

**REGULATION 8
ORGANIC COMPOUNDS
RULE 3
ARCHITECTURAL COATINGS**

INDEX

8-3-100 GENERAL

- 8-3-101 Description
- 8-3-102 Applicability
- 8-3-103 Severability
- 8-3-110 Exemptions
- 8-3-111 Deleted November 21, 2001
- 8-3-112 Deleted January 8, 1986
- 8-3-113 Deleted November 21, 2001
- 8-3-114 Deleted November 21, 2001
- 8-3-115 Limited Exemption, Liter Containers
- 8-3-116 Limited Exemption, Early Compliance

8-3-200 DEFINITIONS

- 8-3-201 Adhesive
- 8-3-202 Aerosol Coating Product
- 8-3-203 Aluminum Roof Coating
- 8-3-204 Appurtenances
- 8-3-205 Architectural Coating
- 8-3-206 Basement Specialty Coating
- 8-3-207 Bitumens
- 8-3-208 Bituminous Roof Coating
- 8-3-209 Bituminous Roof Primer
- 8-3-210 Bond Breaker
- 8-3-211 Coating
- 8-3-212 Colorant
- 8-3-213 Concrete Curing Compound
- 8-3-214 Concrete/Masonry Sealer
- 8-3-215 Driveway Sealer
- 8-3-216 Dry Fog Coating
- 8-3-217 Enamel
- 8-3-218 Exempt Compound
- 8-3-219 Faux Finishing Coating
- 8-3-220 Fire-Resistive Coating
- 8-3-221 Flat Coating
- 8-3-222 Floor Coating
- 8-3-223 Form-Release Compound
- 8-3-224 Graphic Arts Coating or Sign Paint
- 8-3-225 High-Temperature Coating
- 8-3-226 Industrial Maintenance Coating
- 8-3-227 Low-Solids Coating
- 8-3-238 Magnesite Cement Coating
- 8-3-229 Manufacturer's Maximum Thinning Recommendation
- 8-3-230 Mastic Texture Coating
- 8-3-231 Medium Density Fiberboard (MDF)
- 8-3-232 Metallic Pigmented Coating
- 8-3-233 Multi-Color Coating
- 8-3-234 Nonflat Coating

8-3-235 Nonflat – High Gloss Coating
 8-3-236 Non-Industrial Use
 8-3-237 Particleboard
 8-3-238 Pearlescent
 8-3-239 Plywood
 8-3-240 Post-Consumer Coating
 8-3-241 Pre-Treatment Wash Primer
 8-3-242 Primer, Sealer, and Undercoater
 8-3-243 Reactive Penetrating Sealer
 8-3-244 Recycled Coating
 8-3-245 Residential
 8-3-246 Roof Coating
 8-3-247 Rust Preventative Coating
 8-3-248 Secondary Industrial Materials
 8-3-249 Semitransparent Coating
 8-3-250 Shellac
 8-3-251 Shop Application
 8-3-252 Solicit
 8-3-253 Solvent
 8-3-254 Specialty Primer, Sealer and Undercoater
 8-3-255 Stain
 8-3-256 Stone Consolidant
 8-3-257 Swimming Pool Coating
 8-3-258 Tint Base
 8-3-259 Traffic Marking Coating
 8-3-260 Tub and Tile Refinish Coating
 8-3-261 Undercoater
 8-3-262 Veneer
 8-3-263 Virgin Materials
 8-3-264 Volatile Organic Compound (VOC)
 8-3-265 VOC Content
 8-3-266: Waterproofing Membrane
 8-3-267 Wood Coatings
 8-3-268 Wood Preservative
 8-3-269 Wood Substrate
 8-3-270 Zinc-Rich Primer
 8-3-271 Antenna Coating
 8-3-272 Antifouling Coating
 8-3-273 Clear Brushing Lacquers
 8-3-274 Clear Wood Coatings
 8-3-275 Fire-Retardant Coating
 8-3-276 Flow Coating
 8-3-277 Lacquer
 8-3-278 Quick-Dry Enamel
 8-3-279 Quick Dry Primer, Sealer, and Undercoater
 8-3-280 Sanding Sealer
 8-3-281 Sealer
 8-3-282 Swimming Pool Repair and Maintenance Coating
 8-3-283 Temperature-Indicator Safety Coating
 8-3-284 Varnish
 8-3-285 Waterproofing Concrete/Masonry Sealer
 8-3-286 Waterproofing Sealer

8-3-300 STANDARDS

8-3-301 VOC Content Limits
 8-3-302 Most Restrictive VOC Limits
 8-3-303 Sell Through of Coatings
 8-3-304 Painting Practices and Solvent Usage and Storage

- 8-3-305 Prohibition of Excess Thinning
- 8-3-306 Rust Preventative Coatings
- 8-3-307 Coatings Not Listed in Section 8-3-301, Tables 1 and 2
- 8-3-308 Deleted July 1, 2009
- 8-3-309 Limited Allowance, Industrial Maintenance Coatings

8-3-400 ADMINISTRATIVE REQUIREMENTS

- 8-3-401 Container Labeling Requirements
- 8-3-402 Petition, Limited Allowance for Industrial Maintenance Coatings

8-3-500 MONITORING AND RECORDS

- 8-3-501 Reporting Requirements
- 8-3-502 Sales Data

8-3-600 MANUAL OF PROCEDURES

- 8-3-601 Determination of Compliance, Air-Dried Water Reducible Coatings
- 8-3-602 Determination of Compliance, Air-Dried Solvent Based Coatings
- 8-3-603 Deleted November 21, 2001
- 8-3-604 Determination of Compliance, Low Solids Architectural Coatings
- 8-3-605 Incorporated Test Methods
- 8-3-606 Alternative Test Methods
- 8-3-607 Calculation of VOC Content
- 8-3-608 Calculation of the Grams of VOC per liter for Low Solids Coatings
- 8-3-609 Calculation of the Grams of VOC per liter for All Other Architectural Coatings

**REGULATION 8
ORGANIC COMPOUNDS
RULE 3
ARCHITECTURAL COATINGS**

(Adopted March 1, 1978)

8-3-100 GENERAL

8-3-101 Description: The purpose of this Rule is to limit the quantity of volatile organic compounds in architectural coatings supplied, sold, offered for sale, applied, solicited for application, or manufactured for use within the District.

(Amended November 21, 2001)

8-3-102 Applicability: Except as provided in Section 8-3-110, this Rule is applicable to any person who supplies, sells, offers for sale, or manufacturers any architectural coating for use within the District, as well as any person who applies or solicits the application of any architectural coating within the District.

(Adopted November 21, 2001)

8-3-103 Severability: If a court of competent jurisdiction issues an order that any provision of this rule is invalid, it is the intent of the Board of Directors of the District that other provisions of this rule remain in full force and affect, to the extent allowed by law.

(Adopted November 21, 2001)

8-3-110 Exemptions: This rule does not apply to:

110.1 Any architectural coating that is sold or manufactured for use outside of the District or for shipment to other manufacturers for reformulation or repackaging;

110.2 Any aerosol coating product.

(Amended, Renumbered 11/21/01; Amended 7/1/09)

8-3-111 Deleted November 21, 2001

8-3-112 Deleted January 8, 1986

8-3-113 Deleted November 21, 2001

8-3-114 Deleted November 21, 2001

8-3-115 Limited Exemption, Liter Containers: Except as provided in Section 8-3-502, the provisions of this Rule shall not apply to any architectural coating that is sold in a container with a volume of one (1.0) liter (1.057 quart) or less.

(Adopted July 1, 2009)

8-3-116 Limited Exemption, Early Compliance: Prior to January 1, 2011, any coating that meets the definition in Section 8-3-200 for a coating category listed in Section 8-3-301, Table 2 and complies with the applicable VOC limit in Section 8-3-301, Table 2 and with Sections 8-3-302.2 and 401 (including those provisions of Section 8-3-401 otherwise effective on January 1, 2011) shall be considered in compliance with this rule.

(Adopted July 1, 2009)

8-3-200 DEFINITIONS

8-3-201 Adhesive: Any chemical substance that is applied for the purpose of bonding two surfaces together other than by mechanical means.

(Adopted November 21, 2001)

8-3-202 Aerosol Coating Product: A pressurized coating product containing pigments or resins that dispense product ingredients by means of a propellant, and is packaged in a disposable can for hand-held application, or for use in specialized equipment for ground traffic/marketing applications. Aerosol coating products are subject to District Regulation 8, Rule 49 or the provisions of 17 California Code of Regulations 94520 *et. seq.*

(Adopted November 21, 2001)

8-3-203 Aluminum Roof Coating: A coating labeled and formulated exclusively for application to roofs and containing at least 84 grams of elemental aluminum pigment per liter of coating (at least 0.7 pounds per gallon). Pigment content shall be

determined in accordance with SCAQMD Method 318-95, incorporated by reference in Section 8-3-605.4.

(Adopted July 1, 2009)

8-3-204 Appurtenances: Any accessory to a stationary structure coated at the site of installation, whether installed or detached, including but not limited to: bathroom and kitchen fixtures; cabinets; concrete forms; doors; elevators; fences; hand railings; heating equipment, air conditioning equipment, and other fixed mechanical equipment or stationary tools; lampposts; partitions; pipes and piping systems; rain gutters and downspouts; stairways, fixed ladders, catwalks, and fire escapes; and window screens.

(Adopted 11/21/01; Renumbered 7/9/09)

8-3-205 Architectural Coating: A coating to be applied to stationary structures and their appurtenances at the site of installation, to portable buildings at the site of installation, to pavements, or to curbs. Coatings applied in shop applications or to non-stationary structures such as airplanes, ships, boats, railcars, and automobiles, and adhesives are not considered architectural coatings for the purpose of this rule.

(Amended, Renumbered 11/21/01; Renumbered 7/1/09)

8-3-206 Basement Specialty Coating: A clear or opaque coating that is labeled and formulated for application to concrete and masonry surfaces to provide a hydrostatic seal for basements and other below-grade surfaces. Basement Specialty Coatings must meet the following criteria:

206.1 Coating must be capable of withstanding at least 10 psi of hydrostatic pressure, as determined in accordance with ASTM D7088-04, which is incorporated by reference in Section 8-3-605.11; and

206.2 Coating must be resistant to mold and mildew growth and must achieve a microbial growth rating of 8 or more, as determined in accordance with ASTM D3274-95, incorporated by reference in Section 8-3-605.18.

(Adopted July 1, 2009)

8-3-207 Bitumens: Black or brown materials including, but not limited to, asphalt, tar, pitch and asphaltite that are soluble in carbon disulfide, consist mainly of hydrocarbons and are obtained from natural deposits or as residues from the distillation of crude petroleum or coal.

(Renumbered 5/18/83; Amended, Renumbered 11/21/01)

8-3-208 Bituminous Roof Coating: A coating which incorporates bitumens that is labeled and formulated exclusively for roofing.

(Amended November 21, 2001)

8-3-209 Bituminous Roof Primer: A primer which incorporates bitumens that is labeled and formulated exclusively for roofing and intended for the purpose of preparing a weathered or aged surface or improving the adhesion of subsequent surfacing compounds.

(Amended 11/21/01; 7/1/09)

8-3-210 Bond Breaker: A coating labeled and formulated for application between layers of concrete to prevent a freshly poured top layer of concrete from bonding to the layer over which it is poured.

(Adopted 5/18/83; Amended, Renumbered 11/21/01; Amended 7/1/09)

8-3-211 Coating: A material applied onto or impregnated into a substrate for protective, decorative, or functional purposes. Such materials include, but are not limited to, paints, varnishes, sealers, and stains.

(Adopted 11/21/01; Renumbered 7/1/09)

8-3-212 Colorant: A concentrated pigment dispersion in water, solvent, and/or binder that is added to an architectural coating after packaging in sale units to produce the desired color.

(Adopted 11/21/01; Renumbered 7/1/09)

8-3-213 Concrete Curing Compound: A coating labeled and formulated for application to freshly poured concrete to perform one or more of the following functions:

213.1 Retard the evaporation of water; or

213.2 Harden or dustproof the surface of freshly poured concrete.

(Adopted 5/18/83; Amended, Renumbered 11/21/01; Amended, Renumbered 7/1/09)

8-3-214 Concrete/Masonry Sealer: A clear or opaque coating that is labeled and formulated primarily for application to concrete and masonry surfaces to perform one or more of the following functions:

- 214.1 Prevent penetration of water; or
- 214.2 Provide resistance against abrasion, alkalis, acids, mildew, staining, or ultraviolet light; or
- 214.3 Harden or dustproof the surface of aged or cured concrete.

(Adopted July 1, 2009)

8-3-215 Driveway Sealer: A coating labeled and formulated for application to worn asphalt driveway surfaces to perform one or more of the following functions:

- 215.1 Fill cracks; or
- 215.2 Seal the surface to provide protection; or
- 215.3 Restore or preserve the appearance of the driveway.

(Adopted July 1, 2009)

8-3-216 Dry Fog Coating: A coating labeled and formulated only for spray application such that overspray droplets dry before subsequent contact with incidental surfaces in the vicinity of the surface coating activity.

(Adopted November 21, 2001)

8-3-217 Enamel: A coating that is characterized by its ability to form a smooth surface. Enamel was originally associated with high gloss, but may also include lower degrees of gloss, i.e., flat enamels.

(Adopted July 1, 2009)

8-3-218 Exempt Compound: For purposes of this rule, a compound that has been identified by the US EPA as having negligible photochemical reactivity and is listed in Section 8-3-264.1.

(Adopted 11/21/01; Amended, Renumbered 7/1/09)

8-3-219 Faux Finishing Coating: A coating labeled and formulated to meet one or more of the following criteria:

- 219.1 A glaze or textured coating used to create artistic effects including, but not limited to: dirt, suede, old age, smoke damage, and simulated marble and wood grain; or
- 219.2 A decorative coating used to create a metallic, iridescent, or pearlescent appearance that contains at least 48 grams of pearlescent mica pigment or other iridescent pigment per liter of coating as applied (at least 0.4 pounds per gallon); or
- 219.3 A decorative coating used to create a metallic appearance that contains less than 48 grams of elemental metallic pigment per liter (less than 0.4 pounds per gallon) of coating as applied, when tested in accordance with SCAQMD Method 318-95, incorporated by reference in Section 8-3-605.4; or
- 219.4 A decorative coating used to create a metallic appearance that contains greater than 48 grams or elemental metallic pigment per liter (greater than 0.4 pounds per gallon) of coating as applied and that requires a clear topcoat to prevent the degradation of the finish under normal use conditions. The metallic pigment content shall be determined in accordance with SCAQMD Method 318-95, incorporated by reference in Section 8-3-605.4; or
- 219.5 A clear topcoat to seal and protect a Faux Finishing coating that meets the requirements of Sections 6-3-219.1 through 219.4. These clear topcoats must be sold and used solely as part of a Faux Finishing coating system and must be labeled in accordance with Section 8-3-401.10.

(Adopted 11/21/01; Amended, Renumbered 7/1/09)

8-3-220 Fire-Resistive Coating: A coating labeled and formulated to protect the structural integrity by increasing the fire endurance of interior or exterior steel and other structural materials. The fire resistive category includes sprayed fire resistive materials and intumescent fire-resistive coating that are used to bring structural materials into compliance with federal, state, and local building code requirements. The fire-resistive coating and the testing agency must be approved by building code officials. The fire-resistive coating shall be tested in accordance with ASTM Designation E 119-07, incorporated by reference in Section 8-3-605.2. Fire resistive coatings and testing agencies must be approved by building code officials.

(Adopted 11/21/01; Amended, Renumbered 7/1/09)

8-3-221 Flat Coating: A coating that is not defined under any other definition in this rule and that registers gloss less than 15 on an 85-degree meter or less than 5 on a 60-

degree meter according to ASTM Designation D 523-89 (1999), incorporated by reference in Section 8-3-605.3.

(Adopted 11/21/01; Amended 7/1/09)

8-3-222 Floor Coating: An opaque coating that is labeled and formulated for application to flooring, including, but not limited to, decks, porches, steps, garage floors, and other horizontal surfaces which may be subject to foot traffic.

(Adopted 11/21/01; Amended 7/1/09)

8-3-223 Form-Release Compound: A coating labeled and formulated for application to a concrete form to prevent the freshly poured concrete from bonding to the form. The form may consist of wood, metal, or some other material other than concrete.

(Adopted 11/21/01; Renumbered 7/1/09)

8-3-224 Graphic Arts Coating or Sign Paint: A coating labeled and formulated for hand application by artists using brush, airbrush, or roller techniques to indoor and outdoor signs (excluding structural components) and murals, including lettering enamels, poster colors, copy blockers, and bulletin enamels.

(Amended, Renumbered 5/18/83; 11/21/01; 7/1/09)

8-3-225 High-Temperature Coating: A high performance coating labeled and formulated for application to substrates exposed continuously or intermittently to temperatures above 204°C (400°F).

(Adopted 11/21/01; Renumbered 7/1/09)

8-3-226 Industrial Maintenance Coating: A high performance architectural coating, including primers, sealers, undercoaters, intermediate coats, and topcoats, formulated for application to substrates, including floors, exposed to one or more of the following extreme environmental conditions listed in Sections 8-3-226.1 through 226.5, and labeled as specified in Section 8-3-401.4:

226.1 Immersion in water, wastewater, or chemical solutions (aqueous and non-aqueous solutions), or chronic exposure of interior surfaces to moisture condensation;

226.2 Acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions;

226.3 Frequent exposure to temperatures above 121°C (250°F);

226.4 Frequent heavy abrasion, including mechanical wear and frequent scrubbing with industrial solvents, cleansers, or scouring agents; or

226.5 Exterior exposure of metal structures and structural components.

(Amended, Renumbered 5/18/83; Amended 1/8/86; Amended, Renumbered 11/21/01; 7/1/09)

8-3-227 Low-Solids Coating: A coating containing 0.12 kilogram or less of solids per liter (one pound or less of solids per gallon) of coating material as recommended for application by the manufacturer. The VOC content for Low Solids Coatings shall be calculated in accordance with Section 8-3-608.

(Adopted 11/4/98; Amended, Renumbered 11/21/01; 7/1/09)

8-3-2328 Magnesite Cement Coating: A coating labeled and formulated for application to magnesite cement decking to protect the magnesite cement substrate from erosion by water.

(Adopted 11/21/01; Renumbered 7/1/09)

8-3-229 Manufacturer's Maximum Thinning Recommendation: The maximum recommendation for thinning that is indicated on the label or lid of the coating container.

(Adopted July 1, 2009)

8-3-230 Mastic Texture Coating: A coating labeled and formulated to cover holes and minor cracks, and to conceal surface irregularities, and applied in a single coat of at least 10 mils (at least 0.010 inch) dry film thickness.

(Adopted 5/18/83; Amended, Renumbered 11/21/01; 7/1/09)

8-3-231 Medium Density Fiberboard (MDF): A composite wood product, panel, molding, or other building material composed of cellulosic fibers (usually wood) made by dry forming and pressing of a resinated fiber mat.

(Adopted July 1, 2009)

8-3-232 Metallic Pigmented Coating: A coating that is labeled and formulated to provide a metallic appearance. Metallic Pigmented Coatings must contain at least 48 grams of elemental metallic pigment (excluding zinc) per liter of coating as applied (at least 0.4 pounds per gallon), when tested in accordance with South Coast Air Quality Management District Method 318-95, incorporated by reference in Section 8-3-605.4.

The Metallic Pigmented Coating category does not include coatings applied to roofs or Zinc-Rich Primers.

(Renumbered 5/18/83; Amended, Renumbered 11/21/01; 7/1/09)

8-3-233 Multi-Color Coating: A coating that is packaged in a single container and that is labeled and formulated to exhibit more than one color when applied in a single coat.

(Renumbered 5/18/83; Amended, Renumbered 11/21/01; 7/1/09)

8-3-234 Nonflat Coating: A coating that is not defined under any other definition in this rule and that registers a gloss of 15 or greater on an 85-degree meter and 5 or greater on a 60-degree meter according to ASTM Designation D 523-89 (1999), incorporated by reference in Section 8-3-605.3.

(Adopted 9/1/82; Amended, Renumbered 11/21/01; 7/1/09)

8-3-235 Nonflat – High Gloss Coating: A nonflat coating that registers a gloss of 70 or greater on a 60 degree meter according to ASTM Designation D 523-89 (1999), incorporated by reference in Section 8-3-605.3. Nonflat – High Gloss Coatings must be labeled in accordance with Section 8-3-401.9.

(Adopted 11/21/01; Amended, Renumbered 7/1/09)

8-3-236 Non-Industrial Use: Non-industrial use means any use of architectural coatings except in the construction or maintenance of any of the following: facilities used in the manufacturing of goods and commodities; transportation infrastructure, including highways, bridges, airports and railroads; facilities used in mining activities, including petroleum extraction; and utilities infrastructure, including power generation and distribution, and water treatment and distribution systems.

(Adopted 11/21/09; Renumbered 7/1/09)

8-3-237 Particleboard: A composite wood product panel, molding, or other building material composed of cellulosic material (usually wood) in the form of discrete particles, as distinguished from fibers, flakes, or strands, which are pressed together with resin.

(Adopted July 1, 2009)

8-3-238 Pearlescent: Exhibiting various colors depending on the angles of illumination and viewing, as observed in mother-of-pearl.

(Adopted July 1, 2009)

8-3-239 Plywood: A panel product consisting of layers of wood veneers or composite core pressed together with resin. Plywood includes panel products made by either hot or cold pressing (with resin) veneer to a platform.

(Adopted July 1, 2009)

8-3-240 Post-Consumer Coating: Finished coatings generated by a business or consumer that have served their intended end uses, and are recovered from or otherwise diverted from the waste stream for the purpose of recycling.

(Adopted 11/21/01; Amended, Renumbered 7/1/09)

8-3-241 Pre-Treatment Wash Primer: A primer that contains a minimum of 0.5 percent by acid, by weight, when tested in accordance with ASTM Designation D 1613-06, incorporated by reference in Section 8-3-605.5, that is labeled and formulated for application directly to bare metal surfaces to provide corrosion resistance and to promote adhesion of subsequent topcoats.

(Adopted 11/21/01; Amended, Renumbered 7/1/09)

8-3-242 Primer, Sealer, and Undercoater: A coating labeled and formulated for application for one of more of the following purposes:

- 242.1 To provide a firm bond between the substrate and subsequent coats;
- 242.2 To prevent subsequent coatings from being absorbed by the substrate;
- 242.3 To prevent harm to subsequent coatings by materials in the substrate;
- 242.4 To provide a smooth surface for the subsequent application of coatings;
- 242.5 To provide a clear finish coat to seal the substrate; or
- 242.6 To block materials from penetrating into or leaching out of a substrate.

(Adopted 11/21/01; Amended, Renumbered 7/1/09)

8-3-243 Reactive Penetrating Sealer: A clear or pigmented coating that is labeled and formulated for application to above-grade concrete and masonry substrates to provide protection from water and waterborne contaminants, including, but not limited to, alkalis, acids, and salts. Reactive Penetrating Sealers must penetrate into concrete and masonry substrates and chemically react to form covalent bonds with naturally occurring minerals in the substrate. Reactive Penetrating Sealers line the pores of concrete and masonry substrates with a hydrophobic coating, but do not

form a surface film. Reactive Penetrating Sealers must meet all of the following criteria:

243.1 The Reactive Penetrating Sealers must improve water repellency at least 80 percent after application on a concrete or masonry substrate. This performance must be verified on standardized test specimens, in accordance with one or more of the following standards, incorporated by reference in Section 8-3-605.19: ASTM C67-07, or ASTM C97-02, or ASTM C140-06; and

243.2 The Reactive Penetrating Sealer must not reduce the water vapor transmission rate by more than 2 percent after application on a concrete or masonry substrate. This performance must be verified on standardized test specimens, in accordance with ASTM E96/E96M-05, incorporated by reference in Section 8-3-605.20; and

243.3 Products labeled and formulated for vehicular traffic surface chloride screening applications must meet the performance criteria listed in the National Cooperative Highway Research Report 244 (1981), incorporated by reference in Section 8-3-605.21.

The Reactive Penetrating Sealers must be labeled in accordance with Section 8-3-401.11.

(Adopted July 1, 2009)

8-3-244 Recycled Coating: An architectural coating formulated such that it contains a minimum of 50 percent by volume post-consumer coating with a maximum of 50 percent by volume secondary industrial materials or virgin materials.

(Adopted 11/21/01; Amended, Renumbered 7/1/09)

8-3-245 Residential: Areas where people reside or lodge, including, but not limited to, single and multiple family dwellings, condominiums, mobile homes, apartment complexes, motels, and hotels.

(Adopted 11/21/01; Amended 7/1/09)

8-3-246 Roof Coating: A non-bituminous coating labeled and formulated for application to roofs for the primary purpose of preventing water penetration, reflecting ultraviolet light, or reflecting solar radiation.

(Adopted 5/18/83; Amended, Renumbered 7/1/09)

8-3-247 Rust Preventative Coating: A coating formulated for non-industrial use to prevent the corrosion of metal surfaces for one or more of the following applications:

247.1 Direct-to-metal coating; or

247.2 Coating intended for application over rusty, previously coated surfaces.

The Rust Preventative Coating category does not include the following:

247.3 Coatings that are required to be applied as a topcoat over a primer; or

247.4 Coatings that are intended for use on wood or any other non-metallic surface.

Rust Preventive Coatings are for metal substrates only and must be labeled as such, in accordance with the labeling requirements of Section 8-3-401.6.

(Adopted 11/21/01; Amended, Renumbered 7/1/09)

8-3-248 Secondary Industrial Materials: Products or by-products of the paint manufacturing process that are of known composition and have economic value but can no longer be used for their intended purpose.

(Adopted 11/21/01; Amended, Renumbered 7/1/09)

8-3-249 Semitransparent Coating: A coating that contains binders and colored pigments and is formulated to change the color of the surface, but not conceal the grain pattern or texture.

(Adopted July 1, 2009)

8-3-250 Shellac: A clear or opaque coating formulated solely with the resinous secretions of the lac beetle (*Laccifer lacca*) and formulated to dry by evaporation without a chemical reaction.

(Amended, Renumbered 5/18/83; 11/21/01; 7/1/09)

8-3-251 Shop Application: Application of a coating to a product or a component of a product in or on the premises of a factory or a shop as part of a manufacturing, production, or repairing process (e.g., original equipment manufacturing coatings).

(Adopted 11/21/01; Renumbered 7/1/09)

8-3-252 Solicit: To require for use or to specify, by written or oral contract.

(Adopted 11/21/01; Renumbered 7/1/09)

- 8-3-253 Solvent:** Any VOC-containing fluid used to perform cleaning operations or as a reducer.
(Adopted July 1, 2009)
- 8-3-254 Specialty Primer, Sealer and Undercoater:** A coating that is formulated for application to a substrate to block water-soluble stains resulting from: fire damage, smoke damage, or water damage. Specialty Primers, Sealers, and Undercoaters must be labeled in accordance with Section 8-3-401.7. Until January 1, 2011, the Specialty Primer, Sealer, and Undercoating category includes coatings formulated to seal excessively chalky surfaces. An excessively chalky surface is one that is defined as having a chalk rating of four or less as determined by ASTM Designation D 4214-98, incorporated by reference in Section 8-3-605.7.
(Adopted 5/18/83; Amended, Renumbered 11/21/01; 7/1/09)
- 8-3-255 Stain:** A transparent, semitransparent, or opaque coating labeled and formulated to change the color of a surface but not conceal the grain pattern or texture.
(Renumbered 5/18/83; Amended, Renumbered 11/21/01; 7/1/09)
- 8-3-256 Stone Consolidant:** A coating that is labeled and formulated for application to stone substrates to repair historic structures that have been damaged by weathering or other decay mechanisms. Stone Consolidants must penetrate into stone substrates to create bonds between particles and consolidate deteriorated material. Stone Consolidants must be specified and used in accordance with ASTM E2167-01, incorporated by reference in Section 8-3-605.22. Stone Consolidants are for professional use only and must be labeled as such, in accordance with the labeling requirements in Section 8-3-401.12.
(Adopted July 1, 2009)
- 8-3-257 Swimming Pool Coating:** A coating labeled and formulated to coat the interior of swimming pools and to resist swimming pool chemicals. Swimming pool coatings include coatings used for swimming pool repair and maintenance.
(Adopted 11/21/01; Amended, Renumbered 7/1/09)
- 8-3-258 Tint Base:** An architectural coating to which colorant is added after packaging in sale units to produce a desired color.
(Adopted 11/21/01; Renumbered 7/1/09)
- 8-3-259 Traffic Marking Coating:** A coating labeled and formulated for marking and striping streets, highways, or other traffic surfaces including, but not limited to curbs, berms, driveways, parking lots, sidewalks, and airport runways.
(Adopted 5/18/83; Amended, Renumbered 11/21/01; Renumbered 7/1/09)
- 8-3-260 Tub and Tile Refinish Coating:** A clear or opaque coating that is labeled and formulated exclusively for refinishing the surface of a bathtub, shower, sink, or countertop. Tub and Tile Refinish Coatings must meet all of the following criteria:
- 260.1 The coating must have a scratch hardness of 3H or harder and a gouge hardness of 4H or harder. This must be determined on bonderite 1000, in accordance with ASTM D3363-05, incorporated by reference in Section 8-3-605.14.
 - 260.2 The coating must have a weight loss of 20 milligrams or less after 1000 cycles. This must be determined with CS-17 wheels on bonderite 1000, in accordance with ASTM D4060-07, incorporated by reference in Section 8-3-605.15;
 - 260.3 The coating must withstand 1000 hours or more of exposure with few or no #8 blisters. This must be determined on unscribed bonderite, in accordance with ASTM D4585-99 and ASTM D714-02e1, incorporated by reference in Section 8-3-605.16; and
 - 260.4 The coating must have an adhesion rating of 4B or better after 24 hours of recovery. This must be determined on unscribed bonderite, in accordance with ASTM D4585-99 and ASTM D3359-02, incorporated by reference in Section 8-3-607.13.
(Adopted July 1, 2009)
- 8-3-261 Undercoater:** A coating labeled and formulated to provide a smooth surface for subsequent coats.
(Adopted 11/21/01; Renumbered 7/1/09)
- 8-3-262 Veneer:** Thin sheets of wood peeled or sliced from logs for use in the manufacture of wood products such as plywood, laminated veneer lumber, or other products.
(Adopted July 1, 2009)

- 8-3-263 Virgin Materials:** Material that contain no post-consumer coatings or secondary industrial materials.
(Adopted July 1, 2009)
- 8-3-264 Volatile Organic Compound (VOC):** Any organic compound (excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates and ammonium carbonate) which would be emitted during use, application, curing or drying of an architectural coating.
264.1 Except as provided in Section 8-3-264.2, for the purpose of calculating VOC content of a coating, any water or the following non-precursor organic compounds:
acetone
methyl acetate
parachlorobenzotrifluoride (PCBTF)
cyclic, branched or linear, completely methylated siloxanes (VMS)
shall not be considered to be part of the coating.
264.2 For the purposes of calculating VOC content of a low solids coating, any water or non-precursor organic compound listed in Section 8-3-264.1 shall be considered part of the coating, but shall not be considered part of the VOC content of the coating.
(Adopted 12/20/95; Amended 11/4/98; Amended, Renumbered 11/21/01; 7/1/09)
- 8-3-265 VOC Content:** The VOC content of a coating as calculated pursuant to Section 8-3-607.
(Adopted 11/21/01; Amended, Renumbered 11/21/01; 7/1/09)
- 8-3-266: Waterproofing Membrane:** A clear or opaque coating that is labeled and formulated for application to concrete and masonry surfaces to provide a seamless waterproofing membrane that prevents any penetration of liquid water into the substrate. Waterproofing Membranes are intended for the following waterproofing applications: below-grade surfaces, between concrete slabs, inside tunnels, inside concrete planters, and under flooring materials. Waterproofing Membranes must meet the following criteria:
266.1 Coating must be applied in a single coat of at least 25 mils (at least 0.025 inch) dry film thickness; and
266.2 Coatings must meet or exceed the requirements contained in ASTM C836-06, incorporated by reference in Section 8-3-605.17.
The Waterproofing Membranes category does not include topcoats that are included in the Concrete/Masonry Sealer category (e.g., parking deck topcoats, pedestrian deck topcoats, etc.).
(Adopted July 1, 2009)
- 8-3-267 Wood Coatings:** Coatings labeled and formulated for application exclusively to wood substrates only. The Wood Coatings category includes the following clear and semitransparent coatings: lacquers, varnishes, sanding sealers, penetrating oils; clear stains; wood conditioners used as undercoats, and wood sealers used as topcoats. The Wood Coatings category also includes the following opaque wood coatings: opaque lacquers, opaque sanding sealers, and opaque lacquer undercoaters. The Wood Coatings category does not include the following: clear sealers that are labeled and formulated for use on concrete/masonry surfaces, or coatings intended for substrates other than wood. Wood Coatings must be labeled "For Wood Substrates Only," in accordance with Section 8-3-401.13.
(Adopted July 1, 2009)
- 8-3-268 Wood Preservative:** A coating labeled and formulated to protect exposed wood from decay or insect attack, that is registered with both the U.S. Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act (7 United States Code (U.S.C.) Section 136, *et seq.*) and with the California Department of Pesticide Regulation.
(Adopted 5/18/83; Amended, Renumbered 11/21/01; Renumbered 7/1/09)
- 8-3-269 Wood Substrate:** A substrate made of wood, particleboard, plywood, medium density fiberboard, rattan, wicker, bamboo, or composite products with exposed wood grain. Wood Substrate does not include any item comprised of simulated wood.
(Adopted July 1, 2009)

- 8-3-270 Zinc-Rich Primer:** A coating that meets all of the following specifications:
- 270.1 Contains at least 65 percent metallic zinc powder or zinc dust by weight of total solids; and
 - 270.2 Formulated for application to metal substrates to provide a firm bond between the substrate and subsequent applications of coatings; and
 - 270.3 Intended for professional use only and is labeled as such, in accordance with the labeling requirements in Section 8-3-401.14.
- (Adopted July 1, 2009)*
- 8-3-271 Antenna Coating:** A coating labeled and formulated exclusively for application to equipment and associated structural appurtenances that are used to receive or transmit electromagnetic signals. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- (Adopted 11/21/01; Amended, Renumbered 7/1/09)*
- 8-3-272 Antifouling Coating:** A coating labeled and formulated for application to submerged stationary structures and their appurtenances to prevent or reduce the attachment of marine or freshwater biological organisms. To qualify as an antifouling coating, the coating must be registered with both the U.S. Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Section 136, *et seq.*) and with the California Department of Pesticide Regulation. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- (Adopted 11/21/01; Amended, Renumbered 7/1/09)*
- 8-3-273 Clear Brushing Lacquers:** Clear wood finishes, excluding clear lacquer sanding sealers, formulated with nitrocellulose or synthetic resins to dry by solvent evaporation without chemical reaction and to provide a solid, protective film, which are intended exclusively for application by brush, and which are labeled as specified in Section 8-3-401.5. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- (Adopted 11/21/01; Amended, Renumbered 7/1/09)*
- 8-3-274 Clear Wood Coatings:** Clear and semi-transparent coatings, including lacquers and varnishes, applied to wood substrates to provide a transparent or translucent solid film. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- (Adopted 11/21/01; Amended, Renumbered 7/1/09)*
- 8-3-275 Fire-Retardant Coating:** A coating labeled and formulated to retard ignition and flame spread, that has been fire tested and rated by a testing agency approved by building code officials for use in bringing building and construction materials into compliance with federal, state, and local building code requirements. The fire-retardant coating and the testing agency must be approved by building code officials. The fire-retardant coating shall be tested in accordance with ASTM Designation E 84-07, incorporated by reference in Section 8-3-605.1. Effective January 1, 2011, coatings with fire retardant properties will be subject to the VOC limit of their primary category, (e.g., Flat, Nonflat, etc.). Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- (Renumbered 5/18/81; Amended, Renumbered 7/1/09)*
- 8-3-276 Flow Coating:** A coating labeled and formulated exclusively for use by electric power companies or their subcontractors to maintain the protective coating systems present on utility transformer units. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- (Adopted 11/21/01; Amended, Renumbered 7/1/09)*
- 8-3-277 Lacquer:** A clear or opaque wood coating, including clear lacquer sanding sealers, formulated with cellulosic or synthetic resins to dry by evaporation without chemical reaction and to provide a solid, protective film. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.

(Amended, Renumbered 5/18/83; 11/21/01; 7/1/09)

- 8-3-278 Quick-Dry Enamel:** A nonflat coating that is labeled as specified in Section 8-3-401.8 and that is formulated to have the following characteristics:
- 278.1 Is capable of being applied directly from the container under normal conditions with ambient temperatures between 16°C and 27°C (60°F and 80°F);
- 278.2 When tested in accordance with ASTM Designation D 1640-95, incorporated by reference in Section 8-3-605.6, sets to touch in 2 hours or less, is tack free in 4 hours or less, and dries hard in 8 hours or less by the mechanical method test; and
- 278.3 Has a dried film gloss of 70 or above on a 60-degree meter.
- Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- (Adopted 9/1/82; Amended, Renumbered 5/18/83; 11/21/01; 7/1/09)*
- 8-3-279 Quick Dry Primer, Sealer, and Undercoater:** A primer, sealer, or undercoater that is dry to touch in 30 minutes and can be recoated in 2 hours when tested in accordance with ATSM D 1640-95, incorporated by reference in Section 8-3-607.6. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- (Adopted 5/18/83; Amended, Renumbered 11/21/01; 7/1/09)*
- 8-3-280 Sanding Sealer:** A clear or semi-transparent wood coating labeled and formulated for application to bare wood to seal the wood and to provide a coat that can be abraded to create a smooth surface for subsequent applications of coatings. A sanding sealer that also meets the definition of a lacquer is not included in this category, but is included in the lacquer category. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- (Adopted 11/21/01; Amended, Renumbered 7/1/09)*
- 8-3-281 Sealer:** A coating labeled and formulated for application to a substrate for one or more of the following purposes: to prevent subsequent coatings from being absorbed by the substrate, or to prevent harm to subsequent coatings by materials in the substrate. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- (Adopted 11/21/01; Amended, Renumbered 7/1/09)*
- 8-3-282 Swimming Pool Repair and Maintenance Coating:** A rubber based coating labeled and formulated to be used over existing rubber based coatings for the repair and maintenance of swimming pools. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- (Adopted 11/21/01; Amended, Renumbered 7/1/09)*
- 8-3-283 Temperature-Indicator Safety Coating:** A coating labeled and formulated as a color-changing indicator coating for the purpose of monitoring the temperature and safety of the substrate, underlying piping, or underlying equipment, and for application to substrates exposed continuously or intermittently to temperatures above 204°C (400°F). Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- ((Adopted 11/21/01; Amended, Renumbered 7/1/09)*
- 8-3-284 Varnish:** A clear or semi-transparent wood coating, excluding lacquers and shellacs, formulated to dry by chemical reaction on exposure to air. Varnishes may contain small amounts of pigment to color a surface, or to control the final sheen or gloss of the finish. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.
- (Amended, Renumbered 5/18/83; Amended 1/8/86; Amended, Renumbered 11/21/01, 7/1/09)*
- 8-3-285 Waterproofing Concrete/Masonry Sealer:** A clear or pigmented film-forming coating that is labeled and formulated for sealing concrete and masonry to provide

resistance against water, alkalis, acids, ultraviolet light, and staining. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.

(Adopted 11/21/01; Amended, Renumbered 7/1/09)

8-3-286 Waterproofing Sealer: A coating labeled and formulated for application to a porous substrate for the primary purpose of preventing the penetration of water. Effective January 1, 2011, a coating meeting this definition will be subject to the VOC limit for the applicable category in 8-3-301, Table 2, except as provided in Section 8-3-302.

(Amended, Renumbered 5/18/83; 11/21/01; 7/1/09)

8-3-300 STANDARDS

8-3-301 VOC Content Limits: Except as provided in Sections 8-3-302, 303, 307, and 309, no person shall: (i) manufacture, blend, or repackage for sale within the District; (ii) supply, sell, or offer for sale within the District; or (iii) solicit for application or apply within the District, any architectural coating with a VOC content, as calculated pursuant to Section 8-3-607, in excess of the corresponding limit specified in the following tables. Limits are expressed in grams of VOC per liter of coating as thinned to the manufacturer's maximum recommendation, excluding the volume of any water, exempt compounds, or colorant added to the tint bases, except that, for low solids coatings, the volume of water and exempt compounds is not excluded.

Table 1 shall be effective until January 1, 2011:

TABLE 1

Coating Category	Limit
Flat Coatings	100
Nonflat Coatings	150
Nonflat – High Gloss Coatings	250
Specialty Coatings:	
Antenna Coatings	530
Antifouling Coatings	400
Bituminous Roof Coatings	300
Bituminous Roof Primers	350
Bond Breakers	350
Clear Wood Coatings:	
Clear Brushing Lacquer	680
Lacquer (including lacquer sanding sealer)	550 ⁽¹⁾
Sanding sealer	350
Varnish	350
Concrete Curing Compounds	350
Dry Fog Coatings	400
Faux Finishing Coatings	350
Fire Resistive Coatings	350
Fire Retardant Coatings:	
Clear	650
Opaque	350
Floor Coatings	250
Flow Coatings	420
Form-Release Compounds	250
Graphic Arts Coatings (Sign Paints)	500
High Temperature Coatings	420
Industrial Maintenance Coatings	250
Low Solids Coatings	120
Magnesite Cement Coatings	450
Mastic Texture Coatings	300
Metallic Pigmented Coatings	500

Coating Category	Limit
Multi-Color Coatings	250
Pre-Treatment Wash Primers	420
Primers, Sealers, and Undercoaters	200
Quick-Dry Enamels	250
Quick-Dry Primers, Sealers, Undercoaters	200
Recycled Coatings	250
Roof Coatings	250
Rust Preventative Coatings	400
Shellacs:	
Clear	730
Opaque	550
Specialty Primers, Sealers and Undercoaters	350
Stains	250
Swimming Pool Coatings	340
Swimming Pool Repair and Maintenance Coatings	340
Temperature-Indicator Safety Coatings	550
Traffic Marking Coatings	150
Waterproofing Concrete/Masonry Sealers	400
Waterproofing Sealers	250
Wood Preservatives:	
Above ground	350
Below ground	350

⁽¹⁾ A person may add up to 10 percent by volume of VOC to a lacquer to avoid blushing of the finish provided that, (i) the relative humidity at the time of coating application is greater than 70%, (ii) the temperature at the time of coating application is below 18°C (65°F), (iii) the lacquer contains acetone, and (iv) the lacquer contains no more than 550 grams of VOC per liter of coating, less water and exempt compounds, prior to the addition.

Table 2 shall be effective on and after January 1, 2011:

TABLE 2

Coating Category:	VOC Limit (g/l)	
	Effective Dates	
	1/1/2011	1/1/2012
Flat Coatings	50	
Nonflat Coatings	100	
Nonflat – High Gloss Coatings	150	
Specialty Coatings		
Aluminum Roof	400	
Basement Specialty Coatings	400	
Bituminous Roof Coatings	50	
Bituminous Roof Primers	350	
Bond Breakers	350	
Concrete Curing Compounds	350	
Concrete/Masonry Sealers	100	
Driveway Sealer	50	
Dry Fog Coatings	150	
Faux Finishing Coatings	350	
Fire Restive Coatings	350	
Floor Coatings	100	
Form-Release Compounds	250	

Coating Category:	VOC Limit (g/l)	
	Effective Dates	
	1/1/2011	1/1/2012
Graphic Arts Coatings (Sign Paints)	500	
High Temperature Coatings	420	
Industrial Maintenance Coatings	250	
Low Solids Coatings	120	
Magnesite Cement Coatings	450	
Mastic Texture Coatings	100	
Metallic Pigmented Coatings	500	
Multi-Color Coatings	250	
Pre-Treatment Wash Primers	420	
Primers, Sealers, and Undercoaters	100	
Reactive Penetrating Sealer	350	
Recycled Coatings	250	
Roof Coatings	50	
Rust Preventative Coatings	400	250
Shellacs: Clear	730	
Shellacs: Opaque	550	
Specialty Primers, Sealers and Undercoaters	350	100
Stains	250	
Stone Consolidants	450	
Swimming Pool Coatings	340	
Traffic Marking Coatings	100	
Tub and Tile Refinish Coatings	420	
Waterproofing Membranes	250	
Wood Coatings	275	
Wood Preservatives	350	
Zinc-Rich Primer	340	

(Amended 9/1/82; 5/18/83; 1/8/86; 9/3/86; 11/4/98; Amended 11/21/01; 7/1/09)

8-3-302 Most Restrictive VOC Limits:

302.1 Effective until January 1, 2011, if anywhere on the container of any architectural coating or any label or sticker affixed to the container, or in any sales, advertising or technical literature supplied by a manufacturer or anyone acting on their behalf, any representation is made that indicates that the coating meets the definition of or is recommended for use for more than one of the coating categories listed in the table in Section 8-3-301, then the most restrictive VOC limit shall apply. This Section does not apply to the following coating categories:

- 1.1 Antenna coatings,
- 1.2 Antifouling coatings,
- 1.3 Bituminous roof coatings,
- 1.4 Fire-retardant coatings,
- 1.5 Flow coatings,
- 1.6 High temperature coatings,
- 1.7 Industrial maintenance coatings,
- 1.8 Lacquer coatings (including lacquer sanding sealers),
- 1.9 Low-solids coatings,
- 1.10 Metallic pigmented coatings,
- 1.11 Pretreatment wash primers,
- 1.12 Shellacs,
- 1.13 Specialty primers, sealers and undercoaters,

- 1.14 Temperature-indicator safety coatings, and
- 1.15 Wood preservatives.

302.2 Effective January 1, 2011, if a coating meets a definition listed in Section 8-3-200 for one or more specialty coating categories that are listed in Section 8-3-301, Table 2, then that coating is not required to meet the VOC limits for Flat, Nonflat, or Nonflat – High Gloss coatings, but is required to meet the VOC limits for the applicable specialty coating listed in Section 8-3-301, Table 2. With the exception of the specialty coating categories specified in Sections 8-3-302.2.1 through 302.2.12, if a coating is recommended for use in more than one of the specialty coating categories, then the most restrictive limit shall apply. This requirement applies to usage recommendations that appear anywhere on the coating container, any label or sticker affixed to the container, or in any sales, advertising, or technical literature supplied by a manufacturer or anyone acting on their behalf:

- 2.1 Aluminum roof coatings,
- 2.2 Bituminous roof primers,
- 2.3 High temperature coatings,
- 2.4 Industrial maintenance coatings,
- 2.5 Low-solids coatings,
- 2.6 Metallic pigmented coating,
- 2.7 Pretreatment wash primers,
- 2.8 Shellacs,
- 2.9 Specialty primers, sealers, and undercoaters,
- 2.10 Wood coatings,
- 2.11 Wood preservatives,
- 2.12 Zinc-rich primers

(Adopted 4/17/86; Amended 1/8/86; Amended, Renumbered 11/21/01; Amended 7/1/09)

8-3-303 Sell-Through of Coatings: Any coating manufactured prior to the effective date specified for that coating in Section 8-3-301, Table 2 may be supplied, offered for sale, or sold for up to three years after the effective dates provided that (i) the coating was in compliance with the VOC limits in effect at the time of manufacture, and (ii) the date or date-code is displayed on the coating container as required by Section 8-3-401.1. Any coating subject to this Section may be applied at any time both before and after the specified effective dates.

(Adopted 11/21/01; Amended 7/1/09)

8-3-304 Painting Practices and Solvent Usage and Storage: Any person using organic solvent for surface preparation and cleanup or mixing, using or disposing of coating or stripper containing organic solvent:

- 304.1 Shall close containers used for the storage or disposal of cloth or paper used for solvent surface preparation and cleanup when not in use;
- 304.2 Shall close containers of fresh or spent solvent, coating, catalyst, thinner reducer, or solvent when not in use; and
- 304.3 Shall not use organic compounds for the cleanup of spray equipment, including paint lines, unless equipment for collecting the organic compounds and minimizing their evaporation to the atmosphere is used.

“In use” is the active application of contents to a surface by pouring, siphoning, brushing, rolling, padding, ragging or other means. Architectural coating containers include but are not limited to, drums, buckets, cans, pails, trays and any other application containers.

(Adopted 11/21/01; Amended 7/1/09)

8-3-305 Prohibition of Excess Thinning: No person who applies or solicits the application of any architectural coating shall apply a coating that is thinned to exceed the applicable VOC limit specified in Section 8-3-301.

(Adopted November 21, 2001)

8-3-306 Rust Preventative Coatings: Effective until January 1, 2012, no person shall apply or solicit the application of any rust preventative coating for other than non-industrial use, unless such coating complies with the VOC limit for industrial maintenance coating as specified in Section 8-3-301.

(Adopted 11/21/01; Amended 7/1/09)

8-3-307 **Coatings Not Listed in Section 8-3-301:** Any coating that does not meet any of the definitions for a specialty coating listed in Section 8-3-301, Table 1 or 2 shall be classified as a flat, nonflat or nonflat high gloss coating, based on its gloss, as defined in Section 8-3-221, 234 or 235, and the corresponding VOC limit in Section 8-3-301, Table 1 or 2 shall apply.

(Adopted 11/21/01; Amended 7/1/09)

8-3-308 Deleted July 1, 2009

8-3-309 Limited Allowance, Industrial Maintenance Coatings: Effective January 1, 2004, industrial maintenance coatings with a VOC content of greater than 250 grams VOC per liter but no greater than 340 grams VOC per liter may be manufactured, sold, offered for sale, solicited, and applied in the District provided the user of the coating, or manufacturer or seller on behalf of the user, has petitioned the APCO for use of the coating as per Section 8-3-402 and has received written approval. The APCO shall not approve any petition if the approval, when combined with approvals granted previously during the calendar year, would result in excess emissions of greater than 10 tons per year. Excess emissions are emissions greater than those that would result from an equal volume of coating at the VOC limit of 250 grams per liter. This Section shall not apply to industrial maintenance coatings offered for sale to the general public.

(Adopted November 21, 2001)

8-3-400 ADMINISTRATIVE REQUIREMENTS

8-3-401 Container Labeling Requirements: Each container for any coating subject to this Rule shall display all the information in Section 8-3-401.1 through 401.3, and, as applicable, the information in Section 8-3-401.4 through 401.9:

- 401.1 Date Code: The date the coating was manufactured, or a date code representing the date shall be indicated on the label, lid or bottom of the container. If the manufacturer uses a date code, an explanation of each code must be filed with the Executive Officer of the Air Resources Board and be made available to the Air Pollution Control Officer on request.
- 401.2 Thinning Recommendation: A statement of the manufacturer's recommendation regarding thinning of the coating so as not to exceed the VOC limit listed in Section 8-3-301 shall be indicated on the label or lid of the container. This requirement does not apply to the thinning of coatings with water. If thinning prior to use is not necessary, the recommendation must specify that the coating is to be applied without thinning.
- 401.3 VOC Content: Each container of any coating subject to this rule shall display one of the following values in grams of VOC per liter of coating:
 - 3.1 Maximum VOC content as determined from all potential product formulations; or
 - 3.2 VOC content as determined from actual formulation data; or
 - 3.3 VOC content as determined using the applicable test methods in Sections 8-3-601 through 605.
 - 3.4 If the manufacturer does not recommend thinning, the container must display the VOC content, as supplied.
 - 3.5 If the manufacturer recommends thinning, the container must display the VOC content including the maximum amount of thinning solvent recommended by the manufacturer.
 - 3.6 Effective January 1, 2011, if the coating is a multi-component product, the container must display the VOC content as mixed or catalyzed.
 - 3.7 Effective January 1, 2011, if the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the curing process, the VOC content must include the VOCs emitted during curing.
- 401.4 Industrial Maintenance Coatings: Until January 1, 2011, on the label or lid; one or more of the following: (i) "For Industrial Use Only," (ii) "For Professional Use Only," (iii) "Not For Residential Use," or (iv) "Not Intended For Residential Use" shall be prominently displayed. Effective January 1,

- 2011, the labels of all industrial maintenance coatings shall prominently display the statement “For industrial use only” or “For professional use only.”
- 401.5 For Clear Brushing Lacquers: Until January 1, 2011, “For Brush Application Only,” and “This Product Must Not Be Thinned Or Sprayed” shall be prominently displayed on the label.
- 401.6 For Rust Preventative Coatings: “For Metal Substrates Only” shall be prominently displayed on the label.
- 401.7 For Specialty Primers, Sealers, and Undercoaters: Until January 1, 2011, one of the following: (i) For Blocking Stains, (ii) For Fire-Damaged Substrates, (iii) For Smoke-Damaged Substrates, (iv) For Water-Damaged Substrates, or, (v) For Excessively Chalky Surfaces shall be prominently displayed on the label.
- 401.8 For Quick Dry Enamels: Until January 1, 2011, “Quick Dry” and the dry hard time shall be prominently displayed on the label.
- 401.9 For Nonflat – High Gloss Coatings: “High Gloss” shall be prominently displayed on the label.
- 401.10 For Faux Finishing Coatings: Effective January 1, 2011, the labels of all clear topcoat sold as part of a Faux Finishing Coating system shall prominently display the statement “This product can only be sold or used as part of a Faux Finishing coating system.”
- 401.11 For Reactive Penetrating Sealers: Effective January 1, 2011, the labels of all Reactive Penetrating Sealers shall prominently display the statement “Reactive Penetrating Sealer.”
- 401.12 For Stone Consolidants: Effective January 1, 2011, the labels of all Stone Consolidants shall prominently display the statement “Stone Consolidant – For Professional Use Only.”
- 401.13 For Wood Coatings: Effective January 1, 2011, the labels of all Wood Coatings shall prominently display the statement “For Wood Substrates Only.”
- 401.14 For Zinc Rich Primers: Effective January 1, 2011, the labels of all Zinc Rich Primers shall prominently display the statement “For Industrial Use Only” or “For Professional Use Only.”

(Amended 3/17/82; 12/1/82; 5/18/83; 1/8/86; Amended, Renumbered 11/21/01; Amended 7/1/09)

8-3-402 Petition, Limited Allowance for Industrial Maintenance Coatings: A person seeking to use the limited allowance for industrial maintenance coatings as per Section 8-3-309 shall comply with the following requirements:

- 402.1 The petitioner shall certify that complying coatings able to meet the job performance requirements are not available.
- 402.2 The petition shall contain the following information, as applicable: (i) job requirements, and job and site description, (ii) volume of coating required, and, (iii) maximum VOC content of coating to be applied.
- 402.3 If the APCO grants written approval, the approval shall contain volume and allowable VOC content conditions. Until written approval is granted and received by the petitioner, all provisions of this Rule shall apply.

(Adopted November 21, 2001)

8-3-500 MONITORING AND RECORDS

8-3-501 Deleted July 1, 2009

8-3-502 Sales Data: A responsible official from each manufacturer shall, upon request of the Executive Officer of the ARB, or his or her delegate, provide data concerning the distribution and sales of architectural coatings. The responsible official shall within 180 days provide information including, but not limited to:

- 502.1 The name and mailing address of the manufacturer;
- 502.2 The name, address and telephone number of a contact person;
- 502.3 The name of the coating products as it appears on the label and the applicable coating category;
- 502.4 Whether the product is marketed for interior or exterior use or both;

- 502.5 The number of gallons sold in California in containers greater than one liter (1.057 quarts) and equal to or less than one liter (1.057 quart);
- 502.6 The VOC Actual content and VOC Regulatory content in grams per liter. VOC Actual is calculated according to the equation in Section 8-3-608 for all coatings. VOC Regulatory is calculated according to the equation in Section 8-3-609, except for low-solids coatings, which is also determined according to Section 8-3-608. If thinning is recommended, list the VOC Actual content and VOC regulatory content after maximum recommended thinning. If containers less than one liter have a different VOC content than containers greater than one liter, list separately. If the coating is a multi-component product, provide the VOC content as mixed or catalyzed;
- 502.7 The names and CAS numbers of the VOC constituents in the product;
- 502.8 The names and CAS numbers of any compounds in the product specifically exempted from the VOC definition, as listed in Section 8-3-264;
- 502.9 Whether the product is marketed as solventborne, waterborne, or 100 percent solids;
- 502.10 Description of resin or binder in the product;
- 502.11 Whether the coating is a single-component or multi-component product;
- 502.12 The density of the product in pounds per gallon;
- 502.13 The percent by weight of solids, all volatile materials, water, and any compound in the product specifically exempted from the VOC definition, as listed in Section 8-3-264;
- 502.14 The percent by volume of solids, all volatile materials, water, and any compound in the product specifically exempted from the VOC definition, as listed in Section 8-3-264;

All sales data listed in Section 8-3-502.1 through 502.14 shall be maintained by the responsible official for a minimum of three years. Sales data submitted by the responsible official to the Executive Officer of the ARB may be claimed as confidential, and such information shall be handled in accordance with the procedures specified in Title 17, California Code of Regulations, Sections 91000-91022.

(Adopted July 1, 2009)

8-3-600 MANUAL OF PROCEDURES

8-3-601 Determination of Compliance, Air-Dried Water Reducible Coatings: The means by which compliance of air-dried, water reducible coatings is determined are found in the Manual of Procedures, Volume III, Method 21.

(Amended 3/17/82; 5/18/83)

8-3-602 Determination of Compliance, Air-Dried Solvent Based Coatings: The means by which compliance of air-dried, solvent based coatings is determined are found in the Manual of Procedures, Volume III Method 22.

(Amended 3/17/82; 5/18/83)

8-3-603 Deleted November 21, 2001

8-3-604 Determination of Compliance, Low Solids Architectural Coatings: The means by which compliance of low solids architectural coatings is determined are found in the Manual of Procedures, Volume III, Method 31.

(Adopted November 4, 1998)

8-3-605 Incorporated Test Methods: The following test methods are incorporated by reference herein, and shall be used to test coatings subject to provisions of this Rule:

- 605.1 Flame Spread Index: The flame spread index of a fire-retardant coating shall be determined by ASTM Designation E 84-07, "Standard Test Method for Surface Burning Characteristics of Building Materials," (see Section 8-3-275, Fire-Retardant Coating).
- 605.2 Fire Resistance Rating: The fire resistance rating of a fire-resistive coating shall be determined by ASTM Designation E 119-07, "Standard Test Methods for Fire Tests of Building Construction Materials," (see Section 8-3-220, Fire-Resistive Coating).
- 605.3 Gloss Determination: The gloss of a coating shall be determined by ASTM Designation D 523-89 (1999), "Standard Test Method for Specular Gloss,"

- (see Sections 8-3-221, 234, 235, and 278, Flat Coating, Nonflat Coating, Nonflat High Gloss Coating, and Quick-Dry Enamels).
- 605.4 Metal Content of Coatings: The metallic content of a coating shall be determined by South Coast Air Quality Management District Method 318-95, "Determination of Weight Percent Elemental Metal in Coatings by X-Ray Diffraction," South Coast Air Quality Management District "Laboratory Methods of Analysis for Enforcement Samples," (see Section 8-3-219, Faux Finishing Coating or Section 8-3-232, Metallic Pigmented Coating).
- 605.5 Acid Content of Coatings: Measurement of acid content of Pre-Treatment Wash Primers shall be determined by ASTM Designation D 1613-06, "Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer, and Related Products," (see Section 8-3-241, Pre-Treatment Wash Primers).
- 605.6 Drying Times: The set-to-touch, dry-hard, dry-to-touch, and dry-to-recoat times of a coating shall be determined by ASTM Designation D 1640-95, "Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature," (see Sections 8-3-278 and 279, Quick-Dry Enamel and Quick-Dry Primer, Sealer, and Undercoater). The tack-free time of a quick-dry enamel coating shall be determined by the Mechanical Test Method of ASTM Designation D 1640-95.
- 605.7 Surface Chalkiness: The chalkiness of a surface shall be determined using ASTM Designation D 4214-98, "Standard Test Methods for Evaluating the Degree of Chalking of Exterior Paint Films," (see Section 8-3-254, Specialty Primer, Sealer, and Undercoater).
- 605.8 Exempt Compounds – Siloxanes: The quantity of cyclic, branched, or linear completely methylated siloxanes shall be analyzed by the Manual of Procedures, Volume III, Laboratory Method 43: "Determination of Volatile Methylsiloxanes in Solvent-Based Coatings, Inks, and Related Materials," (see Section 8-3-264, Volatile Organic Compound).
- 605.9 Exempt Compounds – Parachlorobenzotrifluoride (PCBTF): The quantity of parachlorobenzotrifluoride shall be analyzed by the Manual of Procedures, Volume III, Laboratory Method 41, "Determination of Volatile Organic Compounds in Solvent-Based Coatings and Related Materials Containing Parachlorobenzotrifluoride (see Section 8-3-264, Volatile Organic Compound).
- 605.10 Exempt Compounds – Methyl Acetate: The quantity of methyl acetate shall be determined by ASTM Method D-6133-00: "Standard Test Method for Acetone, PCBTF, Methyl Acetate or t-Butyl Acetate Content of Solvent-Reducible and Water Reducible Paints, Coatings, Resins, and Raw Materials by Direct Injection Into a Gas Chromatograph." (see Section 8-3-264, Volatile Organic Compound).
- 605.11 Hydrostatic Pressure for Basement Specialty Coatings: The hydrostatic pressure for a basement specialty coating shall be determined by ASTM D7088-04, "Standard Practice for Resistance to Hydrostatic Pressure for Coatings Used in Below Grade Applications Applied to Masonry." (See section 8-3-206, Basement Specialty Coating.)
- 605.12 Methacrylate Traffic Marking Coatings: The VOC content of methacrylate multicomponent coatings used as traffic marking coatings shall be analyzed by the procedures in 40 CFR part 59, subpart D, appendix A, "Determination of Volatile Matter Content of Methacrylate Multicomponent Coatings Used as Traffic Marking Coatings."
- 605.13 Tub and Tile Refinish Coating Adhesion: The adhesion of a tub and tile refinish coating shall be determined by ASTM D 4585-99 "Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation" and ASTM D3359-02, "Standard Test Methods for Measuring Adhesion by Tape Test." (See Section 8-3-260, Tub and Tile Refinishing Coating.)
- 605.14 Tub and Tile Refinish Coating Hardness: The hardness of a tub and tile refinish coating shall be determined by ASTM D3363-05, "Standard Test

Method for Film Hardness by Pencil Test.” (See Section 8-3-260, Tub and Tile Refinishing Coating.)

- 605.15 Tub and Tile Refinish Coating Abrasion Resistance: The abrasion resistance of a tub and tile refinishing coating shall be determined by ASTM D 4060-07, “Standard Test Methods for Abrasion Resistance of Organic Coatings by the Taber Abraser.” (See Section 8-3-260, Tub and Tile Refinishing Coating.)
- 605.16 Tub and Tile Refinish Coating Water Resistance: The water resistance of a tub and tile refinishing coating shall be determined by ASTM D4585-99, “Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation” and ASTM D714-02e1, “Standard Test Method for Evaluating Degree of Blistering of Paint.” (See Section 8-3-260, Tub and Tile Refinish Coating.)
- 605.17 Waterproofing Membrane: The water resistance of a waterproofing membrane shall be determined by ASTM C836-06, “Standard Specification for High Solids Content, Cold Liquid-Applied Elastomeric Waterproofing Membrane for Use with Separate Wearing Course.” (See Section 8-3-266, Waterproofing Membrane.)
- 605.18 Mold and Mildew Growth Resistance for Basement Specialty Coatings: The mildew growth resistance of a basement specialty coating shall be determined by ASTM D3273-00, “Standard Test Method for Resistance to Growth of Mold on the Surface of Interior Coatings in an Environmental Chamber” and ASTM D3274-95, “Standard Test Method for Evaluating Degree of Surface Disfigurement of Paint Films by Microbial (Fungal or Algal) Growth or Soil and Dirt Accumulation.” (See Section 8-3-206, Basement Specialty Coating.)
- 605.19 Reactive Penetrating Sealer Water Repellency: The water repellency of a reactive penetrating sealer shall be determined by ASTM C67-07, “Standard Test Method for Sampling and Testing Brick and Structural Clay Tile”; or ASTM C97-02, “Standard Test Method for Absorption and Bulk Specific Gravity of Dimension Stone”; or ASTM C140-06, “Standard Test Method for Sampling and Testing Concrete Masonry Units and Related Units.” (See Section 8-3-243, Reactive Penetrating Sealer.)
- 605.20 Reactive Penetrating Sealer Water Vapor Transmission: The water vapor transmission of a reactive penetrating sealer shall be determined by ASTM E96/E96M-05, Standard Test Method for Water Vapor Transmission of Materials.” (See Section 8-3-243, Reactive Penetrating Sealer.)
- 605.21 Reactive Penetrating Sealer – Chloride Screening Applications: The performance criteria of reactive penetrating sealers shall be determined by National Cooperative Highway Research Report 244 (1981), “Concrete Sealers for the Protection of Bridge Structures.” (See Section 8-3-243, Reactive Penetrating Sealer.)
- 605.22 Stone Consolidants: The specification criteria of a stone Consolidant shall be determined by ASTM E2167-01, “Standard Guide for Selection and Use of Stone Consolidants.” (See Section 8-3-256, Stone Consolidant.)

(Adopted 11/21/01; Amended 7/1/09)

8-3-606 Alternative Test Methods: As an alternative to Sections 8-3-601 and 602, the following test methods may be used:

- 606.1 U.S. EPA Method 24, incorporated by reference as it exists in appendix A of 40 Code of Federal Regulations (CFR) part 60, “Determination of Volatile Matter Content, Water Content, Density, Volume Solids and Weight Solids of Surface Coating.” or
- 606.2 SCAQMD Method 304-91 (Revised 1996), “Determination of Volatile Organic Compounds (VOC) in Various Materials,” incorporated by reference. The exempt compounds content shall be determined by SCAQMD Method 303-91 (Revised 1993),
- 606.3 An alternative method provided the method has been reviewed and approved in writing by the APCO, ARB, and the US EPA; or

606.4 Formulation data or any other reasonable means for predicting that the coating has been formulated as intended (e.g., quality assurance checks, record keeping) may be used to determine the VOC content of a coating, Any inconsistencies between the results of tests and any other means for determining VOC content shall be governed by the District Manual of Procedure or the US EPA Method 24.

(Adopted July 1, 2009)

8-3-607 Calculation of VOC Content: For the purpose of determining compliance with the VOC content limits in Section 8-3-301, the VOC content of a coating shall be determined as prescribed in Section 8-3-608 for low solids coatings or Section 8-3-609 for all other architectural coatings, with exempt compounds defined by Section 8-3-218. The VOC content of a tint base shall be determined without colorant that is added after the tint base is manufactured. If the manufacturer does not recommend thinning, the VOC Content must be calculated for the product as supplied. If the manufacturer recommends thinning, the VOC content must be calculated including the maximum amount of thinning solvent recommended by the manufacturer. If the coating is a multi-component product, the VOC content must be calculated as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the curing process, the VOC content must include the VOCs emitted during curing.

(Adopted July 1, 2009)

8-3-608: Calculation of the Grams of VOC per liter for Low Solids Coatings: Calculate the VOC content by using the following equation:

$$\text{VOC} = \frac{W_s - W_w - W_{es}}{V_m}$$

Where:

W_s = Weight of volatile compounds in grams.

W_w = Weight of water in grams.

W_{es} = Weight of exempt compounds in grams.

V_m = Volume of material in liters.

(Adopted July 1, 2009)

8-3-609: Calculation of the Grams of VOC per liter for All Other Architectural Coatings: Calculate the VOC content by using the following equation:

$$\text{VOC} = \frac{W_s - W_w - W_{es}}{V_m - V_w - V_{es}}$$

Where:

W_s = Weight of volatile compounds in grams.

W_w = Weight of water in grams.

W_{es} = Weight of exempt compounds in grams.

V_m = Volume of material in liters.

V_w = Volume of water in liters.

V_{es} = Volume of exempt compounds in liters.

(Adopted July 1, 2009)