

Aerosol Coatings/VOC Emission Standards: American Coatings Association Comments on Proposed Amendments



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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The American Coatings Association (“ACA”) submitted November 16th comments on the United States Environmental Protection Agency (“EPA”) proposed amendments to the National Volatile Organic Compound Emission Standards for Aerosol Coatings.

EPA published a proposed rule in the Federal Register on September 17th to amend the National Volatile Organic Compound (“VOC”) Emission Standards for Aerosol Coatings. See 86 Fed. Reg. 51851.

The National Volatile Organic Emission Standards for Aerosol Coatings previously established reactivity-based emission standards for the Clean Air Act aerosol coatings category in 2008. The term “aerosol coatings” in this context refers to aerosol spray paints. They established VOC reactivity-based emission limits.

EPA has proposed to update the coating category product-weighted reactivity limits for aerosol coatings categories. It also proposed:

- Adding new compounds and Reactivity factors
- Updating existing Reactivity values
- Revising the Default Reactivity factors
- Amending the thresholds for compounds regulated
- Adding electronic reporting provisions

The sectors affected by the EPA rulemaking would include:

- 325510 Paint and coating manufacturing
- 325998 All other miscellaneous chemical product and preparation manufacturing

VOCs are chemicals that vaporize (i.e., become a gas). EPA has defined VOCs as any substance which participates in atmospheric photochemical reactions. In other words, any substance that contributes to the formation of smog. They can be emitted from consumer products and a number of manufacturing processes.

The Clean Air Act requires that EPA control VOC emissions from specific categories of sources. Such controls are intended to reduce emissions contributing to ozone formation and ozone nonattainment.

The American Coatings Association represents:

- Paint and coatings manufacturers
- Raw material suppliers
- Distributors
- Technical professionals

The ACA comments support EPA's proposal to update the product-weighted reactivity limits by coatings categories. It argues that the proposed changes will further decrease the contribution of aerosol coatings to ozone formation and promote consistency with the California Air Resources Board's Aerosol Coatings Rule. Nevertheless, the trade organization requests that EPA include a compliance date of two years, after publication in the Federal Register for the updated coatings category limits in Table 1.

The rationale for this request is to ensure that industry has sufficient time to:

. . . reformulate their products and adapt their distribution methods to effectively and efficiently implement the amended rule's requirements.

ACA also states it supports EPA's proposal to amend Tables 2A, 2B, and 2C by updating existing reactivity values and adding new compounds and reactivity factors. The trade organization states it requested such changes in its previous petitions for rulemaking. It argues that such changes will provide uniformity between the national aerosol coatings rule and the State of California's aerosol coatings regulation.

ACA also requests that EPA further align with California's aerosol coatings rule by revising the default value to 11.97 g O₃/g VOC.

Additional issues addressed by the ACA comments include:

- Supports EPA's proposal to retain a provision excluding from the applicable limits those compounds contributing less than 0.1 percent of the product weight (regardless of their RF) and eliminate a provision excluding low reactivity compounds comprising more than 0.1 percent but less than 7.3 percent of the product weight
- Does not oppose the proposal to require regulated entities to submit electronic copies of required notification reports in template format through EPA's Central Data Exchange using the Compliance and Emissions Data Reporting Interface instead of the hard copy submission requirement
- Request that EPA not include a sell-through provision for any products manufactured before the new reactivity limits come into force
- Requests certain definition be updated which include:
 - Aerosol Coating Product
 - Autobody Primer
 - Coating Solids
 - Flat Paint Products
 - High Temperature Coating
 - Metallic Coating
 - Non-flat Coating
 - Polyolefin Adhesion Promoter
 - Propellant
 - Slip-resistant/Non-slip Grip Coating
 - Spatter/Multi-color/Stucco Coating
 - Vinyl/Fabric/Leather/Plastic Coating
 - Weigh Fraction
- ACA also requests additional definitions, which include:
 - Anti-Static Product
 - Belt Dressing
 - Cleaner
 - Coating

- Dye
- Exact Match Finish
- Extender
- Flexible Coating
- Fragrance
- General Coating
- Ink
- Label
- Layout Fluid
- Maskant
- Maximum Incremental Reactivity (MIR)
- Pigment
- Plasticizer
- Principal Display Panel or Panels
- Reactivity Limit
- Reactive Organic Compound (ROC)
- Resin
- Responsible Party or Regulated Entity
- Specialty Coating
- Requests that 40 CFR § 59.511(j) be revised to allow for regulated entities to petition to change the value of existing compounds (in addition to the ability to add new compounds.)
- Requests that EPA eliminate the triennial reporting requirement for aerosol coatings manufacturers
- Requests that EPA establish a clear process with a set timeline for review and approval of petitions to add new compounds to Tables 2A, 2B, and 2C
- Provide clarity regarding the requirement to notify EPA of new aerosol coating formulations
- Encourages the removal of the requirement to report the trade name and solvent mixture manufacturer for hydrocarbon solvents
- Allow industry to convert labels prior to the new compliance deadline

A copy of the comments can be downloaded [here](#).