

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 8.5 Consumer Products

Article 4. Alternative Control Plan

§ 94549. Notification of Modifications to an ACP by the Responsible ACP Party.

(a) Modifications That Do Not Require Executive Officer Pre-Approval: The responsible ACP party shall notify the Executive Officer, in writing, of any change in an ACP product's: (1) product name, (2) product formulation, (3) product form, (4) product function, (5) applicable product category(ies), (6) VOC Content, (7) ACP Content, (8) date-codes, or (9) recommended product usage directions, no later than 15 working days from the date such a change occurs. For each modification, the notification shall fully explain the following:

(A) the nature of the modification;

(B) the extent to which the ACP product formulation, VOC Content, LVP Content, or recommended usage directions will be changed;

(C) the extent to which the ACP Emissions and ACP Limit specified in the Executive Order will be changed for the application compliance period; and

(D) the effective date and corresponding date-codes for the modification.

(b) Modifications That Require Executive Officer Pre-Approval: The responsible ACP party may propose modifications to the Enforceable Sales records or reconciliation of shortfalls plan specified in the Executive Order approving the ACP. Any such proposed modifications shall be fully described in writing and forwarded to the Executive Officer. The responsible ACP party shall clearly demonstrate that the proposed modifications will meet the requirements of this article. The Executive Officer shall act on the proposed modifications using the procedure set forth in section 94544. The responsible ACP party shall meet all applicable requirements of the existing ACP until such time as any proposed modification(s) is approved in writing by the Executive Officer.

(c) Other Modifications: Except as otherwise provided in subsections (a) and (b) of this section, the responsible ACP party shall notify the Executive Officer, in writing, of any information learned of by the responsible ACP party which may alter any of the information submitted pursuant to the requirements of section 94543. The responsible ACP party shall provide such notification to the Executive Officer no later than 15 working days from the date such information is known to the responsible ACP party.

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

REFERENCE