

BOARD MEETING DATE: October 2, 2026

AGENDA NO. 27

PROPOSAL: Determine That Proposed Amended Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents, Is Exempt from CEQA; Amend Rule 1143; and Submit for Inclusion Into State Implementation Plan

SYNOPSIS: Rule 1143 establishes VOC limits for consumer paint thinners and consumer multipurpose solvents. The California Office of Environmental Health Hazard Assessment determined that two compounds, para-Chlorobenzotrifluoride (pCBtF) and tert-Butyl Acetate (t-BAc), which can be used in some consumer paint thinners and consumer multipurpose solvents, have carcinogenic health effects. Proposed Amended Rule 1143 includes a future effective prohibition for pCBtF, t-BAc, and cyclic, branched, or linear, completely methylated siloxanes (VMS), which are exempt compounds identified as potentially toxic but were previously excluded from the rule’s Group II prohibition; equivalent alternative Product Weighted Maximum Incremental Reactivity (PW-MIR) VOC limits; and a sell-through provision.

COMMITTEE: Stationary Source, August 21, 2026, Reviewed

RECOMMENDED ACTIONS:

Adopt the Attached Resolution:

1. Determining that Proposed Amended Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents, is exempt from the requirements of the California Environmental Quality Act;
2. Amending Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents; and
3. Directing staff to submit Proposed Amended Rule 1143 to CARB and U.S. EPA for inclusion into the State Implementation Plan.

Wayne Nastri
Executive Officer

Background

Rule 1143 – Consumer Paint Thinners & Multipurpose Solvents was adopted in 2009 to reduce emissions of volatile organic compounds from the use, storage, and disposal of consumer paint thinners and consumer multipurpose solvents that were not regulated by CARB. Since its adoption, the rule has been amended three times to support the South Coast AQMD’s ongoing efforts to reduce VOC emissions.

As manufacturers reformulated consumer paint thinners and consumer multipurpose solvents to comply with increasingly stringent VOC requirements, some transitioned to the use of VOC-exempt solvents such as pCBtF and t-BAc. The Office of Environmental Health Hazard Assessment identified toxic endpoints for t-BAc in 2018 and for pCBtF in 2020, including cancer potency values comparable to or exceeding chemicals already restricted in coatings and solvents under existing South Coast AQMD rules. In 2018, the Stationary Source Committee members directed staff to assess pCBtF and t-BAc usage and develop an approach to reduce exposure to these compounds.

To better characterize exempt-solvent use in the marketplace, staff conducted a manufacturer survey and conducted meetings with manufacturers. Survey responses identified six products of different sizes, including two consumer paint thinners and four consumer multipurpose solvents, that currently rely on pCBtF in their formulation. No products were identified as using t-BAc. One pCBtF-based product was identified that also contained octamethylcyclotetrasiloxane, a VMS which is defined as a Group II exempt compound in Rule 102 - Definitions. Group II exempt compounds are compounds that have been exempted from the definition of a VOC by the U.S. EPA but identified by the South Coast AQMD as having potentially toxic endpoints. The U.S. EPA preliminary evaluation of a type of VMS indicated unreasonable risk to workers in manufacturing and industrial use and to consumers through certain conditions of use. Some VOC rules, including Rule 1143, exclude VMS from the Group II exempt compound prohibition; however, staff has been removing that exclusion due to toxicity concerns. Staff recommends taking a precautionary approach with VMS for their use in consumer products subject to this rule.

Stakeholders also requested alternative reactivity-based Product-Weighted Maximum Incremental Reactivity (PW-MIR) VOC limits for both consumer paint thinners and consumer multipurpose solvents to align with the PW-MIR VOC limit in Rule 1171 and to assist with the product reformulations as manufacturers transition away from pCBtF-based materials. PW-MIR VOC limits are based on equivalent ozone forming potential.

Proposed Amendments

Proposed Amended Rule 1143 (PAR 1143) will maintain the existing VOC limits for consumer paint thinners and consumer multipurpose solvents, establish a prohibition schedule for pCBtF, t-BAc, and VMS in consumer paint thinners and consumer multipurpose solvents with a sell-through period designed to address stranded inventory concerns. The prohibition applies to products containing pCBtF, t-BAc, or VMS that are manufactured after September 1, 2027; products containing pCBtF, t-BAc, or VMS that

were manufactured prior to September 1, 2027 can continue to be sold until September 1, 2029. The two-year sell-through period is intended to minimize impacts on the supply chain. PAR 1143 also provides an alternative PW-MIR VOC limit to support product reformulation away from pCBtF. PAR 1143 also streamlines its rule structure; adds new definitions; and removes outdated rule provisions.

Public Process

PAR 1143 was developed through a public process. Staff held two Working Group Meetings and multiple individual meetings with manufacturers. A Public Workshop was held on August 4, 2026.

Emission Reductions

PAR 1143 establishes a prohibition and compliance schedule for the phase out of pCBtF, t-BAC, and VMS while maintaining the existing mass-based VOC limits. PAR 1143 also introduces an alternative PW-MIR VOC limit to provide manufacturers with an additional compliance pathway and formulation flexibility during the transition away from the use of the toxic compounds, pCBtF, t-BAC, and VMS. Because the existing mass-based VOC limits are not being changed and the PW-MIR limit is designed to be an equivalent alternative to the current VOC limits, no increase in ozone formation is expected as a result of the proposed amendments to the rule.

PAR 1143 affects manufacturers, product supply chains, and end users, including consumers and institutions. Manufacturers indicated through survey responses and other communications that pCBtF is used in six products, one of which also includes VMS. No use of t-BAC was reported.

Key Issues

Throughout the rulemaking process, staff worked with stakeholders to resolve key issues. Staff is not aware of any remaining key issues.

California Environmental Quality Act (CEQA)

Pursuant to CEQA Guidelines Section 15002(k) and 15061, the proposed project (PAR 1143) is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and is included as Attachment H to this Board Letter. If the proposed project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor's Office of Land Use and Climate Innovation.

Socioeconomic Impact Assessment

PAR 1143 contains a new provision that provides an optional pathway for manufacturers to demonstrate compliance with an alternative VOC limit through the use of PW-MIR, a reactivity-based metric that reflects the ozone-forming potential of a product based on the weighted reactivity of all VOC ingredients in the formulation. The flexibility provided by this optional pathway will help manufacturers reduce or

minimize costs associated with reformulating replacement products. Since most manufacturers are located outside California, the cost impacts on manufacturers within South Coast AQMD jurisdiction are minimal. Staff did not identify any products formulated with t-BAC. The few products that contain pCBtF or VMS represent a very small market share and replacements that do not contain pCBtF or VMS are currently available with equivalent prices. As such, the transition to consumer paint thinners and consumer multipurpose solvents without pCBtF, t-BAC, or VMS is not expected to substantially affect the sales price of compliant products, the supply chains, institutions and end users. Thus, implementation of PAR 1143 is anticipated to result in minimal to no compliance costs and minimal socioeconomic impacts in the South Coast AQMD region. The Final Socioeconomic Impact Assessment can be found within the Final Staff Report, which is included as Attachment G of this Board Letter.

AQMP and Legal Mandates

PAR 1143 partially implements 2022 AQMP Control Measure CTS-01 by phasing out pCBtF and t-BAC while maintaining existing VOC emission limits.

Implementation and Resource Impacts

Existing staff resources are adequate to implement the proposed amendments.

Attachments

- A. Summary of Proposals
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts
- E. Resolution
- F. Proposed Amended Rule 1143
- G. Final Staff Report, with Final Socioeconomic Impact Assessment Included
- H. Notice of Exemption from CEQA
- I. Board Presentation

ATTACHMENT A
SUMMARY OF PROPOSALS

Proposed Amended Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents

Subdivision (a) - Purpose

- Staff capitalized defined terms to indicate that definitions for the associated terms can be found in the Definitions subdivision.

Subdivision (b) - Applicability

- Staff updated applicability for consistency across other VOC rules. The revisions clarify that PAR 1143 applies to any person who supplies, sells, offers for sale, manufactures, blends, distributes, packages, or repackages consumer paint thinners and consumer multipurpose solvents for use in the South Coast AQMD, as well as any person who uses or solicits the use of any consumer paint thinners and consumer multipurpose solvents within the South Coast AQMD. Staff also capitalized defined terms to indicate that definitions for the associated terms can be found in the Definitions subdivision.

Subdivision (c) – Definitions

- Added the following definitions:
 - Chemical Abstracts Service Registration Number (CAS RN)
 - Executive Officer
 - Maximum Incremental Reactivity (MIR)
 - Principal Display Panel
 - Product-Weighted MIR (PW-MIR)
 - South Coast AQMD Test Method
- Revised definitions to improve clarity, consistency, and enforceability, including:
 - Consumer Multipurpose Solvents
 - Distributor
 - Exempt Compound
 - Formulation Data
 - Grams of VOC per Liter of Material
 - Person
 - VOC Content
 - Volatile Organic Compound (VOC)
- Removed a definition that is not being used in the rule:
 - Solvent Flushing

Proposed Amended Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents

Subdivision (d) – Requirements

- Added alternative PW-MIR compliance pathway, with a PW-MIR VOC limit of 0.38 g O₃/g VOC, which provides an additional compliance option while maintaining equivalent ozone-forming potential compared to the existing mass-based VOC limits.
- Streamlined the existing general prohibition for Group II exempt compounds as specified in existing paragraph (d)(5) and removed the exception for cyclic, branched, or linear, completely methylated siloxanes (VMS).
- Included a future effective prohibition for consumer paint thinners and consumer multipurpose solvents manufactured after September 1, 2027, that contain pCBtF, t-BAc, or VMS.
- Established a sell-through provision for consumer paint thinners and consumer multipurpose solvents manufactured prior to September 1, 2027. These provisions allow materials containing pCBtF, t-BAc, and/or VMS that were manufactured before the prohibition date to be sold through the supply chain until September 1, 2029.
- Included a provision for manufacturers to supply a distributor with materials that exceed the mass-based limits, or if applicable, PW-MIR limits, provided they inform the distributor in writing that the materials do not comply with the limits. This provision does not apply to the prohibition against the use of pCBtF, t-BAc, VMS, or Group II exempt compounds.

Subdivision (e) – Labeling Requirements

- Included a new provision for additional labeling requirements for consumer paint thinners and consumer multipurpose solvents that elect to comply with the alternative PW-MIR VOC limit. For these materials, manufacturers and suppliers are required to include the PW-MIR VOC content, expressed as grams of ozone per gram of product (g O₃/g product), on all containers to facilitate compliance and enforcement.

Subdivision (f) – Reporting and Recordkeeping Requirements

- Streamlined and consolidated provisions from existing subdivisions (e) and (g).

Subdivision (g) – Information Exempt from Disclosure

- Revised to reflect updated code sections for the California Public Records Act.

Proposed Amended Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents

Subdivision (h) – Test Methods

- Added South Coast AQMD Test Method 313, a test method relied on for VOC testing of low-VOC materials.
- Aligned rule language with other, more recently adopted, VOC rules.

Subdivision (i) – Exemptions

- Provided existing conditional exemptions from specific requirements of Rule 1143. Rule language for products excluded from the previously defined consumer multipurpose solvents was removed from the definition subdivision and reorganized to fit under subparagraph (i)(1)(B).

Subdivision (j) – Severability

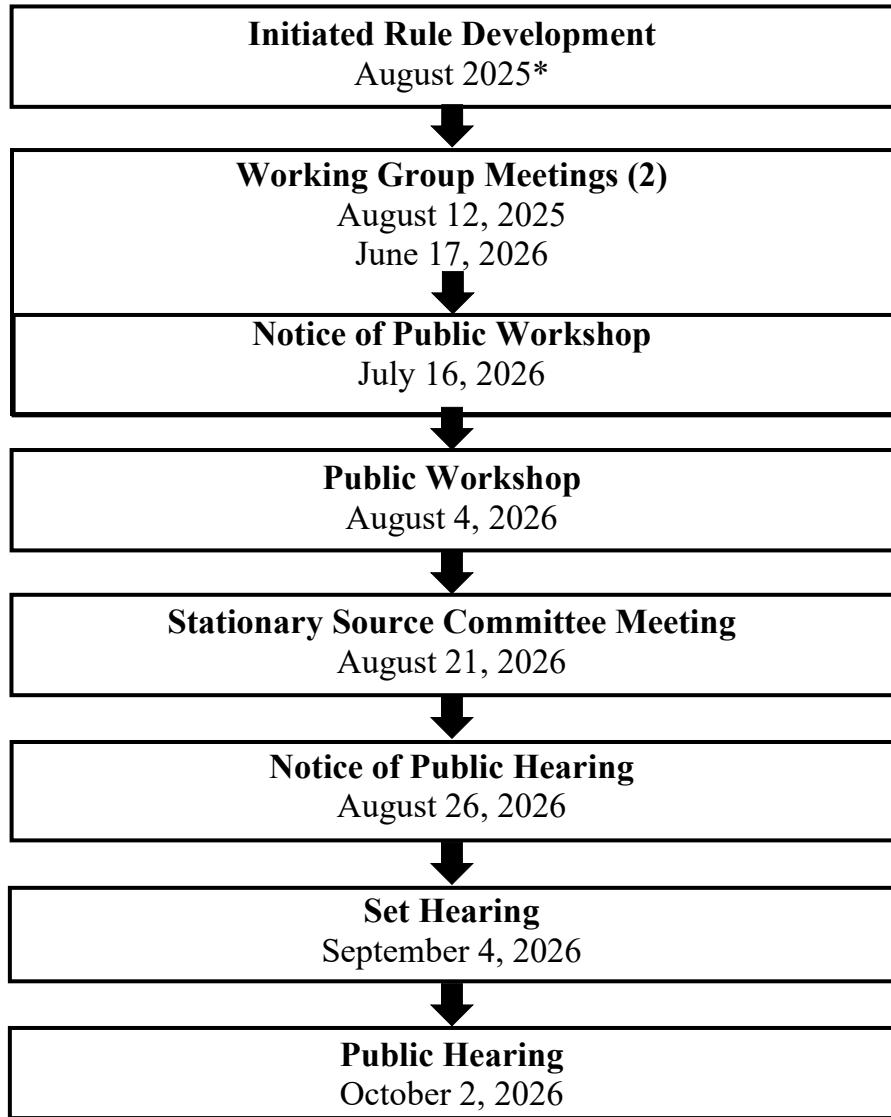
- Existing provision for severability.

ATTACHMENT B
KEY ISSUES AND RESPONSES

Proposed Amended Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents
Staff has worked with stakeholders throughout the rule amendment process and is not aware of any remaining key issues.

ATTACHMENT C
RULE DEVELOPMENT PROCESS

Proposed Amended Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents



Fourteen (14) months spent in rule development
One (1) Public Workshop
One (1) Stationary Source Committee Meeting
Two (2) Working Group Meetings

**Manufacturer survey released*

ATTACHMENT D
KEY CONTACTS LIST

Proposed Amended Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents

- American Coatings Association (ACA)
- E4 Strategic Solutions Inc.
- Golden Artist Colors, Inc.
- Household & Commercial Products Association (HCPA)
- National Aerosol Association (NAA)
- Rust-Oleum Corporation
- W.M. Barr & Company, Inc.

ATTACHMENT E

RESOLUTION NO. 26-_____

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that Proposed Amended Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents, is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board amending Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents.

A Resolution of the South Coast AQMD Governing Board directing staff to submit Proposed Amended Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents, for inclusion into the State Implementation Plan.

WHEREAS, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 1143 is considered a "project" as defined by CEQA; and

WHEREAS, the South Coast AQMD has had its regulatory program certified pursuant to Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(l), and has conducted a CEQA review and analysis of the proposed project pursuant to such program (South Coast AQMD Rule 110); and

WHEREAS, the South Coast AQMD Governing Board finds and determines that, after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that Proposed Amended Rule 1143 is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that it can be seen with certainty that there is no possibility that Proposed Amended Rule 1143 could cause a significant adverse effect on the environment because: 1) no change to ozone formation potential is expected; and 2) compliant formulations that do not contain para-Chlorobenzotrifluoride (pCBtF), tert-Butyl Acetate (t-BAC), and cyclic, branched, or linear, completely methylated siloxanes (VMS) are commercially available and the sell-through provisions provide sufficient time to find suitable replacements, which will prevent stranded assets and the generation of waste. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

WHEREAS, the South Coast AQMD staff has prepared a Notice of Exemption for the proposed project, that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

WHEREAS, Proposed Amended Rule 1143 and supporting documentation, including but not limited to, the Notice of Exemption and the Final Staff Report which includes the Final Socioeconomic Impact Assessment, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, as well as has taken and considered staff testimony and public comment prior to approving the project; and

WHEREAS, the South Coast AQMD Governing Board finds and determines, taking into consideration the factors in Section (d)(4)(D) of the Governing Board Procedures (Section 30.5(4)(D)(i) of the Administrative Code), that the modifications to Proposed Amended Rule 1143 since the Notice of Public Hearing was published are clarifications that meet the same air quality objective and are not so substantial as to significantly affect the meaning of Proposed Amended Rule 1143 within the meaning of Health and Safety Code Section 40726 because the addition of “South Coast AQMD Test” and other minor formatting changes in subparagraphs (h)(1)(A) and (h)(1)(B) were made to provide consistency and clarity, the re-ordering of compounds in subparagraph (d)(3)(B) and paragraph (d)(4) were made to provide consistency, the re-phrasing of “A Person shall not” to “No Person shall” in paragraphs (e)(3) and (e)(4) were made to provide consistency and clarity, the change from “Multi-Purpose” to “Multipurpose” throughout the rule language was for clarity, the change from “methylate” to “methylated” in subparagraph (d)(3)(A) was for accuracy, changing “January 1st of each calendar year” to “January 31st of each calendar year” is to provide clarity, and: (a) the changes do not impact emission reductions, (b) the changes do not affect the number or type of sources regulated by the rule, (c) the changes are consistent with the information contained in the Notice of Public Hearing, and (d) the consideration of the range of CEQA alternatives is not applicable because the proposed project is exempt from CEQA; and

WHEREAS, Proposed Amended Rule 1143 will be submitted for inclusion into the State Implementation Plan; and

WHEREAS, the South Coast AQMD Governing Board determines that there is a problem that Proposed Amended Rule 1143 will alleviate, (i.e., the toxics risks posed by pCBtF, t-BAC, and VMS) and the proposed amendment will phase out and prohibit their use; and

WHEREAS, Health and Safety Code Section 40727 requires that prior to adopting, amending, or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the Public Hearing and in the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has determined that a need exists to amend Rule 1143 to limit the use of para-chlorobenzotrifluoride (pCBtF) and tert-butyl acetate (t-BAC) due to toxicity and public health concerns and to partially implement the 2022 AQMP Control Measure CTS-01; and

WHEREAS, the South Coast AQMD Governing Board has determined that a need exists to amend Rule 1143 to limit the use of VMS, which are Group II exempt compounds defined in Rule 102 – Definitions and identified as potentially toxic but were previously excluded from the rule’s Group II prohibition; and

WHEREAS, the South Coast AQMD Governing Board obtains its authority to adopt, amend or repeal rules and regulations from Health and Safety Code Sections 39002, 40000, 40001, 40440, 40441, 40702, and 40725 through 40728; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1143 is written or displayed so that its meaning can be easily understood by the persons directly affected by it; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1143 is in harmony with, and not in conflict with or contradictory to, existing statutes, court decision, or state or federal regulations; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1143 does not impose the same requirements as any existing state or federal regulations, and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD; and

WHEREAS, the South Coast AQMD Governing Board, in amending Rule 1143, references the following statutes which the South Coast AQMD hereby implements, interprets, or makes specific: Health and Safety Code Sections 39002, 40001, 40702, 40440(a), 40725 through 40728.5, and federal Clean Air Act Sections 110, 172, and 182(e); and

WHEREAS, Health and Safety Code Section 40727.2 requires the South Coast AQMD to prepare a written analysis of existing federal air pollution control requirements applicable to the same source type being regulated whenever it adopts, or amends a rule that imposes a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements; however, Proposed Amended Rule 1143 does not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements and therefore a comparative analysis is not required and providing a matrix comparison or comparative analysis will not yield further information; and

WHEREAS, the South Coast AQMD Governing Board has determined that the Final Socioeconomic Impact Assessment, which is included in the Final Staff Report for Proposed Amended Rule 1143, is consistent with the March 17, 1989, Governing Board Socioeconomic Resolution for rule amendment; and

WHEREAS, the South Coast AQMD Governing Board has determined that the Final Socioeconomic Impact Assessment, which is included in the Final Staff Report for Proposed Amended Rule 1143, is consistent with the provisions of Health and Safety Code Sections 40440.8 and 40728.5; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1143 neither includes new Best Available Retrofit Control Technology requirements nor new feasible measures pursuant to Health and Safety Code Section 40914; therefore, the requirements to conduct the analysis of cost-effectiveness and incremental cost-effectiveness as set forth in the Health and Safety Code Section 40920.6 are not applicable; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 1143 is anticipated to result in minimal to no compliance costs and minimal socioeconomic impacts in the South Coast AQMD region, as specified in the Final Socioeconomic Impact Assessment, which is included in the Final Staff Report for Proposed Amended Rule 1143; and

WHEREAS, the South Coast AQMD Governing Board has actively considered the Final Socioeconomic Impact Assessment, which is included in the Final Staff Report for Proposed Amended Rule 1143, and has made a good faith effort to minimize any adverse socioeconomic impacts; and

WHEREAS, the South Coast AQMD staff conducted a Public Workshop regarding Proposed Amended Rule 1143 on August 4, 2026; and

WHEREAS, the Public Hearing has been properly noticed in accordance with all provisions of Health and Safety Code Sections 40725 and 40440.5; and

WHEREAS, the South Coast AQMD Governing Board has held a Public Hearing in accordance with all provisions of state and federal law; and

WHEREAS, the South Coast AQMD Governing Board specifies the Planning, Rule Development, and Implementation Manager overseeing the rule development for Proposed Amended Rule 1143 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of this proposed project is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

NOW, THEREFORE, BE IT RESOLVED, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that Proposed Amended Rule 1143 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent

judgment and reviewed, considered, and approved the information therein prior to acting on the proposed project; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Amended Rule 1143 as set forth in the attached, and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board requests that Proposed Amended Rule 1143 be submitted for inclusion in the State Implementation Plan; and

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution and Proposed Amended Rule 1143 to the California Air Resources Board for approval and subsequent submittal to the United States Environmental Protection Agency for inclusion into the State Implementation Plan.

DATE: _____

CLERK OF THE BOARDS

(Adopted March 6, 2009)(Amended June 4, 2010)(Amended July 9, 2010)
(Amended December 3, 2010)(Amended [Date of Rule Adoption])

PROPOSED AMENDED RULE 1143. **CONSUMER PAINT THINNERS**
&AND MULTI-PURPOSE
MULTIPURPOSE SOLVENTS

[RULE INDEX TO BE ADDED AFTER RULE ADOPTION]

(a) Purpose

The purpose of this rule is to reduce emissions of ~~volatile organic compounds~~ Volatile Organic Compounds (VOCs) and ~~toxics~~ from the use, storage, and disposal of ~~consumer paint thinners~~ Consumer Paint Thinners and ~~multi-purpose solvents~~ Consumer Multi-Purpose Multipurpose Solvents commonly used in thinning of coating materials, cleaning of coating application equipment, and other ~~solvent cleaning~~ Solvent Cleaning operations by limiting their ~~VOC content~~ VOC Content.

(b) Applicability

This rule is applicable to any ~~person~~ Person who supplies, sells, offers for sale, or manufactures, blends, distributes, packages, or repackages ~~consumer paint thinners~~ Consumer Paint Thinners and ~~multi-purpose solvents~~ Consumer Multi-Purpose Multipurpose Solvents for sale ~~use~~ in the ~~District~~ South Coast AQMD, as well as any ~~person~~ Person who uses or ~~solicits~~ Solicits the use of any ~~consumer paint thinner~~ Consumer Paint Thinners and ~~multi-purpose solvent~~ Consumer Multi-Purpose Multipurpose Solvents within the ~~District~~ South Coast AQMD.

(c) Definitions

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

- (1) ARTIST SOLVENTS/THINNERS ~~are~~ mean any liquid products that meet and are labeled to meet the requirements of ASTM D4236 Standard Practice for Labeling Art Materials for Chronic Health Hazards, which is incorporated by reference herein, and have been refined to remove impurities for artistic use for the purpose of reducing the viscosity of, or removing, art coating compositions or components.— Artist Solvents/Thinners do not include commercial-grade ~~solvents~~ Solvents or thinners.

(2) CHEMICAL ABSTRACTS SERVICE REGISTRATION NUMBER (CAS RN) means a unique numerical identifier assigned by the Chemical Abstracts Service to a single chemical substance to ensure unambiguous identification.

(23) CONSUMER ~~MULTI-PURPOSE~~MULTIPURPOSE SOLVENTS ~~are~~mean any liquid products designed or labeled to be used for dispersing₂ ~~or~~ dissolving₂ or removing contaminants or other organic materials₂ for personal, family, household, or institutional use including₂ but not limited to₂ the following:

(1A) ~~products~~ Products that do not display specific use instructions on the product container or packaging;₂

(2B) ~~products~~ Products that do not specify an end-use function or application on the product container or packaging;₂

(3C) ~~solvents~~ Solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific or other laboratories;₂

(4D) ~~“Paint clean-up” products,~~ which means any liquid product labeled for cleaning oil-based or water-based paint, lacquer, varnish, or related coatings from substrates, including, but not limited to, painting equipment, painting tools, plastic substrates, or metal substrates; and

(5E) ~~products~~ Products labeled to prepare surfaces for painting.

~~For the purpose of this definition only, “Paint clean-up” means any liquid product labeled for cleaning oil-based or water-based paint, lacquer, varnish, or related coatings from, but not limited to, painting equipment or tools, plastics or metals. “Consumer Multi-purpose Solvents” do not include solvents used in cold cleaners, vapor degreasers, conveyORIZED degreasers or film cleaning machines, or solvents that are incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment. “Multi-purpose Solvents” also do not include any products making any representation that the product may be used as, or is suitable for use as a consumer product which qualifies under another definition in California Code of Regulations Title 17, § 94508 as of the date of adoption.~~

- (34) CONSUMER PAINT THINNERS ~~are~~mean any liquid products used for reducing the viscosity of coatings ~~compositions~~ or components for personal, family, household, or institutional use, including, but not limited to, products that prominently display the term “Paint Thinner,” “Lacquer Thinner,” “Thinner,” or “Reducer” on the front panel of its packaging.
- (45) DISTRIBUTOR means any ~~person~~Person to whom consumer products are sold or supplied for the purposes of resale or distribution in commerce, except that ~~manufacturers~~Manufacturers, ~~retailers~~Retail Outlets, and consumers are not ~~distributors~~Distributors.
- (6) EXECUTIVE OFFICER is as defined in Rule 102 – Definition of Terms.
- (57) EXEMPT COMPOUND is as defined in Rule 102, including Group I and Group II Exempt Compounds.
- (68) FORMULATION DATA ~~is~~means the actual product recipe which itemizes all of the ingredients and the percent by weight of each ingredient contained in a product, including VOCs ~~and the quantities thereof used by the manufacturer to create the product.~~ - Material Safety Data Sheets (MSDS) are not considered ~~formulation data~~Formulation Data.
- (79) GRAMS OF VOC PER LITER (g/L) OF MATERIAL or ACTUAL VOC ~~is~~mean the weight of VOC per volume of material and can be calculated by the following equation:

$$\frac{\text{Grams of VOC per Liter of Material}}{\text{Actual VOC (g/L)}} = \frac{W_{sv} - W_w - W_{esx}}{V_m}$$

Where:

$$W_{sv} = \text{weight Weight of volatile compounds in grams}$$

$$W_w = \text{weight Weight of water in grams}$$

$$W_{esx} = \text{weight Weight of exempt compounds Exempt Compounds in grams}$$

$$V_m = \text{volume Volume of the material in liters}$$

- (810) INDUSTRIAL MAINTENANCE COATINGS ~~are~~mean coatings, including primers, sealers, undercoaters, intermediate coatings, and topcoats, formulated for or applied to substrates, including floors that are exposed to one or more of the following extreme environmental conditions:

- (A) ~~immersion~~Immersion in water, wastewater, or chemical solutions (aqueous and non-aqueous solutions), or chronic exposure of interior surfaces to moisture condensation;
 - (B) ~~aeute~~Acute or chronic exposure to corrosive, caustic or acidic agents, or similar chemicals, chemical fumes, chemical mixtures, or solutions;
 - (C) ~~repeated~~Repeated exposure to temperatures in excess of 250 degrees Fahrenheit;
 - (D) ~~repeated~~Repeated heavy abrasion, including mechanical wear and repeated scrubbing with industrial ~~solvents~~Solvents, cleaners, or scouring agents; or
 - (E) ~~exterior~~Exterior exposure of metal structures.
- (911) LACQUER THINNERS ~~are~~mean ~~solvents~~Solvents that are manufactured for the purpose of thinning, diluting, dissolving, and for clean-up of lacquer coatings.
- (1012) MANUFACTURER means any ~~person~~Person, company, firm, or establishment who imports, manufactures, blends, assembles, produces, packages, repackages, or re-labels a ~~consumer paint thinner~~Consumer Paint Thinner or ~~multi-purpose solvent~~ Consumer Multi-Purpose~~Multi-purpose~~ Solvent.— The ~~manufacturers~~Manufacturers listed on the product's label shall be primarily responsible for compliance with applicable provisions of this rule.— If the label lists two or more ~~manufacturers~~Manufacturers, they may mutually designate in writing a ~~manufacturer~~Manufacturer responsible for compliance with this rule.— That writing shall be filed with the Executive Officer.
- (13) MAXIMUM INCREMENTAL REACTIVITY (MIR) means the measure of the photochemical reactivity of a VOC, which estimates the weight of ozone produced from a weight of VOC expressed as gram of ozone per gram of VOC (g O₃/g VOC). MIR values for individual VOCs are specified in Title 17, California Code of Regulations, Sections 94700 and 94701.
- (1114) PERSON—~~means any individual, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user or owner, or any state or local governmental agency or public district or any other officer or employee thereof. “Person” also means the~~

~~United States or its agencies to the extent authorized by Federal law is as defined in Rule 102.~~

(15) PRINCIPAL DISPLAY PANEL means that part, or those parts of a label that are so designed as to most likely be displayed, presented, shown, or examined under normal and customary conditions of display or purchase.

(16) PRODUCT-WEIGHTED MIR (PW-MIR) means the sum of all weighted MIR for all ingredients in a product. The PW-MIR is the total product reactivity expressed to hundredths of a gram of ozone formed per gram of product (excluding container and packaging) and calculated according to the following equations:

Weighted MIR (Wtd-MIR) ingredient = MIR x Weight Fraction ingredient
and

PW-MIR = (Wtd-MIR)₁ + (Wtd-MIR)₂ + ... + (Wtd-MIR)_n

Where:

MIR = ingredient MIR; and

1, 2, 3..., n = each ingredient in the product up to the total n ingredients in the product.

~~(1217)~~ RESPONSIBLE PARTY for a corporation ~~is means~~ a corporate officer or an authorized representative ~~so~~ delegated by a corporate officer. Delegation of an authorized representative must be made in writing to the Executive Officer. A ~~responsible party~~ Responsible Party for a partnership or sole proprietorship is the general partner or proprietor, respectively.

~~(1318)~~ RETAIL OUTLET means any establishment at which consumer products are sold, supplied, or offered for sale directly to consumers.

~~(1419)~~ SOLICIT ~~is means~~ to require for use or to specify, by written or oral contract.

~~(1520)~~ SOLVENTS include diluents and thinners and are defined as organic materials which are liquids at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents.

~~(1621)~~ SOLVENT CLEANING ~~is means~~ the removal of adhesives, inks, coatings, and contaminants which include, but are not limited to, dirt, soil, and grease from parts, products, tools, machinery, equipment, and general work areas.

(22) SOUTH COAST AQMD TEST METHOD means a test method included in the manual of "Laboratory Methods of Analysis for Enforcement

Samples,” which can be found on the South Coast AQMD website and are referenced in subdivision (h).

~~(17) SOLVENT FLUSHING is the use of a solvent to remove adhesives, inks, coatings, or contaminants from the internal surfaces and passages of the equipment by inducing a rapid flow of solvent through the equipment.~~

~~(18) VOC (VOLATILE ORGANIC COMPOUND) is as defined in Rule 102.~~

~~(1923) VOC CONTENT means the total weight of VOC in a product expressed as a percentage of the product weight or as a mass-based concentration expressed in grams per liter of material (g/L-Material) or pounds per gallon (lb/Gal) or the PW-MIR VOC content expressed as g O₃/g Product.~~

(24) VOLATILE ORGANIC COMPOUND (VOC) is as defined in Rule 102.

(d) Requirements

(1) ~~Except as provided in paragraph (d)(2), no~~No person~~Person~~ shall supply, sell, offer for sale, manufacture, blend, distribute, package, or repackage any ~~consumer paint thinner~~Consumer Paint Thinner or ~~multi-purpose solvent~~Consumer Multi-PurposeMultipurpose Solvent for use in the ~~District~~South Coast AQMD, unless the ~~consumer paint thinner~~Consumer Paint Thinner or ~~multi-purpose solvent~~Consumer Multi-PurposeMultipurpose Solvent complies with the applicable ~~VOC content~~VOC Content limits set forth in the table below Table 1:

Table 1 – VOC Content Limits

CATEGORY	EFFECTIVE 1/1/2010	EFFECTIVE 1/1/2011	
	VOC Content g/L or (lb/Gal)	<u>Actual VOC ContentLimits</u> g/L or (lb/Gal)	
		<u>g/L-Material</u>	<u>lb/Gal-Material</u>
Consumer Paint Thinner	300 (2.50)	25 (0.21)	<u>0.21</u>
Consumer Multi-Purpose <u>Multipurpose</u> Solvent	300 (2.50)	25 (0.21)	<u>0.21</u>

(2) Alternative MIR VOC Limit

In lieu of complying with the VOC limits in paragraph (d)(1), a Person may elect to supply, sell, offer for sale, manufacture, blend, distribute, package, or repackage Consumer Paint Thinners and Consumer Multi-PurposeMultipurpose Solvents for use within the South Coast AQMD that comply with a PW-MIR limit of 0.38 g O₃/g Product provided the Consumer Paint Thinners and Consumer Multi-PurposeMultipurpose Solvents meet the labeling requirements specified in paragraphs (e)(3) and (e)(4).

(3) No Person shall supply, sell, offer for sale, manufacture, blend, distribute, package, or repackage, any Consumer Paint Thinner or Multi-PurposeMultipurpose Solvent for use within the South Coast AQMD that contains any of the following chemicals in concentrations greater than the limits indicated:

- (A) 0.01 percent by weight of Group II Exempt Compound, except for cyclic, branched, or linear, completely methylated siloxanes (VMS); or
- (B) 0.01 percent by weight of VMS, para-Chlorobenzotrifluoride (pCBtF, CAS RN 98-56-6), and tert-Butyl Acetate (t-BAC, CAS RN 540-88-5), and VMS manufactured after September 1, 2027.

(24) Sell-Through Provision for Products with VMS, pCBtF, and t-BAC, and VMS

- (A) ~~Any consumer paint thinner~~Consumer Paint Thinner or multi-purpose solventConsumer Multi-PurposeMultipurpose Solvent that is manufactured prior to ~~the effective date of the applicable limit specified in paragraph (d)(1)~~September 1, 2027, and that has a VOC content above that limit (but not above the limit in effect on the date of manufacture), may be sold, supplied, offered for sale, or used for up to one year after the specified effective date contains more than 0.01 percent of VMS, pCBtF, or t-BAC, or VMS may be sold, supplied, or offered for sale until September 1, 2029.
- (B) ~~Consumer paint thinners manufactured prior to July 9, 2010 and labeled for more than one use including industrial maintenance coating thinning, may be sold, supplied, offered for sale, or used up to April 1, 2011.~~

(35) The prohibition of sale specified in paragraphs (d)(1) and ~~(d)(5)~~(d)(2) shall not apply to any ~~manufacturer~~Manufacturer of consumer ~~paint thinners~~Consumer Paint Thinners or ~~multi-purpose solvents~~Consumer Multi-PurposeMultipurpose Solvents that exceed the VOC limits in Table 1 or if applicable, the alternative PW-MIR limits in paragraph (d)(2), provided that the product was sold to an independent distributor~~Distributor~~ that was informed in writing by the ~~manufacturer~~Manufacturer about the ~~compliance status of the product in that the products are not compliant for sale for use within the District~~South Coast AQMD and the Manufacturer complies with the reporting requirement pursuant to subparagraph (f)(3)(B).

(46) Any solvent~~Solvent~~ container in which the contents therein are applied directly to a surface from said container by pouring, siphoning, brushing, rolling, padding, rag application, or other means, shall be closed when not in use.- These solvent~~Solvent~~ containers include, but shall not be limited to: drums, buckets, cans, pails, trays, or other application containers.

(5) ~~General Prohibition~~

~~No person shall supply, sell, offer for sale, manufacture, blend, package, or repack any consumer paint thinner or multi-purpose solvent for use in the District subject to the provisions of this rule with any materials that contain in the excess of 0.1% by weight any Group II exempt compounds listed in Rule 102. Cyclic, branched, or linear, completely methylated siloxanes (VMS) are not subject to this prohibition.~~

(e) Administrative Labeling Requirements

(1) No ~~person~~Person shall sell, supply, offer for sale, manufacture, blend, distribute, package, or repack for use in the ~~District~~South Coast AQMD any “Flammable” or “Extremely Flammable” Consumer Paint Thinner or ~~Multi-purpose~~Multi-PurposeMultipurpose Solvent named, on the Principal Display Panel as “Paint Thinner₁”, “~~Multi-purpose~~Multi-PurposeMultipurpose Solvent₁”, “Clean-up Solvent₁”, or “Paint Clean-up₁”, except for products meeting any of the following criteria:-

(2) ~~Paragraph (e)(1) does not apply to products that meet any of the following criteria:-~~

- (A) Products which include an attached “hang tag” or sticker that displays, at a minimum, the following statement: “Formulated to meet low VOC limits: see warnings on label;”-
 - (B) Products which include an attached “hang tag” or sticker that displays, at a minimum, the following statement: “Formulated to meet low VOC limits with [the common name of the chemical compound (e.g., “Acetone,” “Methyl Acetate,” etc.) that results in the product meeting the criteria for “Flammable” or “Extremely Flammable”];”-
 - (C) Products which include an attached “hang tag” as a second Principal Display Panel that displays, at a minimum, the following statement: “Formulated to meet low VOC limits,” placed adjacent to and associated with the required Consumer Product Safety Commission (CPSC) warning;-
 - (D) Products where the Principal Display Panel displays, in a font size as large as, or larger than, the largest font size of any other words on the panel, the following statement: “Formulated to meet low VOC limits,” placed adjacent to and associated with the required CPSC warning;-
 - (E) Products where the Principal Display Panel displays, in a font size as large as, or larger than, the largest font size of any other words on the panel, the common name of the chemical compound (e.g., “Acetone,” “Methyl Acetate,” etc.) that results in the product meeting the criteria for “Flammable” or “Extremely Flammable;”
or
 - (F) Products that meet the labeling requirements of the California Air Resources Board (CARB) Consumer Product Regulation specified in ~~title~~Title 17, ~~CCR~~California Code of Regulations, ~~s~~Section 94512(e) as adopted.
 - ~~(G) Products that are manufactured on or before July 9, 2010.
None of the above labeling or notice requirements preclude the use of any additional labeling or notice for consumer education.~~
- (32) For the purposes of paragraphs (e)(1) and (e)(2) a product is “Flammable” or “Extremely Flammable” if it is labeled as “Flammable” or “Extremely Flammable” on the product container, or if the product meets the criteria for

these specified in ~~title~~Title 16, Code of Federal Regulations, section 1500.3 (c)(6).

- (43) ~~A~~No Person shall ~~not~~ manufacture, supply, sell, offer for sale, blend, distribute, package, or repackage for use within South Coast AQMD any applicable Consumer Paint Thinner and Consumer ~~Multi-Purpose~~Multipurpose Solvent unless the ~~Each product~~ container:
- (A) ~~shall clearly~~Clearly displays the ~~maximum~~ VOC ~~content~~ Content, as determined from the actual product ~~formulation data~~Formulation Data, and the maximum VOC Content after any dilution as recommended by the Manufacturer, for Consumer Paint Thinner or Consumer ~~Multi-Purpose~~Multipurpose Solvent complying with the VOC limits pursuant to paragraph (d)(1); or
- (B) Clearly displays the maximum PW-MIR VOC Content on the container, and the maximum PW-MIR VOC Content after any dilution as recommended by the Manufacturer, for Consumer Paint Thinner or Consumer ~~Multi-Purpose~~Multipurpose Solvent complying with the alternative PW-MIR VOC limit pursuant to paragraph (d)(2).
- (4) ~~A~~No Person shall ~~not~~ manufacture, supply, sell, offer for sale, blend, distribute, package, or repackage for use within South Coast AQMD any applicable Consumer Paint Thinner and Consumer ~~Multi-Purpose~~Multipurpose Solvent unless the container clearly displays the date of manufacture of the contents or a date code indicating the date of manufacture. The Person shall file with the Executive Officer an explanation of each date code.
- (5) The information required by paragraphs (e)(1) through ~~(e)(3)(e)(4)~~ shall be displayed on the product container such that it is readily observable without removing or disassembling any portion of the product container or packaging.
- (6) No ~~person~~Person shall remove, alter, conceal, or deface the information required by paragraphs (e)(1) through ~~(e)(3)(e)(4)~~ prior to final sale of the product.
- (7) ~~In conjunction with the changes in VOC content limits, the Executive Officer shall develop a public education and outreach program to inform consumers of potential product changes that use more flammable~~

~~substances by jointly working with the local fire departments to include, but not be limited to: public service announcements in both English and Spanish to be aired on television and radio from October 2010 to January 2012; training retailers, including big box retailers at their corporate headquarters, in November 2010 about these potential changes so that they may alert their consumers; dissemination of 25,000 hardcopy brochures in several languages from November 2010 to January 2012; alerts through Twitter, and placement of electronic brochures and Public Service Announcements (PSAs) on AQMD, CARB, YouTube, local fire department and local city websites from November 2010 to January 2012. The Executive Officer shall report the status of the public education and outreach program to the Stationary Source Committee in November 2010 and in November 2011. The Executive Officer may extend the public education and outreach program beyond January 2012, if he determines that additional consumer education is needed.~~

- ~~(8) — Point of sale containers, for sale or distribution, of any consumer paint thinner or multi purpose solvent subject to this rule shall display the maximum VOC content, as supplied, and the maximum VOC content after any dilution as recommended by the manufacturer.~~
- ~~(9) — Point of sale containers, for sale or distribution, of any consumer paint thinner and multi purpose solvent subject to this rule shall display the date of manufacture of the contents or a code indicating the date of manufacture. The manufacturers of such consumer paint thinners and multi purpose solvents shall file with the Executive Officer an explanation of each code.~~
- ~~(10) — Any manufacturer that supplies consumer paint thinners and multi purpose solvents with intent to sell in the District shall submit an application as specified by the Executive Officer to apply for a manufacturer identification (ID) number by the applicable date in subdivision (g). The application form shall be signed by the responsible party for manufacturer certifying that all information submitted (including electronic submittals) is true and correct. The Executive Officer shall be notified in writing within 30 days of any change in the responsible party for the manufacturer.~~
- ~~(11) — On or before May 1, 2010, and each subsequent January 1 thereafter, all manufacturers subject to this rule shall provide to the District a list of all their U.S. distributors to whom they supply products subject to this rule,~~

~~including but not limited to private label and toll manufactured products.
The list shall be in a format determined by the Executive Officer and shall
include the distributor's name, address, contact person and phone number.~~

~~(12) On or before April 1, 2010, and every subsequent April 1 (the official due date), each manufacturer subject to this rule shall submit an annual quantity and emissions report to the Executive Officer.~~

(f) Reporting and Recordkeeping Requirements

(1) Any Manufacturer that supplies Consumer Paint Thinners and Consumer ~~Multi-Purpose~~Multipurpose Solvents with intent to sell in the South Coast AQMD shall:

(A) Submit an application for manufacturer identification number on the designated form to the Executive Officer no later than 30 days prior to supplying, selling, offering for sale, manufacturing, blending, distributing, packaging, or repackaging any Consumer Paint Thinner and Consumer ~~Multi-Purpose~~Multipurpose Solvent in the South Coast AQMD;

(B) Have the application form signed by the Responsible Party for the Manufacturer certifying that all information submitted (including electronic submittals) is true and correct; and

(C) Notify the Executive Officer in writing within 30 days of any change in the Responsible Party for the Manufacturer.

(2) Within 30 days after a change of Consumer Paint Thinner and Consumer ~~Multi-Purpose~~Multipurpose Solvent Manufacturer, the new Consumer Paint Thinner and Consumer ~~Multi-Purpose~~Multipurpose Solvent Manufacturer shall submit the application for a Manufacturer ID number as required in paragraph (f)(1). That filing shall include the previous Consumer Paint Thinner and Consumer ~~Multi-Purpose~~Multipurpose Solvent Manufacturer's ID number.

(3) On or before January 31st of each calendar year, all Manufacturers subject to this rule shall provide to the Executive Officer:

(A) A list of all their U.S. Distributors to whom they supply products subject to this rule, including but not limited to private label and toll manufactured products and shall include the Distributor's name, address, contact person, and phone number;

- (B) Details or copies of any written notification provided to an independent Distributor pursuant to paragraph (d)(5); and
- (C) The information in subparagraphs (f)(3)(A) and (f)(3)(B) shall be in a format determined by the Executive Officer.
- (4) On or before April 1st of each calendar year, each Manufacturer subject to this rule shall submit an annual Consumer Paint Thinner and Consumer ~~Multi-Purpose~~Multipurpose Solvent sales and emissions report to the Executive Officer for the previous calendar year.
- (5) Manufacturers shall maintain the following records for five years and make the records available upon request by the Executive Officer:
 - (1A) ~~Manufacturers shall maintain a~~ copy of the Manufacturer ID application receipt from the DistrictSouth Coast AQMD.- The receipt shall be maintained for five (5) years and made available upon request by the Executive Officer.
 - (2B) ~~Manufacturers shall maintain records to verify data~~Data necessary to determine annual ~~consumer paint thinner~~Consumer Paint Thinner and ~~multi-purpose solvent~~Consumer ~~Multi-Purpose~~Multipurpose Solvent sales subject to this rule and VOC emissions in the DistrictSouth Coast AQMD, and compliance with applicable rules and regulations.- The records shall be maintained for five (5) years and made available upon request by the Executive Officer.Such records shall include but not be limited to:
 - (Ai) Product formulation records (to include ~~VOC content~~VOC Content):
 - (iI) Laboratory reports [including percent weight of non-volatiles, water, and exempts (if applicable); density of the product; and raw laboratory data] of test methods conducted as specified in paragraph (i)(1)(h)(1), or
 - (iiII) ~~Product formulation data~~Formulation Data, including physical properties analyses, as applicable, with a ~~VOC content~~VOC Content or

PW-MIR VOC Content calculation demonstration;
and

- (Bii) Production records including batch tickets with the date of manufacture, batch weight and volume;~~and~~
- (Ciii) Distribution records:
 - (iI) Customer lists~~, or~~ store distribution lists~~, or both (as applicable); and~~
 - (iiII) Shipping manifests~~, or~~ bills of lading~~, or both (as applicable); and~~
- (Div) Sales records consisting of ~~point of sale~~point-of-sale receipts~~, or~~ invoices to local distributorsDistributors, or both, (as applicable).

(g) ~~Compliance Dates~~

- (1) ~~Consumer paint thinner and multi-purpose solvent manufacturers that begin to manufacture, supply, sell or offer for sale consumer paint thinners and multi-purpose solvents subject to this rule and for use in the District after July 1, 2009 shall submit the application required in paragraph (e)(10) no later than thirty (30) calendar days prior to manufacturing, supplying, selling, or offering for sale, any consumer paint thinner and multi-purpose solvent subject to this rule and for use in the District.~~
- (2) ~~Within thirty (30) calendar days after a change of consumer paint thinner and multi-purpose solvent manufacturer, the new consumer paint thinner and multi-purpose solvent manufacturer shall submit the application for a company ID number as required in paragraph (e)(10). That filing shall include the previous consumer paint thinner and multi-purpose solvent manufacturer's ID number.~~

(hg) Information ~~exempt~~ Exempt from Disclosure

Information submitted to the Executive Officer may be designated as exempt from disclosure consistent with ~~District~~South Coast AQMD guidelines implementing the California Public Records Act (Govt. Code §§ 6250-6276.48Government Code Section 7920.000 et seq.).

(ih) Test Methods

For the purpose of this rule, the following test methods shall be used:

(1) Determination of VOC Content

The ~~VOC content~~VOC Content of materials subject to the provisions of this rule shall be determined by:

- (A) United States Environmental Protection Agency (U.S. EPA) Reference Test Method 24 (~~=~~ Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings, Title 40, Code of Federal Regulations Title 40, Part 60, Appendix A) with the ~~exempt compound~~Exempt Compounds' content determined by South Coast AQMD Test Method 303 (~~=~~ Determination of Exempt Compounds) ~~in the SCAQMD~~South Coast AQMD "Laboratory Methods of Analysis for Enforcement Samples" manual; or
- (B) South Coast AQMD Test Method 304 (~~=~~ Determination of Volatile Organic Compounds (VOC) in Various Materials) ~~in the SCAQMD~~South Coast AQMD "Laboratory Methods of Analysis for Enforcement Samples" manual; or
- (C) South Coast AQMD Test Method 313 – Determination of Volatile Organic Compounds (VOC) by Gas Chromatography/Mass Spectrometry/Flame Ionization Detection (GC/MS/FID).

(~~C~~2) Exempt Perfluorocarbon Compounds

The following classes of compounds shall be analyzed as Exempt Compounds for compliance with subdivision (d), only at such time as Manufacturers specify which individual compounds are used in the Consumer Paint Thinner and Consumer Multi-Purpose~~Multi-purpose~~Solvent formulation and identify the test methods, which have been approved by the U.S. EPA, CARB and the Executive Officer prior to such analysis, that can be used to quantify amounts of each Exempt Compound:

- (A) ~~eyelie~~Cyclic, branched, or linear, completely fluorinated alkanes;
- (B) ~~eyelie~~Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
- (C) ~~eyelie~~Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
- (D) ~~sulfur~~Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

~~will be analyzed as exempt compounds for compliance with subdivision (d), only when manufacturers specify which individual compounds are used in the solvent formulations. In addition, the manufacturers must identify the U.S. EPA, CARB, and SCAQMD approved test methods, which can be used to quantify the amount of each exempt compound.~~

(23) Equivalent Test Methods

Other test methods may be used provided they are determined to be equivalent upon and approval approved in writing by the U.S. EPA, CARB, and the Executive Officer, CARB, and the U.S. EPA may also be used.

(34) Multiple Test Methods

When more than one test method or set of test methods are specified for any testing, a violation of any requirement of this rule may be established by any one of the specified test methods or set of test methods~~shall constitute a violation of the rule.~~

(45) All test methods referenced in this subdivision shall be the version most recently approved by the appropriate governmental entities.

(ji) Exemptions

(1) The provisions of this rule shall not apply to:

(A) Solvents~~Solvents~~ sold in this ~~Distriet~~the South Coast AQMD for shipment outside of this ~~Distriet~~the South Coast AQMD or for shipment to other ~~manufacturers~~Manufacturers for repackaging;

(B) Solvents used in cold cleaners, vapor degreasers, conveyORIZED degreasers or film cleaning machines, or solvents that are incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment; or

(C) Any products making any representation that the product may be used as, or is suitable for use as, a consumer product which qualifies under another definition in Title 17, California Code of Regulations, Section 94508 as of March 6, 2009, that are sold as such.

(2) Paragraph (d)(1) of this rule shall not apply to:

(A) Solvents provided that they are labeled and designated exclusively for the clean-up of polyaspartic and polyurea coatings application equipment.— This exemption does not apply if there are any

additional use claims on the label or any other product literature.

This exemption does not apply to any ~~person~~Person selling or using the otherwise exempt ~~solvent~~Solvent for a non-exempt purpose.;

- (B) Thinners provided that they are labeled and designated exclusively for the thinning of Industrial Maintenance (IM) ~~e~~Coatings, Zinc-Rich IM Primers, and High Temperature IM Coatings.— This exemption does not apply if there are any additional use claims on the label or any other product literature.— This exemption does not apply to any ~~person~~Person selling or using the otherwise exempt thinner for a non-exempt purpose.;

- (C) Artist ~~solvents/thinners~~Solvents/Thinners provided that they are labeled and designated exclusively to reduce the viscosity of, or remove, art coating compositions or components and are individually packaged in containers having a total capacity equal to or less than ~~1~~one liter.

(kj) Severability

If any provision of this rule is held by judicial order to be invalid, or invalid or inapplicable to any person or circumstance, such order shall not affect the validity of the remainder of this rule, or the validity or applicability of such provision to other persons or circumstances. In the event any of the exceptions to this rule is held by judicial order to be invalid, the persons or circumstances covered by the exception shall instead be required to comply with the remainder of this rule.

ATTACHMENT G

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Final Staff Report

Proposed Amended Rule 1143 – Consumer Paint Thinners and Multi-Purpose Solvents

October 2026

Deputy Executive Officer

Planning, Rule Development, and Implementation
Sarah L. Rees, Ph.D.

Assistant Deputy Executive Officer

Planning, Rule Development, and Implementation
Michael Krause

Planning and Rules Manager

Planning, Rule Development, and Implementation
Heather Farr

Authors: Emily Yen – Air Quality Specialist

Contributors: Bradley McClung – Program Supervisor
Chris Yu – Air Quality Specialist
Zoya Banan, Ph.D. – Air Quality Specialist
Sina Taghvace, Ph.D. – Air Quality Specialist

Reviewed By: Yanrong Zhu – Program Supervisor
Brian Tomasovic – Assistant Chief Deputy Counsel
Nathan Wong – Deputy District Counsel I
Barbara Radlein – Planning and Rules Manager
Xian-Liang (Tony) Tian, Ph.D. – Program Supervisor
Kevin Ni – Program Supervisor
Chelsie Ceballos – Senior Air Quality Engineer
Erwin dela Cruz – Supervising AQ Engineer

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD**

Chair: MICHAEL A. CACCIOTTI
Councilmember, South Pasadena
Cities of Los Angeles County/Eastern Region

Vice Chair: LARRY MCCALLON
Councilmember, Highland
Cities of San Bernardino County

MEMBERS:

VANESSA DELGADO
Senator (Ret.)
Senate Rules Committee Appointee

CURT HAGMAN
Supervisor, Fourth District
County of San Bernardino

PATRICIA LOCK DAWSON
Mayor, Riverside
Cities of Riverside County Representative

HOLLY J. MITCHELL
Supervisor, Second District
County of Los Angeles

ADRIN NAZARIAN
Councilmember, Second District
City of Los Angeles Representative

JANET NGUYEN
Supervisor, First District
County of Orange

BRENDA OLMOS
Mayor, City of Paramount
Cities of Los Angeles County/Western Region

VERONICA PADILLA-CAMPOS
Speaker of the Assembly Appointee

V. MANUEL PEREZ
Supervisor, Fourth District
County of Riverside

CARLOS RODRIGUEZ
Mayor, Yorba Linda
Cities of Orange County

CEDRIC JAMIE RUTLAND, MD, FCCP
Governor's Appointee

EXECUTIVE OFFICER:
WAYNE NASTRI

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EXECUTIVE SUMMARY

Rule 1143 – Consumer Paint Thinners & Multi-Purpose Solvents was adopted in 2009 to reduce emissions of Volatile Organic Compounds (VOC) from the use, storage, and disposal of consumer paint thinners and consumer multi-purpose solvents that were not regulated by the California Air Resources Board (CARB). Since its adoption, the rule has been amended three times to support the South Coast Air Quality Management District's (South Coast AQMD) ongoing efforts to reduce VOC emissions.

As manufacturers reformulated consumer paint thinners and consumer multi-purpose solvents to comply with increasingly stringent VOC requirements, some transitioned to the use of VOC-exempt solvents such as *para*-Chlorobenzotrifluoride (pCBtF; Chemical Abstracts Service Registration Number (CAS RN): 98-56-6) and *tert*-Butyl Acetate (t-BAc; CAS RN: 540-88-5). Subsequent toxicological evaluations conducted by the Office of Environmental Health Hazard Assessment (OEHHA) identified toxic endpoints for these compounds, including cancer potency values comparable to or exceeding chemicals already restricted under South Coast AQMD rules. Stationary Source Committee members directed staff to assess pCBtF and t-BAc usage and develop an approach to reduce exposure to these compounds.

To better characterize exempt-solvent use in the marketplace, staff conducted a manufacturer survey and conducted meetings with manufacturers. Survey responses identified six products of different sizes, including two consumer paint thinners and four consumer multi-purpose solvents, that currently rely on pCBtF in their formulation. No products were identified as using t-BAc. One product was identified that contained octamethylcyclotetrasiloxane, which is a Group II exempt compound characterized as cyclic, branched, or linear, completely methylated siloxanes (VMS). VMS are currently not included in the Group II exempt compound prohibition. The U.S. EPA preliminary evaluation on a type of VMS indicated unreasonable risk to workers in manufacturing and industrial use and to consumers through certain conditions of use; therefore, staff recommends taking a precautionary approach with VMS for their use in consumer products subject to this rule.

Stakeholders also requested alternative reactivity-based Product-Weighted Maximum Incremental Reactivity (PW-MIR) VOC limits for both consumer paint thinners and consumer multi-purpose solvents. PW-MIR VOC limits are based on equivalent ozone forming potential.

PAR 1143 proposes to:

- Maintain the existing VOC limits for consumer paint thinners and consumer multi-purpose solvents;
- Establish a prohibition schedule for pCBtF and t-BAc in consumer paint thinners and consumer multi-purpose solvents, including a sell-through period designed to address stranded inventory concerns;
- Provide an alternative PW-MIR compliance pathway;
- Include VMS in the pCBtF and t-BAc prohibition schedule; and
- Streamline rule structure, add new definitions, and remove outdated rule provisions.

Despite offering alternative limits using PW-MIR, no increase in ozone formation is expected as a result of the proposed amendments to the rule.

CHAPTER 1 : BACKGROUND

INTRODUCTION

REGULATORY HISTORY

COMPARATIVE TOXICITY CONTEXT FOR pCBtF AND t-BAc

AFFECTED INDUSTRIES

PROCESS DESCRIPTION

PUBLIC PROCESS

Introduction

Rule 1143 is a source-specific rule adopted on March 6, 2009, and aims to reduce emissions of VOCs from the use, storage, and disposal of consumer paint thinners and consumer multi-purpose solvents commonly used in thinning of coating materials, cleaning of coating application equipment, and other solvent cleaning operations. Rule 1143 establishes VOC content limits and applies to any person who supplies, sells, offers for sale, or manufactures consumer paint thinners and consumer multi-purpose solvents for sale in the South Coast AQMD, as well as any person who uses or solicits the use of any consumer paint thinners and consumer multi-purpose solvents within the South Coast AQMD for personal, family, household, or institutional use.

In response to stricter VOC limits, some manufacturers relied on exempt solvents, most notably pCBtF, because their use does not contribute to the calculated VOC content of a product. In April 2017, the South Coast AQMD Stationary Source Committee recommended a precautionary approach when considering exempt compounds with potential toxic endpoints, prioritizing reductions in toxic exposure over further reductions in VOC emissions. OEHHA identified toxic endpoints for both pCBtF and t-BAc. In response, South Coast AQMD has been working to phase out or minimize the use of these exempt compounds across all VOC rules.

For Rule 1143, the current rule development has two primary goals: (1) to phase out the use of pCBtF and t-BAc wherever feasible, and (2) to maintain existing VOC limits while providing an alternative reactivity-based compliance pathway that supports reformulation without reliance on toxic exempt solvents.

To support this effort, staff conducted a manufacturer survey starting on August 12, 2025. A total of 18 products (combining some products in different package sizes) were reported to be sold within the South Coast AQMD jurisdiction, including two consumer paint thinners and four consumer multi-purpose solvents currently formulated with pCBtF. No reported products contained t-BAc. Approximately 88 percent of reported products were solvent-based, and products containing pCBtF accounted for approximately 14 percent of reported sales volume. Reported pCBtF content ranged from approximately 3 to 30 percent by weight, depending on category and formulation. More information from the survey can be found in Chapter 2.

Regulatory History

Rule 1143 was adopted on March 6, 2009, to implement a two-tier VOC concentration limit beginning with a 300 grams per liter (g/L) VOC limit, effective January 1, 2010, followed by a final 25 g/L VOC limit, effective January 1, 2011. The rule was amended on June 4, 2010, to rescind the final VOC limit of 25 g/L, to comply with a court order issued by the Los Angeles County Superior Court. On July 9, 2010, Rule 1143 was amended again to reinstate the final 25 g/L VOC limit for both consumer paint thinners and consumer multi-purpose solvents, effective January 1, 2011.

The rule has not been updated since 2010. In recent years, a list of South Coast AQMD VOC rules have been amended to phase out pCBtF and t-BAc following OEHHA's identification of their toxic endpoints. PAR 1143 continues this agency-wide effort and establishes a compliance structure that maintains current VOC limits while addressing exempt-solvent toxicity.

Background on t-BAc and pCBtF

In 1994, United States Environmental Protection Agency (U.S. EPA) exempted pCBtF from the federal definition of a VOC due to its negligible photochemical reactivity. South Coast AQMD incorporated this exemption.

In 2004, U.S. EPA similarly exempted t-BAc; however, South Coast AQMD did not grant a full exemption under Rule 102 due to toxicity concerns, instead allowing limited exemptions through source-specific rules such as Rule 1113 – Architectural Coatings (Rule 1113) and Rule 1151 – Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations (Rule 1151).

In 2014, VOC rule development was put on hold due to toxicity concerns of t-BAc and Dimethyl Carbonate (DMC). Staff held a Toxic Symposium¹ in October 2014 to discuss several topics including concerns of toxic tradeoffs in achieving VOC emission reductions. In February 2016, the Governing Board directed staff, through the resolution for Proposed Amended Rule 1113, to re-evaluate the partial t-BAc exemptions, after which, staff developed a draft “tBAc Assessment White Paper.”² In January 2018, staff presented the findings on t-BAc to the Stationary Source Committee (SSC), including concerns regarding pCBtF, and the SSC subsequently directed staff to remove t-BAc exemptions and to evaluate pCBtF for potential carcinogenicity.

OEHHA finalized the t-BAc health risk assessment in 2018, concluding that its cancer risk was higher than previously estimated, and finalized the pCBtF assessment in 2020, identifying pCBtF as a potential carcinogen. In response, South Coast AQMD has taken action to prohibit these compounds through amendments to Rule 1168 – Adhesive and Sealant Applications in 2022, Rule 1151 in 2024, Rule 1171 – Solvent Cleaning Operations in 2025, Rule 1107 – Coating of Metal Parts and Products in 2025, Rule 1124 – Aerospace Assembly and Component Manufacturing Operations in 2026, Rule 1144 – Metalworking Fluids and Direct-Contact Lubricants in 2026, and Rule 1136 – Wood Products Coatings in 2026.

Comparative Toxicity Context for pCBtF and t-BAc

Staff evaluated several regulatory approaches to address toxicity concerns associated with pCBtF and t-BAc, informed by how other compounds with identified toxic endpoints have historically been addressed under South Coast AQMD rules. Under Rule 102, VOC-exempt compounds may be designated as Group II and restricted in source-specific rules when health or safety concerns are identified.

To support this evaluation, staff reviewed available toxicological benchmarks, including cancer potency and acute exposure indicators, to place pCBtF and t-BAc in context with other solvents that have been restricted or prohibited. This review was conducted during the 2022 Rule 1168 amendment, the first VOC rule to be amended after the health risk assessments for t-BAc and pCBtF were finalized, and indicated pCBtF exhibits relatively elevated cancer risk potential, while t-BAc presents concerns related to short-term exposure, consistent with prior staff and OEHHA findings.

Based on this comparative assessment, staff determined that continued reliance on pCBtF and t-BAc is inconsistent with the South Coast AQMD’s precautionary approach for toxic exempt

¹<https://www.aqmd.gov/home/rules-compliance/compliance/vocs/exempts/toxic-symp>

²<https://www.aqmd.gov/home/rules-compliance/compliance/vocs/exempts/tbac-assessment>

compounds. Accordingly, PAR 1143 proposes to prohibit pCBtF and t-BAc to align with prior rulemakings and balance public health protection with feasible industry transition.

For Rule 1143, staff conducted a manufacturer survey in 2025. The survey showed:

- Six products are formulated with pCBtF; and
- Zero products utilize t-BAc.

These findings support the need for a prohibition schedule while maintaining existing VOC limits.

Affected Industries

Rule 1143 applies to any person who supplies, sells, offers for sale, or manufactures consumer paint thinners and consumer multi-purpose solvents for sale in the South Coast AQMD, as well as any person who uses or solicits the use of any consumer paint thinners and multi-purpose solvents within the South Coast AQMD for personal, family, household, or institutional use. Paint thinners and multi-purpose solvents for other uses (e.g., applications in shops and factories) are subject to Rule 1171 or other VOC rules. The affected industries for PAR 1143 include:

- Consumer paint thinner manufacturers;
- Consumer multi-purpose solvent manufacturers;
- Consumers;
- Institutions. The intent for “institutions” is similar to the CARB Consumer Products Regulation.³

To characterize the use of exempt solvents and determine applicability, staff conducted a manufacturer survey that informed the development of the prohibition schedule and PW-MIR limits. This survey-based approach ensures that proposed amendments reflect current market conditions and allow for feasible reformulation pathways. The amendments proposed in PAR 1143 are expected to affect all manufacturers producing such products for distribution in the South Coast Air Basin, as well as end users of these products.

Process Description

As VOC limits tightened over time, manufacturers reformulated products to maintain product performance while complying with regulatory requirements. In several categories, exempt solvents, primarily pCBtF, were incorporated because they do not contribute to calculated VOC content. The compounds pCBtF and t-BAc are not currently used to any significant extent in consumer paint thinners and consumer multi-purpose solvents, and stakeholders have indicated that they do not anticipate substantial impacts on the marketplace for these products.

Under PAR 1143, existing VOC limits are maintained. For both product categories, consumer paint thinners and consumer multi-purpose solvents, there are products already in the market that could serve as direct replacements for those formulated with pCBtF. The proposal also allows compliance flexibility while reducing reliance on toxic exempt solvents when manufacturers reformulate their products.

³<https://ww2.arb.ca.gov/our-work/programs/consumer-products-enforcement/consumer-products-regulation>

Public Process

The rule amendment process for PAR 1143 began in August 2025. Staff conducted two working group meetings and held multiple individual meetings with manufacturers. To support the technical assessment, staff distributed a manufacturer survey requesting formulation data, including VOC content, exempt solvent usage, and reactivity information. A public workshop was held on August 4, 2026. The table below summarizes the ~~VMS~~key topics discussed at each of the Working Group Meetings; presentations from those meetings are posted on the South Coast AQMD website.⁴

Table 1-1: Working Group Meetings

Meeting title	Date	Highlights
Working Group Meeting #1	August 12, 2025	• Exempt solvent background • Manufacturer survey
Working Group Meeting #2	June 17, 2026	• Rule and exempt solvent background • Key amendment objectives • Manufacturer survey data • Initial rule concepts • Initial preliminary draft rule language

As part of the PAR 1143 rule development process, staff met with manufacturers to further evaluate the survey data and gain a clearer understanding of industry practices. These meetings focused on clarifying manufacturer survey responses, assessing the extent of pCBtF and t-BAC usage, and discussing technical and operational challenges associated with prohibiting these compounds. Staff also discussed potential alternative compliance approaches and reformulation options, including the use of reactivity-based VOC limits.

⁴<https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules/rule-1143>

CHAPTER 2 : TECHNOLOGY ASSESSMENT

VOC CONTROL

PW-MIR COMPLIANCE PATHWAY

VOC Control

Rule 1143 establishes VOC content limits for consumer paint thinners and consumer multi-purpose solvents as the primary mechanism for controlling emissions. Due to VOC limits under Rule 1143, manufacturers reformulated products to maintain performance while reducing the VOC content. Some manufacturers used compounds exempted from the regulatory definition of VOC to further reduce calculated VOC content while preserving solvent-based performance characteristics. Two exempt solvents, pCBtF and t-BAc, were used in some products because they provided favorable evaporation rates and solvency without counting toward the VOC limits. While the use of exempt solvents facilitated compliance with mass-based VOC limits, subsequent toxicological evaluations identified health concerns associated with certain exempt compounds. These findings prompted a shift in regulatory focus from solely controlling ozone precursor emissions to also addressing potential toxic exposure risks associated with exempt-solvent use.

Rule 1143 has a current VOC limit of 25 g/L, which is more stringent when compared to the CARB Consumer Product Regulation. While staff is not recommending lowering the current VOC limits, PAR 1143 is designed to reduce reliance on exempt solvents with identified toxic endpoints while offering an alternative pathway for flexibility which would not raise the VOC limit.

To support this effort, staff conducted a manufacturer survey to characterize current formulation practices across categories. Survey responses for consumer paint thinners and consumer multi-purpose solvents indicated that six products currently rely on pCBtF in their formulations, while no categories were identified as using t-BAc.

These findings informed the development of a regulatory approach that focuses on eliminating the use of pCBtF and t-BAc while preserving compliance flexibility and minimizing disruption to the marketplace.

PAR 1143 is structured to allow different compliance pathways, including PW-MIR, while phasing out the use of pCBtF and t-BAc.

PW-MIR Compliance Pathway

The Maximum Incremental Reactivity (MIR) scale is a metric that measures the relative ozone-forming potential of VOCs that quantifies the amount of ground-level ozone formed by a specific chemical compound under high-reactivity conditions. While traditional mass-based VOC limits treat all VOCs equally on a mass-per-volume basis, the MIR scale accounts for the varying chemical reactivities of individual compounds. By assigning a specific reactivity value to each VOC, this metric allows for a more precise assessment of a product's actual atmospheric impact and its contribution to ozone formation.

A key component of the amended rule is the introduction of an alternative PW-MIR compliance pathway. PW-MIR is a reactivity-based metric that reflects the ozone-forming potential of a product based on the weighted reactivity of all VOC ingredients in the formulation. Under PAR 1143, the PW-MIR pathway is optional, aligns with Rule 1171, and does not replace or modify the existing VOC content limits.

MIR values used to calculate PW-MIR are published by CARB and represent the relative ozone-forming potential of individual VOCs. PW-MIR is calculated by weighting each VOC's MIR value by its proportion in the product formulation, resulting in a single metric that represents the overall ozone-forming potential of the product. This approach allows the rule to distinguish between

VOCs with substantially different reactivities rather than treating all VOCs equally on a mass basis.

This approach provides manufacturers with additional reformulation flexibility by allowing substitution of lower-toxicity VOCs with known reactivity characteristics, rather than relying on exempt solvents. By maintaining existing VOC limits and offering PW-MIR as an alternative pathway, the rule avoids backsliding while supporting feasible transitions away from toxic exempt compounds.

PW-MIR has been used in prior South Coast AQMD rulemakings, including Rules 1151, 1171, 1124, 1144, and 1136, to support equivalent or greater ozone protection while providing flexibility during reformulation. Consistent with those rules, PW-MIR under PAR 1143 is offered as an alternative compliance option and is designed to achieve equal or lower ozone formation compared to traditional mass-based VOC limits.

In summary, PAR 1143:

- Maintains existing mass-based VOC limits;
- Establishes a prohibition schedule for pCBtF and t-BAc with a sell-through provision; and
- Introduces alternative PW-MIR VOC limits.

This proposal balances public health protection with technical feasibility, allowing consumer paint thinners and consumer multi-purpose solvents to transition away from toxic exempt solvents while maintaining product performance and regulatory compliance.

Manufacturer pCBtF and t-BAc Survey

To understand the extent of the use of pCBtF and t-BAc to comply with the VOC limits in Rule 1143, staff conducted a survey, in August 2025, of manufacturers who sell consumer paint thinners and consumer multi-purpose solvents subject to Rule 1143. The main compounds of interest in the survey were pCBtF and t-BAc. The results of the survey were used to help evaluate VOC content limits, VOC emissions, a potential prohibition timeline, and future effective VOC content limits. The following table shows the survey questions.

Table 2-1: Survey Questions

Requested Information	
1.	Company name, contact person, contact information
2.	Product name
3.	Product category
4.	VOC content of product
5.	If the product is water or solvent based
6.	Percent content of pCBtF and/or t-BAc
7.	Annual sold volume and if that volume represents South Coast AQMD or California
8.	Optional: PW-MIR (g O ₃ /g Product)

Two manufacturers of consumer paint thinners and consumer multi-purpose solvents responded to the survey distributed as part of the PAR 1143 rule development process. The following summarizes the major findings of the survey:

- A total of 18 consumer paint thinners and consumer multi-purpose solvents, combining different sizes, were reported to be sold within the South Coast AQMD jurisdiction. The table below summarizes the main product categories identified in the survey and the number of products reported within each category.

Table 2-2: Summary of the Number of Products Reported in Survey

Category	# of Products Reported
Consumer Paint Thinners	5
Consumer Multi-Purpose Solvents	13
Total	18

- Survey responses indicated that six of the reported products contained products formulated with pCBtF. No products were reported to contain t-BAc.
- Approximately 88 percent of reported products were solvent-based, and products containing pCBtF accounted for approximately 14 percent of reported sales volume.
- Reported pCBtF content ranged from approximately 3 to 30 percent by weight, depending on category and formulation.

The survey responses formed the basis for staff's evaluation of compliance approaches under PAR 1143.

Paint thinners and multi-purpose solvents for other uses (e.g., applications in shops and factories) are subject to Rule 1171 or other VOC rules. The VOC limits in Rule 1171 vary by category. The alternative MIR limit in Rule 1171 is a PW-MIR limit of 0.38 g O₃/g VOC for any solvent cleaning activity, provided the solvent cleaning materials comply with the labeling provision.

Under PAR 1143:

- Existing mass-based VOC limits remain unchanged;
- PW-MIR VOC limits are optional;
- Manufacturers may comply with either the mass-based VOC limit or the PW-MIR VOC limit; and
- PW-MIR VOC limits allow substitution of lower-toxicity VOCs without increasing ozone impacts.

PW-MIR VOC limits are a newer compliance approach for South Coast AQMD VOC rules, and staff will monitor implementation and market response over time. The table below shows the range of PW-MIR VOC content from the manufacturer survey responses for PAR 1143 products that meet with the current VOC limit in Rule 1143. The sales weighted average MIR is 0.36 g O₃/g product.

Table 2-3: Summary of PW-MIR VOC Content Values and Existing VOC Limits

Product Category	PW-MIR VOC Content (g O ₃ /g Product)	Existing VOC Limit (g/L)
Consumer Paint Thinners and Consumer Multi-Purpose Solvents	0 - 0.43	25

PAR 1143 proposes a future effective prohibition on consumer paint thinners and consumer multi-purpose solvents containing pCBtF and t-BAC. Based on stakeholder input and market considerations, staff proposes a structured transition that includes:

- A future manufacturing prohibition date; and
- A sell-through period for products already in the supply chain.

These provisions are intended to minimize stranded assets while allowing sufficient time for reformulation and transition.

Table 2-4: Proposed Prohibition Schedule

Category	Final Manufacture Date	Sell-Through Date
Consumer Paint Thinners and Consumer Multi-Purpose Solvents	September 1, 2027	September 1, 2029

CHAPTER 3 : SUMMARY OF PROPOSALS

INTRODUCTION

PROPOSED AMENDED RULE STRUCTURE

PROPOSED AMENDED RULE 1143

Introduction

The main objective of the proposed amendments to Rule 1143 is to phase out the use of pCBtF and t-BAc, as directed by the South Coast AQMD's Stationary Source Committee, due to toxicity concerns.

Staff is proposing the following amendments to Rule 1143. The proposed amendments primarily pertain to the prohibition of pCBtF and t-BAc use in the regulated products and the introduction of an alternative compliance pathway, including the use of reactivity-based VOC limits. Some other amendments are for the purpose of rule clarification or streamlining. The proposed revised rule structure and key provisions are discussed in the following sections.

Proposed Amended Rule Structure

- (a) Purpose
- (b) Applicability
- (c) Definitions
- (d) Requirements
- (e) Labeling Requirements
- (f) Reporting and Recordkeeping Requirements
- (g) Information Exempt from Disclosure
- (h) Test Methods
- (i) Exemptions
- (j) Severability

Proposed Amended Rule 1143

Purpose [Subdivision (a)]

The purpose of this rule is to reduce VOC emissions from the use, storage, and disposal of consumer paint thinners and consumer multi-purpose solvents commonly used in thinning of coating materials, cleaning of coating application equipment, and other solvent cleaning operations by limiting their VOC content.

Staff capitalized defined terms to indicate that definitions for the associated terms can be found in the Definitions subdivision.

Applicability [Subdivision (b)]

Subdivision (b) updates the applicability section to align with the structure and terminology used in other South Coast AQMD VOC rules. The revisions clarify that PAR 1143 applies to any person who supplies, sells, offers for sale, manufactures, blends, distributes, packages, or repackages consumer paint thinners and consumer multi-purpose solvents for use in the South Coast AQMD, as well as any person who uses or solicits the use of any consumer paint thinners and consumer multi-purpose solvents within the South Coast AQMD.

Staff updated applicability for consistency across other VOC rules. Staff also capitalized defined terms to indicate that definitions for the associated terms can be found in the Definitions subdivision.

Definitions [Subdivision (c)]

To provide clarity, definitions are used in the proposed amended rule as a proper noun to better distinguish defined terms from common terms. Refer to PAR 1143 for a complete list of definitions.

The following are new or revised definitions for PAR 1143:

The definition for chemical abstracts service registration number or CAS RN is added to provide clarification.

“CHEMICAL ABSTRACTS SERVICE REGISTRATION NUMBER or CAS RN means a unique numerical identifier assigned by the Chemical Abstracts Service to a single chemical substance to ensure unambiguous identification.”

The definition for maximum incremental reactivity (MIR) and definition for product-weighted MIR (PW-MIR) are added to support the introduction of reactivity-based compliance options.

“MAXIMUM INCREMENTAL REACTIVITY (MIR) means the measure of the photochemical reactivity of a VOC, which estimates the weight of ozone produced from a weight of VOC expressed as gram of ozone per gram of VOC (g O₃/g VOC). MIR values for individual VOCs are specified in Title 17, California Code of Regulations Sections 94700 and 94701.”

“PRODUCT-WEIGHTED MIR (PW-MIR) means the sum of all weighted MIR for all ingredients in a product. The PW-MIR is the total product reactivity expressed to hundredths of a gram of ozone formed per gram of product (excluding container and packaging) and calculated according to the following equations:

Weighted MIR (Wtd-MIR) ingredient = MIR × Weight Fraction ingredient

and

PW-MIR = (Wtd-MIR)₁ + (Wtd-MIR)₂ + ... + (Wtd-MIR)_n

Where:

MIR = ingredient MIR; and

1, 2, 3...n = each ingredient in the product up to the total n ingredients in the product.”

The following definitions are added for clarification.

“EXECUTIVE OFFICER is as defined in Rule 102 – Definition of Terms (Rule 102).”

“PRINCIPAL DISPLAY PANEL means that part, or those parts of a label that are so designed as to most likely be displayed, presented, shown, or examined under normal and customary conditions of display or purchase.”

“SOUTH COAST AQMD TEST METHOD means a test method included in the manual of “Laboratory Methods of Analysis for Enforcement Samples,” which can be found on the South Coast AQMD website and are referenced in subdivision (h).”

The definition for VOC content is revised to support the introduction of reactivity-based compliance options.

“VOC CONTENT means the total weight of VOC in a product ~~expressed as a percentage of the product weight or~~ as a mass-based concentration expressed in grams per liter of material (g/L_

Material) or pounds per gallon (lb/Gal) or the PW-MIR VOC content expressed as g O₃/g Product.”

The following list of definitions are revised for clarification without changing the original intent.

- Consumer multi-purpose solvents
- Distributor
- Exempt compound
- Formulation data
- Grams of VOC per liter of material
- Person

The definition for consumer multi-purpose solvents does not include paint strippers. Consumer multi-purpose solvents for painting clean-up are not intended for paint stripping that removes cured coatings, cured inks, and/or cured adhesives.

Requirements [Subdivision (d)]

This subdivision contains the provisions for any person that supplies, sells, offers for sale, manufactures, blends, distributes, packages, or repackages any consumer paint thinner or consumer multi-purpose solvent for use in the South Coast AQMD.

Paragraph (d)(1) – VOC Limits

Paragraph (d)(1) establishes VOC content limits, as specified in Table 1 – VOC Content Limits (Table 1). Staff is not proposing to modify the existing mass-based VOC content limits.

Table 3-1: Summary of the VOC Limits

CATEGORY	Actual VOC Limit	
	g/L-Material	lb/Gal-Material
Consumer Paint Thinner	25	0.21
Consumer Multi-Purpose Solvent	25	0.21

Paragraph (d)(2) – PW-MIR

Consumer paint thinners and consumer multi-purpose solvents must comply with either the applicable VOC limits specified in Table 1 or may comply with the alternative PW-MIR VOC limits specified in this paragraph. PW-MIR value is determined by the equation specified in its definition based on the weight fraction and MIR for each ingredient. MIR values for individual VOCs are specified in Title 17, California Code of Regulations, Sections 94700 and 94701.

The alternative PW-MIR compliance pathway provides an additional compliance option while maintaining equivalent ozone-forming potential compared to the existing mass-based VOC limits. This compliance flexibility is needed for implementing the proposed prohibition for pCBtF and t-BAc.

The proposed PW-MIR aligns with the Rule 1171 alternative PW-MIR VOC limit for solvents. Manufacturers support this approach.

Table 3-2: Table of MIR VOC Limit

Category	PW-MIR Limit (g O ₃ /g Product)
Consumer Paint Thinners and Consumer Multi-Purpose Solvents	0.38

Paragraph (d)(3) – Prohibition

Subparagraph (d)(3)(A) streamlines the existing general prohibition for Group II exempt compounds as specified in existing Rule 1143 paragraph (d)(5) and removes the exception for VMS. As part of this rulemaking, staff received comments from stakeholders who asked to continue the VMS exception in PAR 1143. One comment letter noted that VMS are not presently used in the applicable products, but may serve as viable alternatives in the future. However, staff was informed by another manufacturer that one of their multi-purpose solvents contains VMS. Because PAR 1143 applies to products used by consumers, not products used in an industrial setting where personal protection equipment may be used, staff recommends taking a precautionary approach. Several VMS compounds have been banned by the European Union in personal care products. The U.S. EPA has also conducted a draft risk evaluation under the Toxic Substances Control Act for a type of VMS product, with preliminary determinations indicting unreasonable risk to workers in manufacturing and industrial use and to consumers through certain conditions of use. Staff recognizes that a precautionary approach is more health protective, especially for a rule that applies to consumer products, and it is preferable to proactively prohibit a potentially toxic substance before manufacturers use it to comply with VOC limits. A strong example of that is t-BAC, where due to the suspected toxicity, staff took a measured approach only allowing limited exemptions. Manufacturers did not rely heavily on t-BAC and its phase out has been much easier than that of pCBtF, where a full exemption was provided and its use became ubiquitous. Knowing there are potential concerns with VMS, staff recommends not allowing for their use in consumer products subject to this rule. Staff provides a phase-out timeline for VMS which aligns with the phase-out timeline for pCBtF and t-BAC.

Subparagraph (d)(3)(B) includes the future effective prohibition for VMS, pCBtF, and t-BAC for any person that supplies, sells, offers for sale, manufactures, blends, distributes, packages, or repackages any consumer paint thinners and consumer multi-purpose solvents. Staff initially proposed a prohibition date of December 31, 2026, for pCBtF and t-BAC and upon rule adoption for VMS. Staff later delayed the prohibition date to September 1, 2027, and included VMS to have the same prohibition schedule as pCBtF and t-BAC, to address stakeholders' comments stating the December 2026 prohibition deadline did not provide manufacturers sufficient time to adjust their product lines. The delayed prohibition date will allow manufacturers additional time to ensure no products containing VMS, pCBtF, or t-BAC are sold into or within the South Coast AQMD.

Paragraph (d)(4) – Sell-Through

Paragraph (d)(4) establishes a sell-through provision for consumer paint thinners and consumer multi-purpose solvents manufactured prior to the applicable final manufacture dates. These

provisions allow materials containing VMS, pCBtF, and/or t-BAc that were manufactured before the prohibition date to be sold through the supply chain until the applicable sell-through date specified in this paragraph. This phased approach is intended to prevent stranded inventory while ensuring an orderly transition to compliant products. Consumer products may flow through the distribution chain slower than commercial products. Staff initially proposed a sell-through date of December 31, 2027. Staff delayed the sell-through date to September 1, 2029, to address stakeholders' comments requesting a longer timeframe. Rule 1143 regulates consumer products, which may take longer to sell than commercial or industrial coatings and solvents. To address the slower sales rate and to minimize impacts on the supply chain, staff agreed to increase the sell-through period to two years from the prohibition date.

Table 3-3 summarizes the prohibition schedule, including the final manufacture and sell-through dates.

Table 3-3: Prohibition Schedule

Category	Final Manufacture Date	Sell-Through Date
Consumer Paint Thinners and Consumer Multi-Purpose Solvents	September 1, 2027	September 1, 2029

Paragraph (d)(5)

Paragraph (d)(5), previously paragraph (d)(3), retains paragraph (d)(1), which refers to mass-based VOC content limits, removes “(d)(5),” which refers to the General Prohibition paragraph and adds the new paragraph (d)(2), which refers to the alternative PW-MIR VOC limit. Manufacturers meeting the specified conditions will not be subject to the prohibition of sale specified in paragraphs (d)(1) and (d)(2) for VOC limits but are still subject to the prohibition of sale specified in paragraph (d)(3) for toxic compounds to be more health protective.

Labeling Requirements [Subdivision (e)]

Subdivision (e) introduces new and modifies existing provisions that establish labeling requirements necessary to ensure compliance with the VOC limits and the alternative compliance option under Rule 1143.

Paragraph (e)(3) includes a new provision for additional labeling requirements for consumer paint thinners and consumer multi-purpose solvents that elect to comply with the alternative PW-MIR VOC limit. For these materials, manufacturers and suppliers are required to include the PW-MIR VOC content, expressed as grams of ozone per gram of product (g O₃/g product), on all containers to facilitate compliance and enforcement. This paragraph also streamlines some existing requirements from other existing provisions, such as the requirement for displaying maximum VOC content after any dilution as recommended by the manufacturer.

Paragraph (e)(4) is the existing requirement for displaying the date of manufacture or a date code indicating the date of manufacture.

Paragraphs related to reporting and recordkeeping in this subdivision are streamlined under subdivision (f).

Reporting and Recordkeeping Requirements [Subdivision (f)]

Subdivision (f) contains existing provisions for reporting and recordkeeping requirements necessary to ensure compliance with Rule 1143. Provisions from existing rule subdivisions (e) and (g) are consolidated and streamlined under subdivision (f).

Information Exempt from Disclosure [Subdivision (g)]

Subdivision (g) includes existing requirements and was revised to reflect the updated code sections for the California Public Records Act.

Test Methods [Subdivision (h)]

Subdivision (h) includes existing provisions for test methods. South Coast AQMD Test Method 313 was added to align with other VOC rules. Staff streamlined and reorganized provisions for clarity.

Exemptions [Subdivision (i)]

Subdivision (i) provides existing conditional exemptions from specific requirements of Rule 1143. Rule language for products excluded from the defined consumer multi-purpose solvents was removed from the definition subdivision and reorganized to fit under subparagraph (i)(1)(B).

Severability [Subdivision (j)]

Subdivision (j) contains an existing provision for severability. If any provision is invalidated by a judicial order, such order will not affect the implementation of the remainder of the rule according to this rule provision.

CHAPTER 4 : IMPACT ASSESSMENT

EMISSION IMPACTS

COSTS

SOCIOECONOMIC IMPACT ASSESSMENT

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

DRAFT FINDINGS UNDER THE HEALTH AND SAFETY CODE

COMPARATIVE ANALYSIS

Emission Impacts

PAR 1143 establishes a prohibition and compliance schedule for the phase out of pCBtF and t-BAc while maintaining the existing mass-based VOC limits. PAR 1143 also introduces an alternative PW-MIR VOC limit to provide manufacturers with an additional compliance pathway and formulation flexibility during the transition away from the use of the toxic compounds pCBtF and t-BAc. Because the existing mass-based VOC limits are not being changed and the PW-MIR limit is designed to be an equivalent alternative to the current VOC limits, no increase in ozone formation is expected as a result of the proposed amendments to the rule.

PAR 1143 affects manufacturers, product supply chains, and end users including consumers and institutions. This rule does not apply to permitted facilities other than permitted institutions. Manufacturer survey data indicate that pCBtF is used to meet current VOC limits in six products. Approximately 14 percent of total reported sales volume within the South Coast AQMD contain pCBtF, with reported pCBtF content ranging from 3 to 30 percent by weight. No use of t-BAc was reported in the survey responses. Two manufacturers reported a total of six products with pCBtF sold within the South Coast AQMD.

PAR 1143 does not propose any changes to the existing VOC content limits. Staff does not expect changes in ozone potential by the proposed alternative PW-MIR VOC limit.

Table 4-1: Estimated VOC Emissions by Category Reported in Manufacturer Survey

Category	Emissions (tons per day)
Consumer Paint Thinners	0.16
Consumer Multi-Purpose Solvents	0.01
Total	0.17

Costs

Staff does not anticipate any costs associated with the proposed changes to PAR 1143 since there are only a few products with a small market share using pCBtF in their formulations and those products already have direct replacements. In addition, PAR 1143 provides flexibility through the alternative PW-MIR compliance pathway. Although pCBtF costs more than traditional solvents, the manufacturer recommended price for Rule 1143 thinners and solvents containing pCBtF are about equivalent to the non-pCBtF formulations. The one product that contains VMS also contains pCBtF requiring reformulation, and thus phasing out VMS would not cause additional reformulation cost.

Socioeconomic Impact Assessment

PAR 1143 will maintain existing VOC limits while establishing a prohibition schedule for phasing out formulations of consumer paint thinners and consumer multipurpose solvents that contain ~~VMS~~, pCBtF, ~~or~~ t-BAc, or VMS. PAR 1143 is applicable to manufacturers, product supply chains, end users, and institutions.

PAR 1143 contains a new provision that provides an optional pathway for manufacturers to demonstrate compliance with an alternative VOC limit through the use of PW-MIR, a reactivity-based metric that reflects the ozone-forming potential of a product based on the weighted reactivity

of all VOC ingredients in the formulation. The flexibility provided by this optional pathway would help manufacturers reduce or minimize costs associated with reformulating replacement products. Since most manufacturers are located outside California, the cost impacts on manufacturers within South Coast AQMD jurisdiction are minimal.

As a practical matter, no products formulated with t-BAc were identified, and only one consumer multi-purpose solvent formulated with both VMS and pCBtF and two consumer paint thinners and three additional consumer multi-purpose solvents formulated with pCBtF were identified. The few products that contain VMS and/or pCBtF represent a very small market share and replacements with equivalent prices are currently available that do not contain VMS or pCBtF. As such, the transition to consumer paint thinners and consumer multipurpose solvents without VMS, pCBtF, or t-BAc is not expected to substantially affect the sales price of compliant products, the supply chains, institutions and end users.

Thus, implementation of PAR 1143 is anticipated to result in minimal to no compliance costs and minimal socioeconomic impacts in the South Coast AQMD region.

California Environmental Quality Act (CEQA)

Pursuant to CEQA Guidelines Section 15002(k) and 15061, the proposed project (PAR 1143) is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption has will been prepared pursuant to CEQA Guidelines Section 15062, and if the proposed project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor's Office of Land Use and Climate Innovation.

Draft Findings Under the Health and Safety Code

Health and Safety Code Section 40727 requires that prior to adopting, amending, or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, nonduplication, and reference, as defined in that section, based on relevant information presented at the hearing, this written analysis, and the rulemaking record. The draft findings are as follows:

Necessity – PAR 1143 is needed to phase out ~~three exempt compounds, VMS,~~ pCBtF, and t-BAc, to reduce toxicity in consumer paint thinners and consumer multi-purpose solvents, and to partially implement the 2022 AQMP Control Measure CTS-01. PAR 1143 is also needed to phase out VMS to reduce toxicity in consumer paint thinners and consumer multipurpose solvents as VMS are identified as potentially toxic but were previously excluded from the rule's prohibition on Group II exempt compounds defined in Rule 102 – Definitions.

Authority – The South Coast AQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from Health and Safety Code Sections 39002, 39650 *et seq.*, 40000, 40001, 40440, 40702 and 41508.

Clarity – PAR 1143 – Consumer Paint Thinners and Multi-~~P~~urpose Solvents, is written and displayed so that the meaning can be easily understood by persons directly affected by it.

Consistency – PAR 1143 – Consumer Paint Thinners and Multi-Purpose Solvents, is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or federal and state regulations.

Nonduplication – PAR 1143 – Consumer Paint Thinners and Multi-Purpose Solvents, does not impose the same requirement as any existing state or federal regulation, and the proposed amendments are necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

Reference – In amending this rule, the South Coast AQMD Governing Board references the following statutes which the South Coast AQMD hereby implements, interprets, or makes specific: Health and Safety Code Sections 40001, 40440, and 40702.

Comparative Analysis

Health and Safety Code Section 40727.2(a) requires the South Coast AQMD to prepare a written analysis of existing federal air pollution control requirements applicable to the same source type being regulated whenever it adopts or amends a rule. When a proposed amended rule or regulation does not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements, a comparative analysis is not required. PAR 1143 does not impose such requirements beyond what is required under Health and Safety Code Section 40727.2(g). Chapter 2 of this staff report provides background on PW-MIR. PW-MIR is not currently used in federal air pollution control requirements, so providing a matrix comparison or comparative analysis will not yield further information.⁵

⁵ [The Notice of Public Hearing had referenced that the staff report may contain a comparative analysis, but this discussion section on the statute applicability constitutes what was intended for reference there and inclusion in this report.](#)

APPENDIX A: RESPONSE TO COMMENTS

Public Comments

Staff held a Public Workshop on August 4, 2026, to provide a summary of PAR 1143. The following is a summary of the verbal comments received at the Public Workshop and comment letters received prior to the end of the comment period on PAR 1143 and staff responses.

Commentator #1 Patrick Gieske – Seymour of Sycamore

Patrick Gieske sought clarification regarding how the prohibition of volatile methyl siloxanes (VMS) will be characterized and inquired on alternative labeling methods, such as including the VOC on the bottom of the container, in providing reactivity-based VOC limits.

Staff Response to Commentator #1:

Staff confirmed that VMS will be prohibited in PAR 1143 and that PAR 1143 is not prescriptive in where to include PW-MIR VOC levels on containers.

Comment Letter #1



June 30, 2026

Heather Farr
Planning and Rules Manager
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765
Submitted via electronic transmission

Subject: Proposed Amended Rule 1143 – Initial Preliminary Rule Language

Dear Ms. Farr,

The American Coatings Association¹ (ACA), Household & Commercial Products Association,² (HCPA) and National Aerosol Association³ (NAA) appreciate the opportunity to provide comments to the South Coast Air Quality Management District (AQMD) on the Initial Preliminary Rule Language for Proposed Amended Rule 1143.⁴

The Initial Preliminary Rule Language introduces three significant policy concepts: (1) the prohibition of additional compounds, including parachlorobenzotrifluoride (PCBTf) and tert-butyl acetate (t-BAC); (2) sell-through and use-through provisions for existing inventories; and (3) an alternative Maximum Incremental Reactivity (MIR) compliance option for consumer paint thinners and multi-purpose solvents sold and used throughout the South Coast AQMD jurisdiction.

ACA, HCPA, and NAA understand that primary objective of the proposed amendment is to phase out the sale and use of PCBTf and t-BAC. Because these compounds are not currently used to any significant extent in consumer paint thinners and multi-purpose solvents, we do

1-1

¹ ACA is a voluntary, nonprofit trade association working to advance the needs of the paint and coatings industry and the professionals who work in it. The organization represents paint and coatings manufacturers, raw materials suppliers, distributors, and technical professionals. ACA serves as an advocate and ally for members on legislative, regulatory, and judicial issues, and provides forums for the advancement and promotion of the industry and coatings science.

² The Household & Commercial Products Association (HCPA) is the premier trade association representing companies that manufacture and sell \$227 billion annually of trusted and familiar products used for cleaning, protecting, maintaining, and disinfecting homes and commercial environments. HCPA member companies employ over 300,000 people in the U.S. whose work helps consumers and workers to create cleaner, healthier and more productive lives.

³ The National Aerosol Association (NAA) is an industry group devoted to serving the public's health, safety and hygiene needs through the aerosol product form. The NAA represents marketers, manufacturers, fillers and suppliers to the aerosol market.

⁴ [par-1143-initial-preliminary-draft-rule-language.pdf](#)

not anticipate substantial impacts on the marketplace for these products. However, we respectfully oppose the proposed restriction on cyclic, branched, or linear completely methylated siloxanes. Although these compounds are not presently used in consumer paint thinners and multi-purpose solvents, they may serve as viable alternatives in the future as additional regulatory restrictions are implemented. At this time, the available scientific evidence lacks conclusive toxicity data that would justify restricting these compounds.

1-1

To implement the proposed prohibition of PCBTF and t-BAC, the Initial Preliminary Draft establishes a phased compliance schedule under which products containing these compounds could no longer be manufactured after December 31, 2026, followed by a one-year sell-through period and a one-year use-through period for existing inventories. While many companies have been aware of South Coast AQMD's interest in restricting these compounds, the anticipated public hearing is not expected until October, leaving limited time for manufacturers to reformulate products, revise labels, and make necessary adjustments to distribution and inventory management systems.

As a practical matter, companies frequently defer significant reformulation and distribution-related investments until regulatory requirements have been formally adopted and become legally binding. This approach reflects practical business considerations, particularly given that federal and state regulatory actions have, at times, been delayed, modified, or withdrawn during the rulemaking process. Additionally, companies considering the use of the MIR compliance option will require sufficient time to revise, print, and implement new product labels displaying the applicable maximum product-weighted MIR limit.

1-2

Accordingly, ACA, HCPA, and NAA respectfully request that the manufacturing prohibition become effective one year after rule adoption. This additional implementation time would provide regulated entities with a reasonable opportunity to complete the product development, operational, labeling, and compliance-related activities necessary to ensure an orderly and effective transition to the new requirements.

In addition, we recommend extending the proposed sell-through period from one year to two years following the manufacturing prohibition. Although many products move through distribution channels relatively quickly, specialty products such as consumer paint thinners and multi-purpose solvents may remain in inventory for longer periods, particularly at smaller retailers and independent businesses. A two-year sell-through period would help minimize unnecessary product disposal and reduce economic impacts while still achieving the rule's objectives.

ACA, HCPA, and NAA also request clarification and modification of the proposed use-through provisions. As currently drafted, the provision could be interpreted to prohibit the use of products by consumers after the expiration of the use-through period. In practice, South Coast AQMD does not regulate products stored and used by consumers in their homes after purchase. To avoid ambiguity and unintended consequences, we recommend that the use-

1-3

through provision be revised to apply only to regulated entities and facilities subject to South Coast AQMD jurisdiction.

1-3

Lastly, ACA, HCPA, and NAA appreciate South Coast AQMD's inclusion of an alternative MIR-based compliance option. We support the availability of this alternative pathway and encourage the South Coast AQMD to consider incorporating additional MIR-based compliance options in future rulemakings where appropriate. Such approaches can provide flexibility while maintaining air quality objectives and promoting innovation in product formulation.

1-4

ACA, HCPA, and NAA appreciate the opportunity to provide these comments and look forward to continuing our engagement with South Coast AQMD as the rulemaking process moves forward.

Respectfully Submitted,

Rhett Cash
ACA

Nicholas B. Georges
HCPA

Doug Raymond
NAA

Response to Comment 1-1

PAR 1143 applies to products used by consumers, not products used in an industrial setting where personal protection equipment may be used; therefore, staff recommends taking a precautionary approach. Several VMS compounds have been banned by the European Union in personal care products. The U.S. EPA has also conducted a draft risk evaluation under the Toxic Substances Control Act for a type of VMS product, with preliminary determinations indicting unreasonable risk to workers in manufacturing and industrial use and to consumers through certain conditions of use. Staff recognizes that a precautionary approach is more health protective, especially for a rule that applies to consumer products, and it is preferable to proactively prohibit a potentially toxic substance before manufacturers rely on it to comply with VOC limits. A strong example of that is t-BAC, where due to the suspected toxicity, staff took a measured approach only allowing limited exemptions. Manufacturers did not rely heavily on t-BAC and its phase out has been much easier than that of pCBtF, where a full exemption was provided and its use became ubiquitous. Knowing there are potential concerns with VMS, staff recommends not allowing for their use in consumer products subject to this rule.

Response to Comment 1-2

Staff initially proposed a prohibition date of December 31, 2026. Staff has delayed the prohibition date to September 1, 2027, to address stakeholders' comments stating the December 2026 prohibition deadline would not provide manufacturers sufficient time to adjust their product lines. The delayed prohibition date will allow manufacturers additional time to ensure no products containing VMS, pCBtF, or t-BAC are sold into or within the South Coast AQMD.

Staff initially proposed a sell-through date of December 31, 2027. Staff has delayed the sell-through date to September 1, 2029, to address stakeholders' comments requesting a longer timeframe. Rule 1143 regulates consumer products, which may take longer to sell than commercial or industrial coatings and solvents. To address the slower sales rate and to minimize impacts on

the supply chain, staff agreed to increase the sell-through period to two years from the prohibition date.

Response to Comment 1-3

Staff acknowledges the stakeholders' comment. The current version of PAR 1143 does not include a use-through provision.

Response to Comment 1-4

Staff acknowledges the benefits of additional MIR-based compliance options in future rulemakings.

Comment Letter #2

From: Howard Berman <Hberman@e4strategicsolutions.com>
Sent: Friday, August 14, 2026 12:53 PM
To: Heather Farr
Cc: Yanrong Zhu; Emily Yen; Megan Gaughan
Subject: [EXTERNAL] PAR1143 Zoom meeting request / Comments and Concerns

Hi Heather,

Apologies for the short notice comment regarding the PAR 1143 , and I'd like to request a brief call on Tuesday, August 18, if you have any availability. There is a key statement in the Staff Report that we believe should be corrected, along with two related requests from Rust-Oleum.

The staff report states that VMS is not used in consumer multipurpose solvents. That statement is not accurate. Rust-Oleum uses VMS — specifically D4 (octamethylcyclotetrasiloxane) — in its Multipurpose Solvent product. Accordingly, we request that the VMS exemption be retained.

A few points on why this matters:

- Eliminating the VMS exemption would further restrict the solvents and thinners Rust-Oleum is able to offer.
- The solvents available to us are already tightly constrained by the VOC and MIR limits.
- Offering a variety of thinners is key to meeting the needs of different paint types and systems.

2-1

If the elimination of the VMS exemption is maintained, we would ask for a longer phase-out period so we have time to reformulate the product.

Separately, we request that the implementation date for the pCBtF prohibition be moved two months to September 1, 2027, rather than the currently proposed July 1, 2027. Rust-Oleum will need to manufacture South Coast-specific items to comply with this rule, because formulas that meet South Coast's proposed MIR limit will not comply with VOC regulations in the rest of California. The additional two months would allow us to develop the formula, order materials, produce the new items, and adjust our distribution network to supply them to the South Coast market.

2-2

We are happy to work around your schedule on Tuesday — morning or afternoon work on our end. Let me know what's convenient.

Thanks!

--
Howard Berman, President
E4 Strategic Solutions Inc.
202-361-6369
hberman@e4strategicsolutions.com

Response to Comment 2-1

Staff acknowledges that Rust-Oleum uses VMS in one multi-purpose solvent which also contains pCBtF and agrees to include VMS in the phase-out period which allowed for pCBtF and t-BAc to ensure manufacturers have time to reformulate their products. Please see Response to Comment 1-1 for the staff response on VMS.

Response to Comment 2-2

Staff initially proposed a prohibition date of December 31, 2026, then a prohibition date of July 1, 2027. Staff has delayed the prohibition date to September 1, 2027, to address stakeholders' comments about getting products into production and re-working their distribution network. Further, staff initially proposed a sell-through date of December 31, 2027, then a sell-through date of July 1, 2029. Staff has delayed the sell-through date to September 1, 2029, to address stakeholders' comments requesting a longer timeframe.

ATTACHMENT H



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED AMENDED RULE 1143 – CONSUMER PAINT
THINNERS AND MULTIPURPOSE SOLVENTS**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD), as Lead Agency, has prepared a Notice of Exemption pursuant to CEQA Guidelines Section 15062 – Notice of Exemption for the project identified above.

If the proposed project is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties. The Notice of Exemption will also be electronically filed with the State Clearinghouse of the Governor's Office of Land Use and Climate Innovation for posting on their CEQAnet Web Portal which may be accessed via the following weblink: <https://ceqanet.lci.ca.gov/Search/Recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2026>.

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: County Clerks for the Counties of Los Angeles, Orange, Riverside, and San Bernardino; and Governor's Office of Land Use and Climate Innovation – State Clearinghouse	From: South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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Project Title: Proposed Amended Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents

Project Location: The proposed project is located within the South Coast Air Quality Management District's (South Coast AQMD) jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project: Rule 1143 is designed to reduce volatile organic compound (VOC) emissions from the use, storage, and disposal of consumer paint thinners and multipurpose solvents that are not regulated by the California Air Resources Board (CARB). Proposed Amended Rule (PAR) 1143 partially implements Control Measure CTS-01: Further Emission Reductions from Coatings, Solvents, Adhesives, and Lubricants of the 2022 Air Quality Management Plan to phase out the use of para-Chlorobenzotrifluoride (pCBtF) and tert-Butyl Acetate (t-BAc) due to toxicity and public health concerns. PAR 1143 includes: 1) a prohibition pertaining to the manufacture, sale, and use of consumer paint thinners and multipurpose solvents with pCBtF, t-BAc, or cyclic, branched, or linear, completely methylated siloxanes (VMS) at future effective dates; 2) sell-through provisions to ensure that manufacturers, distributors, and end users are provided with adequate time to transition to products without pCBtF, t-BAc, or VMS, if needed; 3) an alternative compliance pathway based on Product-Weighted Maximum Incremental Reactivity (PW-MIR) VOC limits which provides additional reformulation flexibility by allowing substitution of lower-toxicity VOCs with known reactivity characteristics, rather than relying on exempt solvents; and 4) revisions for clarity and consistency with other South Coast AQMD rules, streamlined administrative requirements, minor editorial changes, and removal of outdated rule provisions. While no change to ozone formation potential relative to baseline conditions is expected since compliant formulations of consumer paint thinners and multipurpose solvents that do not contain pCBtF, t-BAc, or VMS are currently available and capable of meeting the established VOC emission limits, implementation of PAR 1143 will reduce the associated risk of exposure to emissions of pCBtF, t-BAc, and VMS for workers, nearby receptors, and the public.

Public Agency Approving Project: South Coast Air Quality Management District	Agency Carrying Out Project: South Coast Air Quality Management District
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Exempt Status:

CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

Reasons why project is exempt: South Coast AQMD, as Lead Agency, has reviewed the proposed project (PAR 1143) pursuant to: 1) CEQA Guidelines Section 15002(k) General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 Review for Exemption, procedures for determining if a project is exempt from CEQA. It can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment because: 1) no change in ozone formation potential is expected relative to baseline conditions; and 2) compliant formulations that do not contain pCBtF, t-BAc, and/or VMS are commercially available and the sell-through provisions provide sufficient time to find suitable replacements, which will prevent stranded assets and the generation of waste. Therefore, PAR 1143 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption.

NOTICE OF EXEMPTION FROM CEQA (concluded)

Date When Project Will Be Considered for Approval (subject to change):

South Coast AQMD Governing Board Public Hearing: October 2, 2026

CEQA Contact Person:

Zoya Banan, Ph.D.

Phone Number:

(909) 396-2332

Email:

ZBanan@aqmd.gov

PAR 1143 Contact Person:

Emily Yen

Phone Number:

(909) 396-3206

Email:

EYen@aqmd.gov

Date Received for Filing: _____ **Signature:** (Signed and Dated Upon Board Approval)

Kevin Ni

Program Supervisor, CEQA

Planning, Rule Development, and Implementation



Proposed Amended Rule 1143:
Consumer Paint Thinners and Multipurpose
Solvents

Governing Board Presentation
October 2, 2026

PAR 1143 Background

Adopted in 2009, last amended in 2010

- Limits volatile organic compound (VOC) emissions from consumer paint thinners and consumer multipurpose solvents
- Some manufacturers rely on exempt compounds to meet VOC limits

Proposed amendments are needed to

- Reduce cancer and non-cancer toxic risk by phasing out several exempt compounds

Public Process

- Two Working Group Meetings
- One Public Workshop

pCBtF and t-BAc use in Consumer Paint Thinners and Multipurpose Solvents

Rule currently allows *para*-Chlorobenzotrifluoride (pCBtF) and *tert*-Butyl Acetate (t-BAc) to be used as exempt solvents to meet lower VOC limits

California Office of Environmental Health Hazard Assessment (OEHHA) determined pCBtF and t-BAc are carcinogenic

Manufacturer survey showed pCBtF is being used in six out of the 18 products reported, no products reported using t-BAc

Manufacturers indicate prohibition is feasible

Volatile Methyl Siloxanes (VMS) in Consumer Paint Thinners and Multipurpose Solvents

Volatile methyl siloxanes (VMS) are currently allowed in Rule 1143

Risks associated with VMS

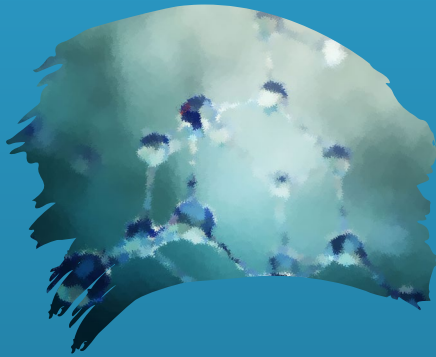
- U.S. EPA preliminary evaluation indicated VMS poses unreasonable risk for certain uses
- OEHHA identified non-cancer chronic toxic endpoint impacting the liver and spleen

Manufacturer survey showed one product contains both pCBtF and VMS

- Stakeholder indicated prohibition is feasible if time for reformulation is provided

Phasing out VMS will prevent manufacturers from replacing pCBtF with VMS, another compound with toxicity concerns

PAR 1143 Phase Out Approach for pCBtF, t-BAc, and VMS



Maintain current VOC limits and establish alternative Product Weighted Maximum Incremental Reactivity (PW-MIR) limits

Optional MIR limit aligned with Rule 1171 provision



Establish a future effective prohibition date for pCBtF, t-BAc, and VMS

Discontinue manufacturing by September 1, 2027



Provide sell-through coverage to address any stranded assets in the supply chain

Until September 1, 2029

Socioeconomic Impact Assessment and CEQA

Socioeconomic Impact Assessment

- PAR 1143 is expected to have minimal to no socioeconomic costs
 - Only a few products impacted and compliant replacements with equivalent costs available
- Final Socioeconomic Impact Assessment included in Final Staff Report

California Environmental Quality Act (CEQA)

- Prohibition of pCBtF, t-BAc, and VMS is health protective
- No change in ozone formation potential expected
- No significant adverse environmental impacts expected
- A Notice of Exemption has been prepared

Staff is not aware of any key issues

Staff Recommendations

Determine that PAR 1143 is exempt from CEQA

Amend Rule 1143 – Consumer Paint Thinners and Multipurpose Solvents

Direct staff to submit PAR 1143 to CARB and U.S. EPA for inclusion into the State Implementation Plan