



Consumer Products and Architectural and Industrial Maintenance Coatings - Request for Public Input on Potential Rulemaking

The Colorado Department of Public Health and Environment, Air Pollution Control Division ("Division") requests public review and comments on the potential adoption of volatile organic compound ("VOC") standards for consumer products and architectural and industrial maintenance ("AIM") coatings manufactured or sold in Colorado. The Division will also hold a public meeting on January 28, 2019, to discuss consumer products and AIM coatings.

Introduction:

Colorado's Denver Metro North Front Range ("DMNFR") is not meeting federal air quality standards for ozone. Currently, the DMNFR is classified as both a moderate ozone nonattainment area under the 2008 ozone National Ambient Air Quality Standard ("NAAQS") and as a marginal ozone nonattainment area under the 2015 ozone NAAQS. The Division, in coordination with the Regional Air Quality Council ("RAQC"), is exploring options to reduce emissions that contribute to ozone formation. Some of these options relate to VOC content in consumer products and AIM coatings.

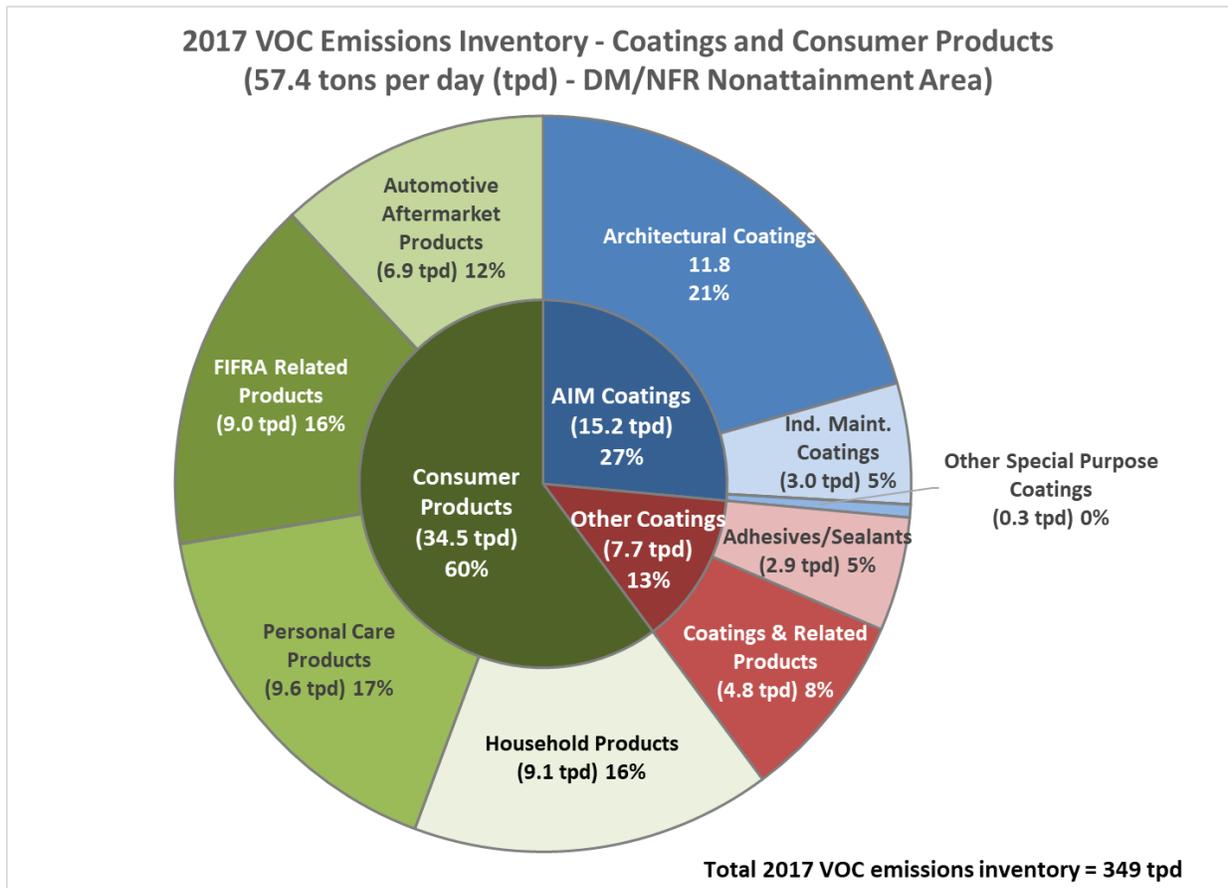
History of regulation:

In 1998, EPA established national standards to reduce VOC emissions from architectural coatings and consumer products. VOC emissions from the use of these products can contribute to ozone levels, affecting public health and the environmental.

Some states had established standards reducing VOC emissions from these products prior to EPA's national rule and have continued to revise those standards to achieve further VOC reductions. For example, the Ozone Transport Commission ("OTC") has published two AIM coatings model rules and five consumer products model rules that states may use to further reduce VOC emissions from these products. The OTC model rules phase in more stringent VOC content limits over time, with the most stringent levels published in 2014 for AIM coatings and in 2018 for consumer products. The national and model rules apply to manufacturers, distributors, and retailers of AIM coatings and consumer products.

Product categories are identified in the following pie chart.

Early Stakeholder Engagement



Potential proposal:

The Division is considering adopting those VOC standards in the OTC model rules for consumer products and AIM coatings manufactured, distributed, or sold in Colorado. The standards as applied in the ozone nonattainment area would be included in Colorado's ozone State Implementation Plan ("SIP") and in the remainder of the state as state only requirements. Specifically, we are considering adopting the OTC AIM coatings model rule phase 2 and the OTC consumer products model rule phase 4.

Colorado is already benefiting from other states having adopted lower VOC content limits. Manufacturers have reformulated their products to meet those standards and are likely also distributing the lower VOC products in Colorado. However, adoption of the AIM coatings and consumer products VOC content limits for products manufactured or sold in Colorado is anticipated to achieve further reductions by requiring all subject products to meet the VOC content limits. Adoption of these model rules may have an estimated 10 tons per day reduction in VOC emissions in the DMNFR from AIM coatings and consumer products.

For more information, you can find the OTC model rules at:

https://otcair.org/upload/Documents/Model%20Rules/AIM_Preamble_Model_Rule.pdf

<https://otcair.org/upload/Documents/Model%20Rules/OTC%20CP%20Model%20Rule%20Final%20Clean%202013%20Revision%20Clean.pdf>

Comments:

The Division requests public review and comment on the potential adoption of the OTC model rules in Colorado. Please submit written comments by **February 11, 2019**, to cdphe.commentsapcd@state.co.us - subject: AIM/CP.

The Division and the RAQC are specifically interested in understanding the impact of adopting the OTC AIM coatings and consumer products model rules. Given the need to reduce emissions:

- Should Colorado phase-in VOC content limits over time? If so, what is an appropriate phase-in time frame?
- Should Colorado adopt VOC content limits state-wide or just in the DMNFR (ozone nonattainment area)?

In addition to requesting written comments, the Division and the RAQC will provide an overview presentation of the potential proposal at a public meeting on **January 28, 2019**, at **CDPHE in Denver** from 5:00-8:00 pm and welcome public comment at this meeting.

Please register to attend and provide comments at the public meeting at:

<https://goo.gl/forms/3BFcQybMG1Nmrruf2>

Registration will be closed when registered attendees reaches room capacity. Public comments will be taken in order of registration and then as time allows. Additional opportunities for public input may be provided, including, but not limited to, the RAQC's board and subcommittee processes. Public input will inform any potential rulemaking.

For more information, visit:

<https://www.colorado.gov/pacific/cdphe/APCD-stakeholder-processes>

To sign up to receive Division emails, visit:

<https://www.colorado.gov/pacific/cdphe/air-mailing-lists>

To sign up to receive RAQC emails, visit:

<https://raqc.org/email-signup/>