

Workgroup Recommendations and Other Potential Control Measures
VOC Workgroup

VOC001 – Consumer Products

Amend existing New Jersey Subchapter 24 consumer product regulations to include categories and amendments adopted by the California Air Resources Board (CARB) in their July 20, 2005 rule amendments, described by CARB as CONS-1, and also to be consistent with other Ozone Transport Region (OTR) states. New Jersey and the OTR states will also consider adopting CARB's next phase of amendments, described by CARB as CONS-2, when they are adopted. CARB is currently developing the contents of CONS-2 for proposal based on survey's and research.

DESCRIPTION

CARB is amending their consumer products rule in two phases which they call CONS-1 and CONS-2. The first phase, CARB CONS-1, affects 18 consumer product categories. As shown in Table 1, these include 14 new categories, including subcategories, for which new product category definitions and volatile organic compound (VOC) limits are proposed, one previously regulated category for which a more restrictive VOC limit is proposed, and two previously regulated categories for which additional requirements are proposed. The CONS-1 rule was adopted in California in 2005 with limits effective primarily by 12/31/06. Two of the limits, anti-static products and shaving gels, have later effective dates for categories CARB describes as technologically feasible, but more "challenging".

Table 1
Product Categories Covered by CARB CONS-1

New Categories with VOC Limits for Regulation	
Adhesive Remover – 4 subcategories	Footwear or Leather Care Product
Anti-Static Product	Hair Styling Product ¹
Electrical Cleaner	Graffiti Remover
Electronic Cleaner	Shaving Gel
Fabric Refresher	Toilet/Urinal Care Product
	Wood Cleaner
Previously Regulated Category with More Restrictive Limit	
Contact Adhesive ²	
Previously Regulated Categories with Additional Requirements	
Air Fresheners	General Purpose Degreasers

¹This product category will incorporate Hair Styling Gel and include additional forms of hair styling products (i.e., liquid, semi-solid, and pump spray) but does not include Hair Spray Product or Hair Mousse.

²This product category has been separated into 2 subcategories: General Purpose and Special Purpose

The current Ozone Transport Commission (OTC) proposal is to include the 14 categories, which have effective dates in the existing CARB rule of 12/31/06. The two categories with later

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effective dates, anti-static products and shaving gels, are not currently proposed to be included in the OTC model rule at this time.

CARB CONS-2 is a CARB SIP commitment and has not yet been proposed. CARB will present a draft initial list of categories to investigate further by the end of March 2006. They are scheduled to present new limits to the Board in November 2006. Also noted in the CARB SIP and by a representative of CARB, there is a chance the next round of amendments, CONS-2, may use reactivity options to obtain VOC reductions.

In CONS-1, CARB has also banned methylene chloride (exempt VOC), perchloroethylene (exempt VOC), trichloroethylene and para-dichlorobenzene in certain consumer products. The OTR/NJDEP will also consider this ban.

IMPLEMENTATION

Manufacturer's will have to reformulate products to meet new VOC limits or stop selling them in New Jersey, unless they are complying with the use of an alternative control plan, innovative product exemption or variance.

EFFECTIVENESS

CONS-1

CARB estimates 6.8 tons per day of VOC's reduced in California from their adopted CONS-1. This is approximately 1.7 tons per day in New Jersey or a 2 percent reduction of the consumer products inventory.

CONS-2

CARB's estimated "plan" for CONS-2 is 20-35 tons per day of VOC's reduced in California. This is approximately 4.9 to 8.5 tons per day in New Jersey, or an additional 5 to 9 percent reduction of the consumer products inventory.

COST EFFECTIVENESS

CONS-1

CARB estimates the cost-effectiveness of the proposed VOC limits, required to be effective by December 31, 2006, is about \$2.00 per pound of VOC reduced (\$4000/ton).

CARB estimates that the average increase in cost per unit to the manufacturer to be about \$0.16/unit. These estimated cost per unit values are consistent with existing CARB regulations and control measures.

CARB expects that most manufacturers will be able to absorb the added costs of the proposed regulation without an adverse impact on their profitability.

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CARB's estimates that their second tier limit of 4 percent VOC for Shaving Gel, effective December 31, 2009 would increase the overall cost effectiveness of the regulation to about \$2.40 per pound of VOC reduced (\$4800/ton). The OTC is currently not proposing this limit.

Cost of Compliance will be less for New Jersey, because some one-time research and reformulation costs incurred for products sold in California will not have to be incurred again for New Jersey.

SOURCES

OTC Control Measure Summary, March 29, 2006

California Air Resources Board INITIAL STATEMENT OF REASONS FOR THE PROPOSED AMENDMENTS TO THE CALIFORNIA AEROSOL COATING PRODUCTS, ANTIPERSPIRANTS AND DEODORANTS, AND CONSUMER PRODUCTS REGULATIONS, TEST METHOD 310, AND AIRBORNE TOXIC CONTROL MEASURE FOR PARA-DICHLOROBENZENE SOLID AIR FRESHENERS AND TOILET/URINAL CARE PRODUCTS Release Date: May 7, 2004.