

MEMORANDUM

SUBJECT: Regulatory Schedule for Consumer and Commercial  
Products under Section 183(e) of the Clean Air Act

FROM: John S. Seitz, Director  
Office of Air Quality Planning and Standards

TO: See Below

As you may know, Section 183(e) of the CAA as amended in 1990 requires EPA to conduct a study of VOC emissions from consumer and commercial products (CCP) and report to Congress the results of the study. Upon submittal of the Report to Congress, EPA is required to list for regulation those categories of products which account for at least 80 percent of all VOC emissions from CCP in ozone nonattainment areas. Furthermore, EPA is required to place the listed categories into four groups by priority and to regulate one group every two years beginning no later than two years after publishing the list and schedule.

On March 15, 1995 the Administrator submitted the Report to Congress which documents the results of the consumer and commercial products study. The regulatory schedule for consumer and commercial products was signed by the Administrator on March 15 and published in the Federal Register on Thursday, March 23. Copies of these documents are attached for your convenience. The Report to Congress was previously distributed to the Regional Offices via POSTMAN, and the VOC regulatory contacts were notified via facsimile transmittal.

Group I of the regulatory schedule includes categories for which regulatory activities are already underway. Included in Group I is "Consumer Products (24 categories)." This entry represents an aggregation of two dozen individual household, personal care, and automotive products which are currently regulated in one or more States. They are products used in home, office, institutional, or similar settings. Development of a Federal consumer products rule is currently in progress.

As you know, by November 15, 1996, States with areas designated as moderate or above for ozone nonattainment must reduce VOC emissions in those areas by 15 percent from the 1990 baseline. In my memoranda of November 29, 1994 and March 22,

1995, I provided guidance for the amount of credit that States can take for the architectural coatings (AIM) and autobody refinishing rules. Similarly, the purpose of this memorandum is to provide guidance concerning credit that can be taken for reductions associated with the consumer products rule. In order to provide the States with creditable VOC reductions, OAQPS is committed to promulgating the national consumer and commercial products rules as soon as possible.

We plan to promulgate the traditional consumer products rule by March 1996, with an effective date of July 1996. For the 24 categories covered by this rule, we anticipate a reduction in previously unregulated areas of approximately 20 percent from the 1990 baseline by November 15, 1996. Based on our study, baseline emissions from the categories covered by the rule (i.e., a subset of all consumer products) are estimated to be approximately 3.9 pounds per capita annually. This baseline figure is based on new information and is different than the previously published emission factor. A 20 percent reduction would be approximately 0.8 pounds per capita annually.

For purposes of the completeness determinations, States that are having difficulties adopting their own rule may take credit for the 20 percent reduction without adopting or committing to backup measures. Fifteen percent rate-of-progress plans that assume a 20 percent reduction for the consumer products rule may be found complete if all other completeness criteria are met.

Please share this information with the States in your region. Should you have any questions on the status of the consumer products rule, please contact Bruce Moore of the Emission Standards Division at (919) 541-5460. For questions regarding 15 percent rate-of-progress plans, contact Kimber Scavo of the Air Quality Strategies and Standards Division at (919) 541-3354.

2 Attachments

Addressees:

Director, Air, Pesticides and Toxics  
Management Division, Regions I and IV  
Director, Air and Waste Management Division,  
Region II  
Director, Air, Radiation and Toxics Division,  
Region III  
Director, Air and Radiation Division,  
Region V  
Director, Air, Pesticides and Toxics Division,  
Region VI  
Director, Air and Toxics Division,

Regions VII, VIII, IX, and X

OAQPS/ESD/CCPG:BMOORE/JECK(X7946):NCM(MD-13):5-8-95:20-PCT.MEM

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