

PAR 1168
Working Group Meeting #2

June 22, 2017

Conference Room CC2

WGM #1

- ◆ Stakeholders requested:
 - ◆ DMC toxicity information
 - ◆ Preliminary rule language
 - ◆ Clarification on VOC labeling
 - ◆ Reporting not be conducted annually
 - ◆ Data from survey
 - ◆ Regulatory authority over consumer products
 - ◆ Delay Public Hearing



Points of Focus for WGM#2



- ◇ Proposed Amendments
- ◇ PAR 1168 (a):
Purpose and Applicability
- ◇ PAR 1168 (c)(1):
Table of Standards (VOC Limits)
- ◇ PAR 1168 (f)(2):
Reporting Requirements
- ◇ PAR 1168 (i)(10):
Aerosol adhesive exemption
- ◇ PAR 1168 (i)(11):
Exemption for CARB applicable products

Preliminary Rule Language

◆ Released June 9, 2017

- ◆ Applicability [PAR 1168 (a)]
- ◆ Certain definitions/categories [PAR 1168 (b)]
- ◆ Proposed VOC Limits in Table of Standards & Technology Assessment [PAR 1168 (c)(1)]
- ◆ Sell-Through/Use-Through Provision [PAR 1168 (c)(3)]
- ◆ Test Methods [PAR 1168 (e)]
 - ◆ Equivalent Test Methods [PAR 1168 (e)(5)]
 - ◆ Multiple Test Methods [PAR 1168 (e)(6)]
- ◆ Labeling Requirements [PAR 1168 (f)(1)]
- ◆ Reporting Requirements [PAR 1168 (f)(2)]

(Adopted April 7, 1989)(Amended March 2, 1990)(Amended Feb. 1, 1991)
(Amended July 19, 1991)(Amended August 2, 1991)
(Amended December 4, 1992)(Amended December 10, 1993)
(Amended April 11, 1997)(Amended February 13, 1998)(Amended September 15, 2000)
(Amended June 7, 2002)(Amended July 12, 2002)(Amended October 3, 2003)
(Amended January 7, 2005)(Proposed Amended Rule 1168 September 2017)

PROPOSED AMENDED RULE 1168. ADHESIVE AND SEALANT APPLICATIONS

(a) Purpose and Applicability

The purpose of this rule is to reduce emissions of volatile organic compounds (VOCs) ~~and toxic air contaminants, and stratospheric ozone-depleting compounds~~ to eliminate emissions of chloroform, ethylene dichloride, methylene chloride, perchloroethylene, and trichloroethylene from the application of adhesives, adhesive bonding primers, adhesive primers, caulks, sealants, and sealant primers ~~or any other primers~~. This rule applies to ~~all commercial and industrial~~ any person who sells, stores, supplies, offers for sale or manufactures for sale any sales and applications of adhesives, adhesive bonding primers, adhesive primers, caulks, sealants, or sealant primers, or any other primers, unless otherwise specifically exempted by this rule. This rule also applies to all use of adhesives, adhesive primers, caulks, sealants or sealant primers excluding consumer use where the units of product, less packaging, weigh less than one pound and consist of less than 16 fluid ounces, and where there is an applicable VOC limit in the California Air Resources Board (CARB) Consumer Products Regulation (Title 17 of the California Code of Regulations, Section 94507, et. seq.).

(b) Definitions

For the purpose of this rule, the following definitions shall apply:

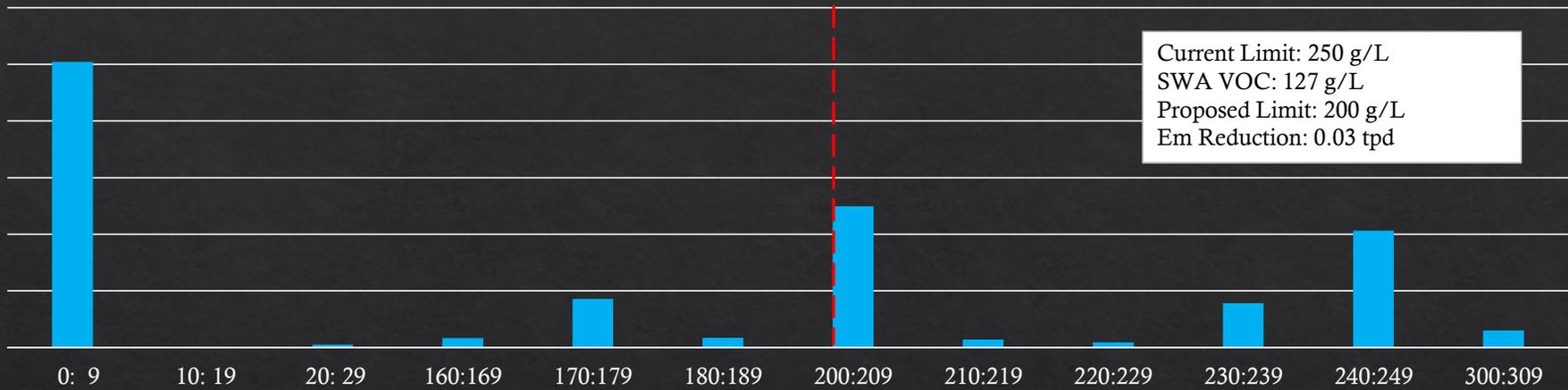
- (1) ACRYLIC is a thermoplastic polymer or a copolymer of acrylic acid, methacrylic acid, esters of these acids, or acrylonitrile.
- (2) ACRYLONITRILE-BUTADIENE-STYRENE (ABS) plastic is made by reacting monomers of acrylonitrile, butadiene, and styrene and is normally identified with an ABS marking.
- (3) ABS TO POLYVINYL CHLORIDE (PVC) TRANSITION CEMENT is Plastic Cement Welding used to join ABS and PVC building drains or building sewers and complies with ASTM D3138-04(2011) Standard Specification for Solvent Cements for Transition Joints Between

Table of Standards: Proposed Categories

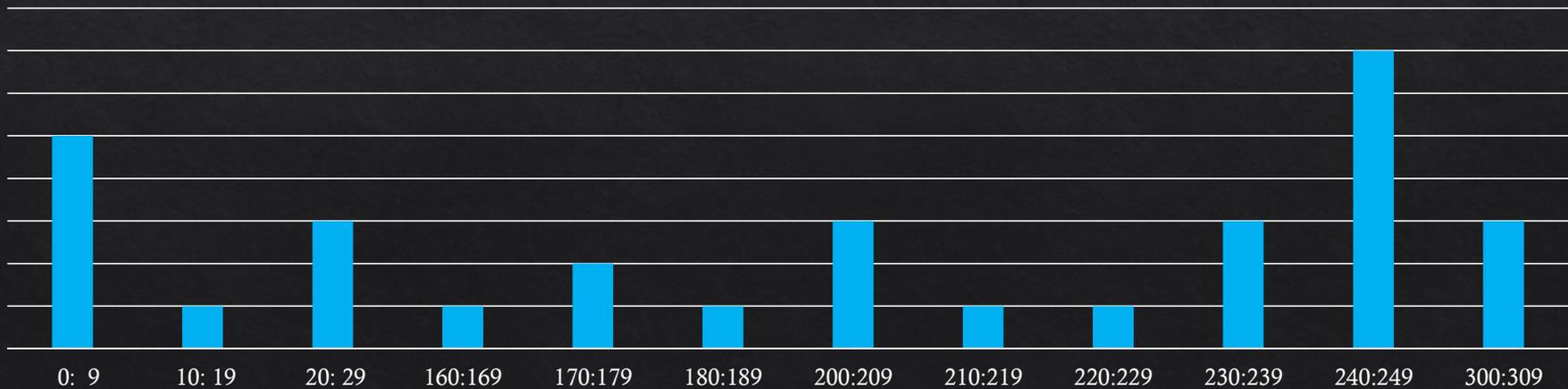
- a. Contingent on ASTM change
- b. Predominantly sold under the 55 gals/year exemption
- c. EPA's RACM/BACM requirements
- d. Tech Assessment one year prior to January 1, 2023

Category	VOC Limits (g/L)				
	Current (2005 Version)	Upon 2017 Adoption	1/1/2019	1/1/2021	1/1/2023
Adhesives					
Building Envelope Membrane Adhesive	250	250			
Other Outdoor Floor Covering Adhesives	150			50	
Other Roof Adhesive	250			200	
Single-Ply Roof Membrane Adhesive	250			200	
CPVC Welding	490			325 ^a	
PVC Welding	510			325 ^a	
Wood Flooring Adhesive	100			20	
Edge Glue	250	250			
Rubber Vulcanization Adhesive	250 ^b	850		250	
Top and Trim Adhesive	250 ^b	540			
Waterproof Resorcinol Glue^c	250	170			
Substrate Specific Adhesive Applications					
Reinforced Plastic Composite^c	250	200			
Sealants and Caulks					
Clear, Paintable, Immediately Water-Resistant	250	380		250	
Foam Sealant	250	200			50 ^d
Grout	250	65			
All Other Roof	300			250	
Single-Ply Roof Membrane	450			250	
All Other Architectural Applications	250		50		
All Other Sealants	420			250	
Adhesive Primers					
Pressure Sensitive	250	785			
Vehicle Glass	250	700			

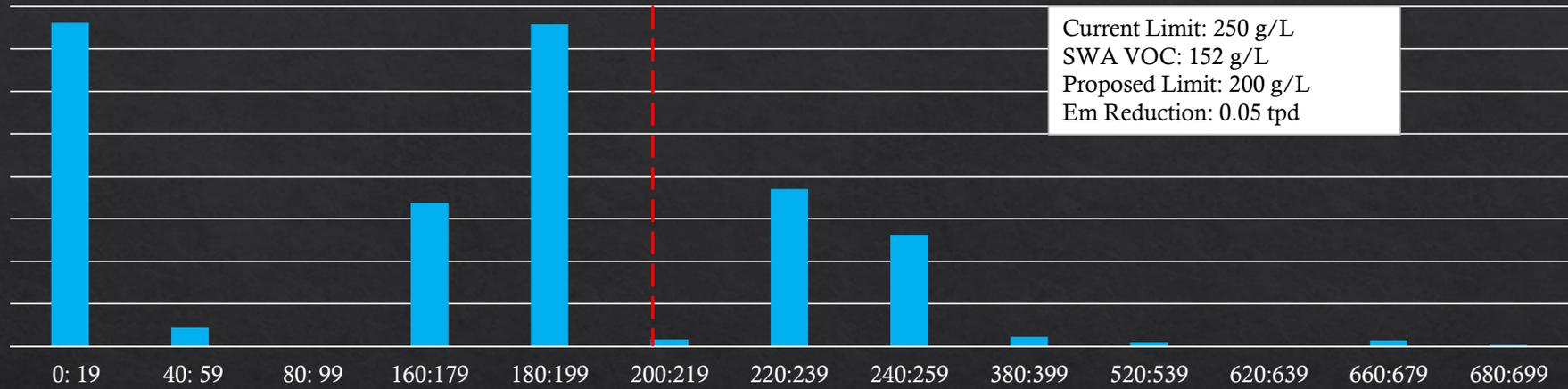
Non-Membrane Roof Adhesive - Sales Volume (~244,000)



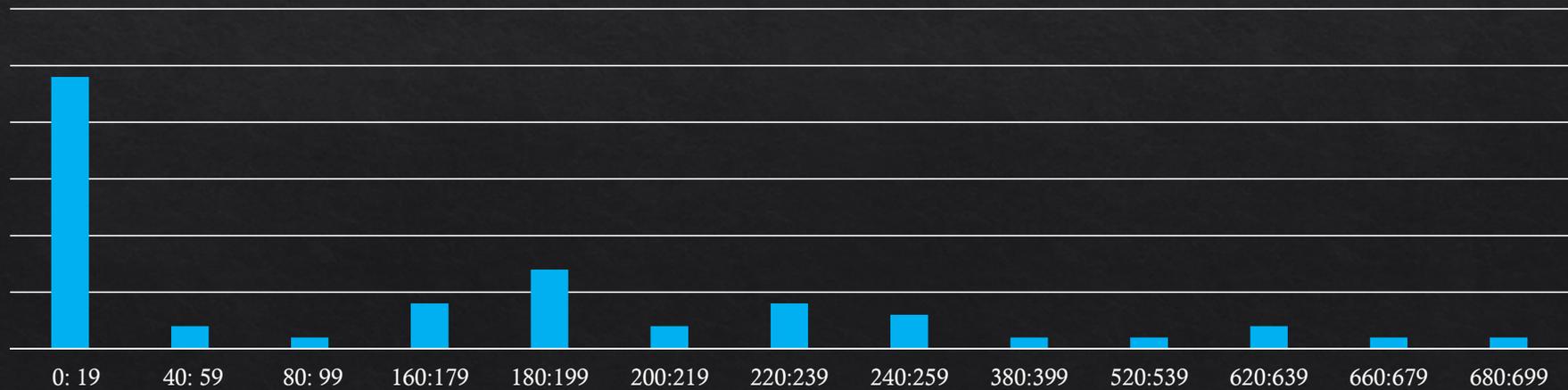
Non-Membrane Roof Adhesive - Product Count (31)



Single Ply Roof Adhesive - Sales Volume (~260,000)



Single Ply Roof Adhesive - Product Count (53)



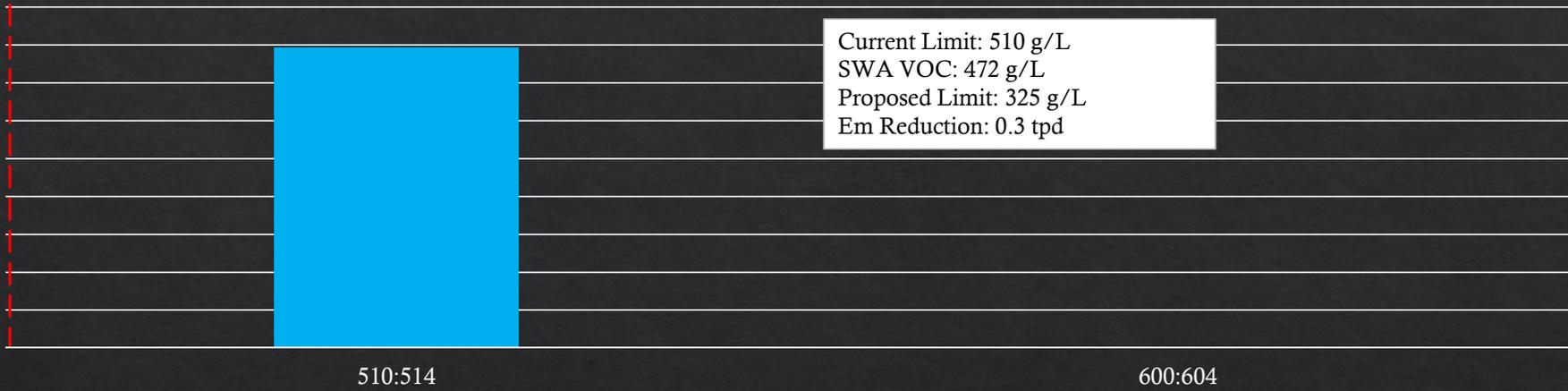
CPVC Welding - Sales Volume (~8,000)



CPVC Welding - Product Count (36)



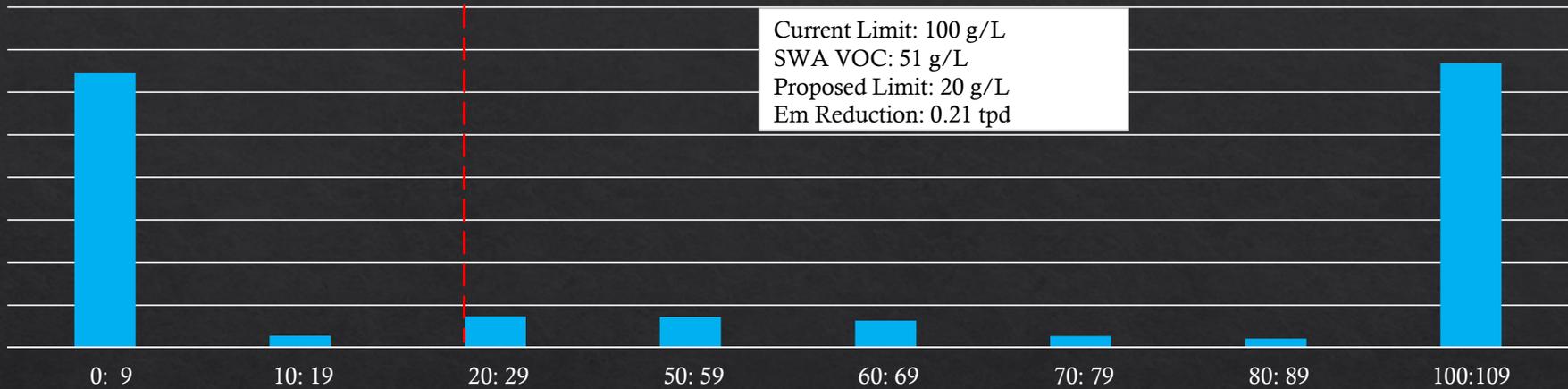
PVC Welding - Sales Volume (~160,000)



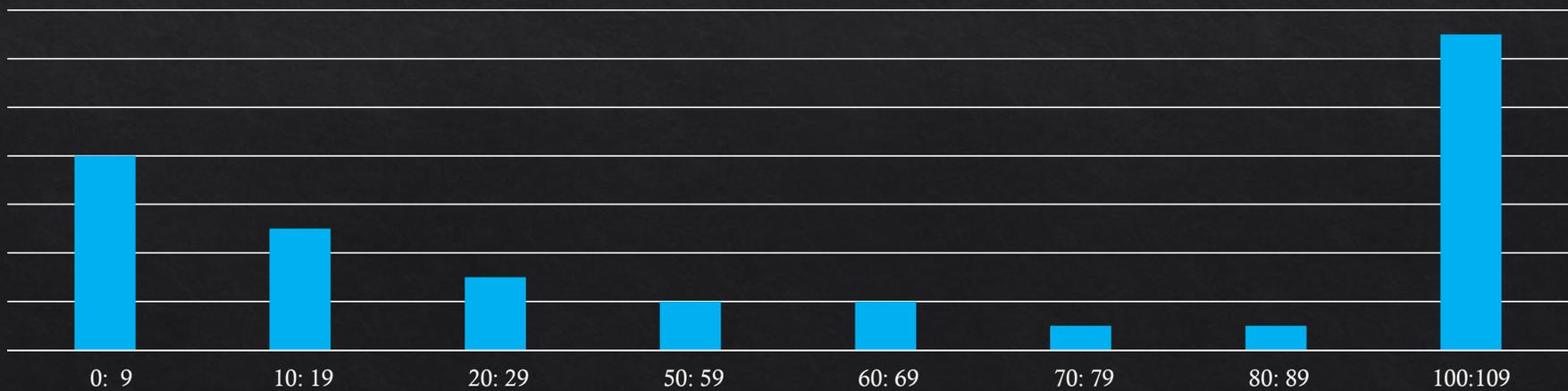
PVC Welding - Product Count (163)



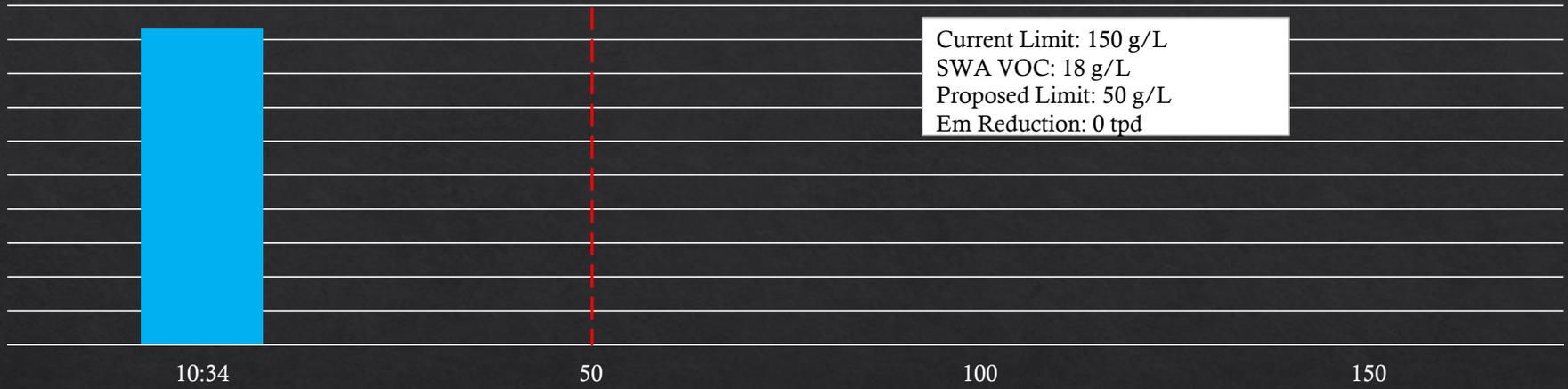
Wood Flooring Adhesive - Sales Volume (~799,000)



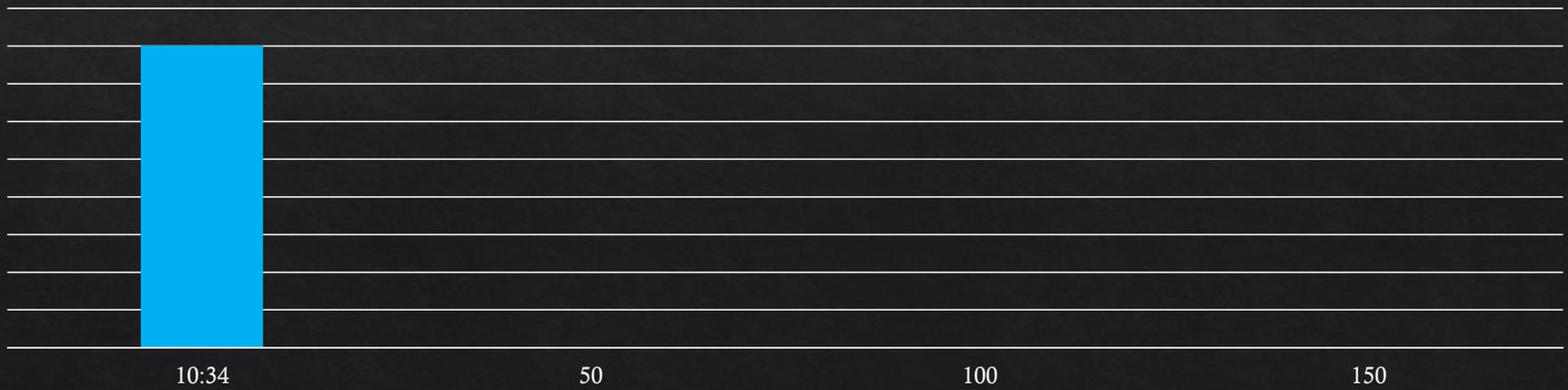
Wood Flooring Adhesive - Product Count (35)



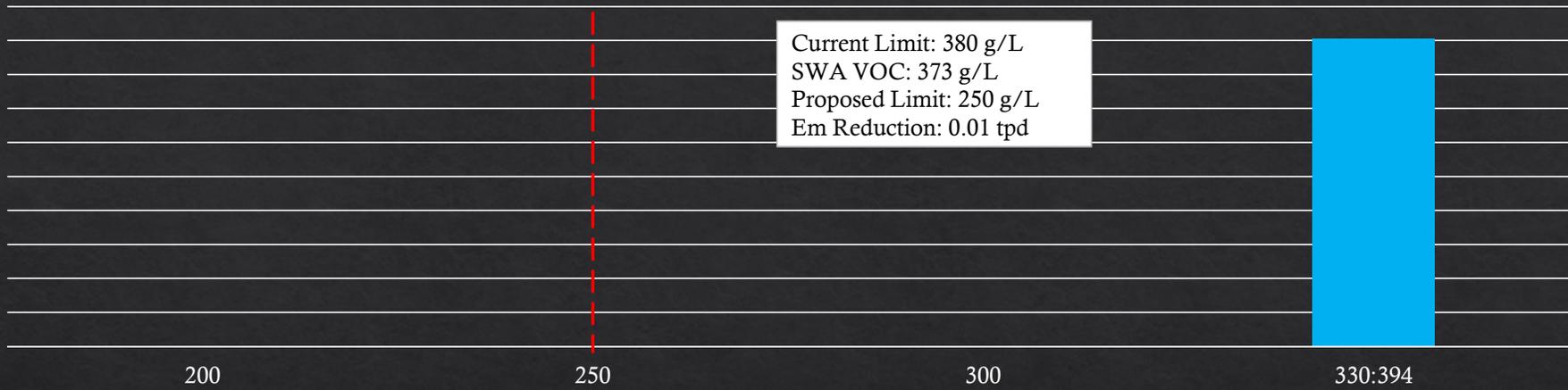
Other Outdoor Floor Covering - Sales Volume*



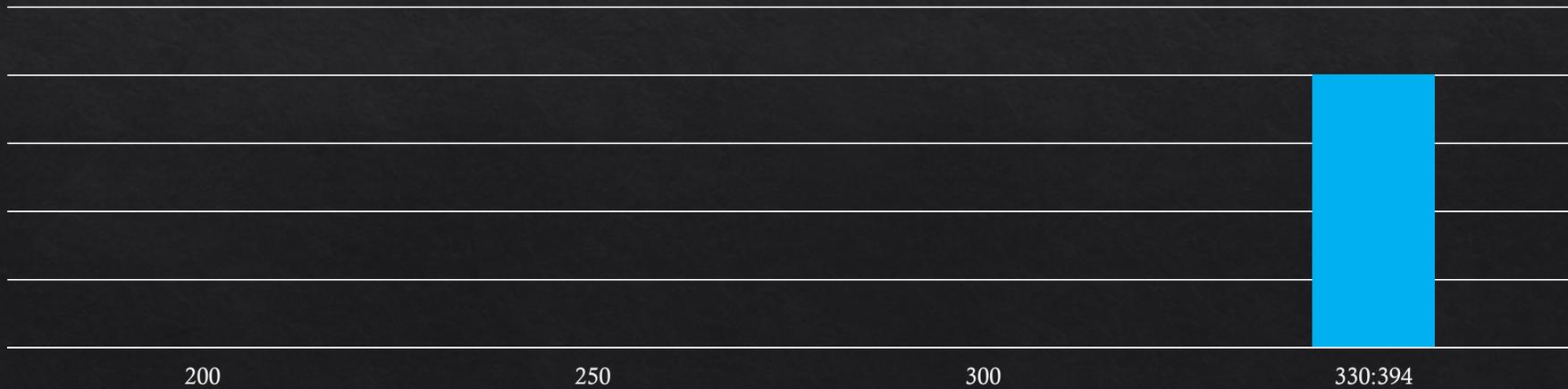
Other Outdoor Floor Covering - Product Count*



Clear, Paintable, Immediately Water Resistant - Sales Volume*

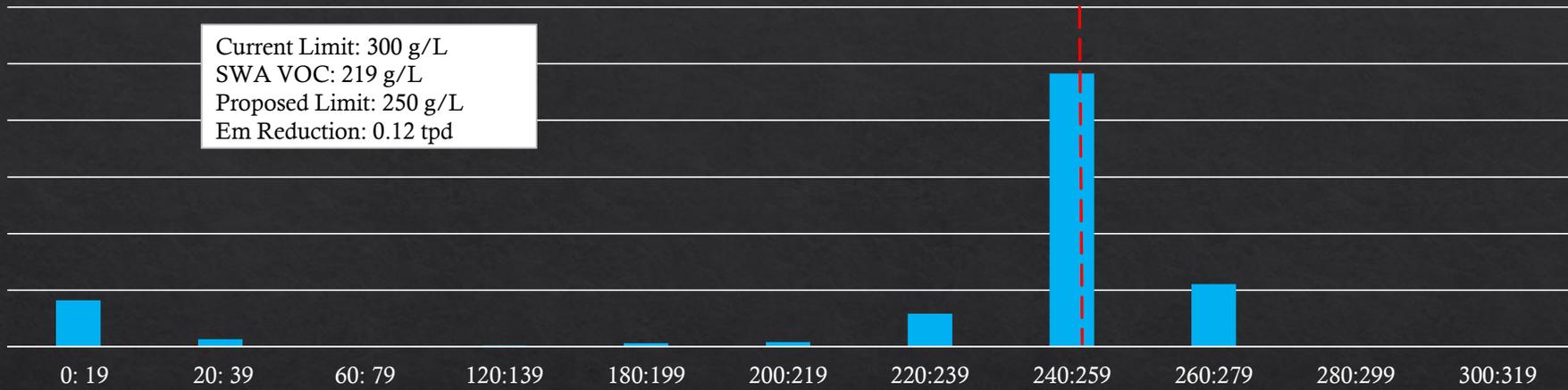


Clear, Paintable, Immediately Water Resistant - Product Count*

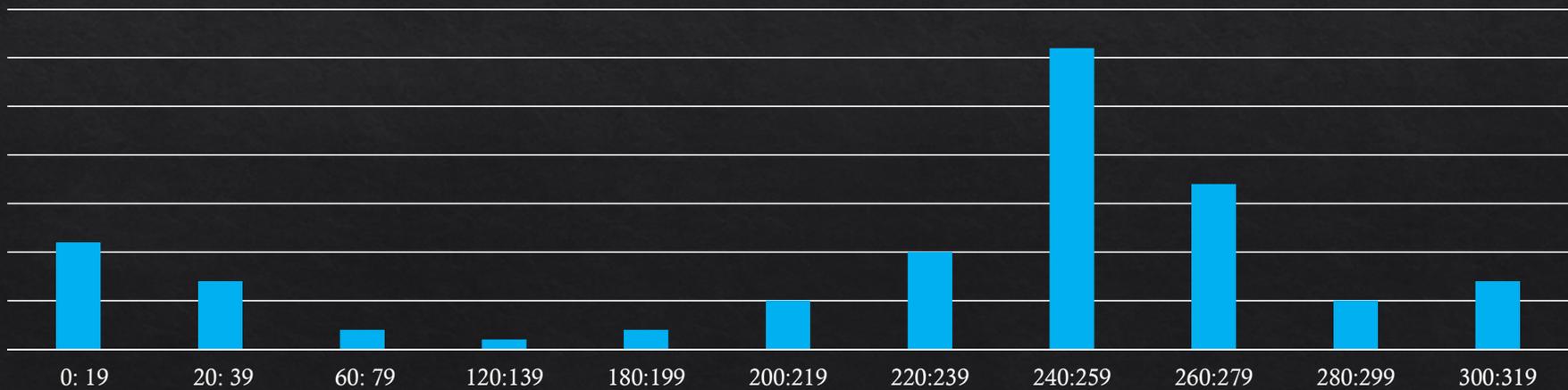


Non-Membrane Roof Sealant - Sales Volume (~769,000)

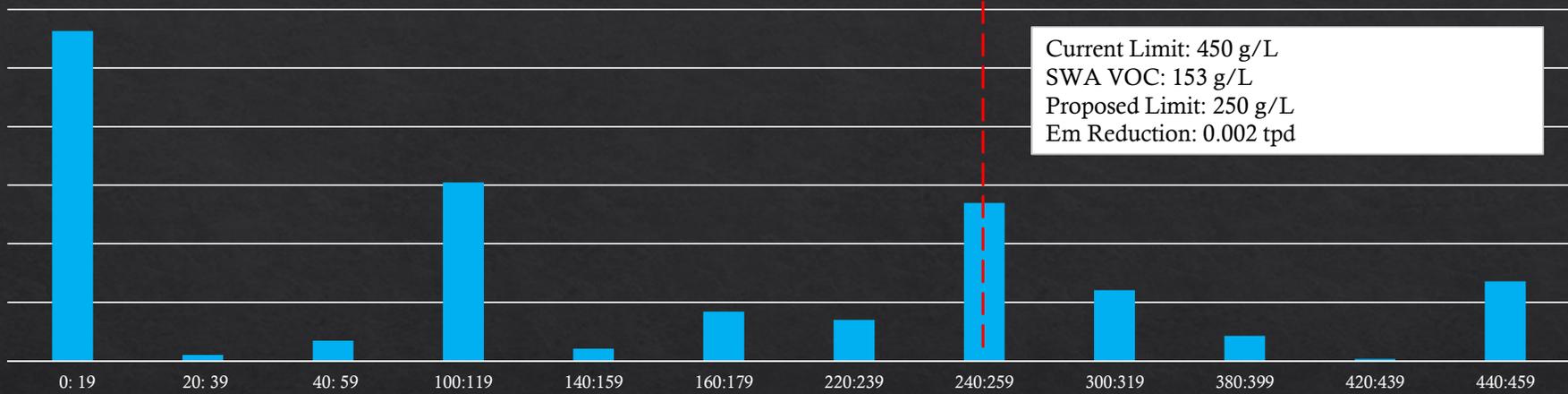
Current Limit: 300 g/L
SWA VOC: 219 g/L
Proposed Limit: 250 g/L
Em Reduction: 0.12 tpd



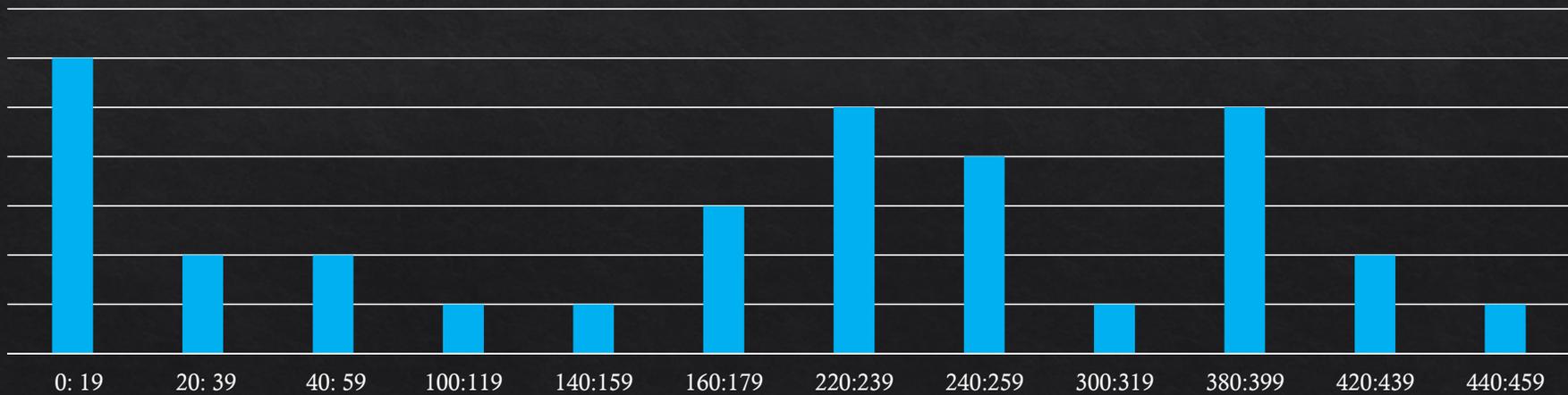
Non-Membrane Roof Sealant - Product Count (98)



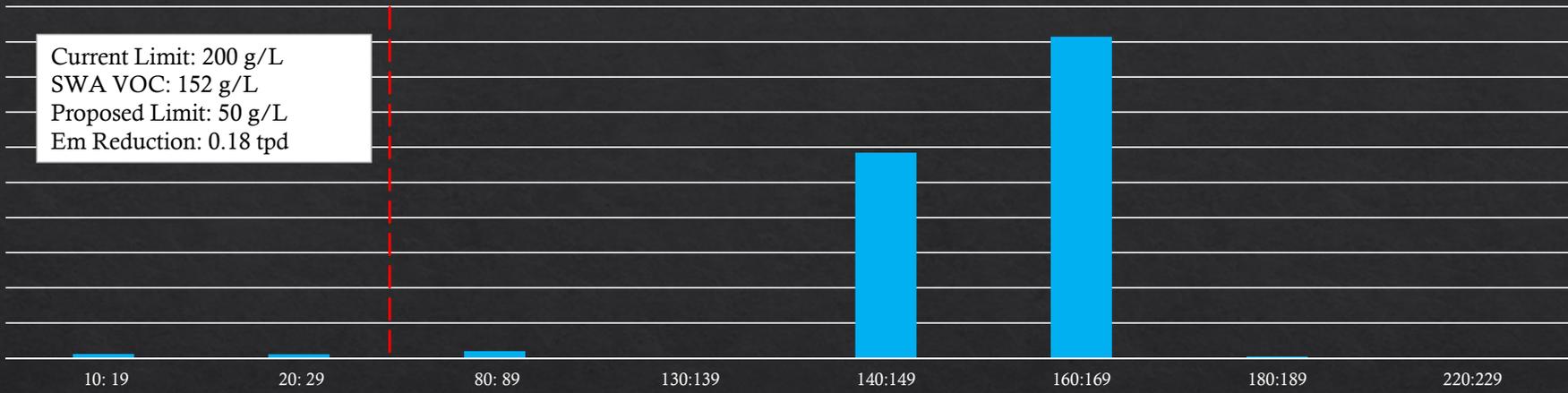
Single Ply Roof Sealant - Sales Volume (~8,000)



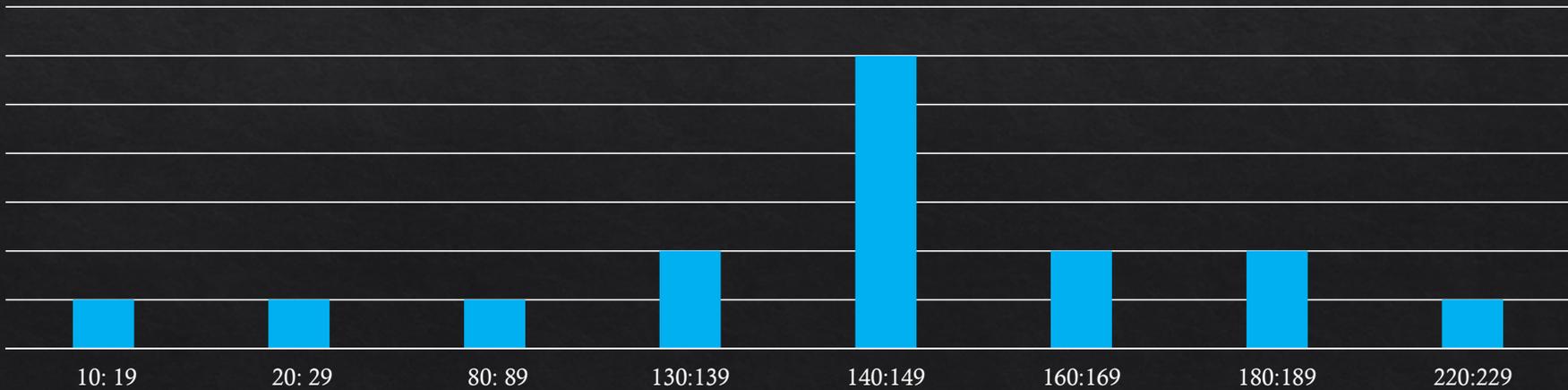
Single Ply Roof Sealant - Product Count (33)



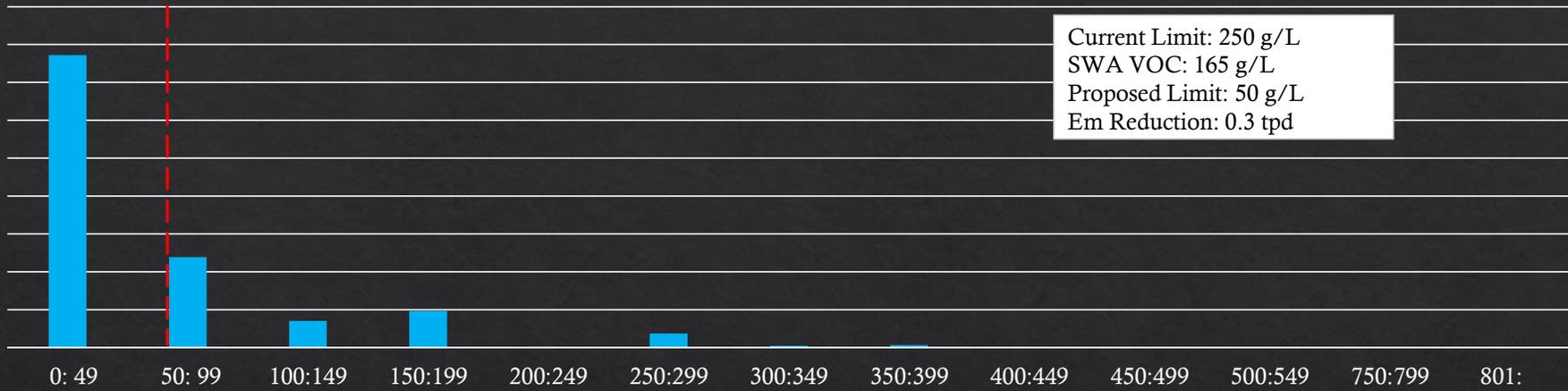
Foam Sealants - Sales Volume (~155,000)



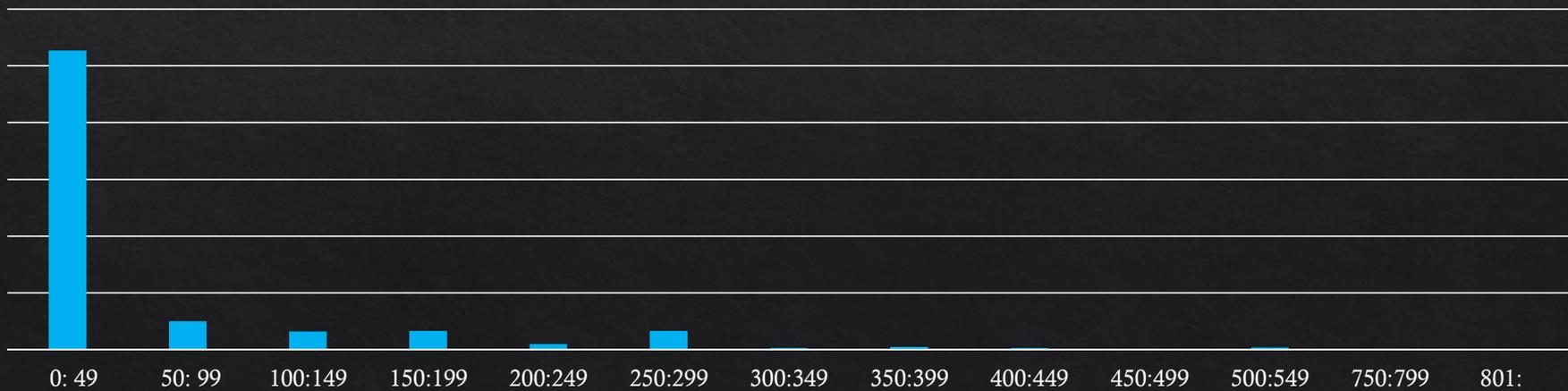
Foam Sealants - Product Count (16)



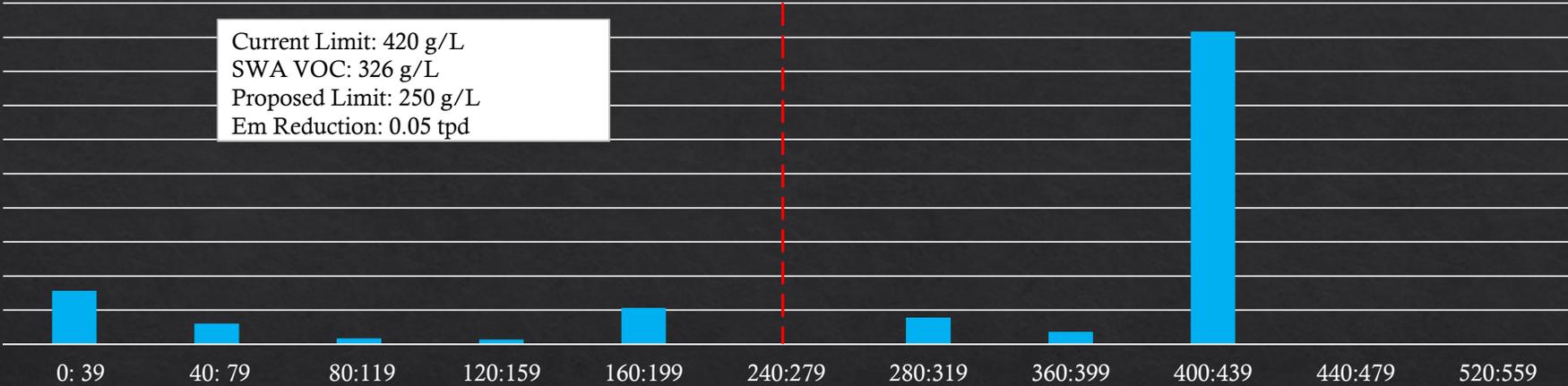
Sealant - Architectural -Sales Volume (~1,230,000)



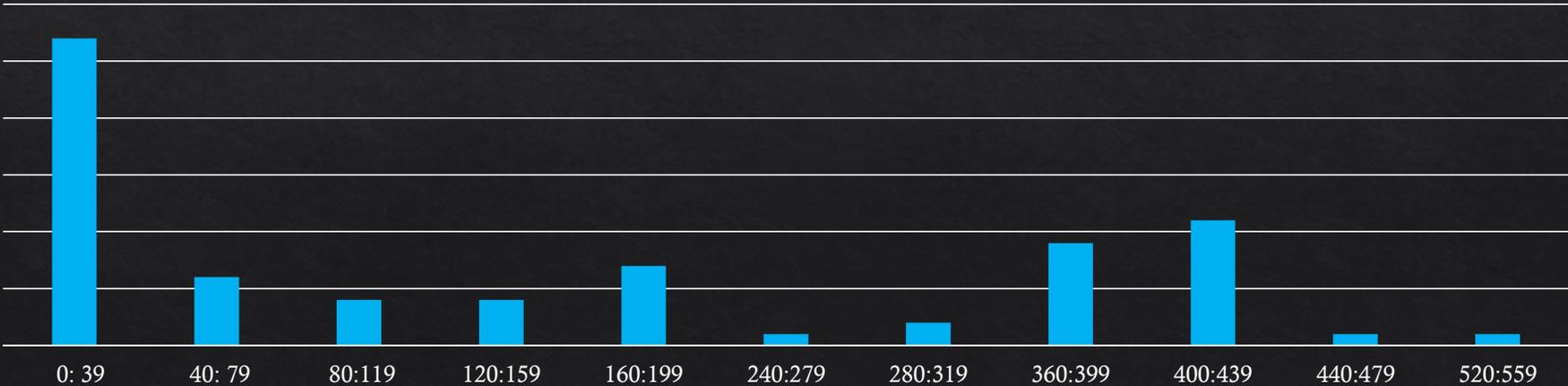
Sealant - Architectural - Product Count (704)



Sealant Other - Sales Volume (~69,000)



Sealant Other - Product Count (73)



Reporting Requirements

Manufacturer, Private Labeler

- ◆ Product manufacturer (as listed on the label)
- ◆ Product name and code
- ◆ Product category
- ◆ VOC of Regulated Product
- ◆ VOC of Material
- ◆ Total volume sold
 - ◆ Including products sold through big box retailers
 - ◆ If product sold under sell-through provision

Reporting Timeline

Reporting Deadline	Reported Years
September 1, 2018	2016, 2017
September 1, 2020	2018, 2019
September 1, 2022	2020, 2021
September 1, 2024	2022, 2023
September 1, 2028	2026, 2027
September 1, 2033	2031, 2032
September 1 st , every five years thereafter	The two calendar years prior to the reporting deadline.

Reporting Requirements

- ◇ Big Box Retailer – Reports due to Executive Officer and manufacturer/private labeler
 - ◇ May 1st of reporting deadline year
- ◇ Letter stating no sales for that year and/or indication of no future sales
 - ◇ Notify SCAQMD of resumption of sales
- ◇ Use of 55 gal/year exemption – annual report due September 1st
 - ◇ For the facility using the exemption



CARB's Consumer Products Regulation (CPR) vs Rule 1168



- ◇ SCAQMD regulates all consumer adhesives and sealants that CPR does not
 - ◇ Health & Safety (H&S) Code
 - ◇ Correspondence
- ◇ CPR limited to products <16oz (1 lb) and all aerosol adhesives
 - ◇ Aerosol exclusion in H&S Code § 41712 (h) expired 1/1/2000
- ◇ Proposing to restrict aerosol exemption
- ◇ Proposing to eliminate consumer product exemption for manufacturing at stationary sources

Regulated by CARB's CPR

- ◆ Adhesive includes, but is not limited to: caulks; sealants; glues; or similar substances used for the purpose of forming a bond.
- ◆ Aerosol adhesive
 - ◆ Mist spray adhesive
 - ◆ Special Purpose Spray Adhesive
 - ◆ (Automobile Headliner Adhesive, Automotive Engine Compartment Adhesive)
 - ◆ Flexible Vinyl Adhesive
 - ◆ Laminate Repair/Edgebanding Adhesive
 - ◆ Mounting Adhesive
 - ◆ Polystyrene Foam Adhesive
 - ◆ Screen Printing Adhesive
 - ◆ Web Spray Adhesive
- ◆ Contact Adhesive (General Purpose, Special Purpose)
- ◆ Panel Adhesive
- ◆ Construction Adhesive
 - ◆ structural and building components that include, but are not limited to, beams, trusses, studs, paneling (drywall or drywall laminates, fiberglass reinforced plastic (FRP), plywood, particle board, insulation board, pre-decorated hardboard or tileboard, etc.), ceiling and acoustical tile, molding, fixtures, countertops or countertop laminates, cove or wall bases, and flooring or subflooring;
- ◆ Floor Covering Adhesive
 - ◆ floor or wall coverings that include, but are not limited to, wood or simulated wood covering, carpet, carpet pad or cushion, vinyl-backed carpet, flexible flooring material, nonresilient flooring material, mirror tiles and other types of tiles, and artificial grass
- ◆ General Purpose Adhesive
- ◆ Sealant or Caulking Compound
 - ◆ Chemically Curing Sealant or Caulking Compound
 - ◆ Nonchemically Curing Sealant or Caulking Compound

Excluded from CPR

- ◇ “Adhesive” does not include:
 - ◇ Products used on humans and animals
 - ◇ Adhesive tape
 - ◇ Contact paper
 - ◇ Wallpaper
 - ◇ Shelf liners
 - ◇ Any other product with an adhesive incorporated onto or in an inert substrate.
 - ◇ Adhesives designed exclusively for application on one specific category of substrates
 - ◇ Adhesives designed exclusively for use on one specific category of articles
 - ◇ “Contact Adhesive” does not include rubber cements that are primarily intended for use on paper substrates. “Contact Adhesive” also does not include vulcanizing fluids that are designed and labeled for tire repair only.
- ◇ “Construction, Panel, and Floor Covering Adhesive” does not include “Floor Seam Sealer.”
- ◇ “Sealant or Caulking Compound” does not include:
 - ◇ Pipe thread sealants or pipe joint compounds;
 - ◇ Roof cements and roof sealants;
 - ◇ Insulating foams;
 - ◇ Removable caulking compounds;
 - ◇ Clear/paintable/water resistant caulking compounds;
 - ◇ Floor seam sealers;
 - ◇ Products designed exclusively for automotive uses;
 - ◇ Sealers that are applied as continuous coatings.

Regulated by Rule 1168

- Green indicates product category not regulated by CPR
 - All uses fall under Rule 1168 – including consumer use
- White indicates product category regulated by CPR
 - Consumer use of containers under 16 fluid ounces fall under CARB
 - All use over 16 fluid ounces fall under SCAQMD
 - All use in manufacturing operations fall under SCAQMD, regardless of size
- If 1168 adopted a category prior to CPR's adoption, 1168 VOC limit applies

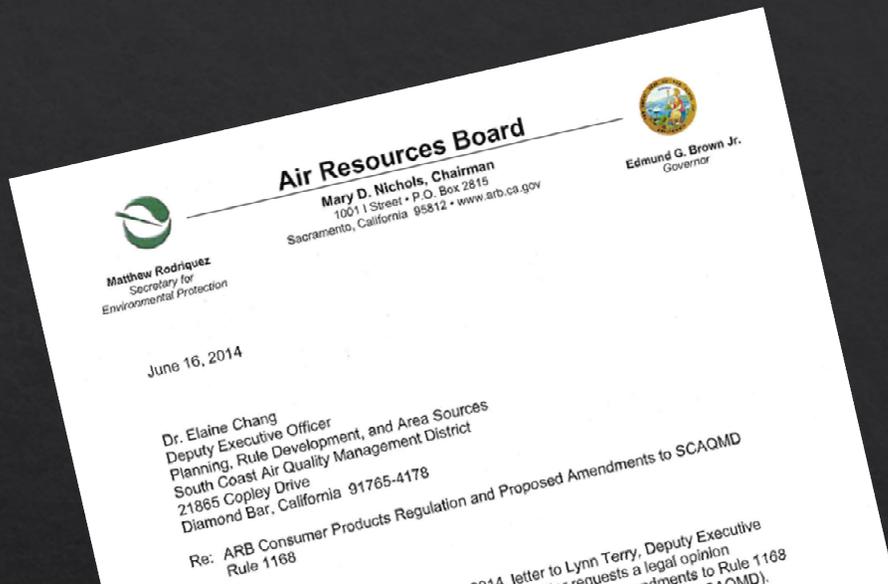
Adhesives
Architectural Applications
Building Envelope Membrane Adhesive
Carpet Pad Adhesive
Ceramic Glass, Porcelain, & Stone Tile Adhesive
Cove Base Adhesive
Dry Wall and Panel Adhesive
Multi-Purpose Construction Adhesives
Other Indoor Floor Covering Adhesives
Other Outdoor Floor Covering Adhesives
Roofing
Other Roof Adhesive
Single Ply Roof Membrane Adhesive
Structural Glazing Adhesive
Structural Wood Member Adhesive
Subfloor Adhesive
VCT and Asphalt Tile Adhesive
Welding
ABS Welding
ABS to PVC Transition Cement
CPVC Welding
PVC Welding
All Other Plastic Cement Welding
Wood Flooring Adhesive
Computer Diskette Manufacturing
Contact Adhesive
Edge Glue
Rubber Vulcanization Adhesive
Special Purpose Contact Adhesive
Thin Metal Laminating
Tire Tread
Top and Trim Adhesive
Waterproof Resorcinol Glue
All Other Adhesives

Substrate Specific Adhesive Applications
Metal
Plastic Foams
Porous Material (except wood)
Wood
Fiberglass
Reinforced Plastic Composite
Other Substrates
Sealants and Caulks
Architectural Applications
Clear, Paintable, Immediately Water-Resistant Foam Sealant
Grout
Marine Deck
Potable Water
Roofing
All Other Roof
Single-Ply Roof Membrane
All Other Architectural Applications
Roadway
All Other Sealants
Adhesive Primers
Plastic
Pressure Sensitive
Traffic Marking Tape
Vehicle Glass
All Other Adhesive Primers
Sealant Primers
Architectural Applications
Marine Deck
Non Porous
Porous
All Other Sealant Primers

CPR vs Rule 1168

◆ Exemptions

- (i)(11) Consumer products (adhesives and sealants - 16 fl ounces or less that are regulated by the CPR) are exempt from the following:
 - ◆ (c)(10) Storage Restriction
 - ◆ (f) Administrative Requirements (reporting and labeling)
 - ◆ (g) Prohibitions of Sales and Use (toxic compounds)
 - ◆ Rule 1168 provided they are used by household and institutional consumers or by manufacturing facilities for repair or maintenance.



CPR vs Rule 1168

- ◆ Exemptions: (i)(10)
 - ◆ Aerosol regulated products that exceed the VOC limits in paragraph (c)(1) shall not be subject to the provisions of paragraph (c)(1) provided that 16 ounces (one pound) or less are used per day, per facility, as determined on a monthly basis. The use of such products shall comply with all applicable CARB regulations.

(2) SCAQMD has the authority to regulate aerosol adhesives.

The SCAQMD currently has the authority to regulate all aerosol adhesives. This authority includes the regulation of aerosol adhesives that have VOC limits specified in ARB Consumer Products Regulations, regardless of whether the adhesives are used in manufacturing or non-manufacturing operations. As you mention in your letter, Health and Safety Code section 41712(h)(3) is quite explicit that on or after January 1, 2000, local air districts have the authority to regulate aerosol adhesives:

- (3) Notwithstanding any other provision of this section, on and after January 1, 2000, a district may adopt and enforce a regulation setting an emission standard or standards for VOC emissions for the use of aerosol adhesives that is more stringent than the standards adopted by the state board.



PAR 1168 Schedule

- ◇ July 6th Comments Due
- ◇ July 19th Working Group Meeting #3
- ◇ August Public Workshop
- ◇ September 1st Set Hearing
- ◇ September 15th Stationary Source Committee
- ◇ October 6th Public Hearing



Contact:

Nicole Silva
AQ Specialist
nsilva@aqmd.gov
909-396-3384