rule 4601 to incorporate revised provisions of the CARB SCM

# Proposed Rule 4601 Amendments: Suggested Control Measure

- Remove or modify outdated definitions and requirements
- Incorporate elements of recently updated CARB SCM:
  - Lower VOC limits for nine existing coating categories and set VOC limits for three new categories
  - Incorporate new CARB application and emissions limits for photovoltaic coatings (currently under development)
  - Update several test methods to reflect the latest versions
  - Add an anti-bundling provision to prevent bundling of exempt small containers
  - Establish VOC limits for colorants

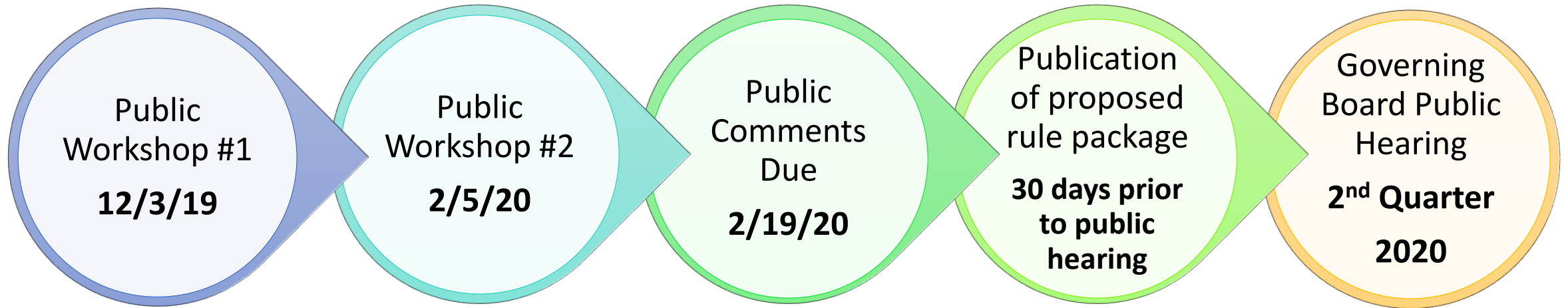


# Proposed Rule 4601 Amendments: SCM

## Proposed VOC Limits

Coating Category	Current Limit (g/l)	Proposed Limit (g/l)
<b>New Coating Categories</b>		
Building Envelope Coatings	NA	50
Interior Stains	250	250
Tile and Stone Sealers	100	100
<b>Existing Coating Categories</b>		
Aluminum Room Coatings	400	100
Dry Fog Coatings	150	50
Fire Resistive Coatings	350	150
Floor Coatings	100	50
Form Release Compounds	250	100
Nonflat Coatings	100	50
Nonflat - High Gloss Coatings	150	50
Stains	250	100
Waterproofing Membranes	250	100
<b>Colorants Added To:</b>		
Architectural Coatings, excluding IM Coatings	NA	50
Solvent Based IM Coatings	NA	600
Waterborne IM Coatings	NA	50
Wood Coatings	NA	600

# Next Steps: Public Engagement Process for Architectural Coating Rule Amendment



Public Participation and Comment Invited throughout Process

# Contact

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# Open Discussion

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