

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 8.5 Consumer Products

Article 2. Consumer Products

§ 94513. Reporting Requirements.

(a) Upon 90 days written notice, the Executive Officer may require any responsible party to report information for any consumer product or products the Executive Officer may specify including, but not limited to, all or part of the following information:

- (1) the name of the responsible party and the party's address, telephone number, and designated contact person;
- (2) any claim of confidentiality made pursuant to Title 17, California Code of Regulations, Section 91011;
- (3) the product brand name for each consumer product subject to registration and upon request by the Executive Officer, the product label;
- (4) the product category to which the consumer product belongs;
- (5) the applicable product form(s) listed separately;
- (6) an identification of each product brand name and form as a "Household Product", "I&I Product", or both;
- (7) separate California sales in pounds per year, to the nearest pound, and the method used to calculate California sales for each product form;
- (8) for registrations submitted by two companies, an identification of the company which is submitting relevant data separate from that submitted by the responsible party. All registration information from both companies shall be submitted by the date specified in Section 94513(a);

(9) for each product brand name and form, the net percent by weight of the total product, less container and packaging, comprised of the following, rounded to the nearest one-tenth of a percent (0.1%):

- (A) Total Table B Compounds
- (B) Total LVP-VOCs that are not fragrances
- (C) Total All Other Carbon-Containing Compounds that are not fragrances
- (D) Total All Non-Carbon-Containing Compounds
- (E) Total Fragrance
- (F) For products containing greater than two percent by weight fragrance, but excluding "personal fragrance products":
 - (i) the percent of fragrance that are LVP-VOCs, and
 - (ii) the percent of fragrance that are all other carbon-containing compounds
- (G) For "personal fragrance products", the density of the fragrance
- (H) Total Paradichlorobenzene

(10) for each product brand name and form, the identity, including the specific chemical name and associated Chemical Abstract Services (CAS) number, of the following:

- (A) Each Table B Compound
- (B) Each LVP-VOC that is not a fragrance
- (11) if applicable, the weight percent comprised of propellant for each product;
- (12) if applicable, an identification of the type of propellant (Type A, Type B, Type C, or a blend of the different types);

(b) In addition to the requirements of section 94513(a)(10), the responsible party shall report or shall arrange to have reported to the Executive Officer the net percent by weight of each ozone-depleting compound which is (1) listed in section 94509(e) and (2) contained in a product subject to registration under section 94513(a) in any amount greater than 0.1 percent by weight.

(c) All information submitted by responsible parties pursuant to Section 94513 shall be handled in accordance with the procedures specified in Title 17, California Code of Regulations, Sections 91000-91022.

(d) *Special Reporting Requirements for Aerosol Adhesives*

On or before March 31, 2004, all responsible parties for aerosol adhesives shall report to the Executive Officer the following information for products sold or offered for sale in California:

(1) data regarding product sales and composition for the year 2003, including the information listed in Section 94513(a), and any other information that the Executive Officer may specify; and

(2) a written update of the research and development efforts undertaken to achieve VOC limits lower than the limits specified in section 94509(a). The written update must include detailed information about the raw materials

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(solvents, propellants, resins, and polymers) and hardware (valves, actuators, cans) used in product reformulation, the testing protocols used, the results of the testing, and the cost of reformulation efforts.

(3) On or before December 31, 2003, the Executive Officer shall notify responsible parties in writing that they are to submit aerosol adhesive product and research data by March 31, 2004.

(e) *Special Reporting Requirements for Consumer Products that Contain Perchloroethylene or Methylene Chloride*

(1) The requirements of this subsection shall apply to all responsible parties for consumer products that are subject to section 94509(a) and contain perchloroethylene or methylene chloride. For the purposes of this subsection, a product "contains perchloroethylene or methylene chloride" if the product contains 1.0 percent or more by weight (exclusive of the container or packaging) of either perchloroethylene or methylene chloride.

(2) For each consumer product that contains perchloroethylene or methylene chloride, the responsible party shall report the following information for products sold in California during each calendar year, beginning with the year 2000, and ending with the year 2010:

(A) the product brand name and a copy of the product label with legible usage instructions;

(B) the product category to which the consumer product belongs;

(C) the applicable product form(s) (listed separately);

(D) for each product form listed in (C), the total amount of the consumer product sold in California during the calendar year between January 1, 1996 and December 31, 1996, to the nearest pound (exclusive of the container or packaging), and the method used for calculating the California sales;

(E) the weight percent, to the nearest 0.10 percent, of perchloroethylene and methylene chloride in the consumer product.

(3) The information specified in subsection 94513(e)(2) shall be reported for each calendar year by March 1 of the following year. The first report shall be due on March 1, 2001, for calendar year 2000. A new report is due on March 1 of each year thereafter, until March 1, 2011, when the last report is due.

(4) Upon request, the Executive Officer shall make the perchloroethylene information submitted pursuant to this subsection available to publicly owned treatment works in California, in accordance with the procedures for handling of confidential information specified in Title 17, California Code of Regulations, sections 91000-91022.

(A) On or before July 1, 2002, the Executive Officer shall evaluate the information, along with data on influent and effluent levels of perchloroethylene as reported by publicly-owned treatment works personnel and any other relevant information, to determine if it is likely that publicly-owned treatment works are experiencing increased levels of perchloroethylene, relative to 1996 levels, that can be attributed to consumer products which contain perchloroethylene.

(B) If the Executive Officer determines that it is likely that increased perchloroethylene levels at the publicly-owned treatment works are caused by increased levels of perchloroethylene in consumer products subject to this regulation, then the Executive Officer shall, in conjunction with the publicly-owned treatment works and other appropriate parties, implement measures which are feasible, appropriate, and necessary for reducing perchloroethylene levels at the publicly-owned treatment works.

NOTE: Authority cited: Sections 39600, 39601, 41511 and 41712, Health and Safety Code. Reference: Sections 39002, 39600, 40000, 41511 and 41712, Health and Safety Code.

REFERENCE