



September 2, 2010

COMPLIANCE ADVISORY

NOTICE OF ADOPTION OF NEW RULE 67.20.1 – MOTOR VEHICLE AND MOBILE EQUIPMENT COATING OPERATIONS, AND REPEAL OF EXISTING RULE 67.20 – MOTOR VEHICLE AND MOBILE EQUIPMENT REFINISHING OPERATIONS

On June 30, 2010, the Air Pollution Control Board adopted new Rule 67.20.1 – Motor Vehicle and Mobile Equipment Coating Operations that will control emissions of volatile organic compounds (VOCs) from automotive refinishing operations. This new rule will replace current Rule 67.20.

VOCs emitted into the atmosphere contribute to the formation of ozone, a major component of smog. San Diego County does not currently meet the federal and State Ambient Air Quality Standards for ozone and is classified as an ozone nonattainment area. Both federal and State laws require the San Diego County Air Pollution Control District (District) to implement rules that regulate emissions of ozone precursors – VOCs and oxides of nitrogen.

The most important changes in the new rule relate to the VOC limits for paints and solvents used in automotive refinishing operations. These limits mostly reflect the current availability of low VOC content automotive paints and cleaning solvents, a majority of them water-based.

For nearly all coating categories, new Rule 67.20.1 requires the use of paints with VOC contents significantly lower than the current Rule 67.20. The new rule also provides a more stringent VOC limit of 25 grams/liter for any materials used for surface preparation and cleaning operations. Additionally, the rule has a number of prohibitions that include a prohibition of sale of non-compliant coatings or solvents, and a prohibition of possession of such materials in automotive refinishing shops. The rule also contains some additional requirements for manufacturers or suppliers of automotive coatings and related materials to provide all the necessary information to their clients, enabling them to comply with the rule requirements.

Rule 67.20.1 has some changes to the exemptions in current Rule 67.20. For example, an exemption for military tactical support vehicles and equipment has been added, and the exemption for motor vehicle restoration facility operations has been changed by reducing the number of vehicles per calendar year and amount of non-compliant coatings allowed to be used per calendar year. In addition, the exemption for individuals performing automotive coating operations at his/her residence has been deleted. These individuals must now use coatings with the VOC content limits required by the rule.

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Rule 67.20.1 also has the following changes:

- Includes new and amended definitions;
- Deletes Group I and Group II vehicle designations; and
- Eliminates averaging of VOC content for multistage topcoats.

Rule 67.20.1 presently applies to all new automotive refinishing operations, i.e., those that provided the District a complete application for Authority to Construct after June 30, 2010. **Existing automotive refinishing operations must comply with the new rule not later than June 30, 2011.** Upon completion of the 12-month grace period for existing operations, Rule 67.20 will automatically be repealed.

An application for an Authority to Construct will be required prior to any modification to automotive coating operations. These modifications include replacements (except identical replacements as specified in Rule 11(5)(i)) and/or modifications of paint spray booths or installation of control equipment. An application will not be required when replacing coatings or solvents to comply with the provisions in Rule 67.20.1, unless the existing conditions in the Permit to Operate cannot be met upon this replacement.

A copy of Rule 67.20.1 is available by contacting the District at (858) 586-2712, or on the District's web site at http://www.sdapcd.org/rules/reg_4.html. For more information, please contact the District's Compliance Division at (858) 586-2650.

GMH:jlm