

(Adopted November 4, 1988)(Amended May 5, 1989)(Amended June 2, 1989)  
(Amended March 2, 1990)(Amended November 2, 1990)(Amended December 7, 1990)  
(Amended August 2, 1991)(Amended January 13, 1995)  
(Amended May 3, 2019)(Amended January 6, 2023)  
(Amended [DATE OF RULE ADOPTION])

Revision Date 03/13/2026

[RULE INDEX TO BE ADDED AFTER RULE ADOPTION]

**PROPOSED AMENDED RULE 1106. MARINE AND PLEASURE CRAFT COATINGS**

- (a) Purpose  
The purpose of this rule is to reduce ~~emissions of~~ Volatile Organic Compounds (VOC) and toxic emissions from Marine and Pleasure Craft Coatings.
- (b) Applicability  
This rule is applicable to any ~~person~~Person who supplies, sells, offers for sale, markets, manufactures, blends, packages, repackages, possesses or distributes any Marine or Pleasure Craft Coating and any associated solvent used with a Marine or Pleasure Craft Coating for use within the South Coast AQMD ~~Jurisdiction~~jurisdiction, as well as any ~~person~~Person who applies, stores at a worksite, or solicits the application of any Marine or Pleasure Craft Coating and any associated solvent used with a Marine or Pleasure Craft Coating within the South Coast AQMD ~~Jurisdiction~~jurisdiction.
- (c) Definitions  
~~For the purpose of this rule the following definitions shall apply:~~
- (1) AEROSOL COATING PRODUCT ~~means~~is a pressurized coating product containing pigments, resins, and/or other coating solids that dispenses product ingredients by means of a propellant, and is packaged in a disposable aerosol container for hand-held application.
  - (2) AIR DRIED COATING is any coating that is formulated by the manufacturer to be cured at a temperature below 90 degrees Celsius (°C) (194 degrees Fahrenheit (°F)).

Proposed Amended Rule 1106 (Cont.) [Date of Rule Adoption] ~~(Amended January 6, 2023)~~

- (3) ANTENNA COATING is any coating applied to equipment and associated structural appurtenances that are used to receive or transmit electromagnetic signals.
- (4) ANTIFOULANT COATING is any coating applied to the underwater portion of boats, ships, vessels, or ~~pleasure craft~~ Pleasure Craft to prevent or reduce the attachment of biological organisms and shall be registered with the United States Environmental Protection Agency (“U.S. EPA”) as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (7 United States Code Section 136).
- (5) BAKED COATING is any coating that is formulated by the manufacturer to be cured at a temperature at or above 90 °C (194 °F).
- (6) CHEMICAL ABSTRACTS SERVICE REGISTRATION NUMBER or CAS RN is a unique numerical identifier assigned by the Chemical Abstract Service to a single chemical substance to ensure unambiguous identification.
- ~~(6)~~ (7) CLEAR WOOD COATINGS ~~are~~ is a clear and semi-transparent ~~topcoats~~ Topcoat applied to wood substrates to provide a transparent or translucent film.
- (8) COATING FILM THICKNESS or “mils” is a unit of measurement equal to one-thousandth of an inch (0.001 of an inch), used to measure the thickness of coatings.
- ~~(7)~~ (9) DISTRIBUTOR ~~means~~ is any ~~person~~ Person to whom a product is sold or supplied for the purposes of resale or distribution in commerce, except that manufacturers, retailers, and consumers are not distributors.
- ~~(8) — ENERGY CURABLE COATINGS are single-component reactive products that cure upon exposure to visible light, ultra-violet light or to an electron beam.~~
- (10) EXECUTIVE OFFICER is as defined in Rule 102 – Definition of Terms (Rule 102).
- ~~(9)~~ (11) EXEMPT COMPOUNDS ~~are as defined in~~ are as defined in ~~(See Rule 102—Definition of Terms.)~~.
- ~~(10)~~ (12) EXTREME HIGH GLOSS COATING is any coating that ~~achieves at least registers a gloss of 95 or greater percent reflectance~~ registers a gloss of 95 or greater percent reflectance on a 60 degree (°) meter ~~when tested by~~ according to ASTM Test Method D-523-14 ~~“ — Standard Test Method for Specular Gloss”~~ (ASTM Test Method D-523).

(13) FACILITY is a business, or public service engaged in Marine Coating or Pleasure Craft Coating operations, including the application of Marine Coatings and Pleasure Craft Coatings, that are owned or operated by the same Person or Persons and are located on the same or contiguous parcels.

~~(11)~~ 14) FINISH PRIMER/\_SURFACER is any coating applied with a wet film thickness of less than 10 mils (one mil = 0.001 of an inch) and is applied prior to the application of a Marine or Pleasure Craft Coating for the purpose of providing corrosion resistance, adhesion for subsequent coatings, a moisture barrier, or promotes a uniform surface necessary for filling in surface imperfections.

~~(12)~~ 15) GRAMS OF VOC PER LITER (g/L) OF COATING LESS WATER AND LESS EXEMPT COMPOUNDS (or REGULATORY VOC) is the weight of VOC per combined volume of VOC and coating solids and can be calculated by the following equation:

Regulatory VOC (g/L-coating)

$$\frac{\text{Grams of VOC per Liter of Coating, Less Water and Less Exempt Compounds}}{\text{Water and Less Exempt Compounds}} = \frac{W_s - W_w - W_{es} - W_{ex}}{V_m - V_w - V_{es} - V_{ex}}$$

- Where:
- $W_{sv}$  = weight of volatile compounds in grams (includes water, Exempt Compounds, and VOCs);
  - $W_w$  = weight of water in grams;
  - $W_{esex}$  = weight of ~~exempt compounds~~ Exempt Compounds in grams;
  - $V_m$  = volume of material in liters;
  - $V_w$  = volume of water in liters;
  - $V_{esex}$  = volume of ~~exempt compounds~~ Exempt Compounds in liters;

~~(13)~~ 16) GRAMS OF VOC PER LITER OF MATERIAL (or ACTUAL VOC) is the weight of VOC per volume of material and shall be calculated by the following equation:

$$\frac{\text{Grams of VOC per Liter of Material}}{\text{Actual VOC}} = \frac{W_{sv} - W_w - W_{esex}}{V_m}$$

- Where:  $W_{sv}$  = weight of volatile compounds in grams

(includes water, Exempt Compounds, and VOCs)

$W_w$  = weight of water in grams

$W_{\text{esex}}$  = weight of ~~exempt compounds~~ Exempt Compounds in grams

$V_m$  = volume of material in liters

- ~~(417)~~ HEAT RESISTANT COATING is any coating that ~~during normal use is formulated to, and capable of, must~~-withstanding temperatures of at least 204 °C (400 °F).
- ~~(4518)~~ HIGH GLOSS COATING is any coating that ~~achieves at least registers a gloss of 85 percent reflectance or greater~~ on a 60° degree meter ~~when tested by according to~~ ASTM Method D-523-14 ~~“Standard Test Method for Specular Gloss”~~.
- ~~(4619)~~ HIGH TEMPERATURE COATING is any coating that ~~during normal use is formulated to, and capable of, must~~-withstanding temperatures of at least 426 °C (800 °F).
- ~~(4720)~~ HIGH BUILD PRIMER/\_SURFACER is any coating applied with a wet film thickness of 10 mils or more ~~(one mil = 0.001 of an inch)~~ prior to the application of a ~~topecoat~~ Topcoat for purposes of providing corrosion resistance, adhesion of subsequent coatings, a moisture barrier, or promoting a uniform surface necessary for filling in surface imperfections.
- ~~(4821)~~ HIGH-VOLUME, LOW-PRESSURE (HVLP) means spray application equipment designed to atomize 100 percent by air pressure only and is operated between 0.1 and 10 pounds per square inch gauge ~~(psig)~~, air atomizing pressure measured dynamically at the center of the air cap and at the air horns.
- ~~(4922)~~ INORGANIC ZINC COATING is a coating that contains 960 grams per liter or more elemental zinc incorporated into an inorganic silicate binder that is applied to steel to provide galvanic corrosion resistance.
- ~~(2023)~~ LOW ACTIVATION INTERIOR COATING is any coating used on interior surfaces aboard boats, ships, and vessels to minimize the activation of pigments on painted surfaces within a radiation environment.
- ~~(2124)~~ LOW-SOLIDS COATINGS are coatings containing one pound or less of solids per gallon of material.
- ~~(2225)~~ MARINE COATING is any coating, except unsaturated polyester resin (fiberglass) coatings, containing volatile organic materials and applied by

any means to boats, ships, and vessels, their appurtenances, and structures such as piers, docks, buoys, and oil drilling rigs ~~intended for the exposure~~ exposed to either a marine or fresh-water environment.

~~(2326)~~ (2326) MARINE DECK SEALANT PRIMER is any Primer intended to be applied to a substrate, prior to the application of a sealant, to enhance the bonding surface, which is sealant primer intended by the manufacturer formulated and labeled to be applied to wooden marine decks ~~A sealant primer is any product intended by the manufacturer to be applied to a substrate, prior to the application of a sealant, to enhance the bonding surface.~~

(27) MARINE VESSEL is any marine or fresh-water vessel used for military or commercial operations, including self-propelled vessels, those propelled by other craft (barges), and navigational aids (buoys), including, but not limited to, all military and U.S. Coast Guard vessels, commercial cargo and passenger (cruise) ships, ferries, barges, tankers, container ships, patrol and pilot boats, and dredges. Pleasure Craft and offshore oil and gas drilling platforms are not considered Marine Vessels.

~~(2428)~~ (2428) MIST COATING is any low-viscosity thin-film epoxy coating applied to an inorganic zinc primer that penetrates the porous zinc primer and allows the occluded air to escape through the film prior to curing.

~~(2529)~~ (2529) NAVIGATIONAL AIDS COATING is any coating that is applied to buoys or other Coast Guard waterway markers that are recoated at their usage site aboard ship and immediately returned to the water.

~~(2630)~~ (2630) NONSKID COATING means any coating applied to the horizontal surface of a marine vessel for the specific purpose of providing slip resistance for personnel.

~~(2731)~~ (2731) ORGANIC ZINC COATING is a coating that contains 960 grams per liter or more elemental zinc incorporated into an organic silicate binder that is applied to steel to provide galvanic corrosion resistance.

(32) PERSON is as defined in Rule 102.

~~(2833)~~ (2833) PLEASURE CRAFT are marine or fresh-water vessels ~~that are less than 20 meters in length and are~~ manufactured or operated primarily for recreational purposes, or are leased, rented, or chartered to a ~~person~~ Person or business for recreational purposes. Pleasure Craft are also ~~V~~ vessels operated in amusement theme parks in a fresh-water environment solely for the purpose of an amusement park attraction. ~~shall be considered pleasure craft vessels regardless of their length. The owner or operator of a pleasure craft vessel~~

~~shall be responsible for certifying that the intended use is for recreational purposes.~~

- (~~29~~34) PLEASURE CRAFT COATING is any marine coating, except unsaturated polyester resin (fiberglass) coatings, applied by brush, spray, roller, or other means to a ~~pleasure-craft~~Pleasure Craft.
- (~~30~~35) PRETREATMENT WASH PRIMER is a coating that contains a minimum of ~~1/20.5~~ percent acid, by weight, applied directly to bare metal surfaces to provide necessary surface etching.
- (36) PRIMER is any coating specifically formulated, labeled, and applied for the purpose of providing corrosion resistance, adhesion for subsequent coatings, a moisture barrier, or promotes a uniform surface necessary for filling in surface imperfections.
- (37) REDUCER OR THINNER is any solvent specifically labeled and formulated to reduce the viscosity of coatings.
- (~~31~~38) REPAIR AND MAINTENANCE THERMOPLASTIC COATING is any resin-bearing coating, such as vinyl, chlorinated rubber, or bituminous coatings, where the thermoplastic resin becomes pliable with the application of heat, and is used to recoat portions of a previously coated substrate that has sustained damage ~~to following the initial coating~~.
- (~~32~~39) SEALANT FOR WIRE-SPRAYED ALUMINUM is any coating of up to one mil (~~one mil = 0.001 of an inch~~) in thickness of an epoxy material that is reduced for application with an equal part of an appropriate solvent (e.g., naphtha or ethylene glycol monoethyl ether).
- (~~33~~40) SEALER is a coating applied to bare wood to seal surface pores to prevent subsequent coatings from being absorbed into the wood.
- (~~34~~41) SOLVENT CLEANING is as defined in Rule 1171 - Solvent Cleaning Operations.
- (42) 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).
- (~~35~~43) SPECIAL MARKING COATING is any coating used for items such as flight decks, vessel identification numbers, and other demarcations for safety or identification.
- (44) SPOT REPAIR is any recoating of a previously coated surface area on a Marine Vessel or Pleasure Craft, of one square foot (929 square

centimeters) or less, necessary to cover minor imperfections or minor mechanical damage incurred prior to use.

- (~~36~~45) TACK COAT is an epoxy coating of up to two mils (~~one mil = 0.001 of an inch~~)-thick applied to an existing epoxy coating that has aged beyond the time limit specified by the manufacturer.
- (~~37~~46) TEAK PRIMER is a coating applied to teak wood or previously oiled teak wood decks in order to improve the adhesion of a seam sealer.
- (~~38~~47) TOPCOAT is any final coating applied to the interior or exterior of a marine or ~~pleasure-craft~~Pleasure Craft.
- ~~(39) — TOUCH UP COATING is any coating applied incidental to the main coating process but necessary to cover minor imperfections or minor mechanical damage incurred prior to use.~~
- (~~40~~48) TRANSFER EFFICIENCY ~~means is~~ the amount-ratio of the weight or volume of coating solids adhering to the object to the total weight or volume, respectively, being coated divided by the total amount of coating solids ~~sprayed-used in the application process~~, expressed as a percentage.
- (~~41~~49) UNDERSEA WEAPONS SYSTEM COATING is any coating applied to any components of a weapons system intended for exposure to a marine environment that is intended to be launched or fired undersea.
- (~~42~~50) VARNISHES are clear or pigmented wood ~~topcoats~~Topcoats formulated with various resins to dry by chemical reaction.
- (~~43~~51) VOLATILE ORGANIC COMPOUND (VOC) is as defined in Rule 102—Definition of Terms.
- (~~44~~52) WIRE-SPRAYED ALUMINUM is any molten multi-aluminum coating applied to a steel substrate using oxygen fueled combustion spray equipment.

(d) Requirements

(1) VOC Content of Marine Coatings

~~Except as otherwise provided in this rule, a~~No personPerson shall ~~not~~ manufacture, supply, sell, offer for sale, market, blend, distribute, package, or repackage any Marine Coatings for use within South Coast AQMD, nor shall any owner or operator of a Facility possess, store at a worksite, apply or solicit the use of any marine coatingMarine Coatings, including any VOC-containing material added to the Marine Coatings, within ~~the~~ South Coast AQMD, ~~jurisdiction with a~~ that contains VOC ~~content~~ in excess of

the following applicable limits shown specified in the ~~Table 1~~ – Table of Standards I Regulatory VOC Content Limits for Marine Coatings (Table 1). Compliance with the applicable VOC content limits shall be based on VOC content, including any material added to the original Marine Coating supplied by the manufacturer, ~~that are~~ expressed as grams of VOC per liter of coating, as applied, less water and ~~exempt solvents~~: Exempt Compounds.

**Table 1 – Table of Standards for Marine Coatings** ~~TABLE OF STANDARDS I~~

MARINE COATING CATEGORY <u>Marine Coating Category</u>	<u>Regulatory VOC Content Limits</u> <u>(g/L-Coating) VOC LIMITS</u> <del>Less water and exempt compounds</del> <u>Grams per Liter (g/L)</u>	
	<del>BAKED</del> <u>Baked Coatings</u>	<del>AIR DRIED</del> <u>Air Dried Coatings</u>
	<del>CURRENT LIMIT</del>	<del>CURRENT LIMIT</del>
Antenna Coating		340
Antifoulant Coatings:		<u>400</u>
<del>Aluminum Substrates</del>		<u>560</u>
<del>Other Substrates</del>		<u>400</u>
Inorganic Zinc Coating		340
Low Activation Interior Coating		420
Mist Coating		610
Navigational Aids Coating		340
Nonskid Coating		340
Organic Zinc Coating		340
<u>Primers</u>		
<u>Finish Primer Surfacer</u>	<u>275</u>	<u>340</u>
<u>High Build Primer Surfacer</u>	<u>275</u>	<u>340</u>
Pre-Treatment Wash Primer	420	420
Repair and Maintenance Thermoplastic Coating		340
Sealant for Wire-Sprayed Aluminum		610
Special Marking Coating		420
Specialty Coatings:		
Heat Resistant Coating	360	420
High Temperature Coating		500
Tack Coating		610
Topcoats:		
Extreme High-Gloss Coating	420	490
High Gloss Coating	275	340
Undersea Weapons Systems Coating	275	340
Any Other Coating Type	275	340

- (2) VOC Content of Pleasure Craft Coatings
- ~~Except as otherwise provided in this rule, a~~ No person Person shall ~~not~~ manufacture, supply, sell, offer for sale, market, blend, distribute, package, or repackage any Pleasure Craft Coatings for use within South Coast AQMD, nor shall any owner or operator of a Facility possess, store at a worksite, apply or solicit the use of ~~any pleasure craft coating~~ Pleasure Craft Coatings, including any VOC-containing material added to the Pleasure Craft Coatings, within the South Coast AQMD jurisdiction with a that contains ~~VOC content~~ in excess of the following applicable limits shown specified in the Table 2 – Table of Standards – H Regulatory VOC Content Limits for Pleasure Craft Coatings (Table 2). Compliance with the applicable VOC content limits shall be based on VOC content, including any material added to the original Pleasure Craft Coating supplied by the manufacturer, that are ~~expressed as grams of VOC per liter of coating, as applied, less water and exempt solvents:~~ Exempt Compounds.

Table 2 – Table of Standards for Pleasure Craft Coatings ~~TABLE OF STANDARDS H~~

<del>VOC LIMITS</del>	
<del>Less water and exempt compounds</del>	
<del>Grams per Liter (g/L)</del>	
<del>PLEASURE-CRAFT</del> <del>COATING CATEGORY</del> <u>Pleasure</u> <u>Craft Coating Category</u>	<del>CURRENT</del> <del>LIMIT</del> <u>Regulatory</u> <u>VOC Content</u> <u>Limit (g/L-</u> <u>Coating)</u>
<del>Antifoulant Coatings:</del>	
Aluminum Substrate	560
Other Substrate	330
<del>Clear Wood Coatings:</del>	
Sealers	550
Varnishes	490
<del>Primers Coatings:</del>	
Finish Primer/ Surfacers	420
High Build Primer/ Surfacers	340
Marine Deck Sealant Primer	760
Pretreatment Wash Primer	780
Teak Primer	775
<del>Topcoats:</del>	
Extreme High Gloss Coating	490
High Gloss Coating	420
Any Other Coating Type	420

(3) VOC Content of Low-Solids Coatings

~~Except as otherwise provided in this rule, a~~ No person Person shall ~~not~~ manufacture, supply, sell, offer for sale, market, blend, distribute, package, or repackage any Marine Coatings or Pleasure Craft Coatings for use within South Coast AQMD, nor shall any owner or operator of a Facility possess, store at a worksite, apply or solicit the use of ~~any marine coating~~ Marine Coatings or a ~~pleasure craft coating~~ Pleasure Craft Coatings within ~~the~~ South Coast AQMD ~~jurisdiction with a that contains~~ VOC content in excess of the ~~following~~ limit shown specified in ~~the~~ Table 3 – Table of Standards – III Actual VOC Content Limit for Low-Solids Coatings (Table 3). Compliance with the applicable VOC content limit shall be based on VOC content, including any material added to the original coating supplied by the manufacturer, that is expressed as grams of VOC per material of coating, as applied.

Table 3 – Table of Standards for Low-Solids Coatings ~~TABLE OF STANDARDS III~~

<del>VOC LIMIT – MARINE &amp; PLEASURE CRAFT COATINGS</del> <del>Grams per liter of material</del> <u>Material (g/L) VOC</u>	
<del>COATING CATEGORY</del> <u>Coating Category</u>	<del>CURRENT LIMIT</del> <u>Actual VOC Content Limit (g/L- Actual)</u>
Low-Solids Coating	120

(4) Most Restrictive VOC Limit

If any representation or information on the container of any coating subject to this rule, or any label or sticker affixed to the container, or in any sales, advertising, or technical literature that indicates that the coating meets the definition of, is recommended for use, or is suitable for use for more than one of the ~~marine coating~~ Marine Coating categories listed in paragraph (d)(1) or the ~~pleasure craft coating~~ Pleasure Craft Coating categories listed in paragraph (d)(2), ~~or the low solids coating category listed in paragraph (d)(3),~~ then the lowest VOC content limit shall apply.

~~(5) – Alternative Emission Control Plan~~

~~A person may comply with the provisions of paragraphs (d)(1), (d)(2) and (d)(3) by means of an Alternative Emission Control Plan, pursuant to Rule 108 – Alternative Emissions Control Plans.~~

~~(6)~~ — Exempt Compounds

~~A person shall not manufacture, sell, offer for sale, distribute for use in the South Coast AQMD jurisdiction, or apply any marine or pleasure craft coating which contains any Group II Exempt Compounds listed in Rule 102 – Definition of Terms, in quantities greater than 0.1 percent by weight. Cyclic, branched, or linear, completely methylated siloxanes (VMS) are not subject to this provision.~~

~~(7)~~ — Carcinogenic Materials

~~A person shall not manufacture, sell, offer for sale, distribute for use in the South Coast AQMD jurisdiction, or apply any marine or pleasure craft coating which contains cadmium, nickel, lead or hexavalent chromium that was introduced as a pigment or as an agent to impart any property or characteristic to the marine or pleasure craft coatings during manufacturing, distribution, or use of applicable marine or pleasure craft coatings.~~

~~(8)~~(6) Application Equipment Transfer Efficiency

~~(A)~~ — An person owner or operator of a Facility shall not apply any marine coatingMarine Coating ~~or pleasure craft coating~~Pleasure Craft Coating using properly operating equipment, operated according to procedures specified by the equipment manufacturer, and in compliance with the applicable permit conditions, if any, the equipment manufacturer's operating procedures, and by the use of~~unless~~ one of the following methods of coating transfer is used:

~~(iA)~~ (iA) Electrostatic application; ~~or~~

~~(iiB)~~ (iiB) ~~High-volume, low-pressure~~High-Volume, Low-Pressure (HVLP) spray; ~~or~~

~~(iiiC)~~ (iiiC) Brush, dip, or roller; or

~~(iv)~~ — ~~Spray gun application, provided the owner or operator demonstrates that the spray gun meets the HVLP definition in paragraph (c)(18) in design and use. A satisfactory demonstration must be based on the manufacturer's published technical material on the design of the spray gun and by a demonstration of the operation of the spray gun using an air pressure tip gauge from the manufacturer of the spray gun; or~~

~~(vD)~~ (vD) Any such other ~~marine coating~~Marine Coating ~~or pleasure craft coating~~Pleasure Craft Coating application methods as demonstrated,

in accordance with the provisions of paragraph ~~(g)~~(h)(6), to the Executive Officer to be capable of achieving equivalent or better ~~transfer—efficiency~~Transfer Efficiency than the ~~marine coating~~Marine Coating or ~~pleasure craft coating~~Pleasure Craft Coating application method listed in ~~clause (d)(8)(A)(ii)~~subparagraph (d)(6)(B), provided written approval is obtained from the Executive Officer prior to use.

~~(B)—A person shall not apply any marine coating or pleasure craft coating by any of the methods listed in subparagraph (d)(8)(A) unless such coating is applied with properly operating equipment, operated according to procedures recommended by the manufacturer and in compliance with applicable permit conditions, if any.~~

~~(9)~~(7) Solvent Cleaning, Storage and Disposal of VOC-containing Materials

Solvent ~~cleaning~~Cleaning of application equipment, parts, products, tools, machinery, equipment, general work areas, and the storage and disposal of VOC-containing materials used in ~~solvent—cleaning~~Solvent Cleaning activities shall be carried out pursuant to South Coast AQMD Rule 1171 - Solvent Cleaning Operations.

(e) Alternative Compliance Options

(1) Alternative Emission Control Plan

An owner or operator of a Facility may comply with the provisions of paragraphs (d)(1), (d)(2) and (d)(3) by means of an Alternative Emission Control Plan pursuant to Rule 108 – Alternative Emissions Control Plans.

(2) Alternative Compliance Schedule Plan Requirements

[Under Consideration]

A manufacturer of Antifoulant Coatings sold for use in South Coast AQMD may submit an Alternative Compliance Schedule Plan no later than six months from [Applicable Sell-Through Date] to request an extension of the applicable Table 4 sell-through and use-through periods of no longer than one year each respectively if the manufacturer is not able to receive final regulatory approval from U.S. EPA and/or California Department of Pesticide Regulation (CA DPR) to sell a reformulated Antifoulant Coating that was reformulated for the purpose of complying with [Applicable

subdivisions] by [Applicable Sell-Through Date]. The Alternative Compliance Schedule Plan shall include the following:

(A) The Antifoulant Coating(s) included in the Alternative Compliance Schedule Plan;

(B) An official document on U.S. EPA and/or CA DPR letterhead signed by the responsible party of the agency that includes:

(i) Documentation which demonstrates that the delays are outside the control of the manufacturer;

(ii) Communications with U.S. EPA and/or CA DPR confirming initial regulatory approval was sought in a timely and adequate manner;

(iii) The estimated date U.S. EPA and/or CA DPR is able to grant full regulatory approval for sale and use of the Antifoulant Coating(s) which the Alternative Compliance Schedule Plan was submitted for; and

(iv) Any additional information to substantiate that an Alternative Compliance Schedule Plan is necessary.

(3) Alternative Compliance Schedule Plan Review and Approval Process

The Executive will notify the manufacturer in writing whether the Alternative Compliance Schedule Plan is approved or disapproved. The Alternative Compliance Schedule Plan shall be approved if the following criteria is met, and they are subject to disapproval if any of the following applicable criteria are not met:

(A) The manufacturer submitted a complete Alternative Compliance Schedule Plan at least six months prior to the [Applicable Sell-Through Date] specified in Table 4; and

(B) The manufacturer submitted the required documentation from U.S. EPA and/or CA DPR that includes all the required information in paragraph [Applicable subdivisions].

(4) Alternative Compliance Schedule Plan Disapproval Process

Within 45 days of receiving written notification from Executive Officer that the Alternative Compliance Schedule Plan is disapproved, the manufacturer shall correct any deficiencies and re-submit the Alternative Compliance Schedule Plan.

(5) Modifications to an Approved Alternative Compliance Schedule Plan

An manufacturer that seeks approval to modify an approved Alternative Compliance Schedule Plan shall submit a request in writing to the Executive Officer to modify an approved Alternative Compliance Schedule Plan that includes all the submittal requirements pursuant to paragraph (e)(2).

(6) The Executive Officer will review any modifications to an approved Alternative Compliance Schedule Plan in accordance with the review and approval process pursuant to paragraph (e)(3).

(7) Notification of Pending Approval of an Alternative Compliance Schedule Plan

The Executive Officer will make the proposed Alternative Compliance Schedule Plan or proposed modifications to an approved Alternative Compliance Schedule Plan available to the public on the South Coast AQMD website 30 days prior to approval and update the status of the Alternative Compliance Schedule Plan once the Executive Officers deems it approved or disapproved.

~~(e)~~(f) Prohibition of Possession, Specification and Sale

(1) ~~No~~ For the purpose of this rule, ~~no person~~ Person shall supply, sell, market, blend, distribute, package, or repackage ~~store at a worksite~~ any ~~marine coating~~ Marine Coating or ~~pleasure-craft coating~~ Pleasure Craft Coating subject to this rule for use within ~~the~~ South Coast AQMD, ~~jurisdiction that is not in compliance with the requirements shown in the Tables of Standards of paragraphs (d)(1), (d)(2), and (d)(3) unless the following condition applies:~~ nor shall any owner or operator of a Facility possess, apply, or solicit for use any Marine Coating or Pleasure Coating for use within South Coast AQMD, that contains any of the following chemicals in concentrations greater than the limits indicated below:

(A) 1.0 ppm of cadmium, nickel, or lead;

(B) 5.0 ppm of hexavalent chromium;

(C) 0.01 percent by weight of Group II Exempt Compounds, excluding volatile methylated siloxanes (VMS);

(D) 0.1 percent by weight of any VMS; or

(E) 0.01 percent by weight of para-Chlorobenzotrifluoride (pCBtF, CAS RN 98-56-5) or tert-Butyl Acetate (t-BAc, CAS RN 540-88-5) that was manufactured after the applicable Final Manufacture Date in Table 4 – pCBtF and t-BAc Prohibition Timeline (Table 4),

including any VOC-containing materials added to the original Marine Coating or Pleasure Craft Coating supplied by the manufacturer.

(2) Sell-Through and Use-Through Provision

Any Marine Coating or Pleasure Craft Coating that is manufactured prior to the applicable Table 4 Final Manufacture Date, that contains more than 0.01 percent by weight of pCBtF and/or t-BAc, may be sold, supplied, or offered for sale until the applicable Table 4 Sell-Through Date and may be possessed, used, or solicited for use until the applicable Table 4 Use-Through Date.

**Table 4: pCBtF and t-BAc Prohibition Timeline**

<u>Category</u>	<u>Prohibition Effective Date</u>	<u>Sell-Through End Date</u>	<u>Use-Through End Date</u>
<u>Antifoulant Coatings</u>	<u>January 1, 20XX</u>	<u>January 1, 20XX</u>	<u>January 1, 20XX</u>
<u>All Other Coating Categories</u>	<u>January 1, 2028</u>	<u>January 1, 2029</u>	<u>January 1, 2030</u>

~~(A) The marine or pleasure craft coating is for use at a facility that operates in compliance with an approved Alternative Emissions Control Plan pursuant to paragraph (d)(5), and the marine or pleasure craft coating is specified in the plan.~~

~~(2) For the purpose of this rule, no person shall solicit from, specify, or require any other person to use in the South Coast AQMD jurisdiction any marine or pleasure craft coating that does not meet the following:-~~

~~(A) Applicable VOC limits required by paragraph (d)(1), (d)(2) or (d)(3) for the specific application unless:-~~

~~(i) The marine or pleasure craft coating is located at a facility that operates in compliance with an approved Alternative Emissions Control Plan pursuant to paragraph (d)(5), and the marine or pleasure craft coating is specified in the plan.~~

~~(B) The requirements of paragraphs (d)(6) and (d)(7).~~

~~(3) For the purpose of this rule, no person shall supply, sell, offer for sale, market, blend, package, repack or distribute any marine or pleasure craft~~

~~coating for use within the South Coast AQMD jurisdiction subject to the provisions in this rule that does not meet the:-~~

~~(A) — Applicable VOC limits required by paragraphs (d)(1), (d)(2) and (d)(3) for the specific application, unless:-~~

~~(i) — The marine or pleasure craft coating is for use at a facility that operates in accordance with an approved Alternative Emissions Control Plan pursuant to paragraph (d)(6), and the marine or pleasure craft coating is specified in the plan; and,~~

~~(B) — The requirements of paragraphs (d)(6) and (d)(7).-~~

~~(4)~~(3) For the purpose of this rule, no ~~person~~Person shall solicit from, specify, require, offer for sale, sell, or distribute to any other ~~person~~Person for use in the South Coast AQMD jurisdiction any ~~marine~~Marine Coating or ~~pleasure craft coating~~Pleasure Craft Coating application equipment that does not meet the requirements of subparagraph ~~(d)(8)(A)~~(6).

~~(5)~~(4) For the purpose of this rule, no ~~person~~Person shall offer for sale, sell, supply, market, offer for sale or distribute an HVLP spray gun for use within the South Coast AQMD unless said ~~person~~Person provides accurate information to the spray gun recipient. Such accurate information shall include the maximum inlet air pressure to the spray gun that would result in a maximum air pressure of 10 pounds per square inch gauge ~~(psig)~~ air pressure, measured dynamically at the center of the air cap and at the air horns, based on the manufacturer's published technical material on the design of the spray application equipment, and by a demonstration of the operation of the spray application equipment using an air pressure tip gauge from the manufacturer of the gun. The information shall either be permanently marked on the gun, or provided on the company's letterhead or in the form of technical literature that clearly identifies the spray gun manufacturer, the seller, or the distributor.

~~(6) — Paragraphs (d)(1), (d)(2) and (d)(3) shall not apply to marine coatings or pleasure craft coatings that are sold, offered for sale, or solicited, for shipment or use outside of the South Coast AQMD jurisdiction, or for shipment to other manufacturers for repackaging provided such coatings are sold, offered for sale, or solicited, for shipment or use outside the South Coast AQMD jurisdiction.~~

~~(f)~~(g) Administrative and Recordkeeping Requirements

(1) Recordkeeping for VOC Emissions

Notwithstanding the provisions of subdivision ~~(i)~~(j), records of ~~marine coating~~Marine Coating usage and ~~pleasure-craft-coating~~Pleasure Craft Coating usage, as applicable, shall be maintained pursuant to ~~South Coast AQMD~~-Rule 109 - Recordkeeping for Volatile Organic Compound Emissions, ~~and shall be made available to the Executive Officer upon request.~~ and shall at a minimum include the following information:

(A) Coating name and manufacturer;

(B) Applicable coating category; and

(C) Purchase records identifying the coating category, name, total volume of coating purchased.

(2) Labeling Requirements

The manufacturer of Marine Coatings and Pleasure Craft Coatings, with the exception of Reducers or Thinners, shall include the following information on all product containers:

(A) Applicable coating category;

(B) Whether the product is intended for Marine or Pleasure Craft use, or both;

(C) Whether an Antifoulant Coating is intended and formulated for application to aluminum substrates; and

(D) On and after [Effective Date], all Marine Coatings and Pleasure Craft Coatings shall display the date of manufacture of the coating or a code indicating the date of manufacture. The manufacturer shall file an explanation of each code with the Executive Officer.

~~(g)~~(h) Test Methods

(1) Determination of VOC Content:

The VOC content of coatings; subject to the provisions of this rule shall be determined by the following methods:

(A) United States Environmental Protection Agency (U.S. EPA) Reference Test Method 24 - ~~(Determination of Volatile Matter Content, Water Content, Volume Solids and Weight Solids of Surface Coatings, Code of Federal Regulations, Title 40, Part 60, Appendix A).~~ The exempt-compounds<sup>2</sup>Exempt Compounds' content shall be determined by South Coast AQMD ~~Laboratory~~ Test Method 303 - ~~(Determination of Exempt Compounds)~~ contained in

- ~~the South Coast AQMD "Laboratory Methods of Analysis for Enforcement Samples" manual; or,~~
- (B) South Coast AQMD Method 304 ~~\_~~ [Determination of Volatile Organic Compounds (VOCs) in Various Materials] ~~contained in the South Coast AQMD "Laboratory Methods of Analysis for Enforcement Samples" manual; or,~~
- (C) South Coast AQMD Method 313 ~~\_~~ [Determination of Volatile Organic Compounds (VOC) by Gas Chromatography-/Mass Spectrometry] Flame Ionization Detection (GC/MS/FID) ~~in the South Coast AQMD's "Laboratory Methods of Analysis for Enforcement Samples" manual.~~
- (2) VOC content determined to exceed the limits established by this rule through the use of any of the above-referenced test methods shall constitute a violation of this rule.
- (3) 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 solvent formulation and identify the test methods, which have been approved by the U.S. EPA, CARB and the South Coast AQMD prior to such analysis, that can be used to quantify amounts of each Exempt Compound:
- (A) Cyclic, branched, or linear, completely fluorinated alkanes;
- (B) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
- (C) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
- (D) Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine;
- ~~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 formulation of the coatings subject to this rule. In addition, prior to any such analysis, the manufacturers shall also identify the test methods approved by the U.S. EPA, California Air Resources Board (CARB), and the South Coast AQMD that will be used to quantify the amount of each exempt compound.~~

- (4) Determination of ~~Iridescent~~ Metallic Particles in Metallic/Iridescent Coatings

The metal ~~and silicon~~ content in metallic/~~iridescent~~ coatings subject to the provisions of this rule shall be determined by ~~the~~ South Coast AQMD Method 311 ~~— (Determination of Percent Metal in Metallic Coatings by Spectrographic Method) contained in the South Coast AQMD "Laboratory Methods of Analysis for Enforcement Samples" manual.~~

- (5) Determination of Acid Content in Marine and Pleasure Craft Coatings

The acid content of any coating subject to the provisions of this rule shall be determined by ASTM D-1613-~~06 (2012) (Standard Test Method for —~~ Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer, and Related Products).

- (6) Determination of Transfer Efficiency of Application Equipment

The ~~transfer efficiency~~ Transfer Efficiency of alternative ~~marine coating~~ Marine Coating and ~~pleasure-craft coating~~ Pleasure Craft Coating application methods, as defined by ~~clause (d)(8)(A)(v) paragraph (c)(40),~~ shall be determined in accordance with the most current versions of the South Coast AQMD method:

(A) — "Spray Equipment Transfer Efficiency Test Procedure for Equipment User, ~~May 24, 1989;~~" and

(B) — ~~South Coast AQMD~~ "Guidelines for Demonstrating Equivalency With South Coast AQMD Approved Transfer Efficiency Spray Gun ~~September 26, 2002.~~"

- (7) 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 established by any one of the specified test methods or set of test methods shall constitute a violation of the rule.

- (8) Equivalent Test Methods

Other test methods determined to be equivalent and approved by the U.S. EPA, CARB, and the South Coast AQMD Executive Officer, and approved in writing by the South Coast AQMD Executive Officer may also be used.

- (89) All test methods referenced in this section shall be the most recently approved version.

Proposed Amended Rule 1106 (Cont.) [Date of Rule Adoption] ~~(Amended January 6, 2023)~~

~~(h)~~(i) Rule 442 Applicability

Any Marine Coating or Pleasure Craft Coating or any facility that is exempt pursuant to subdivision ~~(h)~~(j) from all or a portion of the VOC limits of subdivision (d) shall comply with the provisions of Rule 442 - Usage of Solvents.

~~(i)~~(j) Exemptions

(1) With the exception of paragraphs ~~(d)(6) and (d)(7)(f)(1)~~, the provisions of this rule shall not apply to:

~~(1)(A)~~(A) Marine or ~~pleasure-craft coatings~~Pleasure Craft Coatings that have a VOC content of 50 g/L or less, or its equivalent, less water and exempt compounds, as applied;

~~(2)(B)~~(B) Marine coatings applied to interior surfaces of potable water containers;

~~(3)(C)~~(C) ~~Touch-up coatings~~Any Marine Coating or Pleasure Craft Coating that is supplied, sold, offered for sale, marketed, manufactured, blended, packaged or repackaged for use within South Coast AQMD in 0.5 fluid ounces or smaller containers and is applied by brush or air brush used for Spot Repairs, as defined by paragraph (c)~~(39)~~(44) of this rule.

~~(4)(D)~~(D) Any ~~aerosol coating product~~Aerosol Coating Product;

~~(5)(E)~~(E) The provisions of paragraph (d)~~(8)~~(6) shall not apply to ~~marine~~Marine Coatings or ~~pleasure-craft coatings~~Pleasure Craft Coatings with a viscosity of 650 centipoise or greater, as applied; or

~~(6)(F)~~(F) The provisions of paragraphs (d)(1), (d)(2), and (d)(3) shall not apply to ~~marine coatings~~Marine Coatings that are used for vessels that are intended to submerge to at least 500 feet below the surface of the water provided that the total combined usage of such coatings does not exceed 12 gallons per calendar year and such coatings are in compliance with the VOC limits in the U.S. EPA National Emission Standards for Hazardous Air Pollutants (NESHAP) for Shipbuilding and Ship Repair (Surface Coatings).

(2) Paragraphs (d)(1), (d)(2), (d)(3) and (f)(1) shall not apply to Marine Coatings or Pleasure Craft Coatings that are sold, offered for sale, or solicited, for shipment or use outside of the South Coast AQMD jurisdiction, or for shipment to other manufacturers for repackaging

Proposed Amended Rule 1106 (Cont.) [Date of Rule Adoption] (~~Amended January 6, 2023~~)

provided such coatings are sold, offered for sale, or solicited, for shipment or use outside the South Coast AQMD jurisdiction.