

COMPARATIVE ANALYSIS

PROPOSED AMENDED RULE 67.0.1 – ARCHITECTURAL COATINGS

Statutory Requirements

Prior to adopting, amending, or repealing a rule or regulation, California Health and Safety Code Section 40727 requires findings of necessity, authority, clarity, consistency, non-duplication, and reference, as defined therein. As part of the consistency finding and to ensure proposed rule requirements do not conflict with or contradict other Air Pollution Control District (District) or federal regulations, Health and Safety Code Section 40727.2(a) requires the District to perform a written analysis identifying and comparing the air pollution control standards and other provisions of proposed amended Rule 67.0.1 with existing or proposed District rules and guidelines and existing federal rules, requirements, and guidelines applying to the same source category.

Analysis

Proposed amended Rule 67.0.1 applies to manufacturers, suppliers, distributors, sellers, marketers, and users of architectural coatings. The proposed amended rule is based on the California Air Resources Board (CARB) 2019 Suggested Control Measure (SCM) for Architectural Coatings and has the same definitions, volatile organic compound (VOC) content limits, and other requirements of the SCM.

Comparison with Existing District Rules and Regulations

There are no existing District source specific or other rules that contradict with proposed amended Rule 67.0.1. Architectural coating operations are exempt from permitting requirements and therefore are not subject to the Best Available Control Technology (BACT) requirements of New Source Review.

Comparison with EPA National Architectural Coating Rule

The National Volatile Organic Compound Emission Standards for Architectural Coatings (National Rule) was promulgated by the EPA and first published in the Federal Register in September 1998. The most significant difference between the National Rule and proposed amended Rule 67.0.1 is the applicability and VOC content limits of coatings.

The National Rule applies only to manufacturers and importers of architectural coatings as allowed by Section 183(e) of the Federal Clean Air Act. Proposed amended Rule 67.0.1 also applies to distributors, retailers, and end users of coatings.

The VOC content limits for the coatings in proposed amended Rule 67.0.1 are equal to or more stringent than those in the National Rule. Furthermore, the National Rule has 30 additional coating categories that are not included in the SCM, and consequently are not present in

proposed amended Rule 67.0.1. CARB analyzed these categories and concluded that it was not necessary to incorporate them into the SCM. These coatings may be substituted by other coatings with lower VOC content that have similar properties to ensure the satisfactory quality of the painted surface.

### Conclusion

There are no conflicts or contradictions between proposed amended Rule 67.0.1, BACT requirements, and the National Rule.