

## CALIFORNIA AIR RESOURCES BOARD

### NOTICE OF PUBLIC MEETING TO CONSIDER PROPOSED UPDATES TO THE 2019 ARCHITECTURAL COATINGS SUGGESTED CONTROL MEASURE

The California Air Resources Board (CARB or Board) will conduct a public meeting at the time and place noted below to consider the approval of proposed updates to the 2019 Architectural Coatings Suggested Control Measure (SCM).

DATE: May 28, 2020

TIME: 9:00 a.m.

Please see the Public Agenda for the meeting location and/or any appropriate direction regarding a possible remote-only Board Meeting; the agenda will be posted ten days before the May 28, 2020, Board Meeting.

This item will be considered at a meeting of the Board, which will commence at 9:00 a.m., May 28, 2020, and may continue at 8:30 a.m., May 29, 2020. Please consult the agenda for the meeting to determine the day on which this item will be considered.

#### **Background**

CARB's Architectural Coatings Program assists air districts in reducing the amount of smog-forming volatile organic compounds (VOCs) emitted from the use of architectural coatings in California. Architectural coatings include house paints, stains, industrial maintenance coatings, traffic coatings, and many other products. Under California law, the primary authority for controlling emissions from architectural coatings is vested in the local air pollution control districts and air quality management districts ("districts", see Health and Safety Code, Sections 39002, 40000, and 40001). However, CARB often provides guidance and other assistance to the districts, including the development of model rules such as the suggested control measure (SCM) for architectural coatings. CARB's authority to do this is provided by sections 39001, 39003, 39500, 39600, 39602, 39605, 40916, and 41500 of the Health and Safety Code.

The Board approved an SCM for architectural coatings in 1977 and updated it in 1985, 1989, 2000, 2007, and 2019. The 2019 SCM was developed from a survey of 2014 sales and formulations. Currently, 15 air districts have rules based on the 2007 SCM and six districts have rules based on the 2000 SCM. One district adopted the 2019 SCM in April 2020. Based on a survey CARB conducted in 2014, VOC emissions from architectural coatings have decreased from 95 tons per day (tpd), reported from a survey of products sold in 2004, to 30 tpd in 2013.

At the May 2019 Board Hearing, the Board directed CARB staff to work with stakeholders to evaluate and assess the viability of adding a new coating category for

coatings intended for use on solar modules. CARB staff worked with districts, industry, and other stakeholders to develop the proposed update to the 2019 SCM (referred to as the 2020 SCM). During this effort, CARB staff completed the following activities: (1) held regular meetings with districts and U.S. Environmental Protection Agency; (2) evaluated the data for the coating category; (3) performed a technology assessment of the coating category in the proposed 2020 SCM; and (4) analyzed potential environmental and economic impacts. CARB staff also conducted one public workshop and held meetings with stakeholders including individual manufacturers and other interested parties. CARB staff completed its evaluation and recommends adding a new coating category for Photovoltaic Coatings as proposed in the 2020 SCM.

The Board's approval of the proposed updates to the 2019 SCM will not impose binding requirements on any person. Binding requirements will only be imposed if a district adopts the updated 2020 SCM as a district rule. Upon adoption, a district rule would then apply to affected persons within the jurisdiction of the district. In addition, the Board's approval of the proposed updates to the 2019 SCM will not require any district to adopt the 2020 SCM. It will be up to each district to decide if adoption of the 2020 SCM as a district rule is appropriate for their district. Current architectural coating rules in the districts will remain in effect, unchanged, until districts formally adopt the 2020 SCM.

### **Proposed Action**

The proposal adds a new coating category for Photovoltaic Coatings and establishes a new definition and VOC limit of 600 grams per liter for the category. Staff is proposing daily and annual volume limits to prevent exceedance of CEQA thresholds in each district that may potentially adopt the proposed updated 2020 SCM. The proposal is also establishing a sunset date for the coating category of January 1, 2028. Additionally, the proposal contains notification and reporting provisions to aid in district implementation of the requirements for Photovoltaic Coatings.

The proposed 2020 SCM would allow the use of Photovoltaic Coatings on uncoated solar panels. Coated solar panels produce approximately three to four percent more electricity as compared to uncoated panels due to reduced reflectance and panel soiling. New solar panels are routinely coated now during the manufacturing process but there is a population of existing installed solar panels that are currently uncoated. Coating of these legacy solar panels is a one-time event that would result in increased VOC emissions relative to the current SCM. However, because coated panels will produce more electricity for the remainder of their useful life which is estimated to be 10 to 15 years, allowing for the use of the coating will result in avoided power plant emissions of greenhouse gases and criteria pollutants for at least 10 years. Because Photovoltaic Coatings will increase VOC emissions, CARB staff analyzed the emission impacts to show that the proposal meets the requirements of section 110(l) of the federal Clean Air Act (CAA) for each district that may potentially adopt the proposed 2020 SCM.

CARB staff has prepared a Staff Report. The report may be obtained from CARB's website at <https://ww2.arb.ca.gov/our-work/programs/coatings/architectural-coatings/suggested-control-measure>, on April 24, 2020. Copies of the report may also be obtained from CARB's Public Information Office, 1001 I Street, First Floor, Environmental Services Center, Sacramento, California, 95814. Because of current travel, facility, and staffing restrictions, the California Air Resources Board's offices may have limited public access. Please contact Chris Hopkins, Regulations Coordinator, at [chris.hopkins@arb.ca.gov](mailto:chris.hopkins@arb.ca.gov) or (916) 445-9564, if you need physical copies of the documents.

Interested members of the public may present comments orally or in writing at the meeting and may provide comments by postal mail or by electronic submittal before the meeting. To be considered by the Board, written comments not physically submitted at the meeting, must be received **no later than** May 26, 2020, and addressed to the following:

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

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Government Code section 6250 et seq.), your written and oral 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.

CARB requests that written statements on this item be filed at least ten days prior to the meeting so that CARB staff and Board members have additional time to consider each comment. Further inquiries regarding this matter should be directed to Glen Villa, Air Resources Engineer, Technical Development Section, at (916) 324-8177 or Jose Gomez, Manager, Technical Development Section, at (916) 324-8033.

## **ENVIRONMENTAL ANALYSIS**

When the 2000 SCM was proposed, CARB prepared an environmental analysis (EA) under its certified regulatory program (California Code of Regulations, title 17, sections 60000 through 60008) to comply with the requirements of the California Environmental Quality Act (CEQA; Public Resources Code section 21080.5). The EA, included in Chapter VI of the Staff Report published in 2000 determined that the proposed SCM would not result in any significant adverse impacts on the environment. CARB, as the lead agency under the CEQA, has reviewed the proposed action and concluded that no subsequent or supplemental environmental analysis is required for the proposed updates. A brief explanation of the basis for reaching this conclusion is included in Chapter VI of the Staff Report.

## **SPECIAL ACCOMMODATION REQUEST**

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the meeting;
- Documents made available in an alternate format or another language; and
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerks' Office at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than ten business days before the scheduled Board meeting.

TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alternativo u otro idioma; y
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de diez días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

CALIFORNIA AIR RESOURCES BOARD



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Richard W. Corey  
Executive Officer

Date: April 24, 2020

*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 our website at [www.arb.ca.gov](http://www.arb.ca.gov).*