

VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT  
ADVISORY COMMITTEE MEETING  
September 22, 2009  
MINUTES

Chairman Vander Pluym convened the meeting at approximately 7:30 p.m.

I. Director's Report

Mike Villegas, APCO, stated that the Board approved new Rules 55.1, Paved Roads and Public Unpaved Roads, and 55.2, Street Sweeping Equipment.

Mr. Villegas noted that the Board had also approved the District's 2009 Reasonably Available Control Technology State Implementation Plan. This plan consists of an analysis of District rules to determine if they satisfy the federal requirement to implement Reasonably Available Control Technology.

II. Call to Order

Chairman Vander Pluym called the meeting to order at approximately 7:34 p.m.

III. Roll Call

Present

Scott Blough  
Todd Gernheuser  
Sara Head  
Steven Kane  
Michael Kuhn  
Kim Lim

Marleen Luckman  
Hugh McTernan  
Michael Moore  
Ron Peterson  
James Tovias  
Duane Vander Pluym

Absent

Stephen Garfield (excused)  
Cameron Williams (excused)  
Marilyn Miravete-Smith (excused)

Greg Patterson (excused)  
Aaron Hanson  
Keith Moore (excused)

Staff

Mike Villegas

Stan Cowen

Public

Dave Darling  
Madelyn Harding

NPCA  
Sherwin Williams

IV. Minutes

The minutes of the May 26, 2009, meeting were approved as drafted.

V. Committee Comment

The Committee and staff briefly discussed air quality and the recent wildfires. Mike Villegas noted that the County has experienced eight days over the federal 0.08 ppm eight-hour ozone standard so far this year. Mr. Villegas noted that any high particulate matter readings related to wildfires would be tagged as exceptional events. The District will then be responsible to provide justification to the U.S. Environmental Protection Agency that the emissions from the fire were responsible for the high PM readings.

VI. Public Comment

There was no public comment.

VII. New Business

A. Proposed New Rule 74.2.1, Architectural Coatings

Stan Cowen, of APCD staff, gave an overview of the proposed new rules. The main points were as follows:

- Staff is proposing to adopt the provision of the California Air Resources Board's 2007 Suggested Control Measure for architectural coatings.
- This will result in the reduction of the ROC limits for many coating categories.
- Staff is proposing to retain the prohibition of sale for noncompliant coatings and the existing three year sell-through provisions.
- The one liter container and aerosol coating exemptions would be retained.
- This proposed rule action is estimated to reduce 0.5 tons of ROC per day, which is a significant emission reduction.
- The estimated cost-effectiveness is \$1.40 per pound of ROC reduced.
- An EIR is being prepared for this rule action and is scheduled to be reviewed by the County's Environmental Report Review Committee on October 14, 2009.

Mr. Cowen noted that Dunn Edwards Paints had provided a letter of support dated September 22, 2009.

Committee member Blough asked if the rule would apply to both domestic and internationally produced paints. Stan Cowen stated the rule would apply to both; however, most of the paint is produced domestically.

Committee member Gernheuser asked if thinning was accounted for in the ROC limits. Madelyn Harding, of Sherwin Williams, stated that the manufacturers provide thinning instructions.

Committee member Michael Moore asked about the socioeconomic analysis contained in the staff report, and expressed concern with the finding that there could be a loss of 74 jobs in Ventura County. Stan Cowen noted that this study was done by SCAQMD and was based on their more stringent version of the rule. Staff was not proposing to adopt the SCAQMD limits and had proposed to allow an additional year to achieve compliance. It is important to note that the California Air Resources Board's analysis does not foresee any significant job loss in California resulting from implementation of the 2007 Suggested Control Measure.

Madelyn Harding, of Sherwin Williams, stated that the category basement specialty coatings should be added to Rule 74.2.1.A.3. Stan Cowen stated this revision would be made. Ms. Harding stated that a provision similar to that in the BAAQMD rule, which allows coatings that comply with the new rule not to be subject to the old rule would be helpful. Mr. Cowen responded that this issue would become moot on January 1, 2011, and that staff could administratively allow the sale and use of new coatings during the one-year transition period. In addition, Ms. Harding indicated that a single rule similar to the BAAQMD rule would simplify compliance during the transition period from the old rule to the new rule. Mr. Cowen responded that the average person would have an easier time understanding the two-rule concept because once January 2011 came around, you could ignore the earlier rule except for the sell-through provisions.

Dave Darling, of the National Paint and Coatings Association, stated he would like to see additional labeling options added for industrial maintenance and zinc rich primers (reference Sections C.4 and C.12). Stan Cowen stated that these changes would be acceptable to staff.

It was moved (Peterson) and seconded (Luckman) to recommend adoption of Rule 74.2.1 as proposed by staff including the amendments related to Sections A.3, C.4, and C.12, the correction to J.41, and adding units to the Table of Standards. The motion passed with 9 yes votes and 3 no votes.

#### B. Proposed Amendments to Rule 2, Definitions

Stan Cowen stated that the U.S. EPA has revised their definition of volatile organic compound to exempt tert-butyl acetate, methyl formate, dimethyl carbonate, and propylene carbonate based on the compounds' negligible photochemical reactivity. The South Coast AQMD recognized these compounds as "exempt organic compounds." Further, these four compounds are not classified as hazardous air pollutants under the federal clean air act. The addition of these four compounds to the exempt compound list will provide the paint industry additional options to reformulate coatings. Based on this,

staff is proposing to amend the District's definition of "exempt organic compounds" to include these four compounds.

Committee member Vander Pluym stated he was concerned with the Prosoco letter dated June 29, 2009. Prosoco was requesting that perchloroethylene and methylene chloride be removed from the list of exempt compounds due to toxicity. In addition, CFCs and HCFCs are high global warming potential compounds.

Stan Cowen stated staff was working to be consistent with other air districts, and perchloroethylene was relatively expensive.

Dave Darling stated NPCA supported the Prosoco comments regarding perchloroethylene and methylene chloride, and noted their support for the addition of the four proposed exempt compounds.

Madelyn Harding stated that CFCs and HCFCs will likely be regulated under climate change regulations, but would likely remain exempt compounds based on their low reactivity.

It was moved (Head) and seconded (McTernan) to recommend adoption of Rule 2 as proposed by staff. The motion passed with 10 yes votes and 2 no votes.

#### VIII. Adjournment

The meeting was adjourned at approximately 8:50 p.m.

Prepared by:

Mike Villegas  
Air Pollution Control District Staff