



ADVISORY NOTICE

Rule 1113: Section (c) Paragraph (4)(A) and (4)(B); Section (f) Paragraph (1)

Original Review: June 2011

Revised Date: March 2018

Subject: Sell-Through and Small Container Exemption Relative to Colorants

Issue:

The South Coast Air Quality Management District has been made aware of an uncertainty regarding the sell-through provision and the small container exemption relative to colorants.

Current Rule Language:

Rule 1113 section (c)(4)(A) states "...any coating that is manufactured prior to the effective date of the applicable limit specified in the Table of Standards 1, 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 applied for up to three years after the specified effective date."

Rule 1113 section (c)(4)(B) states "...any coating sold in a one-liter or smaller container that has a VOC content above the applicable limit specified in the Table of Standards 1 for that coating, which is manufactured prior to the effective date of the elimination or restriction of the small container exemption listed in subparagraph (f)(1)(B) through (f)(1)(E), may be sold, supplied, offered for sale, or applied for up to two years after the specified date."

Rule 1113 section (f)(1) states "...the provisions of the Table of Standards 1 and paragraph (c)(1) of this rule shall not apply to architectural coatings in containers having capacities of one liter (1.057 quart) or less..."

Analysis:

Colorants are not defined as architectural coatings; they are not stand alone coating but are a component of a coating. Since both the sell-through provision and the small container exemption apply to the coatings and not specifically to the colorant, those provisions do not apply.

Conclusion:

The sell-through provision and small container exemption do not apply to colorants.

Comments or questions regarding Rule 1113 should be directed to areasources@aqmd.gov or call the Area Source team at 909-396-2390.