

Notice of Public Availability of Modified Text and Availability of Additional Documents and Information

Proposed Amendments to the Antiperspirants and Deodorants Regulation; Consumer Products Regulation; Aerosol Coating Products Regulation; Alternative Control Plan Regulation; the Tables of Maximum Incremental Reactivity Values; and Test Method 310

Public Hearing Date: March 25, 2021
Public Availability Date: August 19, 2021
Deadline for Public Comment: September 3, 2021

At its March 25, 2021, public hearing, the California Air Resources Board (CARB or Board) approved for adoption the proposed amendments to sections 94501, 94502, 94506, 94508, 94509, 94510, 94511, 94513, 94515, 94521, 94522, 94524, 94526, 94540, 94541, 94542, 94543, 94544, 94545, 94546, 94547, 94548, 94549, 94550, 94551, 94552, 94553, 94554, 94555, 94700, Title 17, California Code of Regulations, and the proposed amendments to sections 1,2,3,4,5,6,8 and Appendix A of Method 310, which is incorporated by reference in California Code of Regulations, title 17, sections 94506, 94515, and 94526 (collectively, Proposed Amendments). These Proposed Amendments would amend the existing Antiperspirants and Deodorants Regulation; Consumer Products Regulation; Aerosol Coating Products Regulation; Alternative Control Plan Regulation; the Tables of Maximum Incremental Reactivity Values; and Test Method 310 to, among other things, lower the Volatile Organic Compounds (VOC) standards for certain product categories, sunset the two percent fragrance exemption, and update the Innovative Product Exemption (IPE) provisions.

At the hearing, staff presented additional proposed modified regulatory language, developed in response to comments received since the Initial Statement of Reasons (ISOR) was released to the public on February 2, 2021, for release as part of a 15-day change. These proposed modifications included the addition of a definition of "monoterpene," related updates to the IPE regulatory language, and minor, non-

substantive changes to the regulatory language that do not alter the compliance responses.

The Board directed the Executive Officer to make the modified regulatory language, and any additional conforming modifications, available for public comment, with any additional supporting documents and information, for a period of at least 15 days, as required by Government Code section 11346.8. The Board further directed the Executive Officer to consider written comments submitted during the public review period and make any further modifications that are appropriate available for public comment for at least 15 days, and to present the regulation to the Board for further consideration if warranted or take final action to adopt the regulation after addressing all appropriate modifications.

The resolution and all other regulatory documents for this rulemaking are available online at the following [CARB website](https://ww2.arb.ca.gov/rulemaking/2021/consumerproducts2021):

<https://ww2.arb.ca.gov/rulemaking/2021/consumerproducts2021>.

The text of the modified regulatory language is shown in Attachment A. The originally proposed regulatory language is shown in ~~striketrough~~ to indicate deletions and underline to indicate additions. New deletions and additions to the originally-proposed language that are made public with this notice are shown in ~~double striketrough~~ and double underline format, respectively.

In the Final Statement of Reasons, staff will respond to all comments received on the record during the comment periods. The Administrative Procedure Act requires that staff respond to comments received regarding all noticed changes. Therefore, staff will only address comments received during this 15-day comment period that are responsive to this notice, documents added to the record, or the changes detailed in Attachment A.

Summary of Proposed Modifications to Regulation Order (Attachment A)

The following summary does not include all modifications to correct typographical or grammatical errors, changes in numbering or formatting, nor does it include all of the non-substantive revisions made to improve clarity.

A. Substantive Proposed Modifications

Staff's suggested modifications to the Proposed Amendments are as follows, with proposed modified regulatory text in Attachment A:

1. Modification to section 94510, Exemptions:
 - a. In section 94510(c)(1), staff proposes to update the applicability provision from "General Purpose Cleaner" (nonaerosol) and "General Purpose

Degreaser” (nonaerosol) products manufactured “between January 1, 2023, and December 31, 2030” to those manufactured “before January 1, 2031.” Previously-proposed updates to section 94510(c) replaced existing regulatory language that provided a two percent exemption for fragrance in most product categories. These proposed updates provided specified fragrance and monoterpene exemptions beginning on January 1, 2023, inadvertently eliminating the fragrance exemption for products manufactured between the date the proposed amendments are approved and December 31, 2022. Staff intends, and stakeholders seemed to understand during the regulatory development process, that there would be continuity in the application of the fragrance exemption. This 15-day-proposed change is thus necessary to ensure that “General Purpose Cleaner” (nonaerosol) and “General Purpose Degreaser” (nonaerosol) products manufactured between the effective date of the Proposed Amendments and December 31, 2022 continue to be eligible for the combined fragrance and monoterpene exemption identified in section 94510(c)(1). Without this proposed updated regulatory language, “General Purpose Cleaner” (nonaerosol) and “General Purpose Degreaser” (nonaerosol) would be ineligible for any fragrance exemption between the effective date of the Proposed Amendments and December 31, 2022, and products in these two categories that currently utilize the Two Percent Fragrance Exemption would not be required to be reformulated to comply with the applicable 0.5 percent VOC standard without use of the exemption for the period between the effective date of the Proposed Amendments and December 31, 2022.

- b. In section 94510(c), staff proposes to modify the original proposal by adding a definition for “Monoterpene” to provide additional regulatory certainty to regulated parties regarding which product ingredients are considered “monoterpene” and therefore would be eligible for the monoterpene content exemptions described in subsections 94510(c)(1) and (c)(3). Staff also proposes to add table 94510(c), “Specified Monoterpenes,” to identify specific chemical names and their associated Chemical Abstracts Service (CAS) registry numbers for “Monoterpene” compounds in order to specify the substances classified as monoterpene. The CAS number substance identification system is generally accepted by the scientific community (SciFinder, 2021) and used across CARB in many other programs to identify ingredients like monoterpenes.

2. Modifications to section 94511, Innovative Products:

The Innovative Product Exemption (IPE) refers to a set of voluntary provisions geared to encourage the development and sale of innovative products that further reduce emissions and improve air quality. While the IPE has traditionally focused on achievement of VOC emission reductions, the Proposed Amendments would expand IPE provisions to include aerosol “Hair Finishing Spray,” “Dry Shampoo,”

and “Personal Fragrance Product” that would also achieve significant greenhouse gas (GHG) emission reductions, while ensuring continued reduction of a product’s ozone forming potential (OFP), which is needed to meet federal ozone standards. Both the existing and proposed IPE provisions are voluntary, compliance flexibility provisions that would achieve real air quality and GHG benefits by encouraging technology innovation.

- a. In section 94511(c), staff propose to add to the originally-proposed IPE proposal a distinction between “Innovative Compressed Gas Propellant Product” and “Innovative Liquefied Propellant Products,” and to provide references to the specific criteria that a product must meet to be considered one of these IPE product types. This proposed distinction and criteria would maintain an IPE eligibility pathway for innovative products that use compressed gas propellants, while also providing eligibility criteria for innovative products that do not use compressed gas propellants but achieve the same ozone-forming potential (OFP) and GHG benefits required of an “Innovative Compressed Gas Propellant Product.” The proposed inclusion of eligibility criteria for innovative products that do not utilize compressed gas propellants is intended to provide flexibility for additional product types, and could increase opportunities for product innovation and provide additional GHG reductions. This proposal is made in response to public comments received during the 45-day public comment period. As a result of this addition, CARB also proposes a series of updates, described below, that are needed to ensure that proposed “Innovative Compressed Gas Propellant Products” and “Innovative Liquefied Propellant Products” achieve real, enforceable OFP and GHG emission reductions.
- b. In subsection 94511(c), staff also proposes to delete “all four of the following criteria are met” and replace it with an “Innovative Compressed Gas Propellant Product” meets the criteria in (c)(1) and (c)(3) through (c)(6) and an “Innovative Liquefied Propellant Product” meets the criteria in (c)(2) through (c)(6)” to provide clarity about the applicable requirements for each of these types of innovative products.
- c. In subsection 94511(c), staff also proposes to add clarifying language to specify that innovative aerosol “Hair Finishing Spray,” “Dry Shampoo,” and “Personal Fragrance Product” are only eligible for an exemption from applicable VOC standards proposed and adopted as part of this rulemaking. Subsection 94511(c) does not create an exemption from VOC standards that existed prior to this rulemaking. This means that the proposed IPE amendments would not apply to a “Hair Finishing Spray” that meets the innovative product exemption criteria to exclude the “Hair Finishing Spray” from the category’s existing 55 percent VOC standard for products manufactured prior to January 1, 2023, nor would it apply to “Personal Fragrance Product” that meets the innovative product exemption criteria to exclude “Personal Fragrance Product” from that category’s

applicable VOC standard for products manufactured prior to January 1, 2023. This is because staff's proposal is geared toward demonstrating that a proposed innovative product achieves OFP and GHG benefits relative to representative products meeting the proposed VOC standards in this rulemaking, and exclusion of an innovative product from the existing VOC standard may not achieve this proposal's intended air quality and GHG benefits.

- d. Staff proposes to change and move previously-proposed section 94511(c)(1) to become 94511(c)(1)(C), and have new section 94511(c)(1) include all the criteria that define an "Innovative Compressed Gas Propellant Product." Proposed updated criteria for new section 94511(c)(1)(C) is described in section e, below. An "Innovative Compressed Gas Propellant Product" definition, at the beginning of section (c), provides "Innovative Compressed Gas Propellant Product" eligibility criteria and defines a separate product type, different from an "Innovative Liquefied Propellant Product," that is eligible for an exemption from the VOC standards under 94511(c). Subsections (c)(1)(A) through (D), described below, provide the criteria that a product would have to meet to be considered an "Innovative Compressed Gas Propellant Product."
- e. Proposed section 94511(c)(1)(A) would require that an "Innovative Compressed Gas Propellant Product" manufactured before January 1, 2029 achieve at least a 50 percent GHG reduction relative to the "Representative HFC-152a Product." This section provides a clear and transparent GHG emission reduction requirement for a product to be considered an "Innovative Compressed Gas Propellant Product," and replaces elements of previously-proposed section 94511(c)(1) that would have achieved similar GHG reductions through a more complex and difficult-to-implement requirement that at least 50 percent by volume of the proposed innovative product's propellant ingredients are compressed gas.

Staff's proposal to delete the phrase "At least 50 percent by volume of the proposed innovative product's propellant ingredients are compressed air, compressed nitrogen, and/or compressed carbon dioxide, and..." is responsive to public stakeholder comments that determination of ingredient volume can be complicated, particularly for (low density) compressed gases, and is not standard industry practice.

- f. Proposed section 94511(c)(1)(B) would require that an "Innovative Compressed Gas Propellant Product" manufactured on or after January 1, 2029 either include only ingredients with a global warming potential (GWP) less than 10 or achieve a 90 percent or greater reduction in GHG emissions compared to the "Representative HFC-152a Product." This proposed requirement helps achieve the ISOR's goal to phase out the use of HFC-152a, which has a GWP of 124, in consumer products wherever feasible, to

meet California's climate mandates, while providing manufacturers time to develop innovative products that achieve significant GHG emission reductions.

- g. Proposed section 94511(c)(1)(C) would include a requirement, previously proposed in section 94511(c)(1), that the weight of the "Innovative Compressed Gas Propellant Product" propellant or propellants not exceed 50 percent of the weight of the "Representative HFC-152a Product" propellant or propellants. This proposed requirement has not changed, and would apply only to "Innovative Compressed Gas Propellant Product." This is needed to ensure that an "Innovative Compressed Gas Propellant Product" derives its functionality from the use of compressed gas as a propellant, and that a product is not eligible for proposed IPE provisions because it contains coincidental, non-functional carbon dioxide or air in the product container.
- h. Proposed section 94511(c)(1)(D) includes the language previously proposed in section 94511(c)(4), which requires that the OFP of the proposed innovative product not exceed that of the representative product. Staff proposes to include this criterion in section 94511(c)(1)(D), along with the other "Innovative Compressed Gas Propellant Product" definitional criteria, so that all "Innovative Compressed Gas Propellant Product" definitional criteria can be found in one section. Staff proposes to move the criteria for quantification of a product's OFP from section 94511(c)(4)(A) and (B) to section 94511(c)(6), so that IPE quantification methodologies, for OFP and GHG emissions, can be found sequentially, in sections 94511(c)(5) and (6).
- i. As described above, staff is proposing to include explicit eligibility criteria for an "Innovative Liquefied Propellant Product" for innovative products that do not use compressed gas propellants, to provide IPE eligibility to a greater diversity of products and therefore increase the potential for achieving greater GHG reductions. Proposed "Innovative Liquefied Propellant Product" definitional criteria are proposed to be described in proposed subsections 94511(c)(2)(A) through (C), described below.
- j. Proposed subsections 94511(c)(2)(A), (B), and (C) mirror eligibility criteria for the "Innovative Compressed Gas Propellant Product" provisions proposed in subsections 94511(c)(1)(A), (B), and (D), above. Proposed subsections 94511(c)(2)(A), (B), and (C) are necessary to encourage development of products that phase out the use of HFC-152a, to help California meet its climate targets, while also ensuring such products do not increase OFP. Equivalent GHG and OFP requirements for "Innovative Compressed Gas Propellant Products" and "Innovative Liquefied Propellant Products" provide flexibility for market participants to decide which type of technology can most effectively meet these performance-based GHG and OFP criteria, while also meeting consumer performance demands.

- k. Proposed section 94511(c)(3) would update previously-proposed section 94511(d)(2) by replacing a requirement that the "Representative HFC-152a Product" propellant be at least 50 percent HFC-152a, by weight, with other criteria that a product must meet to be considered a "Representative HFC-152a Product," including product weighted maximum incremental reactivity (PWMIR) and greenhouse gas (GHG) requirements. The proposed requirement that the product be on the market ensures that it is a realistic representative product formulation, and helps ensure that the representative product, which provides a baseline for the determination of an innovative product's air quality and GHG benefits, is reasonable.

The proposed requirements that the "Representative HFC-152a Product" have a PWMIR no greater than five (5.0) percent above and have a GHG composition which is no lower than five (5.0) ingredient weight percent below those for the applicable products identified in Table 94511(c)(3) provides flexibility for an applicant to submit a representative product formulation for an actual product, while further ensuring that baseline emissions used to determine an innovative product's PWMIR and GHG emission benefits be realistic and reasonable.

For example, "Dry Shampoo" with 55% VOC would have a PWMIR of 0.75, based upon the MIR values for ethanol and terpinolene from Consumer Product Regulation Table 94700: Table of MIR Values, and the value specified for "Other VOC or LVP-VOC" in table 94511(c)(3). This 55 percent VOC Dry Shampoo product proposed by the applicant would therefore have to have a PWMIR of below 0.79. For GHG emissions, assuming a container size of 150 grams, and a GWP of 124 for HFC-152a, the product would have 5,394 grams of CO₂ equivalent GHG emissions, and a product proposed by the applicant would have to have GHG emissions above 5,124 grams of CO₂ equivalent.

Finally, staff proposes to specify that a representative HFC-152a product be a "compliant" consumer product to provide clarity to product manufacturers that, to be considered a "Representative HFC-152a Product," it must be compliant with the applicable VOC standards identified in section 94509(a) for the product category. It would be inappropriate to calculate GHG and PWMIR benefits of an innovative product relative to a non-compliant representative product, as a noncompliant product's VOC and GHG emissions would not be typical for the product category. This requirement is consistent with the principles of the originally-proposed IPE provisions that a proposed innovative product be compared to a representative product for the applicable category for the purposes of determining PWMIR and GHG benefits. A non-compliant product would not be considered representative, as 2015 Consumer Product Survey data indicate that the vast majority of products comply with their applicable VOC standard. Table 94511(c)(3) has been moved and renamed to be adjacent to related section 94511(c)(3)(B),

for ease of reference. Proposed Table 94511(c)(3) is unchanged from previously-proposed Table 94511(d)(1), with the exception of specifying in the first footnote that: "The Executive Officer may approve an alternate average MIR for "Other VOC or LVP-VOC" ingredients in the "Personal Fragrance Product: 70% VOC" category based upon product category sales and ingredient information submitted by the applicant." This addition is needed because "Other VOC or LVP-VOC" in aerosol "Personal Fragrance Products" with 70 percent VOC mainly consist of hydrocarbon propellant blends which show greater variability in their MIR values than predominantly "Other VOC or LVP-VOC" which predominantly reflect non-propellant ingredients in the other table categories. Due to this greater potential variability in MIR values for "Personal Fragrance Product: 70% VOC," staff proposes that applicants have the option to submit product sales and formulation data that demonstrates the appropriateness of the use of an alternate MIR in calculating a representative product for "Other VOC or LVP-VOC" than that provided in Table 94511(c)(3).

- I. In section 94511(c)(4), staff proposes to provide additional detail and clarification regarding how the manufacturer shall prove to the Executive Officer that the amount of innovative aerosol Hair Finishing Spray, Dry Shampoo, or Personal Fragrance Product used does not need to be greater than the amount of its representative product counterpart, while retaining flexibility for product innovation. Such language is needed to ensure the innovative product can reasonably be expected to be at least as effective as, and therefore not result in increased usage of the innovative product compared to, the representative product that the innovative product replaces. This demonstration of the innovative product's anticipated effectiveness is needed to ensure lower innovative product emissions are not offset by greater usage. The proposed language has been developed in response to public comments, and in collaboration with public stakeholders, to enable the Executive Officer to make a determination of relative product usage, while providing flexibility to consider and encourage multiple avenues of product innovation, such as products using compressed gas/liquefied propellant blends, more efficient, metered dose, or other innovative aerosol spray nozzles, or more effective active ingredients, while monitoring the extent to which new product formulations are likely to impact product use rates.

The metric of "...based upon consumer or scientific testing generally accepted for that product category by the consumer product industry..." provides for consumer testing to demonstrate anticipated product usage, and mirrors longstanding regulatory language in section 94511(b)(3), while "...demonstrated product spray rate, percent or efficacy of active ingredients, or other information that the applicant may provide or that CARB may request..." provide flexibility for other generally accepted

industry methodologies for demonstrating equivalent or less anticipated usage of the innovative product. Finally, the proposed requirement that “application of a greater quantity of innovative product shall not be needed to achieve the same efficacy as the representative product” is needed to provide additional transparency regarding how the efficacy of an innovative product is to be evaluated to determine whether it is as efficacious as the representative product.

- m. Proposed new subsection 94511(c)(5) provides the calculation methodology and GWP emission factor references needed to determine innovative and representative product greenhouse gas emissions. Proposed new section 94511(5)(A) provides the methodology for calculation of a product’s GHG emissions, which is based upon the GWP and weight of each of a product’s ingredients. Proposed sections 94511(c)(5)(B), (C) and (D) indicate the source of GWP values needed to calculate GHG emissions pursuant to section 94511(c)(5)(A). Proposed sections 94511(c)(5)(B), (C) and (D) have not changed substantially from previously proposed sections 94511(c)(2)(A), (B) and (C), other than to specify their applicability to an “Innovative Compressed Gas Propellant Product,” “Innovative Liquefied Propellant Product,” and a “Representative HFC-152a Product.” Proposed sections 94511(c)(5)(A) through (D) are needed to provide clarity, certainty, and transparency regarding how GHG emissions must be calculated for the purposes of determining compliance with GHG reduction criteria in proposed sections 94511(c)(1)(A) and (B) and sections 94511(c)(2)(A) and (B). In addition, in sections 94511(c)(5)(C) and (D), “a substance” has been replaced with “an ingredient” to be consistent with applicable language in section 94511(c)(5)(A), which describes how to calculate GHG emissions from a set of proposed product “ingredients.” Ingredients is more specific than a substance, so it is more clear.

3. Modifications to section 94513, Reporting Requirements:

- a. In section 94513(a)(10), staff proposes to delete the phrase “Chemical Abstract Services” that is used to spell out the abbreviation “CAS.” As a result of proposed modifications to section 94510(c), the abbreviation “CAS” will be spelled out on its first use, in section 94510(c); thus, it is unnecessary to spell it out again.
- b. In subsection 94513(i)(1)(A), to address stakeholder comments, staff proposes to require reporting of “the VOC content of fragrance ingredients” only “if requested by the Executive Officer.” This language is needed to allow CARB to request this fragrance ingredient information where this information will most effectively inform CARB’s evaluation of “Personal Fragrance Product” progress toward meeting the 2031 VOC standard, while not necessarily requiring reporting of this information from the thousands of potential low-volume or low-VOC products in the category.

Such language enables CARB to prioritize reporting of fragrance VOC content information in a manner that could reduce manufacturers' reporting requirements and ingredient confidentiality concerns, while still allowing CARB to obtain necessary and more focused VOC content data that will help inform CARB's technology assessment.

- c. In subsection 94513(i)(1)(B), to address stakeholder comments, staff proposes to add the phrase "but not limited to" before the list of required report information, to indicate that more information than that specifically listed may be requested or provided. Staff also proposes to delete from section 94513(i)(1)(B)(v) the word "and" from "v) stability testing; and," and add "vi) expert olfactory odor testing; and" to the "detailed description of the steps taken to achieve compliance" in the written research update. In addition, the reporting requirement "vi) consumer acceptance research" will be renumbered to "vii) consumer acceptance research." These proposed updates are in response to comments submitted during the 45-day public comment period, and are necessary to ensure that the technology assessment for the 2031 standard includes a description of olfactory odor testing conducted, as needed to evaluate potential consumer acceptance. Therefore, this testing parameter has been added to the list of steps that need to be taken to achieve compliance with the reporting requirements for the technology assessment.

4. Modification to section 94542, Definitions:

- a. In section 94542(a)(14), staff proposes to strike the words "means a" to correct incorrect grammar, as these words are duplicative given the addition of the phrase "shall have the same meaning as."
- b. In section 94542(a)(18), staff proposes to delete outdated language related to aerosol coating products in the definition for "Pre-ACP VOC Content." All provisions specific to aerosol coating products are no longer applicable and deletion of expired language is necessary to streamline the regulation. The reference to "the data on the product obtained from the February 25, 1993 Air Resources Board Aerosol Paint Survey" was inadvertently not deleted and is thus being removed.

5. Modifications to Test Method 310

Section 4.2 of CARB Method 310 specifies the equations that shall be used to calculate the VOC content of a consumer product. To address a stakeholder's comment in the 45-day comment period about the equations not specifically referencing ammonia, for all products containing LVP-VOC, in subsection 4.2.1.2, staff proposes to add language to make clear that volatile compounds that do not meet the definition of a "Volatile Organic Compound (VOC)" in the Consumer Products Regulations include ammonia, and that these volatile

compounds, including ammonia, are not counted toward the total percent VOC content. Ammonia is an inorganic volatile compound and, as such, is not counted toward the total VOC content.

B. Non-substantive Proposed Modifications

In addition to the modifications described above, staff also proposes additional modifications, identified in Attachment A, to correct grammar, punctuation, and spelling errors in the original proposal, A summary of these proposed modifications is as follows:

1. Proposed modifications to section 94508, Definitions:
 - a. In the definition for "Automotive Windshield Washer Fluid," in section 94508(a)(19), staff has corrected a typographical error in the section number in the title of tables "94508(a)(20)(A)" and "94508(a)(B)" to read "94508(a)(19)(A)" and "94508(a)(19)(B)," because they were inadvertently misnumbered. In subsection 94508(19)(D)(2), which is referring to these two tables. Staff has also corrected a typographical error in section 94508(a)(19)(D)(2) to read "94508(a)(19)(A)" and "94508(a)(19)(B)."
 - b. In the definition for "Hair Styling Product," in section 94508(a)(70), staff replaced the word "category" with the word "subchapter" for consistency with the rest of the regulation. The definition still identifies all products falling within the definition for the purposes of helping regulated entities understand which provisions of the Consumer Products Regulations apply to their product; substituting "subchapter" merely reinforces that the definition is applicable to all of the provisions within Subchapter 8.5, that is, to all of the provisions of all the regulations proposed to be amended.
 - c. In the last sentence of the definition for "Insecticide," in section 94508(a)(76), staff corrected the lettering of subcategories from "(A-F)" to "(A-G)," to account for the addition of the "Bed Bug Insecticide" subcategory definition.
2. Proposed modifications to section 94509, Standards for Consumer Products:
 - a. In section 94509(a), Table of Standards, in additional requirements for "Total Release Air Freshener" identified with the symbol "***" in the table, staff has corrected a typographical error by adding the word "Aerosol" to "Total Release Air Freshener," which was inadvertently omitted, to read "Total Release Aerosol Air Freshener." In this same section, staff has also updated reference to section 945091(m)(1)(B) to be 94509(m)(1)(B), to correct a typographical error.
 - b. In section 94509(a), Table of Standards, in additional requirements for "Automotive Windshield Washer Fluid" identified with the symbol "***" in the

final row of the table, staff has corrected a typographical error in section number "94508(a)(20)" to read "94508(a)(19)," because it was inadvertently misnumbered.

- c. In subsections 94509(m)(4), 94509(m)(5), and 94509(m)(6), staff has corrected the reference Table "94509(m)(1)" to "94509(m)(1)(A), (m)(1)(B)" to reflect the addition of the new 94509(m)(1)(B) table and the associated renumbering of 94509(m) to 94509(m)(1)(A). In subsection 94509(m)(6), staff also added "parachlorobenzotrifluoride" to the list of chemicals prohibited in certain product categories, to accurately capture what is in Table 94508(m)(1)(B).
- d. In subsection 94509(m)(7), staff proposes to add "(A)," which was erroneously omitted, to specify that the requirements of section 94509(m)(1)(A) shall not apply to "Penetrant" products used on equipment when electrical current exists, residual electrical potential from a component exists, or an open flame exists, as long as the "Principal Display Panel" clearly displays the statement "Nonflammable: For use on energized equipment only."

3. Modifications to section 94511, Innovative Products:

- n. "Representative HFC-152a Product" definitional criteria previously found in sections 94511(d) and 94511(d)(1) are proposed to be relocated to sections 94511(c)(3) and 94511(c)(3)(A) in order to provide the "Representative HFC-152a Product" criteria directly after other applicable IPE definitions, for clarity. The previously-proposed "Table 94511(d)(1): Representative HFC-152a Product Formulations" has also been moved to section 94511(c)(3), so that the table can be found alongside the applicable "Representative HFC-152a Product" definitional criteria. The content of section 94511(c)(3) and 94511(c)(3)(A) and Table 94511(c)(3) are unchanged from what was previously found in sections 94511(d) and 94511(d)(1) and Table 94511(d)(1).
- o. Proposed subsections 94511(c)(6)(A) and (B) provide criteria for the determination of a products' OFP that were previously proposed for inclusion in sections 94511(c)(4)(A) and (B). Staff is proposing to update, in section 94511(c)(6), language that "The ozone-forming potential of the proposed product does not exceed that of the representative HFC-152a product..." with "Ozone-forming potential shall be calculated as follows." This update is necessary since staff proposes to relocate the requirement that an innovative product's OFP not exceed that of the representative product to proposed sections 94511(1)(D) and (2)(C), and inclusion of such a requirement in section 94511(c)(6) would therefore be duplicative.

- p. Staff is proposing to renumber subsections 94511(c)(5)(A) through (C) to 94511(c)(5)(B) through (D) to account for the addition of the new subsection 94511(c)(5)(A).
- q. Staff proposes two updates in section 94511(c)(6)(A). First, staff proposes to add a hyphen between the words "ozone" and "forming" in section 94511(c)(6)(A) for consistency with how "ozone-forming" is spelled in sections 94511(6)(4) and 94511(c)(6)(B). Secondly, in response to public comments, staff proposes to update the phrase "Assignment of a substance's Maximum Incremental Reactivity (MIR) value" to "Assignment of a ROC's Maximum Incremental Reactivity (MIR) value" as a clarification, since only reactive organic compounds typically have reactivity values.
- r. In subsection 94511(c)(6)(B), the word "listed" was added to the phrase "the MIR value for terpinolene in section 94700" to read "the MIR value for terpinolene listed in section 94700" for clarification purposes, to reflect that the value is part of an extensive existing list of MIR values.
- s. Staff is proposing to delete subsection 94511(d) because its contents are proposed to be moved up to place all the IPE provisions in one section, for ease of reading, and therefore to renumber subsections 94511(e) through 94511(m) to be 94511(d) through 94511(l).
- t. For the new subsection 94511(d)(2), staff proposes to delete reference to subsection (d) in "subsections 94511(c) and (d)," since contents of the previously-proposed subsection 94511(d) have been moved up into subsection (c). Staff is also proposing to replace reference to "section(c)(1) through (4)" with a reference to the entirety of section (c) so that subsection 94511(d)(2) applies to both "Innovative Compressed Gas Propellant Product" and "Innovative Liquefied Propellant Product."
- u. In subsection 94511(k), reference to subsection 94511(h) has been updated to instead reference subsection 94511(k), to reflect necessary section renumbering.
- v. For subsection 94511(j)(2), staff proposes to add "94511(j)" to "(1)(A) through (C)" to provide additional clarity regarding the referenced subsection. Staff also proposes to change the reference to "subsection (e)(2)" to a reference to subsection 94511(d)(2) to provide additional clarity regarding the referenced subsection, and to reflect section renumbering resulting from these proposed 15-day changes.

4. Modification to section 94515, Test Methods:

In section 94515(a)(2), which reproduces section 3.4 of CARB Method 310, staff proposes to add "If," which was inadvertently omitted, before "the Executive Officer makes a VOC content determination" to read "If the Executive Officer makes a VOC content determination" to align with CARB Method 310 language. In addition, staff proposes to remove the underline below the word "pursuant," because this is original regulatory language that staff did and does not propose to change.

- a. In section 94515(a)(2), subsection 3.6.1 of CARB Method 310, staff deleted a conjunction "or" from the following phrase: "request the or responsible party to supply additional information to explain the discrepancy" to correct this typographical error.

Update to Staff Report: Initial Statement of Reasons (ISOR) (Date of Release: February 2, 2021)

The following is an addendum to the Initial Statement of Reasons released to the public on February 2, 2021. This section includes corrections to typographical errors and other minor, non-substantive updates, as well as minor updates to staff's assessment of compliance costs for "Aerosol Crawling Bug Insecticide" products based on comments received.

A. Update to Acronyms and Abbreviations:

1. The ISOR used the term "Airborne Toxics Control Measure for Automotive Maintenance and Repair Activities." CARB generally says "Airborne Toxic Control Measure for Automotive Maintenance and Repair Activities," so CARB will use the latter one moving forward. Both terms refer to the same thing in the record for this rulemaking, unless stated otherwise.
2. The ISOR said "Airborne Toxics Control Measure." CARB generally says "Airborne Toxic Control Measure," so CARB will use the latter one moving forward. Both terms refer to the same thing in the record for this rulemaking, unless stated otherwise.
3. The ISOR used abbreviation "HFO-1234y" for the chemical "2,3,3,3-Tetrafluoropropene." The correct abbreviation is "HFO-1234yf." CARB will use the correct abbreviation going forward, but both are intended to refer to "2,3,3,3-Tetrafluoropropene" in the record for this rulemaking, unless stated otherwise.
4. The ISOR uses the term "Reactive Organic Compounds." CARB generally says "Reactive Organic Compound," so CARB will use the latter one moving forward.

Both terms refer to the same thing in the record for this rulemaking, unless stated otherwise.

- B. Chapter III, Table III-6: The “Hair Shine Products” table included minor typographical errors regarding the “Number of Companies” and “Number of Product Formulations.” The correct values, which are within ten percent of those published in the ISOR, are below. This updated information does not change the Hair Shine Product proposal or analysis in any substantive way.

Hair Shine Products*

Product Form	Number of Companies	Number of Product-Formulations	Category Sales (tpd)	Sales-weighted Average VOC (Wt. %)**	Adjusted VOC Emissions (tpd)**
Nonaerosol	81	206	1.36	7.73	0.11
Aerosol	29	46	0.16	40.47	0.06
Total	92	252	1.52	11.07	0.17

* Based on 2015 Consumer Products Survey data (CARB, 2019)

** Survey emissions adjusted for complete market coverage.

- C. Chapter III, Section F.7: Tables of MIR Values: CARB inadvertently used the chemical abbreviation HFO-1223zd in the sentence “The MIR value of HFO-1223zd.” The correct abbreviation is HFO-1233zd. CARB mentions this to clarify the record.
- D. In Chapter IV, Rationale for Proposed Amendments to Section 94511(c)(3) of the ISOR, staff’s rationale for section 94511(c)(3) was “This amendment is needed to help ensure that more of the innovative product is used relative to the innovative product it replaces so that the proposal does not result in an increase in GWP and OFP. If more of the innovative product must be used than the representative product (for example, if one can of the representative product dispenses as much “Hair Finishing Spray” as one can of the innovative product, the OFP and GHG benefits of staff’s proposal would be offset by increased product usage.” However, this analysis is not a clear enough explanation. Staff wishes to clarify that the rationale for this proposed amendment is the following:

This amendment is needed to help ensure that the use of the innovative product does not result in an increase in GWP and OFP relative to the representative product it replaces. If more of the innovative product must be used than the representative product (for example, if more than one can of the innovative product is needed to replace one can of the representative product), then the OFP and GHG benefits of staff’s proposal may otherwise be offset by increased product usage.

E. Chapter X: Staff is updating certain numbers in the ISOR’s Economic Impact Assessment to incorporate more conservative product reformulation cost estimates for “Aerosol Crawling Bug Insecticide,” to address stakeholder comments made during the 45-day public comment period. These are: inclusion of relabeling costs for “Bed Bug Insecticide” products that were exempted from the more stringent VOC standard; an earlier initiation date for non-recurring costs, from 2028 to 2023; and a higher assumed non-recurring cost range per product reformulation, from \$116,917 to \$330,815 in the ISOR, to \$225,000 to \$350,000. These updated cost assumptions are reflected in the tables below.

Table IX-1, below, provides the updated Total Direct Recurring and Non-Recurring Cost of the Proposed Amendments. This table’s values are identical to those provided in the ISOR for all categories except “Aerosol Crawling Bug Insecticide.” Table IX-1 assumes that non-recurring reformulation costs for “Aerosol Crawling Bug Insecticide” begin in 2023, rather than in 2028, as described in the ISOR. Table IX-1 also assumes that non-recurring reformulation costs per “Aerosol Crawling Bug Insecticide” are \$225,000 to \$350,000 per product, rather than the \$116,917 to \$330,815 assumed in the ISOR. These more conservative assumptions, made in response to stakeholder comments and reflected in table IX-1, below, result in assumed total costs for Aerosol Crawling Bug Insecticide” increasing from \$9,844,729 in the ISOR to \$19,855,243 in Table IX-1, below. The Annual Total cost of \$277,833,400 identified in Table IX-1, below, are 3.7 percent higher than Annual Total costs identified in the ISOR.

Table IX-1: Total Direct Recurring and Non-Recurring Cost of the Proposed Amendments*

Year	Manual Aerosol Air Freshener	Hair Finishing Spray	Hair Shine	Temporary Hair Color	Dry Shampoo	Personal Fragrance Products	Aerosol Crawling Bug Insecticide	Sunset Two Percent Fragrance Exemption	Annual Total
2020	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2021	\$3,025,806	\$3,861,273	\$0	\$0	\$1,228,760	\$3,396,654	\$0	\$0	\$11,512,493
2022	\$3,025,806	\$3,861,273	\$0	\$0	\$1,228,760	\$3,396,654	\$0	\$0	\$11,512,493
2023	\$2,312,714	\$3,761,531	\$0	\$0	\$1,638,446	\$3,323,314	\$1,705,255	\$0	\$12,741,260
2024	\$2,312,714	\$3,761,531	\$0	\$0	\$1,638,446	\$3,323,314	\$1,705,255	\$0	\$12,741,260
2025	\$5,536,558	\$3,761,531	\$0	\$0	\$1,638,446	\$3,323,314	\$1,705,255	\$1,957,166	\$17,922,270
2026	\$5,536,558	\$3,761,531	\$0	\$0	\$1,638,446	\$3,323,314	\$1,705,255	\$1,957,166	\$17,922,270
2027	\$5,001,278	\$3,761,531	\$408,321	\$336,730	\$2,700,871	\$3,323,314	\$1,705,255	\$1,155,427	\$18,392,727
2028	\$5,001,278	\$3,761,531	\$408,321	\$336,730	\$2,700,871	\$3,323,314	\$1,705,255	\$1,155,427	\$18,392,727
2029	\$5,001,278	\$3,761,531	\$412,857	\$331,296	\$2,745,733	\$17,470,347	\$1,705,255	\$1,155,427	\$32,583,724
2030	\$5,001,278	\$3,761,531	\$412,857	\$331,296	\$2,745,733	\$17,470,347	\$1,319,743	\$1,155,427	\$32,198,212
2031	\$1,975,472	-\$99,742	\$412,857	\$331,296	\$1,516,972	\$12,806,970	\$1,319,743	\$1,155,427	\$19,418,995
2032	\$1,975,472	-\$99,742	\$412,857	\$331,296	\$1,516,972	\$12,806,970	\$1,319,743	\$1,155,427	\$19,418,995
2033	\$1,975,472	-\$99,742	\$412,857	\$331,296	\$1,516,972	\$12,806,970	\$1,319,743	\$1,155,427	\$19,418,995
2034	\$1,975,472	-\$99,742	\$412,857	\$331,296	\$1,516,972	\$12,806,970	\$1,319,743	\$1,155,427	\$19,418,995
2035	-\$1,248,372	-\$99,742	\$412,857	\$331,296	\$1,516,972	\$12,806,970	\$1,319,743	-\$801,739	\$14,237,985
TOTALS	\$48,408,781	\$37,316,084	\$3,706,643	\$2,992,532	\$27,489,374	\$125,708,735	\$19,855,243	\$12,356,007	\$277,833,400

*Reflects the total of annual recurring and annualized non-recurring costs identified in Table IX-7. With the exception of “Aerosol Crawling Bug Insecticide”, annualized non-recurring costs are assumed to begin two years prior to the applicable implementation date and continue for ten years, while annual

recurring costs are assumed to begin on the applicable implementation date and continue indefinitely. "Aerosol Crawling Bug Insecticide" annualized non-recurring costs are assumed to begin in 2023 based upon staff's evaluation of information provided by public stakeholders. All costs are in 2020 dollars.

Table IX-5: Summary of Projected Non-Recurring Costs, below, provides updated non-recurring costs for "Aerosol Crawling Bug Insecticide." Costs values for all other categories are unchanged from the ISOR. For "Aerosol Crawling Bug Insecticide," the Amortized Cost, Low (A1) of \$29,139 reflects a higher Low Cost estimate of \$225,000, while the Amortized Cost, High (A2) of \$45,326 reflects a higher High Cost estimate of \$350,000. As described above, the higher assumed non-recurring cost reformulation cost per product is based upon stakeholder comments regarding the original ISOR analysis. Consistent with the ISOR, staff utilized a five percent discount rate over a 10 year period to annualize the low and high costs identified in Table IX-5 (via application of a 0.1295 multiplier to total low and high costs). The Number of Companies and Number of Products are derived from 2015 Consumer Products Survey data, and are unchanged from the ISOR. Overall, the assumed Average Total Amortized Annual Non-Recurring Cost value for "Aerosol Crawling Bug Insecticide" increased from \$1,519,725 in the ISOR to \$1,705,255.

Table IX-5: Summary of Projected Nonrecurring Costs*

Category	Amortized Cost, Low (A1)	Amortized Cost, High (A2)	Number of Companies (B)	Number of Products** (C)	Average Total Amortized Annual Nonrecurring Cost [(A1*B)+(A2*C)]/2
Manual Aerosol Air Freshener - Tier 1	\$17,590	\$40,100	34	136	\$3,025,806
Manual Aerosol Air Freshener - Tier 2	\$17,590	\$40,100	36	145	\$3,223,844
Hair Finishing Spray	\$4,609	\$17,665	62	421	\$3,861,273
Hair Shine (aerosol)	\$5,632	\$20,093	13	37	\$408,321
Temporary Hair Color	\$3,467	\$16,490	4	40	\$336,730
Dry Shampoo - Tier 1	\$5,876	\$19,582	35	115	\$1,228,760
Dry Shampoo - Tier 2	\$1,894	\$17,267	37	119	\$1,062,425
Personal Fragrance Products - Tier 1 (aerosol)	\$4,093	\$16,776	11	76	\$660,018
Personal Fragrance Products - Tier 1 (nonaerosol)	\$4,093	\$16,776	42	316	\$2,736,636
Personal Fragrance Products - Tier 2 (aerosol)	\$12,866	\$26,806	17	122	\$1,744,520
Personal Fragrance Products - Tier 2 (nonaerosol)	\$12,866	\$26,806	57	898	\$12,402,512
Aerosol Crawling Bug Insecticide	\$29,138	\$45,326	14	66	\$1,705,255***

* The values in this table have been rounded for readability. However, the values used for calculations, were not rounded.

** Reflects the number of non-complying product formulations.

*** Includes \$5,531 in annualized relabeling cost for aerosol "Bed Bug Insecticide."

Table IX-7, below, sums Annual Recurring Cost Per Category, which is unchanged from the ISOR, and Annual Nonrecurring Cost per Category, which has been updated for "Aerosol Crawling Bug Insecticide," to illustrate the updated Annualized Total Cost Per Category. As described above, the assumed Annual Non-Recurring Cost for "Aerosol Crawling Bug Insecticide" increased from \$1,519,725 in the ISOR, to \$1,705,255, as shown in Tables IX-5 and IX-7. This results in the assumed total Annualized Cost of the Proposed Amendments increasing from \$30,745,959 in the ISOR to \$30,931,488, as shown in Table IX-7, below.

Table IX-7: Annualized Cost of Proposed Measures

Category	Annual Recurring Cost Per Category	Annualized Nonrecurring Cost Per Category	Annualized Total Cost Per Category
Manual Aerosol Air Freshener - Tier 1	-\$713,092	\$3,025,806	\$2,312,714
Manual Aerosol Air Freshener - Tier 2	-\$535,280	\$3,223,844	\$2,688,564
Hair Finishing Spray	-\$99,742	\$3,861,273	\$3,761,531
Hair Shine (aerosol)	\$4,536	\$408,321	\$412,857
Temporary Hair Color	-\$5,434	\$336,730	\$331,296
Dry Shampoo - Tier 1	\$409,686	\$1,228,760	\$1,638,446
Dry Shampoo - Tier 2	\$44,861	\$1,062,425	\$1,107,286
Personal Fragrance Products - Tier 1 (aerosol)	-\$93,037	\$660,018	\$566,981
Personal Fragrance Products - Tier 1 (nonaerosol)	\$19,697	\$2,736,636	\$2,756,333
Personal Fragrance Products - Tier 2 (aerosol)	\$545,831	\$1,744,520	\$2,290,351
Personal Fragrance Products - Tier 2 (nonaerosol)	-\$1,812,554	\$12,402,512	\$10,589,959
Aerosol Crawling Bug Insecticide	-\$385,512	\$1,705,255	\$1,319,743
Sunset of Two Percent Fragrance Exemption	-\$801,739	\$1,957,166	\$1,155,427
TOTAL	-\$3,421,778	\$34,353,266	\$30,931,488

Table IX-8: Cost-Effectiveness of Proposed Measures, below, provides the cost-effectiveness by category and overall for the Proposed Amendments. The cost-effectiveness for "Aerosol Crawling Bug Insecticide" increased from \$3,827 in the ISOR to \$4,452 as a result of the updated cost assumptions described above. The cost-effectiveness of all other categories, and the Sunset of the Two Percent Fragrance Exemption, are unchanged from the ISOR. As a result, the overall cost-effectiveness of the Proposed Amendments changed from \$8,588 in the ISOR, to \$8,640, as shown in Table IX-8, below.

Table IX-8: Cost-Effectiveness of Proposed Measures

Product Category	Cost-Effectiveness (dollars/ton VOC reduced)
Manual Aerosol Air Freshener	
Tier 1	\$5,804
Tier 2	\$11,500
Total	\$7,910
Hair Care Products	
Hair Finishing Spray/Hair Shine*	\$10,201
Dry Shampoo/Temporary Hair Color*	\$10,559
Total	\$10,350
Personal Fragrance Products	
Tier 1	\$19,252
Tier 2	\$7,713
Total	\$8,795
Aerosol Crawling Bug Insecticide	\$4,452
Sunset of the Two Percent Fragrance Exemption	\$10,694
OVERALL	\$8,640

* Combined cost-effectiveness values provided due to potential product category overlap.

Finally, the cost increase or differential per unit of product sold is unchanged from that described in Table IX-9: Estimated Per-Unit Cost Increases from Annualized Non-Recurring and Annual Recurring Costs in the ISOR. The ISOR indicates that California consumers would likely experience a cost savings of about \$0.02 per can of "Aerosol Crawling Bug Insecticide," in part due to anticipated lower product ingredient costs. The updated cost assumptions described above have no impact on the \$0.02 per unit cost saving for "Aerosol Crawling Bug Insecticide" described in the ISOR.

Staff has determined that these updates to the economic analysis have a negligible impact on the existing ISOR's evaluation of potential impacts on California businesses, consumers, and State and local agencies, and the existing ISOR's evaluation of regulatory alternatives. As a result, these cost updates do not change the proposal or the analyses in the ISOR.

ISOR modifications identified here do not change implementation of the regulation in any way that affects the conclusions of the environmental analysis included in the Staff Report because the modifications consist primarily of definitional and linguistic clarifications, and updates to the product reformulation cost values for "Aerosol Crawling Bug Insecticide" do not alter the compliance responses of regulated entities, so no additional environmental analysis or recirculation of the analysis is required.

Additional Documents Added to the Record and Documents Being Removed from the Record

In the interest of completeness and in accordance with Government Code section 11347.1, subdivision (a), staff has also added to the rulemaking record and invites comments on the following additional documents:

- (U.S. EPA, 2008) United States Environmental Protection Agency. National Volatile Organic Compound Emission Standards for Aerosol Coatings; Final Rule (40 CFR Parts 51 and 59). Federal Register: Volume 73. Number 57: 15604-15631. March 24, 2008.
This document was mentioned and cited in page XI-250 of the ISOR but was erroneously not cited in ISOR Chapter XIII. References. Staff is now formally adding this document to the rulemaking record to ensure an accurate record.
- (SciFinder, 2021) American Chemical Society CAS SciFinder Reporting Tool, accessed May 2021. <https://scifinder-n-cas.org.proxy.library.ca.gov/search/substance/60a6dc10f84b8f039c97cee5/1>.
In subsection 94510(c), staff proposes to add the definition for "Monoterpene." This document is mentioned and cited on page 3 of this Notice and is necessary to provide information related to the Chemical Abstracts Service (CAS) registry numbers of chemical compounds specified in section 94510(c). This document is also added to the References list in the ISOR. Staff is now formally adding this document to the rulemaking record to ensure an accurate record.
- (CARB, 2004b) 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. Chapter 9: Environmental Impacts. May 7, 2004.
- (CEPAM, 2020) CEPAM SIP 2019 v1.01. CEPAM: 2016 SIP - Standard Emission Tool. Emission Projection by Emission Inventory Code (EIC). Revised June 18, 2020.
[https://www.arb.ca.gov/app/emsmv/fcemssumcat/cepam_emseic_query_v5.php?F_YR1=2006&F_YR2=2007&F_YR3=2008&F_YR4=2009&F_YR5=2010&F_YR6=2011&F_YR7=2012&F_YR8=2013&F_YR9=2014&F_YR10=2015&F_YR11=2016&F_YR12=2017&F_YR13=2018&F_YR14=2019&F_YR15=2020&F_YR16=2021&F_YR17=2022&F_YR18=2023&F_YR19=&F_YR20=&F_YR21=&F_YR22=&F_YR23=&F_YR24=&F_BYR=2012&F_SEASON=A&F_TABLE=&F_POL=TOG&F_DIV=&F_AREA=CA&F_STATE=1&SPVER=v1.05_RF1160&SP=O3SIP105ADJ&F_SID=CEFS2A&blue_bar=CEPAM:%202016%20SIP%20-%20Standard%20Emission%20Tool&sumcat_report_title=Emission%20Projections%20By%20Summary%20Category&eic_report_title=Emission%20Projection%20By%20Emission%20Inventory%20Code%20\(EIC\)&RED_MESSAGE=&F_NAA=&nonattain=&F_EICSUM=510](https://www.arb.ca.gov/app/emsmv/fcemssumcat/cepam_emseic_query_v5.php?F_YR1=2006&F_YR2=2007&F_YR3=2008&F_YR4=2009&F_YR5=2010&F_YR6=2011&F_YR7=2012&F_YR8=2013&F_YR9=2014&F_YR10=2015&F_YR11=2016&F_YR12=2017&F_YR13=2018&F_YR14=2019&F_YR15=2020&F_YR16=2021&F_YR17=2022&F_YR18=2023&F_YR19=&F_YR20=&F_YR21=&F_YR22=&F_YR23=&F_YR24=&F_BYR=2012&F_SEASON=A&F_TABLE=&F_POL=TOG&F_DIV=&F_AREA=CA&F_STATE=1&SPVER=v1.05_RF1160&SP=O3SIP105ADJ&F_SID=CEFS2A&blue_bar=CEPAM:%202016%20SIP%20-%20Standard%20Emission%20Tool&sumcat_report_title=Emission%20Projections%20By%20Summary%20Category&eic_report_title=Emission%20Projection%20By%20Emission%20Inventory%20Code%20(EIC)&RED_MESSAGE=&F_NAA=&nonattain=&F_EICSUM=510).

Conversely, staff has determined that the specific language in the ISOR which relied upon the following reference was removed prior to the ISOR publication:

- On page XIII-259, staff proposes to remove references 72. (Steinemann et. al., 2010) Steinemann, A., MacGregor I., Gordon, S., Gallagher L., Davis, A., Ribeiro, D., Wallace, L. Fragranced consumer products: Chemicals emitted, ingredients unlisted. Environmental Impact Assessment Review. 31(3): 328-333. August 17, 2010.

This reference was not cited in the ISOR released to the public on February 2, 2021.

To eliminate the possibility for any confusion regarding this document, staff is removing it from the record now.

These documents are available for inspection at the California Air Resources Board, 1001 I Street, Sacramento, California, 95814, between the hours of 9:00am to 4:00pm, Monday through Friday (excluding holidays). To inspect these documents please contact Chris Hopkins, Regulations Coordinator, at chris.hopkins@arb.ca.gov or (916) 445-9564. Because of current travel, facility, and staffing restrictions, the California Air Resources Board's offices may have limited public access. Please contact Chris Hopkins if you need physical copies of the documents.

Agency Contacts

Inquiries concerning the substance of the proposed regulation may be directed to Joe Calavita, Manager, Implementation Section, at joe.calavita@arb.ca.gov, or (916) 445-4586 or (designated backup) Josh Berghouse, Air Pollution Specialist, Implementation Section, at josh.berghouse@arb.ca.gov, or (916) 324-8174.

Public Comments

Written comments will only be accepted on the modifications identified in this Notice. Comments may be submitted by postal mail or by electronic submittal no later than the due date to the following:

Postal mail: Clerks' Office, California Air Resources Board
1001 I Street, Sacramento, California 95814

[Electronic submittal](https://www.arb.ca.gov/lispub/comm/bclist.php): <https://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Gov. Code § 6250 et seq.), your written and verbal comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

In order to be considered by the Executive Officer, comments must be directed to CARB in one of the two forms described above and received by CARB no later than

the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above-described modifications to the text of the regulations shall be considered by the Executive Officer.

If you need this document in an alternate format or another language, please contact the Clerks' Office at (916) 322-5594 or by facsimile at (916) 322-3928 no later than five (5) business days from the release date of this notice. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Si necesita este documento en un formato alternativo u otro idioma, por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 o envíe un fax al (916) 322-3928 no menos de cinco (5) días laborales a partir de la fecha del lanzamiento de este aviso. Para el Servicio Telefónico de California para Personas con Problemas Auditivos, ó de teléfonos TDD pueden marcar al 711.

California Air Resources Board



Richard W. Corey
Executive Officer

Date: August 19, 2021

Attachments

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see [CARB's website \(www.arb.ca.gov\)](http://www.arb.ca.gov).