

FACT SHEET

NATIONAL VOLATILE ORGANIC COMPOUND (VOC) EMISSION STANDARDS for AEROSOL COATINGS – FINAL RULE AMENDMENTS TO ADD COMPOUNDS AND REACTIVITY FACTORS

ACTION

- On June 15, 2009, the U.S. Environmental Protection Agency (EPA) amended its rule setting national volatile organic compound (VOC) emission standards for aerosol coatings (i.e., aerosol spray paints).
- The Aerosol Coatings Reactivity Rule, issued in March 2008, helps reduce ozone formation by encouraging reductions of higher reactivity VOCs, rather than treating all VOCs in a product alike. The rule regulates VOC content present in the aerosol spray can; therefore, no specific requirements are imposed on consumers.
- The final rule included a table of compounds, and their corresponding reactivity factors, that are used to manufacture aerosol coatings.
- The final rule also included a provision that allowed regulated entities to petition EPA to add compounds to the table. EPA received three petitions from the SEM, 3M, and 3R corporations, and one petition from National Paint and Coatings Association on behalf of its members.
- In response to these petitions, EPA is finalizing amendments that:
 - revise Table 2 by adding an additional 128 compounds or mixtures. EPA was petitioned to add a total of 168 compounds or mixtures. Twenty-nine of the 168 compounds or mixtures identified by the petitioners were already listed or addressed in Table 2A, 2B, or 2C in the rule; six were duplicates; and five were rejected because no information was provided to determine a reactivity factor.
 - clarify which VOC are to be quantified in compliance determinations.
 - provide a more detailed description of the division of responsibility between the coating manufacturer and the private label customer - typically a retail seller of the paint - and how the recordkeeping and reporting requirements will be met, and establishes liability following such certifications.
 - extends the deadline for the initial notifications required for 30 days, until July 31, 2009.
- These final amendments will make it easier for spray paint manufacturers to produce products with a smaller impact on the environment.

BACKGROUND

- On March 24, 2008, EPA set national VOC emission standards for aerosol spray paints, also known as aerosol coatings.
- This national regulation, modeled after the California Air Resource Board (CARB) regulation for reducing ozone formed from aerosol coating emissions, established a uniform reactivity-based standard for aerosol spray paints. The paints covered by this rule include both those used by the consumer and those used in industrial applications.
- *Reactivity* refers to a substance's tendency to undergo a chemical change -- in this case, meaning a VOC's potential to form ground-level ozone. Ozone forms when emissions of VOCs and nitrogen oxides react in the presence of sunlight.
- The emission limits in the national standard are expressed in terms of the amount of ozone generated from the VOCs per unit of coating material rather than in terms of the amount of VOCs per unit of product, as traditionally had been the case.
- Companies subject to this rule must provide information about the amounts of each VOC in their products every three years, beginning with data for calendar year 2010. EPA will use this information to assess the effectiveness of the reactivity-based approach.
- On December 24, 2008, EPA published amendments to the rule to move the applicability and initial compliance dates for aerosol coatings from January 1, 2009, to July 1, 2009. The December 2008 amendments also made initial notification reports due on the compliance date, as opposed to 90 days in advance of the compliance date. This compliance extension was necessary to allow EPA time to complete today's action to amend the rule to add compounds to Table 2. It also provided regulated entities sufficient time to develop and submit initial notification reports with the proper reactivity factors based on the revised table.

FOR MORE INFORMATION

- For further information, contact Kaye Whitfield of the EPA's Office of Air Quality Planning and Standards by phone (919) 541-2509 or by e-mail at whitfield.kaye@epa.gov.
- Today's action and background information are available either electronically through www.regulations.gov, the Federal government's docket management system, or in hardcopy at EPA's Docket Center (6102T), EPA West, 1301 Constitution Avenue, NW, Washington, DC 20460 (Docket ID No. EPA-HQ-OAR-2006-0971). The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744,

and the telephone number for the EPA Docket Center is (202) 566-1742.