

FACT SHEET

NATIONAL VOLATILE ORGANIC COMPOUND (VOC) EMISSION STANDARDS for AEROSOL COATINGS

ACTION

- On Nov. 15, 2007, the Environmental Protection Agency (EPA) set national volatile organic compound (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, establishes 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 has been the case for mass-based standards. Organic compounds that are less reactive than ethane and make up less than 7.3 percent of a product's formulation will not be counted toward the applicable limits of this rule.
- This new national rule will help reduce ozone formation by encouraging reductions of higher reactivity VOCs, rather than treating all VOCs in a product alike through a mass-based approach. EPA estimates that this regulation will result in reductions of 3,100 tons (2,800 Mg) of VOCs per year.
- The compliance deadline for the rule is Jan. 1, 2009. 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

WHO'S AFFECTED

- Nearly 85 percent of the spray paints used in the U.S. are produced by three companies, which already are meeting the CARB requirements. EPA may grant a two-year special compliance extension to manufacturers who certify that they previously have not produced aerosol coatings that comply with the existing CARB rule.
- Small U.S. manufacturers -- those that can demonstrate they produce aerosol paints containing less than 7,500 kilograms (about 8.3 tons) of VOCs annually -- are not

covered by this regulation.

- The new requirements also apply to paint imported for sale in the U.S. Foreign manufacturers selling paint in the U.S. may qualify for the small manufacturer exemption if they can demonstrate their paints contain less than 7,500 kilograms of VOCs each year, if they voluntarily meet the same reporting and recordkeeping requirements as U.S. manufacturers, and if they meet other requirements allowing EPA to effectively monitor and implement this rule.
- Manufacturers affected by the rule include manufacturers of lacquers, varnishes, enamels, epoxy coatings, oil and alkyd vehicle, plastisols, polyurethane, primers, shellacs, stains and water-repellant coatings. Aerosol coating processors, can-filling operations and packaging services, and wholesale distributors also are affected by the rule.
- Potential costs for complying with the rule are associated with reformulation, with changing ingredients, and with recordkeeping and reporting. Because more than 85 percent of the spray paint sold in the U.S. already complies with the requirements of this rule, EPA does not anticipate significant costs associated with reformulation.

BACKGROUND

- The Clean Air Act (section 183(e)) directs EPA to list for regulation categories of consumer and commercial products that account for at least 80 percent of the VOC emissions in areas that violate the national ambient air quality standards (NAAQS) for ozone. The law further directs EPA to divide the list of categories to be regulated into four groups.
- EPA published the initial list in the Federal Register on March 23, 1995 (60 FR 15264). Since then, EPA has revised the list several times, with the most recent being May 16, 2006 (71 FR 28320). This rule is intended to meet that requirement for the aerosol spray paint category listed on March 23, 1995.
- EPA identified, or designated, areas that did not meet the NAAQS for 8-hour ground-level ozone in April 2004. State, tribal, and local air agencies responsible for these “nonattainment” areas are in the process of developing implementation plans showing how the area will meet and maintain the standard.
- The law requires these state implementation plans known as SIPs (Tribes may choose to develop tribal implementation plans – TIPs) to contain emission controls that are economically and technologically feasible.
- EPA proposed this regulation on June 29, 2007. This reactivity-based emission standard satisfies EPA’s Clean Air Act mandate to regulate VOC emissions from the aerosol spray paint category and to establish best available controls for this category.

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.