

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

1) Heading of the Part: Standards and Limitations for Organic Material Emissions for Area Sources

2) Code Citation: 35 Ill. Adm Code 223

<u>Section Numbers:</u>	<u>Proposed Action:</u>
223.100	New
223.105	New
223.120	New
223.200	New
223.201	New
223-203	New
223.205	New
223.206	New
223.207	New
223.208	New
223.209	New
223.210	New
223.220	New
223.230	New
223.240	New
223.245	New
223.250	New
223.255	New
223.260	New
223.265	New
223.270	New
223.275	New
223.280	New
223.285	New
223.300	New
223.305	New
223.307	New
223.310	New
223.320	New
223.330	New
223.340	New
223.350	New
223.360	New
223.370	New

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Pollution Control Board

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- 4) Statutory Authority: Sections 27 and 28 of the Illinois Environmental Protection Act. [415 ILCS 5/27 and 28]
- 5) A Complete Description of the Subjects and Issues Involved: These regulations are proposed in order to attain the new USEPA ozone NAAQS by 2010 and to protect the health of Illinois citizens. The regulations seek to reduce volatile organic material emissions ("VOM") from various consumer products, architectural and industrial maintenance products. If adopted, the rule will take effect on January 1, 2009. These products represent significant, yet widely diffuse, sources of VOM and are comprised of the various forms of consumer products used by individual households and small businesses. Together, these items emit about 10% of the total anthropogenic VOM emissions from sources in Illinois.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The regulatory proposal included the Illinois EPA's Technical Support Document that relied on several published studies and reports. Copies of the documents the Illinois EPA relied upon are available for review with the Pollution Control Board.
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b) (2002)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for 45 days after the date of publication in the *Illinois Register*. Comments should reference Docket R09-08 and be addressed to:

John Therriault, Chief Clerk
Clerk's Office
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500

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Chicago, IL 60601

Interested persons may request copies of the Board's opinion and order by calling the Clerk's office at 312-814-3620, or download from the Board's Web site at www.ipcb.state.il.us.

For more information contact Tim Fox at 312/814-6085 or email at foxt@ipcb.state.il.us.

13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: This proposed rulemaking will have a modest impact on small businesses throughout the State.
- B) Reporting, Bookkeeping or other procedures required for compliance: No new forms of recordkeeping are projected to be needed. Although a new topic for some companies, most calculations will be familiar. Standard bookkeeping and recordkeeping skills will suffice. Many larger companies are already performing the reporting, bookkeeping and compliance duties in other states.
- C) Types of professional skills necessary for compliance: Traditional accounting skills and recordkeeping skills will suffice. No new professional skills will be necessary.

14) Regulatory Agenda on which this rulemaking was summarized: July 2007

The full text of the Proposed Rules begins on the next page:

1ST NOTICE VERSION

JCAR350223-0817301r01

1 TITLE 35: ENVIRONMENTAL PROTECTION
2 SUBTITLE B: AIR POLLUTION
3 CHAPTER I: POLLUTION CONTROL BOARD
4 SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS
5 FOR STATIONARY SOURCES
6

7 PART 223
8 STANDARDS AND LIMITATIONS FOR ORGANIC
9 MATERIAL EMISSIONS FOR AREA SOURCES

10
11 SUBPART A: GENERAL PROVISIONS
12

13 Section
14 223.100 Severability
15 223.105 Abbreviations and Acronyms
16 223.120 Incorporations by Reference
17

18 SUBPART B: CONSUMER AND COMMERCIAL PRODUCTS

19 Section
20 223.200 Purpose
21 223.201 Applicability
22 223.203 Definitions for Subpart B
23 223.205 Standards
24 223.206 Diluted Products
25 223.207 Products Registered under FIFRA
26 223.208 Requirements for Aerosol Adhesives
27 223.209 Requirements for Floor Wax Strippers
28 223.210 Products Containing Ozone-Depleting Compounds
29 223.220 Requirements for Charcoal Lighter Material
30 223.230 Exemptions
31 223.240 Innovative Product Exemption
32 223.245 Alternative Compliance Plans
33 223.250 Product Dating
34 223.255 Additional Product Dating Requirements
35 223.260 Most Restrictive Limit
36 223.265 Additional Labeling Requirements for Aerosol Adhesives, Adhesive Removers,
37 Electronic Cleaners, Electrical Cleaners, Energized Electrical Cleaners, and
38 Contact Adhesives
39 223.270 Reporting Requirements
40 223.275 Special Recordkeeping Requirements for Consumer Products that Contain
41 Perchloroethylene or Methylene Chloride
42 223.280 Calculating Illinois Sales
43 223.285 Test Methods

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44
45 SUBPART C: ARCHITECTURAL AND INDUSTRIAL MAINTENANCE COATINGS
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47 Section
48 223.300 Purpose
49 223.305 Applicability
50 223.307 Definitions for Subpart C
51 223.310 Standards
52 223.320 Container Labeling Requirements
53 223.330 Reporting Requirements
54 223.340 Compliance Provisions and Test Methods
55 223.350 Alternative Test Methods
56 223.360 Methacrylate Traffic Coating Markings
57 223.370 Test Methods

58
59 AUTHORITY: Implementing Section 10 and authorized by Sections 27 and 28 of the
60 Environmental Protection Act [415 ILCS 5/10, 27 and 28].

61
62 SOURCE: Adopted in R08-17 at 33 Ill. Reg. ____, effective _____.

63
64 SUBPART A: GENERAL PROVISIONS

65
66 **Section 223.100 Severability**

67
68 If any Section, subsection, or clause of this Part is found invalid, such finding shall not affect the
69 validity of this Part as a whole or any Section, subsection, or clause not found invalid.

70
71 **Section 223.105 Abbreviations and Acronyms**

72
73 Unless otherwise specified within this Part, the abbreviations used in this Part shall be the
74 same as those found in 35 Ill. Adm. Code 211. The following abbreviations and
75 acronyms are used in this Part:

76

ACP	Alternative Control Plan
Act	Environmental Protection Act [415 ILCS 5]
Agency	Illinois Environmental Protection Agency
ASTM	American Society for Testing and Materials
BAAQMD	Bay Area Air Quality Management District
CARB	California Air Resources Board
°C	Degrees Celsius
CFCs	Chlorofluorocarbons
CO ₂	Carbon Dioxide
°F	Degrees Fahrenheit

FDA	United States Food and Drug Administration
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act (7 USC 136 through 136y)
FRP	Fiberglass reinforced plastic
HVOM	High Volatility Organic Material
HCFCs	Hydrochlorofluorocarbons
HFCs	Hydrofluorocarbons
LVP-VOM	Low Vapor Pressure-Volatile Organic Material
MVOM	Medium Volatility Organic Material
N ₂	Nitrogen
N ₂ O	Nitrous Oxide
OER	Original Equipment Manufacturer
PCBTF	Parachlorobenzotrifluoride
ROC	Reactive Organic Compound
ROG	Reactive Organic Gas
SCAQMD	South Coast Air Quality Management District
USEPA	United States Environmental Protection Agency
VOM	Volatile Organic Material

77

78 **Section 223.120 Incorporations by Reference**

79

80 The following materials are incorporated by reference. These incorporations do not include any
81 later amendments or editions.

82

83 a) 40 CFR 59, subpart D, appendix A, Determination of Volatile Matter Content of
84 Methacrylate Multicomponent Coatings Used as Traffic Marking Coatings, 64
85 Fed. Reg. 35002 (June 30, 1999).

86

87 b) 40 CFR 59, subpart C, National Volatile Organic Compound Emission Standards
88 for Consumer Products, 69 Fed. Reg. 18803 (April 4, 2004).

89

90 c) 40 CFR 60, appendix A, Method 24, Determination of Volatile Matter Content,
91 Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings,
92 36 Fed. Reg. 24877 (December 23, 1971).

93

94 d) 40 CFR 82, subpart A, appendix A, Class I Controlled Substances, 68 Fed. Reg.
95 42892 (July 18, 2003) and appendix B, Class II Controlled Substances, 68 Fed.
96 Reg. 2859 (January 21, 2003).

97

98 e) 29 CFR 1910.1200(d)(4), Hazard Communication, 61 Fed. Reg. 9245 (March 7,
99 1996).

100

- 101 f) ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken
 102 PA 19428-2959.
 103
 104 1) ASTM E119-05a, Standard Test Methods for Fire Tests of Building
 105 Construction and Materials, approved November 1, 2005.
 106
 107 2) ASTM D523-89 (1999), Standard Test Method for Specular Gloss,
 108 approved May 10, 1999.
 109
 110 3) ASTM D1640-03, Standard Test Methods for Drying, Curing, or Film
 111 Formation of Organic Coatings at Room Temperature, approved
 112 December 1, 2003.
 113
 114 4) ASTM D3912-95 (2001), Test Method for Chemical Resistance of
 115 Coating Used in Light-Water Nuclear Power Plants, reapproved 2001.
 116
 117 5) ASTM D4082-02, Test Method for Effects of Radiation on Coatings Used
 118 in Light-Water Nuclear Power Plants, approved 2002.
 119
 120 6) ASTM D4214-98, Standard Test Methods for Evaluating the Degree of
 121 Chalking of Exterior Paint Films, approved August 10, 1998.
 122
 123 7) ASTM D1613-03, Standard Test Method for Acidity in Volatile Solvents
 124 and Chemical Intermediates Used in Paint, Varnish, Lacquer, and Related
 125 Products, approved October 1, 2003.
 126
 127 8) ASTM E84-07, Standard Test Method for Surface Burning Characteristics
 128 of Building Materials, approved 2007.
 129
 130 9) ASTM D4359-90 (2006), Standard Test Method for Determining Whether
 131 a Material is a Liquid or a Solid, reapproved 2006.
 132
 133 10) ASTM E260-96 (2006), Standard Practice for Packed Column Gas
 134 Chromatography, reapproved 2006.
 135
 136 11) ASTM E2167-01, Standard Guide for Selection and Use of Stone
 137 Consolidants (see section 4, Stone Consolidant), approved 2001.
 138
 139 12) ASTM C836-06, Specification for High Solids Content, Cold Liquid-
 140 Applied Elastomeric Waterproofing Membrane for Use with Separate
 141 Wearing Course, approved 2006.
 142

- 143 13) ASTM D86-07b, Standard Test Method for Distillation of Petroleum
 144 Products at Atmospheric Pressure, approved 2007.
 145
- 146 g) South Coast Air Quality Management District, 21865 Copley Dr., Diamond Bar
 147 CA 91765.
 148
- 149 1) South Coast Air Quality Management District (SCAQMD) Method 304-
 150 91, Determination of Volatile Organic Compounds in Various Materials,
 151 revised February 1996.
 152
- 153 2) SCAQMD Method 303-91, Determination of Exempt Compounds, revised
 154 February 1993.
 155
- 156 3) SCAQMD Method 318-95, Determination of Weight Percent Elemental
 157 Metal in Coatings by X-Ray Diffraction, approved July 1996.
 158
- 159 h) Bay Area Air Quality Management District Office, 939 Ellis Street, San Francisco
 160 CA 94109.
 161
- 162 1) Bay Area Air Quality Management District (BAAQMD) Method 43,
 163 Determination of Volatile Methylsiloxanes in Solvent-Based Coatings,
 164 Inks, and Related Materials, proposed amendment February 4, 2004.
 165
- 166 2) BAAQMD Method 41, Determination of Volatile Organic Compounds in
 167 Solvent-Based Coatings and Related Materials Containing
 168 Parachlorobenzotrifluoride, proposed amendment February 4, 2004.
 169
- 170 i) California Air Resources Board (CARB) Method 310, Determination of Volatile
 171 Organic Compounds in Consumer Products and Reactive Organic Compounds in
 172 Aerosol Coating Products, amended May 5, 2005. California Air Resources
 173 Board, 1001 I Street, PO Box 2815, Sacramento CA 95812.
 174
- 175 j) SCAQMD Rule 1174, Ignition Method Compliance Certification Protocol
 176 (adopted October 5, 1990).
 177
- 178 k) California Code of Regulations (CCR), title 17 § 94509(h), Standards for
 179 Consumer Products (2005).
 180
- 181 l) California Code, Health and Safety Code, § 41712(h)(2) (2005).
 182
- 183 m) 17 CCR Article 4, Alternate Control Plan §§ 94540-94555 (1996).
 184
- 185 n) 17 CCR § 94511, Innovative Products (1997).

- 186
187 o) 17 CCR § 94503.5, Innovative Products (1996).
188
189 p) 7 USC 136 to 136y, FIFRA, Environmental Pesticide Control, published January
190 19, 2004, in Supplement III of the 2000 Edition of the United States Code.
191
192 q) Federal Specification MMM-A-181D, Adhesives, Phenol, Resorcinol, or
193 Melamine Base (1980).
194

195 SUBPART B: CONSUMER AND COMMERCIAL PRODUCTS
196

197 **Section 223.200 Purpose**
198

199 The purpose of this Subpart is to limit emissions of volatile organic materials (VOMs) by
200 requiring reductions in the VOM content of consumer and commercial products.
201

202 **Section 223.201 Applicability**
203

204 Except as provided in Section 223.230, this Subpart shall apply to any person who sells,
205 supplies, offers for sale, or manufactures consumer products on or after January 1, 2009, for use
206 in Illinois.
207

208 **Section 223.203 Definitions for Subpart B**
209

210 The definitions contained in this Section apply only to the provisions of this Subpart. Unless
211 otherwise defined in this Section, the definitions of terms used in this Subpart shall have the
212 meanings specified for those terms in 35 Ill. Adm. Code 211.
213

214 "Adhesive" means, for purposes of this Subpart, any product that is used to bond
215 one surface to another by attachment. This does not include products used on
216 humans and animals, adhesive tape, contact paper, wallpaper, shelf liners, or any
217 other product with an adhesive incorporated onto or in an inert substrate. For
218 "Contact Adhesive", adhesive does not include units of product, less packaging,
219 that consist of more than one gallon. For "Construction, Panel, and Floor
220 Covering Adhesive", and "General Purpose Adhesive", "Adhesive" does not
221 include units of product, less packaging, that weigh more than one pound and
222 consist of more than 16 fluid ounces. This limitation does not apply to aerosol
223 adhesives.
224

225 "Adhesive Remover" means a product designed to remove adhesive from either a
226 specific substrate or a variety of substrates. "Adhesive Remover" does not
227 include products that remove adhesives intended exclusively for use on humans or
228 animals.

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For the purpose of this definition and the "Adhesive Remover" subcategories listed in this definition, the term "Adhesive" shall mean a substance used to bond one or more materials. Adhesive includes, but is not limited to, caulks, sealants, glues, or similar substances used for the purpose of forming a bond.

"Floor and Wall Covering Adhesive Remover" means a product designed or labeled to remove floor or wall coverings and associated adhesive from the underlying substrate.

"Gasket or Thread Locking Adhesive Remover" means a product designed or labeled to remove gaskets or thread locking adhesives. Products labeled for dual use as a paint stripper and gasket remover and/or thread locking adhesive remover are considered "Gasket or Thread Locking Adhesive Remover".

"General Purpose Adhesive Remover" means a product designed or labeled to remove cyanoacrylate adhesives as well as non-reactive adhesives or residue from a variety of substrates. "General Purpose Adhesive Remover" includes, but is not limited to, the following: products that remove thermoplastic adhesives, pressure sensitive adhesives, dextrine or starchbased adhesives, casein glues, rubber or latex-based adhesives, and products that remove stickers, decals, stencils, or similar materials. "General Purpose Adhesive Remover" does not include "Floor or Wall Covering Adhesive Remover".

"Specialty Adhesive Remover" means a product designed to remove reactive adhesives from a variety of substrates. Reactive adhesives include adhesives that require a hardener or catalyst in order for the bond to occur. Examples of reactive adhesives include, but are not limited to epoxies, urethanes, and silicones. "Specialty Adhesive Remover" does not include "Gasket or Thread Locking Adhesive Remover."

"Aerosol Adhesive" means an aerosol product in which the spray mechanism is permanently housed in a nonrefillable can designed for hand-held application without the need for ancillary hoses or spray equipment. This does not include "special purpose spray adhesives", "mist spray adhesives" and "web spray adhesives".

"Aerosol Cooking Spray" means any aerosol product designed either to reduce sticking on cooking and baking surfaces or to be applied on food, or both.

272 "Aerosol Product" means a pressurized spray system that dispenses product
273 ingredients by means of a propellant contained in a product or a product's
274 container, or by means of a mechanically induced force. "Aerosol Product" does
275 not include "Pump Spray".
276

277 "Agricultural Use" means the use of any pesticide or method or device for the
278 control of pests in connection with the commercial production, storage, or
279 processing of any animal or plant crop. This does not include the sale or use of
280 pesticides in properly labeled packages or containers that are intended for home
281 use, use in structural pest control, or industrial or institutional use. For the
282 purposes of this definition only:
283

284 "Home Use" means use in a household or its immediate environment;
285

286 "Structural Pest Control" means a use requiring a license under the
287 Structural Pest Control Act [225 ILCS 235];
288

289 "Industrial Use" means use for or in a manufacturing, mining, or chemical
290 process or use in the operation of factories, processing plants, and similar
291 sites;
292

293 "Institutional Use" means use within the lines of, or on property necessary
294 for the operation of, buildings such as hospitals, schools, libraries,
295 auditoriums, and office complexes.
296

297 "Air Freshener" means any consumer product including, but not limited to,
298 sprays, wicks, powders, and crystals, designed for the purpose of masking odors,
299 or freshening, cleaning, scenting, or deodorizing the air. "Air Freshener" does not
300 include products that are used on the human body, products that function
301 primarily as cleaning products as indicated on a product label, "Toilet/Urinal Care
302 Products", disinfectant products claiming to deodorize by killing germs on
303 surfaces, or institutional and industrial disinfectants when offered for sale solely
304 through institutional and industrial channels of distribution. "Air Freshener" does
305 include spray disinfectants and other products that are expressly represented for
306 use as air fresheners, except institutional and industrial disinfectants when offered
307 for sale through institutional and industrial channels of distribution. To determine
308 whether a product is an air freshener, all verbal and visual representations
309 regarding product use on the label or packaging and in the product's literature and
310 advertising may be considered. The presence of, and representations about, a
311 product's fragrance and ability to deodorize (resulting from surface application)
312 shall not constitute a claim of air freshening.
313

314 "All Other Carbon-Containing Compounds" means all other compounds that
 315 contain at least one carbon atom and are not listed under Section 223.205(a) or are
 316 a "LVP-VOM".

317
 318 "All Other Forms" means all consumer product forms for which no form-specific
 319 VOM standard is specified. Unless specified otherwise by the applicable VOM
 320 standard, "All Other Forms" include, but is not limited to, solids, liquids, wicks,
 321 powders, crystals, and cloth or paper wipes (towelettes).

322
 323 "Alternative Control Plan" or "ACP" means any emissions averaging program
 324 approved by the Agency pursuant to the provisions of this Subpart.

325
 326 "Antimicrobial Hand or Body Cleaner or Soap" means a cleaner or soap that is
 327 designed to reduce the level of microorganisms on the skin through germicidal
 328 activity. This includes, but is not limited to, antimicrobial hand or body
 329 washes/cleaners, foodhandler hand washes, healthcare personnel hand washes,
 330 pre-operative skin preparations and surgical scrubs. "Antimicrobial Hand or
 331 Body Cleaner or Soap" does not include prescription drug products,
 332 antiperspirants, "Astringent/Toner", deodorant, "Facial Cleaner or Soap",
 333 "General-use Hand or Body Cleaner or Soap", "Hand Dishwashing Detergent"
 334 (including antimicrobial), "Heavy-duty Hand Cleaner or Soap", "Medicated
 335 Astringent/Medicated Toner", or "Rubbing Alcohol".

336
 337 "Antiperspirant" means any product, including, but not limited to, aerosols, roll-
 338 ons, sticks, pumps, pads, creams, and squeeze-bottles, that is intended by the
 339 manufacturer to be used to reduce perspiration in the human axilla by at least 20
 340 percent in at least 50 percent of a target population.

341
 342 "Anti-Static Product" means a product that is labeled to eliminate, prevent, or
 343 inhibit the accumulation of static electricity. "Anti-Static Product" does not
 344 include "Electronic Cleaner", "Floor Polish or Wax", "Floor Coating", and
 345 products that meet the definition of "Aerosol Coating Product" or "Architectural
 346 Coating".

347
 348 "Appurtenance" means any accessory to a stationary structure coated at the site of
 349 installation, whether installed or detached, including, but not limited to, bathroom
 350 and kitchen fixtures, cabinets, concrete forms, doors, elevators, fences, hand
 351 railings, heating equipment, air conditioning equipment, and other fixed
 352 mechanical equipment or stationary tools, lampposts, partitions, pipes and piping
 353 systems, rain gutters and downspouts, stairways, fixed ladders, catwalks and fire
 354 escapes, and window screens.

355

356 "Architectural Coating" means, for purposes of this Subpart, a coating to be
357 applied to stationary structures or the appurtenances at the site of installation, to
358 portable buildings at the site of installation, to pavements, or to curbs. Coatings
359 applied in shop applications or to non-stationary structures such as airplanes,
360 ships, boats, railcars, and automobiles, and adhesives are not considered
361 "Architectural Coatings" for the purposes of this Subpart.

362
363 "Astringent/Toner" means any product not regulated as a drug by the United
364 States Food and Drug Administration (FDA) that is applied to the skin for the
365 purpose of cleaning or tightening pores. This category also includes clarifiers and
366 substrate-impregnated products. This category does not include any hand, face, or
367 body cleaner or soap product, "Medicated Astringent/Medicated Toner", cold
368 cream, lotion, or antiperspirant.

369
370 "Automotive Brake Cleaner" means a cleaning product designed to remove oil,
371 grease, brake fluid, brake pad material or dirt from motor vehicle brake
372 mechanisms.

373
374 "Automotive Hard Paste Wax" means an automotive wax or polish that is
375 designed to protect and improve the appearance of automotive paint surfaces, and
376 is a solid at room temperature, and contains 0% water by formulation.

377
378 "Automotive Instant Detailer" means a product designed for use in a pump spray
379 that is applied to the painted surface of automobiles and wiped off prior to the
380 product being allowed to dry.

381
382 "Automotive Rubbing or Polishing Compound" means a product designed
383 primarily to remove oxidation, old paint, scratches or swirl marks, and other
384 defects from the painted surfaces of motor vehicles without leaving a protective
385 barrier.

386
387 "Automotive Wax, Polish, Sealant, or Glaze" means a product designed to seal
388 out moisture, increase gloss, or otherwise enhance a motor vehicle's painted
389 surfaces. This includes, but is not limited to, products designed for use in
390 autobody repair shops and drive-through car washes, as well as products designed
391 for the general public. The term does not include "Automotive Rubbing or
392 Polishing Compounds", automotive wash and wax products, surfactant-containing
393 car wash products, and products designed for use on unpainted surfaces such as
394 bare metal, chrome, glass, or plastic.

395
396 "Automotive Windshield Washer Fluid" means any liquid designed for use in a
397 motor vehicle windshield washer system either as an antifreeze or for the purpose

398 of cleaning, washing, or wetting the windshield. This does not include fluids
 399 placed by the manufacturer in a new vehicle.

400
 401 "Bathroom and Tile Cleaner" means a product designed to clean tile or surfaces in
 402 bathrooms. The term does not include products designed primarily to clean toilet
 403 bowls, toilet tanks or urinals.

404
 405 "Bug and Tar Remover" means a product labeled to remove either or both of the
 406 following from painted motor vehicle surfaces without causing damage to the
 407 finish: biological-type residues such as insect carcasses, tree sap and road grime
 408 such as road tar, roadway paint markings, and asphalt.

409
 410 "Carburetor or Fuel-Injection Air Intake Cleaners" means a product designed to
 411 remove fuel deposits, dirt, or other contaminants from a carburetor, choke, throttle
 412 body of a fuel-injection system, or associated linkages, excluding products
 413 designed exclusively to be introduced directly into the fuel lines or fuel storage
 414 tank prior to introduction into the carburetor or fuel injectors.

415
 416 "Carpet and Upholstery Cleaner" means a cleaning product designed for the
 417 purpose of eliminating dirt and stains on rugs, carpeting, and the interior of motor
 418 vehicles and/or on household furniture or objects upholstered or covered with
 419 fabrics such as wool, cotton, nylon or other synthetic fabrics. This includes, but is
 420 not limited to, products that make fabric protectant claims. The term does not
 421 include "General Purpose Cleaners", "Spot Removers", vinyl or leather cleaners,
 422 dry cleaning fluids, or products designed exclusively for use at industrial facilities
 423 engaged in furniture or carpet manufacturing.

424
 425 "Charcoal Lighter Material" means any combustible material designed to be
 426 applied on, incorporated in, added to, or used with charcoal to enhance ignition.
 427 The term does not include any of the following: electrical starters and probes,
 428 metallic cylinders using paper tinder, natural gas, propane, and fat wood.

429
 430 "Colorant" means, for purposes of this Subpart, any pigment or coloring material
 431 used in a consumer product for an aesthetic effect or to dramatize an ingredient.

432
 433 "Construction, Panel, and Floor Covering Adhesive" means any one-component
 434 adhesive that is designed exclusively for the installation, remodeling,
 435 maintenance, or repair of structural and building components that include, but are
 436 not limited to, beams, trusses, studs, paneling (including, but not limited to,
 437 drywall or drywall laminates, fiberglass reinforced plastic (FRP), plywood,
 438 particle board, insulation board, pre-decorated hardboard or tileboard), ceiling and
 439 acoustical tile, molding, fixtures, countertops or countertop laminates, cove or
 440 wall bases, flooring or subflooring, or floor or wall coverings (including, but not

441 limited to, wood or simulated wood covering, carpet, carpet pad or cushion, vinyl-
442 backed carpet, flexible flooring material, nonresilient flooring material, mirror
443 tiles and other types of tiles, and artificial grass). The term does not include
444 "Floor Seam Sealer".
445

446 "Consumer" means any person who purchases or acquires any consumer product
447 for personal, family, household, or institutional use. Persons acquiring a
448 consumer product for resale are not "consumers" for that product.
449

450 "Consumer Product" means a chemically formulated product used by household
451 and institutional consumers including, but not limited to, detergents, cleaning
452 compounds, polishes, floor finishes, cosmetics, personal care products, home
453 lawn and garden products, disinfectants, sanitizers, aerosol paints, and automotive
454 specialty products. "Consumer Product" does not include other paint products,
455 furniture coatings, or architectural coatings. As used in this Subpart, "Consumer
456 Product" shall also refer to "Aerosol Adhesive", including an "Aerosol Adhesive"
457 used for consumer, industrial or commercial uses.
458

459 "Contact Adhesive" means an adhesive that is designed for application to both
460 surfaces to be bonded together, and is allowed to dry before the two surfaces are
461 placed in contact with each other, and forms an immediate bond that is
462 impossible, or difficult, to reposition after both adhesive-coated surfaces are
463 placed in contact with each other, and does not need sustained pressure or
464 clamping of surfaces after the adhesive-coated surfaces have been brought
465 together using sufficient momentary pressure to establish full contact between
466 both surfaces. The term does not include rubber cements that are primarily
467 intended for use on paper substrates. "Contact Adhesive" also does not include
468 vulcanizing fluids that are designed and labeled for tire repair only.
469

470 "Contact Adhesive – General Purpose" means any contact adhesive that is not a
471 "Contact Adhesive – Special Purpose".
472

473 "Contact Adhesive – Special Purpose" means a contact adhesive that is used to
474 bond melamine-covered board, unprimed metal, unsupported vinyl, Teflon, ultra-
475 high molecular weight polyethylene, rubber, or high pressure laminate or wood
476 veneer 1/16 inch or less in thickness to any porous or nonporous surface, and is
477 sold in units of product, less packaging, that contain more than eight fluid ounces,
478 or is used in automotive applications that are either automotive under the hood
479 applications requiring heat, oil or gasoline resistance or body-side molding,
480 automotive weatherstrip or decorative trim.
481

482 "Container/Packaging" means the part or parts of the consumer or institutional
483 product that serve only to contain, enclose, incorporate, deliver, dispense, wrap or

484 store the chemically formulated substance or mixture of substances that is solely
485 responsible for accomplishing the purposes for which the product was designed or
486 intended. This includes any article onto or into which the principal display panel
487 and other accompanying literature or graphics are incorporated, etched, printed or
488 attached.

489
490 "Crawling Bug Insecticide" means any insecticide product that is designed for use
491 against ants, cockroaches, or other household crawling arthropods, including, but
492 not limited to, mites, silverfish or spiders, excluding products designed to be used
493 exclusively on humans or animals, or any house dust mite product. For the
494 purposes of this definition only:

495
496 "House dust mite product" means a product whose label, packaging, or
497 accompanying literature states that the product is suitable for use against
498 house dust mites, but does not indicate that the product is suitable for use
499 against ants, cockroaches, or other household crawling arthropods.

500
501 "House dust mite" means mites that feed primarily on skin cells shed in
502 the home by humans and pets and that belong to the phylum Arthropoda,
503 the subphylum Chelicerata, the class Arachnida, the subclass Acari, the
504 order Astigmata, and the family Pyroglyphidae.

505
506 "Date-Code" means the day, month and year on which the consumer product was
507 manufactured, filled, or packaged, or a code indicating that date.

508
509 "Deodorant" means:

510
511 For products manufactured before January 1, 2009: any product including,
512 but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and
513 squeeze-bottles that is intended by the manufacturer to be used to
514 minimize odor in the human axilla by retarding the growth of bacteria that
515 cause the decomposition of perspiration.

516
517 For products manufactured on or after January 1, 2009: any product
518 including, but not limited to, aerosols, roll-ons, sticks, pumps, pads,
519 creams, and squeeze-bottles that indicates or depicts on the container or
520 packaging, or on any sticker or label affixed to the container or packaging,
521 that the product can be used on or applied to the human axilla to provide a
522 scent and/or minimize odor. A "Deodorant Body Spray" product that
523 indicates or depicts on the container or packaging, or on any sticker or
524 label affixed to the container or packaging, that it can be used on or
525 applied to the human axilla is a "Deodorant"

526

527 "Deodorant Body Spray" means:

528
529 For products manufactured before January 1, 2009, a "Personal Fragrance
530 Product" with 20 percent or less fragrance.

531
532 For products manufactured on or after January 1, 2009, a "Personal
533 Fragrance Product" with 20 percent or less fragrance, that is designed for
534 application all over the human body to provide a scent. A "Deodorant
535 Body Spray" product that indicates or depicts on the container or
536 packaging, or on any sticker or label affixed to the container or packaging,
537 that it can be used on or applied to the human axilla, is a "Deodorant".
538

539 "Device" means any instrument or contrivance (other than a firearm) designed for
540 trapping, destroying, repelling, or mitigating any pest or any other form of plant
541 or animal life (other than man and other than bacterium, virus, or another
542 microorganism on or in living man or other living animals), but not including
543 equipment used for the application of pesticides when sold separately from the
544 device.
545

546 "Disinfectant" means any product intended to destroy or irreversibly inactivate
547 infectious or other undesirable bacteria, pathogenic fungi, or viruses on surfaces
548 or inanimate objects and whose label is registered under the Federal Insecticide,
549 Fungicide, and Rodenticide Act (FIFRA, 7 USC 136 et seq.). "Disinfectant" does
550 not include any of the following products designed solely for use on humans or
551 animals, products designed for agricultural use, products designed solely for use
552 in swimming pools, therapeutic tubs, or hot tubs, products that, as indicated on the
553 principal display panel or label, are designed primarily for use as bathroom and
554 tile cleaners, glass cleaners, general purpose cleaners, toilet bowl cleaners, or
555 metal polishes.
556

557 "Double Phase Aerosol Air Freshener" means an aerosol air freshener with the
558 liquid contents in two or more distinct phases that require the product container to
559 be shaken before use to mix the phases, producing an emulsion.
560

561 "Dry Cleaning Fluid" means any non-aqueous liquid product designed and labeled
562 exclusively for use on fabrics that are labeled "dry clean only", such as clothing or
563 drapery or "S-coded" fabrics. This includes, but is not limited to, those products
564 used by commercial dry cleaners and commercial businesses that clean fabrics
565 such as draperies at the customer's residence or work place. The term does not
566 include "Spot Remover" or "Carpet and Upholstery Cleaner". For the purposes of
567 this definition, "S-coded fabric" means an upholstery fabric designed to be
568 cleaned only with water-free spot cleaning products as specified by the Joint
569 Industry Fabric Standards Committee.

570
571 "Dusting Aid" means a product designed to assist in removing dust and other soils
572 from floors and other surfaces without leaving a wax or silicone based coating.
573 The term does not include "Pressurized Gas Duster".
574

575 "Electrical Cleaner" means a product labeled to remove heavy soils such as
576 grease, grime, or oil from electrical equipment, including, but not limited to,
577 electric motors, armatures, relays, electric panels, or generators. The term does
578 not include "General Purpose Cleaner", "General Purpose Degreaser", "Dusting
579 Aid", "Electronic Cleaner", "Energized Electrical Cleaner", "Pressurized Gas
580 Duster", "Engine Degreaser", "Anti-Static Product", or products designed to clean
581 the casings or housings of electrical equipment.
582

583 "Electronic Cleaner" means a product labeled for the removal of dirt, moisture,
584 dust, flux or oxides from the internal components of electronic or precision
585 equipment such as circuit boards, and the internal components of electronic
586 devices, including, but not limited to, radios, compact disc (CD) players, digital
587 video disc (DVD) players, and computers. "Electronic Cleaner" does not include
588 "General Purpose Cleaner", "General Purpose Degreaser", "Dusting Aid",
589 "Pressurized Gas Duster", "Engine Degreaser", "Electrical Cleaner", "Energized
590 Electrical Cleaner", "Anti-Static Product", or products designed to clean the
591 casings or housings of electronic equipment.
592

593 "Energized Electrical Cleaner" means a product that meets both of the following
594 criteria:
595

596 The product is labeled to clean and/or degrease electrical equipment,
597 where cleaning and/or degreasing is accomplished when electrical current
598 exists, or when there is a residual electrical potential from a component,
599 such as a capacitor.
600

601 The product label clearly displays the statements: "Energized equipment
602 use only. Not to be used for motorized vehicle maintenance, or their
603 parts."
604

605 This does not include "Electronic Cleaner".
606

607 "Engine Degreaser" means a cleaning product designed to remove grease, grime,
608 oil and other contaminants from the external surfaces of engines and other
609 mechanical parts.
610

611 "Existing Product" means any formulation of the same product category and form
612 sold, supplied, manufactured, or offered for sale in Illinois prior to January 1,
613 2009 or any subsequently introduced identical formulation.
614

615 "Fabric Protectant" means a product designed to be applied to fabric substrates to
616 protect the surface from soiling from dirt and other impurities or to reduce
617 absorption of liquid into the fabric's fibers. The term does not include
618 waterproofers, products designed for use solely on leather, or products designed
619 for use solely on fabrics labeled "dry clean only" and sold in containers of 10
620 fluid ounces or less.
621

622 "Fabric Refresher" means a product labeled to neutralize or eliminate odors on
623 non-laundered fabric including, but not limited to, soft household surfaces, rugs,
624 carpeting, draperies, bedding, automotive interiors, footwear, athletic equipment,
625 or clothing or on household furniture or objects upholstered or covered with
626 fabrics such as, but not limited to, wool, cotton, or nylon. "Fabric Refresher" does
627 not include "Anti-static Product", "Carpet and Upholstery Cleaner", "Soft
628 Household Surface Sanitizers", "Footwear or Leather Care Product", "Spot
629 Remover", or "Disinfectant", or products labeled for application to both fabric and
630 human skin.
631

632 For the purposes of this definition only, "Soft Household Surface
633 Sanitizer" means a product labeled to neutralize or eliminate odors on the
634 listed surfaces whose label is registered as a sanitizer under the Federal
635 Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 USC 136 et seq.).
636

637 "Facial Cleaner or Soap" means a cleaner or soap designed primarily to clean the
638 face including, but not limited to, facial cleansing creams, semisolids, liquids,
639 lotions, and substrate-impregnated forms. The term does not include prescription
640 drug products, "Antimicrobial Hand or Body Cleaner or Soap",
641 "Astringent/Toner", "General-use Hand or Body Cleaner or Soap", "Medicated
642 Astringent/Medicated Toner", or "Rubbing Alcohol".
643

644 "Fat Wood" means pieces of wood kindling with high naturally-occurring levels
645 of sap or resin that enhance ignition of the kindling, excluding any kindling with
646 substances added to enhance flammability, such as wax-covered or wax-
647 impregnated wood-based products.
648

649 "Faux Finishing Coating" means a coating labeled and formulated as a stain or a
650 glaze to create artistic effects including, but not limited to, dirt, old age, smoke
651 damage, and simulated marble and wood grain.
652

653 "Flea and Tick Insecticide" means any insecticide product that is designed for use
654 against fleas, ticks, their larvae, or their eggs. The term does not include products
655 that are designed to be used exclusively on humans or animals and their bedding.
656

657 "Flexible Flooring Material" means asphalt, cork, linoleum, no-wax, rubber,
658 seamless vinyl and vinyl composite flooring.
659

660 "Floor Coating" means an opaque coating that is labeled and formulated for
661 application to flooring, including, but not limited to, decks, porches, steps, and
662 other horizontal surfaces that may be subjected to foot traffic.
663

664 "Floor Polish or Wax" means a wax, polish, or any other product designed to
665 polish, protect, or enhance floor surfaces by leaving a protective coating that is
666 designed to be periodically replenished. The term does not include "Spray Buff
667 Products", products designed solely for the purpose of cleaning floors, floor finish
668 strippers, products designed for unfinished wood floors, and coatings subject to
669 architectural coatings regulations.
670

671 "Floor Seam Sealer" means any product designed and labeled exclusively for
672 bonding, fusing, or sealing (coating) seams between adjoining rolls of installed
673 flexible sheet flooring.
674

675 "Floor Wax Stripper" means a product designed to remove natural or synthetic
676 floor polishes or waxes through breakdown of the polish or wax polymers, or by
677 dissolving or emulsifying the polish or wax. This does not include aerosol floor
678 wax strippers or products designed to remove floor wax solely through abrasion.
679

680 "Flying Bug Insecticide" means any insecticide product that is designed for use
681 against flying insects or other flying arthropods, including but not limited to flies,
682 mosquitoes, moths, or gnats. The term does not include "Wasp and Hornet
683 Insecticide", products that are designed to be used exclusively on humans or
684 animals, or any moth-proofing product.
685

686 For purposes of this definition only, "Moth-Proofing Product" means a
687 product whose label, packaging, or accompanying literature indicates that
688 the product is designed to protect fabrics from damage by moths, but does
689 not indicate that the product is suitable for use against flying insects or
690 other flying arthropods.
691

692 "Footwear or Leather Care Product" means any product designed or labeled to be
693 applied to footwear or to other leather articles/components to maintain, enhance,
694 clean, protect, or modify the appearance, durability, fit, or flexibility of the
695 footwear or leather article/component. Footwear includes both leather and non-

696 leather foot apparel. "Footwear or Leather Care Product" does not include
 697 "Fabric Protectant", "General Purpose Adhesive", "Contact Adhesive",
 698 "Vinyl/Fabric/Leather/Polycarbonate Coating", "Rubber and Vinyl Protectant",
 699 "Fabric Refresher", products solely for deodorizing, or sealant products with
 700 adhesive properties used to create external protective layers greater than two
 701 millimeters thick.

702
 703 "Fragrance" means a substance or complex mixture of aroma chemicals, natural
 704 essential oils, and other functional components with a combined vapor pressure
 705 not in excess of two mm of Hg at 20°C, the sole purpose of which is to impart an
 706 odor or scent, or to counteract a malodor.

707
 708 "Furniture Maintenance Product" means a wax, polish, conditioner, or any other
 709 product designed for the purpose of polishing, protecting or enhancing finished
 710 wood surfaces other than floors. The term does not include "Dusting Aids",
 711 "Wood Cleaners", products designed solely for the purpose of cleaning, and
 712 products designed to leave a permanent finish such as stains, sanding sealers and
 713 lacquers.

714
 715 "Furniture Coating" means any paint designed for application to room furnishings
 716 including, but not limited to, cabinets (kitchen, bath and vanity), tables, chairs,
 717 beds, and sofas.

718
 719 "Gel" means a colloid in which the disperse phase has combined with the
 720 continuous phase to produce a semisolid material, such as jelly.

721
 722 "General Purpose Adhesive" means any non-aerosol adhesive designed for use on
 723 a variety of substrates. The term does not include contact adhesives, construction,
 724 panel, and floor covering adhesives, adhesives designed exclusively for
 725 application on one specific category of substrates (i.e., substrates that are
 726 composed of similar materials, such as different types of metals, paper products,
 727 ceramics, plastics, rubbers, or vinyls), or adhesives designed exclusively for use
 728 on one specific category of articles (i.e., articles that may be composed of
 729 different materials but perform a specific function, such as gaskets, automotive
 730 trim, weather-stripping, or carpets).

731
 732 "General Purpose Cleaner" means a product designed for general all-purpose
 733 cleaning, in contrast to cleaning products designed to clean specific substrates in
 734 certain situations. This includes products designed for general floor cleaning,
 735 kitchen or countertop cleaning, and cleaners designed to be used on a variety of
 736 hard surfaces, and does not include "General Purpose Degreasers" and "Electronic
 737 Cleaners".

738

739 "General Purpose Degreaser" means any product labeled to remove or dissolve
 740 grease, grime, oil and other oil-based contaminants from a variety of substrates,
 741 including automotive or miscellaneous metallic parts. This does not include
 742 "Engine Degreaser", "General Purpose Cleaner", "Adhesive Remover",
 743 "Electronic Cleaner", "Electrical Cleaner", "Energized Electrical Cleaner", "Metal
 744 Polish/Cleanser", products used exclusively in "Solvent Cleaning Tanks or
 745 Related Equipment", or products that are sold exclusively to establishments that
 746 manufacture or construct goods or commodities, and labeled "not for retail sale".
 747

748 "Solvent Cleaning Tanks or Related Equipment" includes, but is not
 749 limited to, cold cleaners, vapor degreasers, conveyORIZED degreasers, film
 750 cleaning machines, or products designed to clean miscellaneous metallic
 751 parts by immersion in a container.
 752

753 "General-Use Hand or Body Cleaner or Soap" means a cleaner or soap designed
 754 to be used routinely on the skin to clean or remove typical or common dirt and
 755 soils, including, but not limited to, hand or body washes, dual-purpose shampoo-
 756 body cleaners, shower or bath gels, and moisturizing cleaners or soaps. The term
 757 does not include prescription drug products, "Antimicrobial Hand or Body
 758 Cleaner or Soap", "Astringent/Toner", "Facial Cleaner or Soap", "Hand
 759 Dishwashing Detergent" (including antimicrobial), "Heavy-duty Hand Cleaner or
 760 Soap", "Medicated Astringent/Medicated Toner", or "Rubbing Alcohol".
 761

762 "Glass Cleaner" means a cleaning product designed primarily for cleaning
 763 surfaces made of glass. The term does not include products designed solely for
 764 the purpose of cleaning optical materials used in eyeglasses, photographic
 765 equipment, scientific equipment and photocopying machines.
 766

767 "Graffiti Remover" means a product labeled to remove spray paint, ink, marker,
 768 crayon, lipstick, nail polish, or shoe polish from a variety of non-cloth or
 769 nonfabric substrates. The term does not include "Paint Remover or Stripper",
 770 "Nail Polish Remover", or "Spot Remover". Products labeled for dual use as both
 771 a paint stripper and graffiti remover are considered "Graffiti Removers".
 772

773 "Hair Mousse" means a hairstyling foam designed to facilitate styling of a
 774 coiffure and provide limited holding power.
 775

776 "Hair Shine" means any product designed for the primary purpose of creating a
 777 shine when applied to the hair. This includes, but is not limited to, dual-use
 778 products designed primarily to impart a sheen to the hair. The term does not
 779 include "Hair Spray", "Hair Mousse", "Hair Styling Product", "Hair Styling Gel",
 780 or products whose primary purpose is to condition or hold the hair.
 781

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"Hair Spray" means:

For products manufactured before January 1, 2009, a consumer product designed primarily for the purpose of dispensing droplets of a resin on and into a hair coiffure that will impart sufficient rigidity to the coiffure to establish or retain the style for a period of time.

For products manufactured on or after January 1, 2009, a consumer product that is applied to styled hair and is designed or labeled to provide sufficient rigidity to hold, retain and/or finish the style of the hair for a period of time. This includes aerosol hair sprays, pump hair sprays, spray waxes; color, glitter, or sparkle hairsprays that make finishing claims; and products that are both a styling and finishing product. This does not include spray products that are intended to aid in styling but do not provide finishing of a hairstyle. For the purposes of this Subpart, "finish" or "finishing" means the maintaining and/or holding of previously styled hair for a period of time. For the purposes of this Subpart, "styling" means forming, sculpting, or manipulating the hair to temporarily alter the hair's shape.

"Hair Styling Gel" means a consumer product manufactured before January 1, 2009 that is a high viscosity, often gelatinous, product that contains a resin and is designed for application to hair to aid in styling and sculpting of the hair coiffure.

"Hair Styling Product" means a consumer product manufactured on or after January 1, 2009 that is designed or labeled for application to wet, damp or dry hair to aid in defining, shaping, lifting, styling and/or sculpting of the hair. This includes, but is not limited to, hair balm, clay, cream, creme, curl straightener, gel, liquid, lotion, paste, pomade, putty, root lifter, serum, spray gel, stick, temporary hair straightener, wax, spray products that aid in styling but do not provide finishing of a hairstyle, and leave-in volumizers, detanglers and/or conditioners that make styling claims. This does not include "Hair Mousse" "Hair Shine", "Hair Spray", or shampoos and/or conditioners that are rinsed from the hair prior to styling. For the purposes of this Subpart, "finish" or "finishing" means the maintaining and/or holding of previously styled hair for a period of time. For the purposes of this Subpart, "styling" means forming, sculpting, or manipulating the hair to temporarily alter the hair's shape.

"Heavy-Duty Hand Cleaner or Soap" means a product designed to clean or remove difficult dirt and soils such as oil, grease, grime, tar, shellac, putty, printer's ink, paint, graphite, cement, carbon, asphalt, or adhesives from the hand with or without the use of water. The term does not include prescription drug products, "Antimicrobial Hand or Body Cleaner or Soap", "Astringent/Toner",

825 "Facial Cleaner or Soap", "General-use Hand or Body Cleaner or Soap",
826 "Medicated Astringent/Medicated Toner" or "Rubbing Alcohol".
827
828 "Herbicide" means a pesticide product designed to kill or retard a plant's growth,
829 but excludes products that are for agricultural use, or restricted materials that
830 require a permit for use and possession.
831
832 "High Volatility Organic Material" or "HVOM" or "High Volatility Organic
833 Compound" means any volatile organic material or volatile organic compound
834 that exerts a vapor pressure greater than 80 millimeters of Mercury (mm Hg)
835 when measured at 20°C.
836
837 "Household Product" means any consumer product that is primarily designed to
838 be used inside or outside of living quarters or residences that are occupied or
839 intended for occupation by individuals, including the immediate surroundings.
840
841 "Illinois Sales" means the sales (net pounds of product, less packaging and
842 container, per year) in Illinois for either the calendar year immediately prior to the
843 year that the registration is due or, if that data is not available, any consecutive 12
844 month period commencing no earlier than two years prior to the due date of the
845 registration. If direct sales data for Illinois is not available, sales may be
846 estimated by prorating national or regional sales data by population.
847
848 "Industrial Use" means use for or in a manufacturing, mining, or chemical process
849 or use in the operation of factories, processing plants, and similar sites.
850
851 "Insecticide" means a pesticide product that is designed for use against insects or
852 other arthropods, but excluding products that are for agricultural use or for a use
853 that requires a structural pest control license under the Structural Pest Control Act
854 [225 ILCS 235], or restricted materials that require a permit for use and
855 possession.
856
857 "Insecticide Fogger" means any insecticide product designed to release all or most
858 of its content, as a fog or mist, into indoor areas during a single application.
859
860 "Institutional Product" or "Industrial and Institutional (I&I) Product" means a
861 consumer product that is designed for use in the maintenance or operation of an
862 establishment that manufactures, transports, or sells goods or commodities, or
863 provides services for profit, or is engaged in the nonprofit promotion of a
864 particular public, educational, or charitable cause. "Establishments" include, but
865 are not limited to, government agencies, factories, schools, hospitals, sanitariums,
866 prisons, restaurants, hotels, stores, automobile service and parts centers, health
867 clubs, theaters, or transportation companies. This does not include household

868 products and products that are incorporated into or used exclusively in the
 869 manufacture or construction of the goods or commodities at the site of the
 870 establishment.

871
 872 "Label" means any written, printed, or graphic matter affixed to, applied to,
 873 attached to, blown into, formed into, molded into, embossed on, or appearing
 874 upon any consumer product or consumer product package, for purposes of
 875 branding, identifying, or giving information with respect to the product or to the
 876 contents of the package.

877
 878 "Lacquer" means, for purposes of this Subpart, a clear or opaque wood coating,
 879 including clear lacquer sanding sealers, formulated with cellulosic or synthetic
 880 resins to dry by evaporation without chemical reaction and to provide a solid,
 881 protective film.

882
 883 "Laundry Prewash" means a product that is designed for application to a fabric
 884 prior to laundering and that supplements and contributes to the effectiveness of
 885 laundry detergents and/or provides specialized performance.

886
 887 "Laundry Starch Product" means a product that is designed for application to a
 888 fabric, either during or after laundering, to impart and prolong a crisp, fresh look
 889 and may also act to help ease ironing of the fabric. This includes, but is not
 890 limited to, fabric finish, sizing, and starch.

891
 892 "Lawn and Garden Insecticide" means an insecticide product labeled primarily to
 893 be used in household lawn and garden areas to protect plants from insects or other
 894 arthropods. Notwithstanding the requirements of Section 223.260, aerosol "Lawn
 895 and Garden Insecticides" may claim to kill insects or other arthropods.

896
 897 "Liquid" means a substance or mixture of substances that is capable of a visually
 898 detectable flow as determined under ASTM D-4359-90, incorporated by reference
 899 in Section 223.120, or an equivalent method approved by the California Air
 900 Resources Board. This does not include powders or other materials that are
 901 composed entirely of solid particles.

902
 903 "Lubricant" means a product designed to reduce friction, heat, noise, or wear
 904 between moving parts, or to loosen rusted or immovable parts or mechanisms.
 905 This does not include automotive power steering fluids; products for use inside
 906 power generating motors, engines, and turbines, and their associated power-
 907 transfer gearboxes; two cycle oils or other products designed to be added to fuels;
 908 products for use on the human body or animals; or products that are sold
 909 exclusively to establishments that manufacture or construct goods or
 910 commodities, and labeled "not for retail sale".

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"LVP Content" means the total weight, in pounds, of LVP compounds in an ACP product multiplied by 100 and divided by the product's total net weight (in pounds, excluding container and packaging), expressed to the nearest 0.1.

"LVP-VOM" or "LVP-VOC" means a chemical material or mixture or compound that contains at least one carbon atom and meets one of the following:

Has a vapor pressure less than 0.1 mm Hg at 20°C, as determined by CARB Method 310; or

Is a chemical material or compound with more than 12 carbon atoms, or a chemical mixture comprised solely of material or a compound with more than 12 carbon atoms as verified by formulation data, and the vapor pressure and boiling point are unknown; or

Is a chemical material or compound with a boiling point greater than 216°C, as determined by CARB Method 310; or

Is the weight percent of a chemical mixture that boils above 216°C, as determined by CARB Method 310.

For the purposes of this definition, chemical material or compound means a molecule of definite chemical formula and isomeric structure, and chemical mixture means a substrate comprised of two or more chemical materials or compounds.

"Medicated Astringent/Medicated Toner" means any product regulated as a drug by the FDA that is applied to the skin for the purpose of cleaning or tightening pores. This includes, but is not limited to, clarifiers and substrate-impregnated products. The term does not include hand, face, or body cleaner or soap products, "Astringent/Toner", cold cream, lotion, antiperspirants, or products that must be purchased with a doctor's prescription.

"Medium Volatility Organic Material" or "MVOM" or "Medium Volatility Organic Compound" or "MVOC" means any volatile organic material or volatile organic compound that exerts a vapor pressure greater than two mm Hg and less than or equal to 80 mm Hg when measured at 20°C.

"Metal Polish/Cleanser" means any product designed primarily to improve the appearance of finished metal or metallic or metallized surfaces by physical or chemical action. To "improve the appearance" means to remove or reduce stains, impurities, or oxidation from surfaces or to make surfaces smooth and shiny.

954 This includes, but is not limited to, metal polishes used on brass, silver, chrome,
 955 copper, stainless steel and other ornamental metals. The term does not include
 956 "Automotive Wax, Polish, Sealant or Glaze", wheel cleaner, "Paint Remover or
 957 Stripper", products designed and labeled exclusively for automotive and marine
 958 detailing, or products designed for use in degreasing tanks.

959
 960 "Mist Spray Adhesive" means any aerosol that is not a special purpose spray
 961 adhesive and that delivers a particle or mist spray, resulting in the formation of
 962 fine, discrete particles that yield a generally uniform and smooth application of
 963 adhesive to the substrate.

964
 965 "Multi-Purpose Dry Lubricant" means any lubricant designed and labeled to
 966 provide lubricity by depositing a thin film of graphite, molybdenum disulfide
 967 (moly), or polytetrafluoroethylene or closely related fluoropolymer (Teflon) on
 968 surfaces, and designed for general purpose lubrication or for use in a wide variety
 969 of applications.

970
 971 "Multi-Purpose Lubricant" means any lubricant designed for general purpose
 972 lubrication, or for use in a wide variety of applications. The term does not include
 973 "Multi-purpose Dry Lubricants", "Penetrants", or "Silicone-based Multi-purpose
 974 Lubricants".

975
 976 "Multi-Purpose Solvent" means any organic liquid designed to be used for a
 977 variety of purposes, including cleaning or degreasing of a variety of substrates, or
 978 thinning, dispersing or dissolving other organic materials. This includes solvents
 979 used in institutional facilities, except for laboratory reagents used in analytical,
 980 educational, research, scientific or other laboratories. This does not include
 981 solvents used in cold cleaners, vapor degreasers, conveyORIZED degreasers or film
 982 cleaning machines, or solvents that are incorporated into, or used exclusively in
 983 the manufacture or construction of the goods or commodities at the site of the
 984 establishment.

985
 986 "Nail Polish" means any clear or colored coating designed for application to the
 987 fingernails or toenails, including but not limited to lacquers, enamels, acrylics,
 988 base coats and top coats.

989
 990 "Nail Polish Remover" means a product designed to remove nail polish and
 991 coatings from fingernails or toenails.

992
 993 "Non-Aerosol Product" means any consumer product that is not dispensed by a
 994 pressurized spray system.

995

996 "Non-Carbon Containing Compound" means any compound that does not contain
997 any carbon atoms.
998
999 "Nonresilient Flooring" means flooring of a mineral content that is not flexible.
1000 This includes terrazzo, marble, slate, granite, brick, stone, ceramic tile and
1001 concrete.
1002
1003 "Non-Selective Terrestrial Herbicide" means a terrestrial herbicide product that is
1004 toxic to plants without regard to species.
1005
1006 "Oven Cleaner" means any cleaning product designed to clean and to remove
1007 dried food deposits from oven walls.
1008
1009 "Paint" means any pigmented liquid or liquefiable or mastic composition designed
1010 for application to a substrate in a thin layer that is converted to an opaque solid
1011 film after application and is used for protection, decoration or identification, or to
1012 serve some functional purpose such as the filling or concealing of surface
1013 irregularities or the modification of light and heat radiation characteristics.
1014
1015 "Paint Remover or Stripper" means any product designed to strip or remove paints
1016 or other related coatings, by chemical action, from a substrate without markedly
1017 affecting the substrate. This does not include "Multi-purpose Solvents", paint
1018 brush cleaners, products designed and labeled exclusively as "Graffiti Removers",
1019 and hand cleaner products that claim to remove paints and other related coatings
1020 from skin.
1021
1022 "Penetrant" means a lubricant designed and labeled primarily to loosen metal
1023 parts that have bonded together due to rusting, oxidation, or other causes. The
1024 term does not include "Multi-purpose Lubricants" that claim to have penetrating
1025 qualities, but are not labeled primarily to loosen bonded parts.
1026
1027 "Personal Fragrance Product" means any product that is applied to the human
1028 body or clothing for the primary purpose of adding a scent or masking a malodor,
1029 including cologne, perfume, aftershave, and toilet water. This does not include
1030 "Deodorant", medicated products designed primarily to alleviate fungal or
1031 bacterial growth on feet or other areas of the body; mouthwashes and breath
1032 fresheners and deodorizers; lotions, moisturizers, powders or other skin care
1033 products used primarily to alleviate skin conditions such as dryness and
1034 irritations; products designed exclusively for use on human genitalia; soaps,
1035 shampoos, and products primarily used to clean the human body; and fragrance
1036 products designed to be used exclusively on non-human animals.
1037

1038 "Pesticide" means and includes any substance or mixture of substances labeled,
1039 designed, or intended for use in preventing, destroying, repelling or mitigating
1040 any pest, or any substance or mixture of substances labeled, designed, or intended
1041 for use as a defoliant, desiccant, or plant regulator, provided that the term
1042 "Pesticide" will not include any substance, mixture of substances, or device the
1043 United States Environmental Protection Agency does not consider to be a
1044 pesticide.

1045
1046 "Photograph Coating" means a coating designed and labeled exclusively to be
1047 applied to finished photographs to allow corrective retouching, protection of the
1048 image or changes in gloss level, or to cover fingerprints.

1049
1050 "Pressurized Gas Duster" means a pressurized product labeled to remove dust
1051 from a surface solely by means of mass air or gas flow, including surfaces such as
1052 photographs, photographic film negatives, computer keyboards, and other types of
1053 surfaces that cannot be cleaned with solvents. This does not include "Dusting
1054 Aid".

1055
1056 "Principal Display Panel or Panels" means that part, or those parts, of a label that
1057 are so designed as to most likely be displayed, presented, shown or examined
1058 under normal and customary conditions of display or purchase. Whenever a
1059 principal display panel appears more than once, all requirements pertaining to the
1060 "Principal Display Panel" shall pertain to all such "Principal Display Panels".

1061
1062 "Product Brand Name" means the name of the product exactly as it appears on the
1063 principal display panel of the product.

1064
1065 "Product Category" means the applicable category, defined in this Section and
1066 limited in Section 223.205(a), that best describes the product.

1067
1068 "Product Form" for the purpose of complying with Section 223.270 only, means
1069 the applicable form that most accurately describes the product's dispensing form,
1070 as follows:

1071

- A = Aerosol Product
- S = Solid
- P = Pump Spray
- L = Liquid
- SS = Semisolid
- O = Other

1072
1073 "Product Line" means a group of products of identical form and function
1074 belonging to the same product category or categories.

- 1075
 1076 "Pump Spray" means a packaging system in which the product ingredients within
 1077 the container are not under pressure and in which the product is expelled only
 1078 while a pumping action is applied to a button, trigger or other actuator.
 1079
 1080 "Responsible ACP Party" means the company, firm or establishment listed on the
 1081 ACP product's label. If the label lists two or more companies, firms, or
 1082 establishments, the "Responsible ACP Party" is the party the ACP product was
 1083 "manufactured for" or "distributed by", as noted on the label.
 1084
 1085 "Restricted Materials" means pesticides established as restricted materials under
 1086 applicable Illinois statutes or regulations.
 1087
 1088 "Roll-On Product" means any antiperspirant or deodorant that dispenses active
 1089 ingredients by rolling a wetted ball or wetted cylinder on the affected area.
 1090
 1091 "Rubber and Vinyl Protectant" means any product designed to protect, preserve or
 1092 renew vinyl, rubber, and plastic on vehicles, tires, luggage, furniture, and
 1093 household products such as vinyl covers, clothing, and accessories. This does not
 1094 include products primarily designed to clean the wheel rim, such as aluminum or
 1095 magnesium wheel cleaners, and tire cleaners that do not leave an appearance-
 1096 enhancing or protective substance on the tire.
 1097
 1098 "Rubbing Alcohol" means any product containing isopropyl alcohol (also called
 1099 isopropanol) or denatured ethanol and labeled for topical use, usually to decrease
 1100 germs in minor cuts and scrapes, to relieve minor muscle aches, as a rubefacient,
 1101 and for massage.
 1102
 1103 "Rust Preventive Coating" means a coating formulated exclusively for
 1104 nonindustrial use to prevent the corrosion of metal surfaces and labeled as
 1105 specified in Section 223.320(f).
 1106
 1107 "Sanding Sealer" means, for purposes of this Subpart, a clear or semi-transparent
 1108 wood coating labeled and formulated for application to bare wood to seal the
 1109 wood and to provide a coat that can be abraded to create a smooth surface for
 1110 subsequent applications of coatings. A "Sanding Sealer" that also meets the
 1111 definition of a "Lacquer" is not included in this category, but it is included in the
 1112 "Lacquer" category.
 1113
 1114 "Sealant and Caulking Compound" means any product with adhesive properties
 1115 that is designed to fill, seal, waterproof, or weatherproof gaps or joints between
 1116 two surfaces. This does not include roof cements and roof sealants, insulating
 1117 foams, removable caulking compounds, clear/paintable/water resistant caulking

1118 compounds, floor seam sealers, products designed exclusively for automotive
1119 uses, or sealers that are applied as continuous coatings. The term also does not
1120 include units of product, less packaging, that weigh more than one pound and
1121 consist of more than 16 fluid ounces.

1122
1123 For the purposes of this definition only, "removable caulking compound"
1124 means a compound that temporarily seals windows or doors for three to
1125 six month time intervals. "Clear/paintable/water resistant caulking
1126 compound" means a compound that contains no appreciable level of
1127 opaque fillers or pigments; transmits most or all visible light through the
1128 caulk when cured; is paintable; and is immediately resistant to
1129 precipitation upon application.

1130
1131 "Semisolid" means a product that, at room temperature, will not pour, but will
1132 spread or deform easily, including but not limited to gels, pastes, and greases.

1133
1134 "Shaving Cream" means an aerosol product that dispenses a foam lather intended
1135 to be used with a blade or cartridge razor, or other wet-shaving system, in the
1136 removal of facial or other body hair. The term does not include "Shaving Gel".

1137
1138 "Shaving Gel" means an aerosol product that dispenses a post-foaming semisolid
1139 designed to be used with a blade, cartridge razor, or other shaving system in the
1140 removal of facial or other body hair. This does not include "Shaving Cream".

1141
1142 "Silicone-Based Multi-Purpose Lubricant" means any lubricant designed and
1143 labeled to provide lubricity primarily through the use of silicone compounds
1144 including, but not limited to, polydimethylsiloxane, and designed and labeled for
1145 general purpose lubrication, or for use in a wide variety of applications. The term
1146 does not include products designed and labeled exclusively to release
1147 manufactured products from molds.

1148
1149 "Single Phase Aerosol Air Freshener" means an aerosol air freshener with the
1150 liquid contents in a single homogeneous phase and that does not require that the
1151 product container be shaken before use.

1152
1153 "Solid" means a substance or mixture of substances that, either whole or
1154 subdivided (such as the particles comprising a powder), is not capable of visually
1155 detectable flow as determined under ASTM D4359-90, incorporated by reference
1156 in Section 223.120, or an equivalent method approved by the California Air
1157 Resources Board.

1158
1159 "Special Purpose Spray Adhesive" means an aerosol adhesive that meets any of
1160 the following definitions:

1161
1162 "Mounting Adhesive" means an aerosol adhesive designed to permanently
1163 mount photographs, artwork, and any other drawn or printed media to a
1164 backing (paper, board, cloth, etc.) without causing discoloration to the
1165 artwork.
1166
1167 "Flexible Vinyl Adhesive" means an aerosol adhesive designed to bond
1168 flexible vinyl to substrates. Flexible vinyl means a nonrigid polyvinyl
1169 chloride plastic with at least five percent, by weight, of plasticizer content.
1170 A plasticizer is a material, such as a high boiling point organic solvent,
1171 that is incorporated into a plastic to increase its flexibility, workability, or
1172 distensibility, and may be determined using ASTM E260-96, incorporated
1173 by reference in Section 223.120, or from product formulation data or an
1174 equivalent method approved by the CARB.
1175
1176 "Polystyrene Foam Adhesive" means an aerosol adhesive designed to
1177 bond polystyrene foam to substrates.
1178
1179 "Automobile Headliner Adhesive" means an aerosol adhesive designed to
1180 bond together layers in motor vehicle headliners.
1181
1182 "Polyolefin Adhesive" means an aerosol adhesive designed to bond
1183 polyolefins to substrates.
1184
1185 "Laminate Repair/Edgebanding Adhesive" means an aerosol adhesive
1186 designed for:
1187
1188 The touch-up or repair of items laminated with high pressure
1189 laminates (e.g., lifted edges, delaminates, etc.); or
1190
1191 The touch-up, repair, or attachment of edgebanding materials,
1192 including but not limited to other laminates, synthetic marble,
1193 veneers, wood molding, and decorative metals.
1194
1195 For the purposes of this definition "high pressure laminate" means
1196 sheet materials that consist of paper, fabric, or other core material
1197 that have been laminated at temperatures exceeding 265°F, and at
1198 pressures between 1,000 and 1,400 psi.
1199
1200 "Automotive Engine Compartment Adhesive" means an aerosol adhesive
1201 designed for use in motor vehicle under-the-hood applications that require
1202 oil and plasticizer resistance, as well as high shear strength, at
1203 temperatures of 200 to 275°F.

- 1204
1205 "Spot Remover" means any product labeled to clean localized areas, or remove
1206 localized spots or stains on cloth or fabric such as drapes, carpets, upholstery, and
1207 clothing, that does not require subsequent laundering to achieve stain removal.
1208 This does not include "Dry Cleaning Fluid", "Laundry Prewash", or "Multi-
1209 purpose Solvent".
1210
1211 "Spray Buff Product" means a product designed to restore a worn floor finish in
1212 conjunction with a floor buffing machine and special pad.
1213
1214 "Stick Product" means any antiperspirant or deodorant that contains active
1215 ingredients in a solid matrix form and that dispenses the active ingredients by
1216 frictional action on the affected area.
1217
1218 "Structural Waterproof Adhesive" means an adhesive whose bond lines are
1219 resistant to conditions of continuous immersion in fresh or salt water and that
1220 conforms with Federal Specification MMM-A-181D (Type 1, Grade A) and MIL-
1221 A-4605 (Type A, Grade A and Grade C), per the Federal Consumer Products
1222 Regulation (40 CFR 59, subpart C).
1223
1224 "Terrestrial" means to live on or grow from land.
1225
1226 "Tire Sealant and Inflation" means any pressurized product that is designed to
1227 temporarily inflate and seal a leaking tire.
1228
1229 "Toilet/Urinal Care Product" means any product designed or labeled to clean
1230 and/or to deodorize toilet bowls, toilet tanks, or urinals. Toilet bowls, toilet tanks,
1231 or urinals include, but are not limited to, toilets or urinals connected to permanent
1232 plumbing in buildings and other structures, portable toilets or urinals placed at
1233 temporary or remote locations, and toilets or urinals in vehicles such as buses,
1234 recreational motor homes, boats, ships, and aircraft. This does not include
1235 "Bathroom and Tile Cleaner" or "General Purpose Cleaner".
1236
1237 "Type A Propellant" means a compressed gas, such as CO₂, N₂, N₂O, or
1238 compressed air, that is used as a propellant and is either incorporated with the
1239 product or contained in a separate chamber within the product's packaging.
1240
1241 "Type B Propellant" means any halocarbon that is used as a propellant, including
1242 chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and
1243 hydrofluorocarbons (HFCs).
1244

1245 "Type C Propellant" means any propellant that is not a Type A or Type B
 1246 propellant, including propane, isobutane, n-butane, and dimethyl ether (also
 1247 known as dimethyl oxide).

1248
 1249 "Undercoating" means any aerosol product designed to impart a protective, non-
 1250 paint layer to the undercarriage, trunk interior, and/or firewall of motor vehicles to
 1251 prevent the formation of rust or to deaden sound. This includes, but is not limited
 1252 to, rubberized, mastic, or asphaltic products.

1253
 1254 "Usage Directions" means the text or graphics on the product's principal display
 1255 panel, label, or accompanying literature that describes to the end user how and in
 1256 what quantity the product is to be used.

1257
 1258 "VOM Content" means, for purposes of this Subpart, except for charcoal lighter
 1259 products, the total weight of VOM in a product expressed as a percentage of the
 1260 product weight (exclusive of the container or packaging), as determined pursuant
 1261 to Section 223.285(a) and (b).

1262
 1263 For charcoal lighter material products only,

1264
 1265
$$VOC\ Content = \frac{(Certified\ Emissions\ x\ 100)}{Certified\ Use\ Rate}$$

1266
 Certified
 Emissions = The emissions level for products approved by the Agency
 under Section 223.220, as determined pursuant to South
 Coast Air Quality Management District Rule 1174, Ignition
 Method Compliance Certification Protocol (February 27,
 1991), expressed to the nearest 0.001 pound CH₂ per start.

Certified
 Use Rate = The usage level for products approved by the Agency under
 Section 223.220, as determined pursuant to South Coast Air
 Quality Management District Rule 1174, Ignition Method
 Compliance Certification Protocol (February 27, 1991),
 expressed to the nearest 0.001 pound certified product used
 per start.

1267
 1268 For purposes of Subpart C of this Part, "VOM Content" means the weight
 1269 of VOM per volume of coating, calculated according to the procedures
 1270 specified in Section 223.340(a).
 1271

1272 "Wasp and Hornet Insecticide" means any insecticide product that is designed for
1273 use against wasps, hornets, yellow jackets or bees by allowing the user to spray
1274 from a distance a directed stream or burst at the intended insects, or their hiding
1275 place.

1276
1277 "Waterproofer" means a product designed and labeled exclusively to repel water
1278 from fabric or leather substrates, excluding "Fabric Protectants".

1279
1280 "Wax" means a material or synthetic thermoplastic substance generally of high
1281 molecular weight hydrocarbons or high molecular weight esters of fatty acids or
1282 alcohols, except glycerol and high polymers (plastics). This includes, but is not
1283 limited to, substances derived from the secretions of plants and animals such as
1284 carnuba wax and beeswax, substances of a mineral origin such as ozocerite and
1285 paraffin, and synthetic polymers such as polyethylene.

1286
1287 "Web Spray Adhesive" means any aerosol adhesive that is not a mist spray or
1288 special purpose spray adhesive.

1289
1290 "Wood Cleaner" means a product labeled to clean wooden materials, including
1291 but not limited to decking, fences, flooring, logs, cabinetry, and furniture. The
1292 term does not include "Dusting Aid", "General Purpose Cleaner", "Furniture
1293 Maintenance Product", "Floor Wax Stripper", "Floor Polish or Wax", or products
1294 designed and labeled exclusively to preserve or color wood.

1295
1296 "Wood Floor Wax" means wax-based products for use solely on wood floors.

1297
1298 **Section 223.205 Standards**

- 1299
1300 a) Except as provided in Section 223.207, 223.230, 223.240, or 223.245, no person
1301 shall sell, supply, offer for sale, or manufacture for sale in Illinois any consumer
1302 product manufactured on or after January 1, 2009 that contains VOMs in excess
1303 of the limits specified in this subsection:

1304		1305
1306		% VOM by Weight
1307		
1308	1) Adhesives – Spray	
	A) Mist Spray	65
	B) Web Spray	55
	C) Special Purpose Spray Adhesives	

1309
1310
1311

	i)	Mounting, Automotive Engine Compartment, and Flexible Vinyl	70
	ii)	Polystyrene Foam and Automotive Headliner	65
	iii)	Polyolefin and Laminate Repair/Edgebanding	60
1312	2)	Adhesives – Construction, Panel, and Floor Contact	15
	3)	Adhesives – General Purpose	10
	4)	Adhesives – Structural Waterproof	15
1313 1314 1315	5)	Air Fresheners	
	A)	Single Phase Aerosol	30
	B)	Double Phase Aerosol	25
	C)	Liquids/Pump Sprays	18
	D)	Solids/Gel	3
1316 1317 1318	6)	Antiperspirants	
	A)	Aerosol	40 HVOM 10 HVOM
	B)	Non-Aerosol	0 MVOM 0 MVOM
1319	7)	Automotive Brake Cleaners	45
	8)	Automotive Rubbing or Polishing Compound	17
1320 1321 1322	9)	Automotive Wax, Polish, Sealant, or Glaze	
	A)	Hard Paste Waxes	45

	B)	Instant Detailers	3
	C)	All Other Forms	15
1323	10)	Automotive Windshield Washer Fluids	35
1324	11)	Bathroom and Tile Cleaners	
1325	A)	Aerosol	7
1326	B)	All Other Forms	5
1327	12)	Bug and Tar Remover	40
	13)	Carburetor or Fuel-Injection Air Intake Cleaners	45
1328	14)	Carpet and Upholstery Cleaners	
1329	A)	Aerosol	7
1330	B)	Non-Aerosol (Dilutables)	0.1
	C)	Non-Aerosol (Ready-to-Use)	3.0
1331	15)	Charcoal Lighter Material	see Section 223.220
	16)	Cooking Spray – Aerosol	18
1332	17)	Deodorants	
1333	A)	Aerosol	0 HVOM 10 HVOM
1334	B)	Non-Aerosol	0 MVOM 0 MVOM
1335	18)	Dusting Aids	
1336	A)	Aerosol	25
1337	B)	All Other Forms	7
1338	19)	Engine Degreasers	
1339			

1340	A)	Aerosol	35	
	B)	Non-Aerosol	5	
1341	20)	Fabric Protectants	60	
1342	21)	Floor Polishes/Waxes		
1343		A)	Products for Flexible Flooring Materials	7
1344		B)	Products for Nonresilient Flooring	10
		C)	Wood Floor Wax	90
1345	22)	Floor Wax Strippers	see Section 223.209	
1346	23)	Furniture Maintenance Products		
1347		A)	Aerosol	17
1348		B)	All Other Forms Except Solid or Paste	7
1349	24)	General Purpose Cleaners		
1350		A)	Aerosol	10
1351		B)	Non-Aerosol	4
1352	25)	General Purpose Degreasers		
1353		A)	Aerosol	50
1354		B)	Non-Aerosol	4
1355	26)	Glass Cleaners		
1356		A)	Aerosol	12
1357		B)	Non-Aerosol	4
1358				

	27)	Hair Mousses	6
	28)	Hairshines	55
	29)	Hairsprays	55
	30)	Hair Styling Gels	6
	31)	Heavy Duty Hand Cleaner or Soap	8
1359	32)	Insecticides	
1360		A) Crawling Bug (Aerosol)	15
1361		B) Crawling Bug (All Other Forms)	20
		C) Flea and Tick	25
		D) Flying Bug (Aerosol)	25
		E) Flying Bug (All Other Forms)	35
		F) Foggers	45
		G) Lawn and Garden (Aerosol)	20
		H) Lawn and Garden (All Other Forms)	3
		I) Wasp and Hornet	40
1362	33)	Laundry Prewash	
1363		A) Aerosols/Solids	22
1364		B) All Other Forms	5
1365	34)	Laundry Starch Products	5
	35)	Metal Polishes/Cleansers	30

	36)	Multi-Purpose Lubricant (Excluding Solid or Semi-Solid Products)	50
	37)	Nail Polish Removers	75
	38)	Non-Selective Terrestrial Herbicide – Non-Aerosol	3
1366 1367 1368	39)	Oven Cleaners	
	A)	Aerosols/Pump Sprays	8
	B)	Liquids	5
1369	40)	Paint Removers or Strippers	50
	41)	Penetrants	50
1370 1371 1372	42)	Rubber and Vinyl Protectants	
	A)	Aerosol	10
	B)	Non-Aerosol	3
1373	43)	Sealants and Caulking Compounds	4
	44)	Shaving Creams	5
	45)	Silicone-Based Multi-Purpose Lubricants (Excluding Solid or Semi-Solid Products)	60
1374 1375 1376	46)	Spot Removers	
	A)	Aerosol	23
	B)	Non-Aerosol	8
1377	47)	Tire Sealants and Inflators	20
1378	48)	Undercoatings – Aerosols	40

1379 b) No person shall sell, supply, offer for sale, or manufacture for sale in Illinois, on
1380 or after January 1, 2009, any antiperspirant or deodorant that contains any
1381 compound listed below:

- 1382
- 1383 Benzene
- 1384
- 1385 Ethylene Dibromide
- 1386
- 1387 Ethylene Dichloride
- 1388
- 1389 Hexavalent Chromium
- 1390
- 1391 Asbestos
- 1392
- 1393 Cadmium (metallic cadmium and cadmium compounds)
- 1394
- 1395 Carbon Tetrachloride
- 1396
- 1397 Trichloroethylene
- 1398
- 1399 Chloroform
- 1400
- 1401 Vinyl Chloride
- 1402
- 1403 Inorganic Arsenic
- 1404
- 1405 Nickel (metallic nickel and inorganic nickel compounds)
- 1406
- 1407 Perchloroethylene
- 1408
- 1409 Formaldehyde
- 1410
- 1411 1,3-Butadiene
- 1412
- 1413 Inorganic Lead
- 1414
- 1415 Dibenzo-p-dioxins and dibenzofurans chlorinated in the 2,3,7 and 8 positions and
1416 containing 4,5,6 or 7 chlorine atoms
- 1417

1418 **Section 223.206 Diluted Products**

1419

1420 a) For consumer products for which the label, packaging, or accompanying literature
1421 specifically states that the product should be diluted with water or non-VOM

1422 solvent prior to use, the limits specified in Section 223.205(a) must apply to the
1423 product only after the minimum recommended dilution has taken place.

1424
1425 b) For purposes of subsection (a) of this Section, the minimum recommended
1426 dilution shall not include recommendations for incidental use of a concentrated
1427 product to deal with limited special applications such as hard-to-remove soils or
1428 stains.

1429
1430 c) For consumer products for which the label, packaging, or accompanying literature
1431 states that the product should be diluted with any VOM solvent prior to use, the
1432 limits specified in Section 223.205(a) shall apply to the product only after the
1433 maximum recommended dilution has taken place.

1434

1435 **Section 223.207 Products Registered under FIFRA**

1436

1437 For those consumer products that are registered under the Federal Insecticide, Fungicide, and
1438 Rodenticide Act (FIFRA, 7 USC 136 through 136y), incorporated by reference in Section
1439 223.120, the effective date of the VOM standards will be January 1, 2010.

1440

1441 **Section 223.208 Requirements for Aerosol Adhesives**

1442

1443 a) As specified in California Code § 41712(h)(2), incorporated by reference in
1444 Section 223.120, the standards for aerosol adhesives apply to all uses of aerosol
1445 adhesives, including consumer, industrial, and commercial uses. Except as
1446 otherwise provided in Sections 223.207, 223.230, 223.240, and 223.245, no
1447 person shall sell, supply, offer for sale, use or manufacture for sale in Illinois any
1448 aerosol adhesive that, at the time of sale, use, or manufacture, contains VOMs in
1449 excess of the specified standard.

1450

1451 b) Special Purpose Spray Adhesive.

1452

1453 1) In order to qualify as a Special Purpose Spray Adhesive the product must
1454 meet one or more of the definitions for Special Purpose Spray Adhesive
1455 specified in Section 223.203, but if the product label indicates that the
1456 product is suitable for use on any substrate or application not listed in one
1457 of the definitions for Special Purpose Spray Adhesive, then the product
1458 shall be classified as either a Web Spray Adhesive or a Mist Spray
1459 Adhesive.

1460

1461 2) If a product meets more than one of the definitions specified in Section
1462 223.203 for Special Purpose Spray Adhesive and is not classified as a
1463 Web Spray Adhesive or Mist Spray Adhesive under Section 223.203, then

1464 the VOC limit for the product shall be the lowest applicable VOM limit
 1465 specified in Section 223.205(a).

- 1466
- 1467 c) Effective January 1, 2009, no person shall sell, supply, offer for sale, or
 1468 manufacture for use in Illinois any aerosol adhesive that contains any of the
 1469 following compounds: methylene chloride, perchloroethylene, or
 1470 trichloroethylene.
- 1471
- 1472 d) All aerosol adhesives must comply with the labeling requirements specified in
 1473 Section 223.265.
- 1474

1475 **Section 223.209 Requirements for Floor Wax Strippers**

1476

1477 On or after January 1, 2009, no person shall sell, supply, offer for sale, or manufacture for use in
 1478 Illinois any floor wax stripper unless the following requirements are met:

1479

- 1480 a) The label of each non-aerosol floor wax stripper must specify a dilution ratio for
 1481 light or medium build-up of polish that results in an as-used VOM concentration
 1482 of three percent by weight or less;
- 1483
- 1484 b) If a non-aerosol floor wax stripper is also intended to be used for removal of
 1485 heavy build-up of polish, the label of that floor wax stripper must specify a
 1486 dilution ratio for heavy build-up of polish that results in an as-used VOM
 1487 concentration of 12% by weight or less; and
- 1488
- 1489 c) The term "light build-up", "medium build-up", or "heavy build-up" is not
 1490 specifically required, as long as comparable terminology is used.
- 1491

1492 **Section 223.210 Products Containing Ozone-Depleting Compounds**

1493

- 1494 a) For any consumer product for which standards are specified under Section
 1495 223.205(a), no person shall sell, supply, offer for sale, or manufacture for sale in
 1496 Illinois any consumer product that contains any of the following ozone-depleting
 1497 compounds:
- 1498
- 1499 1) Trichlorofluoromethane (CFC-11);
- 1500
- 1501 2) Dichlorodifluoromethane (CFC-12);
- 1502
- 1503 3) 1,1,1-trichloro-2,2,2-trifluoroethane (CFC-113);
- 1504
- 1505 4) 1-chloro-1,1-difluoro-2-chloro-2,2-difluoroethane (CFC-114);
- 1506

- 1507 5) Chloropentafluoroethane (CFC-115);
 1508
 1509 6) Bromochlorodifluoromethane (Halon 1211);
 1510
 1511 7) Bromotrifluoromethane (Halon 1301);
 1512
 1513 8) Dibromotetrafluoroethane (Halon 2402);
 1514
 1515 9) Chlorodifluoromethane (HCFC-22);
 1516
 1517 10) 2,2-dichloro-1,1,1-trifluoroethane (HCFC-123);
 1518
 1519 11) 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);
 1520
 1521 12) 1,1-dichloro-1-fluoroethane (HCFC-141b);
 1522
 1523 13) 1-chloro-1,1-difluoroethane (HCFC-142b);
 1524
 1525 14) 1,1,1-trichloroethane; and
 1526
 1527 15) Carbon tetrachloride.
 1528
 1529 b) The requirements in subsection (a) of this Section shall not apply to any product
 1530 formulation existing as of January 1, 2009 that complies with Section 223.205(a)
 1531 or is reformulated to meet Section 223.205(a), provided the ozone-depleting
 1532 compound content of the reformulated product does not increase.
 1533
 1534 c) The requirements in subsection (a) of this Section shall not apply to any ozone
 1535 depleting compounds that may be present as impurities in a consumer product in
 1536 an amount equal to or less than 0.01% by weight of the product.
 1537

1538 **Section 223.220 Requirements for Charcoal Lighter Material**

- 1539
 1540 a) No person shall sell, supply, or offer for sale on or after January 1, 2009 any
 1541 charcoal lighter material product unless, at the time of the transaction, the
 1542 manufacturer can demonstrate that it has been issued an effective certification by
 1543 the CARB under the Consumer Products provisions under 17 California Code of
 1544 Regulations § 94509(h), incorporated by reference in Section 223.120. This
 1545 certification remains in effect for Illinois for as long as the CARB certification
 1546 remains in effect.
 1547

- 1548 b) Alternatively, the person may demonstrate that, at the time of the transaction, the
1549 manufacturer had been issued a certification by an air pollution agency of another
1550 state and USEPA that was current at the time of the transaction.
1551
- 1552 c) Upon request by the Agency, a manufacturer claiming to have a certification as
1553 specified in subsection (a) of this Section must submit to the Agency a copy of the
1554 certification decision, including all conditions applicable to the certification
1555 established by CARB or the air pollution agency of another state and USEPA.
1556

1557 **Section 223.230 Exemptions**
1558

- 1559 a) This Subpart shall not apply to any consumer product manufactured in Illinois for
1560 shipment and use outside of Illinois, as long as the manufacturer or distributor can
1561 demonstrate both that the consumer product is intended for shipment and use
1562 outside of Illinois, and that the manufacturer or distributor has taken reasonable,
1563 prudent precautions to assure that the consumer product is not distributed to
1564 Illinois. This exemption shall not apply to consumer products that are sold,
1565 supplied, or offered for sale by any person to retail outlets in Illinois.
1566
- 1567 b) For antiperspirants or deodorants, ethanol shall not be considered a medium
1568 volatility organic material (MVOM) for purposes of the content standards
1569 specified in Section 223.205(a).
1570
- 1571 c) The VOM limits specified in Section 223.205(a) shall not apply to fragrances up
1572 to a combined level of two percent by weight contained in any consumer product
1573 and shall not apply to colorants up to a combined level of two percent by weight
1574 contained in any antiperspirant or deodorant.
1575
- 1576 d) The requirements of Section 223.205(a) for antiperspirants or deodorants shall not
1577 apply to those volatile organic materials that contain more than 10 carbon atoms
1578 per molecule and for which the vapor pressure is unknown, or that have a vapor
1579 pressure of two mm Hg or less at 20°C.
1580
- 1581 e) The VOM limits specified in Section 223.205(a) shall not apply to any LVP-
1582 VOM.
1583
- 1584 f) The requirements of Section 223.250 shall not apply to consumer products
1585 registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA,
1586 7 USC 136 through 136y).
1587
- 1588 g) The VOM limits specified in Section 223.205(a) shall not apply to air fresheners
1589 that are comprised entirely of fragrance, less compounds not defined as VOMs
1590 under Section 211.7150 or exempted under subsection (f).

- 1591
1592 h) The VOM limits specified in Section 223.205(a) shall not apply to air fresheners
1593 and insecticides containing at least 98% para-dichlorobenzene.
1594
1595 i) The VOM limits specified in Section 223.205(a) shall not apply to adhesives sold
1596 in containers of one fluid ounce or less.
1597
1598 j) The VOM limits specified in Section 223.205(a) shall not apply to bait station
1599 insecticides. For the purpose of this Section, bait station insecticides are
1600 containers enclosing an insecticidal bait that is not more than 0.5 ounce by
1601 weight, when the bait is designed to be ingested by insects and is composed of
1602 solid material feeding stimulants with less than five percent active ingredients.
1603

1604 **Section 223.240 Innovative Product Exemption**

- 1605
1606 a) Any manufacturer of consumer products that have been granted an Innovative
1607 Product exemption by the CARB under the Innovative Products provisions in 17
1608 California Code of Regulations § 94511 or 94503.5, both incorporated by
1609 reference in Section 223.120, shall be exempt from the limits in Section
1610 223.205(a) for the period of time that the CARB Innovative Products exemption
1611 remains in effect, provided that all consumer products within the CARB
1612 Innovative Products exemption are contained in the limits in Section 223.205(a).
1613 Any manufacturer claiming such an exemption on this basis must submit to the
1614 Agency a copy of the CARB Innovative Product exemption decision (i.e., the
1615 Executive Order), including all conditions established by the CARB applicable to
1616 the exemption.
1617
1618 b) Recordkeeping and Availability of Requested Information.
1619
1620 1) All information specified in the Innovative Product exemption approving
1621 an Innovative Product application shall be maintained by the responsible
1622 party for a minimum of three years after the expiration of the exemption.
1623 The records shall be clearly legible and maintained in good condition
1624 during this period.
1625
1626 2) The records specified in subsection (b)(1) shall be made available to the
1627 Agency, or its authorized representative, upon request.
1628

1629 **Section 223.245 Alternative Compliance Plans**

- 1630
1631 a) The purpose of this Section is to provide an alternative method to comply with the
1632 limits in Section 223.205(a). This alternative is provided by allowing responsible
1633 ACP parties the option of voluntarily entering into separate ACPs for consumer

1634 products, as specified in this Subpart. Only responsible ACP parties for consumer
1635 products may enter into an ACP.

1636
1637 b) Any manufacturer of consumer products that has been granted an ACP
1638 Agreement by the CARB under the provisions in 17 CCR §§ 94540-94555,
1639 incorporated by reference in Section 223.120, shall be exempt from the limits in
1640 Section 223.205(a) for the period of time that the CARB ACP Agreement remains
1641 in effect, provided that all ACP products used for emissions credits within the
1642 CARB ACP Agreement are contained in Section 223.205(a). Any manufacturer
1643 claiming such an ACP Agreement on this basis must submit to the Agency a copy
1644 of the CARB ACP decision (i.e., the Executive Order), including all conditions
1645 established by the CARB applicable to the exemption.

1646
1647 c) Recordkeeping and Availability of Requested Information.
1648
1649 1) All information specified in the ACP Agreement approving an ACP shall
1650 be maintained by the responsible ACP party for a minimum of three years
1651 after the expiration of the ACP. The records shall be clearly legible and
1652 maintained in good condition during this period.
1653
1654 2) The records specified in subsection (c)(1) shall be made available to the
1655 Agency or its authorized representative upon request.
1656

1657 **Section 223.250 Product Dating**

1658
1659 a) Each manufacturer of a consumer product subject to Section 223.205(a) shall
1660 clearly display on each consumer product container or package the day, month,
1661 and year on which the product was manufactured, or a code indicating such date.
1662
1663 b) A manufacturer who uses the following code to indicate the date of manufacture
1664 shall not be subject to the requirements of Section 223.255(a), if the code is
1665 represented separately from other codes on the product container so that it is
1666 easily recognizable:

1667
1668 YY DDD = year year day day day

1669
1670 Where:

1671
1672 YY = Two digits representing the year in which the product was
1673 manufactured

1674
1675 DDD = Three digits representing the day of the year on which the
1676 product was manufactured, with "001" representing the first

day of the year, "002" representing the second day of the year, and so forth (i.e., the "Julian date")

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- c) This date or code shall be displayed on each consumer product container or package no later than the effective date of the applicable standard specified in Section 223.205(a).
- d) The date or date-code information shall be located on the container or inside the cover/cap so that it is readily observable or obtainable by simply removing the cap/cover without irreversibly disassembling any part of the container or packaging. For the purposes of this subsection, information may be displayed on the bottom of a container as long as it is clearly legible without removing any product packaging.
- e) The requirements of this Section shall not apply to products containing no VOMs (as defined in Section 223.203), or containing VOMs at 0.10% by weight or less.

Section 223.255 Additional Product Dating Requirements

- a) No person shall erase, alter, deface, or otherwise remove or make illegible any date or code indicating the date of manufacture from any regulated product container without the express authorization of the manufacturer. No manufacturer shall affix a date-code that is not true for the date the item was manufactured.
- b) Date-code explanations for codes indicating the date of manufacture are public information and may not be claimed as confidential.

Section 223.260 Most Restrictive Limit

- a) Products manufactured before January 1, 2009, and FIFRA-registered insecticides manufactured before January 1, 2010. Notwithstanding the definition of product category in Section 223.203, if, anywhere on the principal display panel of any consumer product manufactured before January 1, 2009 or any FIFRA-registered insecticide manufactured before January 1, 2010, any representation is made that the product may be used as, or is suitable for use as, a consumer product for which a lower VOC limit is specified in Section 223.205(a), then the lowest VOC limit shall apply. This requirement does not apply to general purpose cleaners, antiperspirant/deodorant products and insecticide foggers.
- b) Products manufactured on or after January 1, 2009 and FIFRA-registered insecticides manufactured on or after January 1, 2010.

1719 Notwithstanding the definition of product category in Section 223.203, if,
 1720 anywhere on the container or packaging of any consumer product manufactured
 1721 on or after January 1, 2009 or any FIFRA-registered insecticide manufactured on
 1722 or after January 1, 2010 or on any sticker or label affixed to the container or
 1723 packaging, any representation is made that the product may be used as, or is
 1724 suitable for use as, a consumer product for which a lower VOC limit is specified
 1725 in Section 223.205(a), then the lowest VOM limit shall apply. This requirement
 1726 does not apply to general purpose cleaners, antiperspirant/deodorant products and
 1727 insecticide foggers.
 1728

1729 **Section 223.265 Additional Labeling Requirements for Aerosol Adhesives, Adhesive**
 1730 **Removers, Electronic Cleaners, Electrical Cleaners, Energized Electrical Cleaners, and**
 1731 **Contact Adhesives**
 1732

- 1733 a) In addition to the requirements specified in Sections 223.250, 223.260, and
 1734 223.270, both the manufacturer and responsible party for each aerosol adhesive,
 1735 adhesive remover, electronic cleaner, electrical cleaner, energized electrical
 1736 cleaner, and contact adhesive product subject to this Subpart shall ensure that all
 1737 products clearly display the following information on each product container
 1738 manufactured on or after January 1, 2009.
 1739
- 1740 1) The product category as specified in Section 223.205(a) or an abbreviation
 1741 of the category shall be displayed.
 1742
 - 1743 2) The applicable VOM standard for the product that is specified in Section
 1744 223.205(a) except for energized electrical cleaner, expressed as a
 1745 percentage by weight, shall be displayed unless the product is included in
 1746 an alternative control plan approved by the Agency, as provided in
 1747 Sections 223.240 and 223.245, and the product exceeds the applicable
 1748 VOM standard.
 1749
 - 1750 3) If the product is included in an alternative control plan approved by the
 1751 Agency, and the product exceeds the applicable VOM standard specified
 1752 in Section 223.205(a), the product shall be labeled with the term "ACP" or
 1753 "ACP product".
 1754
 - 1755 4) If the product is classified as a special purpose spray adhesive, the
 1756 applicable substrate and/or application or an abbreviation of the substrate
 1757 and/or application that qualifies the product as special purpose shall be
 1758 displayed.
 1759

- 1760 5) If the manufacturer or responsible party uses an abbreviation as allowed
1761 by this Section, an explanation of the abbreviation must be filed with the
1762 Agency before the abbreviation is used.
1763
- 1764 b) The information required in Section 223.250(a) shall be displayed on the product
1765 container such that it is readily observable without removing or disassembling any
1766 portion of the product container or packaging. For the purposes of this
1767 subsection, information may be displayed on the bottom of a container as long as
1768 it is clearly legible without removing any product packaging.
1769
- 1770 c) No person shall remove, alter, conceal, or deface the information required in
1771 subsection (a) prior to final sale of the product.
1772

1773 **Section 223.270 Reporting Requirements**
1774

- 1775 a) Within 90 days after written request by the agency, a responsible party must
1776 submit to the Agency any of the following information:
1777
- 1778 1) The name, address, and telephone number of the responsible party and the
1779 name and telephone number of the party's designated contact person;
1780
- 1781 2) For each product subject to Section 223.205(a):
1782
- 1783 A) The product brand name;
1784
- 1785 B) The product label;
1786
- 1787 C) The product category to which the consumer product belongs;
1788
- 1789 D) The applicable product forms listed separately; and
1790
- 1791 E) An identification of the product as a household product,
1792 institutional product, or both;
1793
- 1794 3) Separate Illinois sales in pounds per year, to the nearest pound, and the
1795 method used to calculate Illinois sales for each product form;
1796
- 1797 4) For information submitted by multiple companies, an identification of
1798 each company that is submitting relevant data separate from that submitted
1799 by the responsible party. All information from each company shall be
1800 submitted by the date requested by the Agency;
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- 5) 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 0.1%:
 - A) Total Section 223.205(a) compounds;
 - B) Total LVP-VOMs 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 2% by weight fragrance:
 - i) The percent of fragrance that is LVP-VOMs; and
 - ii) The percent of fragrance that is all other carbon-containing compounds; and
 - G) Total paradichlorobenzene;
 - 6) 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 Section 223.205(a) compound; and
 - B) Each LVP-VOM that is not a fragrance; and
 - 7) If the product includes a propellant, the following:
 - A) The weight percent comprised of propellant for each product; and
 - B) An identification of the type of propellant, such as Type A, Type B, Type C, or a blend of the different types.
- b) In addition to the requirements of subsection (a)(6), the responsible party shall report or shall arrange to have reported to the Agency, upon request, the net percent by weight of each ozone-depleting compound that is:

- 1845 1) Listed in Section 223.210(a); and
- 1846
- 1847 2) Contained in a product subject to reporting under subsection (a) in any
- 1848 amount greater than 0.1% by weight.
- 1849
- 1850 c) In addition, all manufacturers must submit to the Agency, upon request, the
- 1851 information requested in subsections (a) and (b) upon commencement of the
- 1852 selling of each such product in Illinois.
- 1853

1854 **Section 223.275 Special Recordkeeping Requirements for Consumer Products that**
1855 **Contain Perchloroethylene or Methylene Chloride**

- 1856
- 1857 a) The requirements of this Section shall apply to all responsible parties for
- 1858 consumer products that are subject to Section 223.205(a) and contain
- 1859 perchloroethylene or methylene chloride and energized electrical cleaners as
- 1860 defined in Section 223.203 that contain perchloroethylene or methylene chloride.
- 1861 For the purposes of this Section, a product "contains perchloroethylene or
- 1862 methylene chloride" if the product contains 1.0% or more by weight (exclusive of
- 1863 the container or packaging) of either perchloroethylene or methylene chloride.
- 1864
- 1865 b) For each consumer product that contains perchloroethylene or methylene chloride,
- 1866 within 90 days after written request by the agency, the responsible party shall
- 1867 report the following information for products sold in Illinois:
- 1868
- 1869 1) The product brand name and a copy of the product label with legible usage
- 1870 instructions;
- 1871
- 1872 2) The product category to which the consumer product belongs;
- 1873
- 1874 3) The applicable product forms (listed separately);
- 1875
- 1876 4) For each product form listed in subsection (b)(3), the total sales in Illinois
- 1877 during the calendar year to the nearest pound (exclusive of the container or
- 1878 packaging), and the method used for calculating the Illinois sales; and
- 1879
- 1880 5) The weight percent, to the nearest 0.1%, of perchloroethylene and
- 1881 methylene chloride in the consumer product.
- 1882

1883 **Section 223.280 Calculating Illinois Sales**

1884
1885 If direct sales data for Illinois are not available, sales may be estimated by prorating national or
1886 regional sales data by population.

1887

Section 223.285 Test Methods

- a) Testing to determine compliance with the requirements of this Subpart shall be performed using CARB Method 310, Determination of Volatile Organic Materials (VOM) in Consumer Products, which is incorporated by reference in Section 223.120.
- b) Compliance with the requirements of this Subpart may also be demonstrated through calculation of the VOM content from records of the amounts of constituents used to make the product pursuant to the following criteria:
 - 1) Accurate manufacturing records shall be kept for each day of production of the amount and chemical composition of the individual product constituents;
 - 2) Records required by subsection (b)(1) shall be kept for at least three years;
 - 3) For subsection (b)(4), the following shall apply:
 - A) "A" means the total net weight of unit excluding container and packaging;
 - B) "B" means the total weight of all VOMs per unit; and
 - C) "C" means the total weight of all exempted VOMs per unit;
 - 4) For the purposes of this Section, the VOM content shall be calculated by subtracting the total weight of VOMs exempted under Section 223.230 per unit from the total weight of all VOMs per unit, divided by the total net weight of unit excluding container and packaging and the product, multiplied by 100 as in the formula below:

$$VOMContent = \frac{B - C}{A} \times 100$$

- 5) If product records appear to demonstrate compliance with the VOM limits, but these records are contradicted by product testing performed using CARB Method 310, the results of CARB Method 310 shall take precedence over the product records and may be used to establish a violation of the requirements of this Subpart.

- 1929 c) Testing to determine whether a product is a liquid or solid shall be performed
1930 using ASTM D4359-90, which is incorporated by reference in Section 223.120, or
1931 an equivalent method approved by the CARB.
- 1932
- 1933 d) Testing to determine compliance with the certification requirements for charcoal
1934 lighter material shall be performed using the procedures specified in the
1935 SCAQMD Test Protocol Rule 1174, Ignition Method Compliance Certification
1936 Protocol, dated February 28, 1991, which is incorporated by reference in Section
1937 223.120.
- 1938
- 1939 e) Testing to determine distillation points of petroleum distillate-based charcoal
1940 lighter materials shall be performed using ASTM D86-07b, which is incorporated
1941 by reference in Section 223.120, or an equivalent method approved by the CARB.
- 1942
- 1943 f) No person shall create, alter, falsify, or otherwise modify records in such a way
1944 that the records do not accurately reflect the constituents used to manufacture a
1945 product, the chemical composition of the individual product, and any other test,
1946 processes, or records used in connection with product manufacture.
- 1947

1948 **SUBPART C: ARCHITECTURAL AND INDUSTRIAL MAINTENANCE COATINGS**

1949

1950 **Section 223.300 Purpose**

1951

1952 The purpose of this Subpart is to limit emissions of VOMs by requiring reductions in the VOM
1953 content of architectural and industrial maintenance coatings and required work practices to
1954 minimize VOM emissions in the application of architectural and industrial maintenance coatings
1955 to surfaces.

1956

1957 **Section 223.305 Applicability**

1958

1959 This Subpart is applicable to any person who supplies, sells, offers for sale, or manufactures any
1960 architectural coating for use within the State of Illinois, as well as any person who applies or
1961 solicits the application of any architectural coating within Illinois. This Subpart does not apply
1962 to:

- 1963
- 1964 a) Any architectural coating that is sold or manufactured for use outside of the State
1965 of Illinois or for shipment to other manufacturers for reformulation or
1966 repackaging.
- 1967
- 1968 b) Any aerosol coating product.
- 1969
- 1970 c) Any architectural coating that is sold in a container with a volume of one liter
1971 (1.057 quart) or less.

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Section 223.307 Definitions for Subpart C

The definitions contained in this Section apply only to the provisions of this Subpart. Unless otherwise defined in this Section, the definitions of terms used in this Subpart shall have the meanings specified for those terms in 35 Ill. Adm. Code 211.

"Adhesive" means any chemical substance that is applied for the purpose of bonding two surfaces together other than by mechanical means.

"Aerosol Coating Product" means a pressurized coating product containing pigments or resins that dispenses 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.

"Antenna Coating" means a coating labeled and formulated exclusively for application to equipment and associated structural appurtenances that are used to receive or transmit electromagnetic signals.

"Antifouling Coating" means 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 USEPA under the Federal Insecticide, Fungicide and Rodenticide Act (7 USC 136 et seq.)

"Appurtenance" means 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.

"Architectural Coating" means a coating to be applied to stationary structures or the 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 purposes of this Subpart.

"Bitumens" means black or brown materials including, but not limited to, asphalt, tar, pitch, and asphaltite that are soluble in carbon disulfide, consist mainly of

2014 hydrocarbons, and are obtained from natural deposits or as residues from the
2015 distillation of crude petroleum or coal.
2016
2017 "Bituminous Roof Coating" means a coating that incorporates "Bitumens" that is
2018 labeled and formulated exclusively for roofing.
2019
2020 "Bituminous Roof Primer" means a primer that incorporates "Bitumens" that is
2021 labeled and formulated exclusively for roofing.
2022
2023 "Bond Breaker" means a coating labeled and formulated for application between
2024 layers of concrete to prevent a freshly poured top layer of concrete from bonding
2025 to the layer over which it is poured.
2026
2027 "Calcamine Recoaters" means flat solvent borne coatings formulated and
2028 recommended specifically for recoating calcamine-painted ceilings and other
2029 calcamine-painted substrates.
2030
2031 "Clear Brushing Lacquers" means clear wood finishes, excluding clear lacquer
2032 sanding sealers, formulated with nitrocellulose or synthetic resins to dry by
2033 solvent evaporation without chemical reaction and to provide a solid, protective
2034 film, which are intended exclusively for application by brush and which are
2035 labeled as specified in Section 223.320(e).
2036
2037 "Clear Wood Coatings" means clear and semi-transparent coatings, including
2038 lacquers and varnishes, applied to wood substrates to provide a transparent or
2039 translucent solid film.
2040
2041 "Coating" means, for purposes of this Subpart, a material applied onto or
2042 impregnated into a substrate for protective, decorative, or functional purposes.
2043 Such materials include, but are not limited to, paints, varnishes, sealers, and
2044 stains.
2045
2046 "Colorant" means, for purposes of this Subpart, a concentrated pigment dispersion
2047 in water, solvent, and/or binder that is added to an architectural coating after
2048 packaging in sale units to produce the desired color.
2049
2050 "Concrete Curing Compound" means, for purposes of this Subpart, a coating
2051 labeled and formulated for application to freshly poured concrete to retard the
2052 evaporation of water.
2053
2054 "Concrete Surface Retarder" means a mixture of retarding ingredients such as
2055 extender pigments, primary pigments, resin, and solvent that interact chemically
2056 with the cement to prevent hardening on the surface where the retarder is applied,

2057 allowing the retarded mix of cement and sand at the surface to be washed away to
 2058 create an exposed aggregate finish.

2059
 2060 "Conversion Varnish" means a clear acid-curing coating with an alkyd or other
 2061 resin blended with amino resins and supplied as a single component or two-
 2062 component product. Conversion varnishes produce a hard, durable, clear finish
 2063 designed for professional application to wood flooring. Film formation is the
 2064 result of an acid-catalyzed condensation reaction, affecting a transesterification at
 2065 the reactive ethers of the amino resins.

2066
 2067 "Dry Fog Coating" means a coating labeled and formulated only for spray
 2068 application such that overspray droplets dry before subsequent contact with
 2069 incidental surfaces in the vicinity of the surface coating activity.

2070
 2071 "Exempt Compound" means a compound identified as exempt under the
 2072 definition of Volatile Organic Material (VOM) in Part 211.7150. The exempt
 2073 compound content of a coating shall be determined by USEPA Method 24 or
 2074 South Coast Air Quality Management District (SCAQMD) Method 303-91
 2075 (Revised February 1993), incorporated by reference in Section 223.120.

2076
 2077 "Faux Finishing Coating" means a coating labeled and formulated as a stain or a
 2078 glaze to create artistic effects including, but not limited to, dirt, old age, smoke
 2079 damage, and simulated marble and wood grain.

2080
 2081 "Fire-Resistive Coating" means an opaque coating labeled and formulated to
 2082 protect the structural integrity by increasing the fire endurance of interior or
 2083 exterior steel and other structural materials that has been fire tested and rated by a
 2084 testing agency and approved by building code officials for use in bringing
 2085 assemblies of structural materials into compliance with federal, State, and local
 2086 building code requirements. The fire-resistive coating and the testing agency
 2087 must be approved by building code officials. The fire-resistive coating shall be
 2088 tested in accordance with ASTM E119-98, incorporated by reference in Section
 2089 223.120.

2090
 2091 "Fire-Retardant Coating" means a coating labeled and formulated to retard
 2092 ignition and flame spread that has been fire tested and rated by a testing agency
 2093 approved by building code officials for use in bringing building and construction
 2094 materials into compliance with federal, State, and local building code
 2095 requirements. The fire-retardant coating and the testing agency must be approved
 2096 by building code officials. The fire-retardant coating shall be tested in accordance
 2097 with ASTM E84-07, incorporated by reference in Section 223.120.

2098

2099 "Flat Coating" means a coating that is not defined under any other definition in
2100 this Section and that registers gloss less than 15 on an 85-degree meter or less
2101 than five on a 60-degree meter according to ASTM D523-89 (1999), incorporated
2102 by reference in Section 223.120.

2103
2104 "Floor Coating" means an opaque coating that is labeled and formulated for
2105 application to flooring, including, but not limited to, decks, porches, steps, and
2106 other horizontal surfaces that may be subjected to foot traffic.

2107
2108 "Flow Coating" means a coating labeled and formulated exclusively for use by
2109 electric power companies or their subcontractors to maintain the protective
2110 coating systems present on utility transformer units.

2111
2112 "Form-Release Compound" means a coating labeled and formulated for
2113 application to a concrete form to prevent the freshly poured concrete from
2114 bonding to the form. The form may consist of wood, metal, or some material
2115 other than concrete.

2116
2117 "Graphic Arts Coating or Sign Paint" means a coating labeled and formulated for
2118 hand-application by artists using brush or roller techniques to indoor and outdoor
2119 signs (excluding structural components) and murals, including letter enamels,
2120 poster colors, copy blockers, and bulletin enamels.

2121
2122 "High-Temperature Coating" means a high performance coating, excluding
2123 engine paint, labeled and formulated for application to substrates exposed
2124 continuously or intermittently to temperatures above 204°C (400°F).

2125
2126 "Impacted Immersion Coating" means a high performance maintenance coating
2127 formulated and recommended for application to steel structures subject to
2128 immersion in turbulent, debris-laden water. These coatings are specifically
2129 resistant to high-energy impact damage by floating ice or debris.

2130
2131 "Industrial Maintenance Coating" means a high performance architectural coating,
2132 including primers, sealers, undercoaters, intermediate coats, and topcoats,
2133 formulated for application to substrates exposed to one or more of the following
2134 extreme environmental conditions and labeled as specified in Section 223.320(d):

2135
2136 Immersion in water, wastewater, or chemical solutions (aqueous and non-
2137 aqueous solutions), or chronic exposures of interior surfaces to moisture
2138 condensation;

2139
2140 Acute or chronic exposure to corrosive, caustic, or acidic agents, or to
2141 chemicals, chemical fumes, or chemical mixtures or solutions;

2142
2143 Repeated exposure to temperatures above 121°C (250°F);
2144
2145 Repeated (frequent) heavy abrasion, including mechanical wear and
2146 repeated (frequent) scrubbing with industrial solvents, cleansers, or
2147 scouring agents; or
2148
2149 Exterior exposure of metal structures and structural components.
2150
2151 "Lacquer" means, for purposes of this Subpart, a clear or opaque wood coating,
2152 including clear lacquer sanding sealers, formulated with cellulosic or synthetic
2153 resins to dry by evaporation without chemical reaction and to provide a solid,
2154 protective film.
2155
2156 "Low-Solids Coating" means a coating containing 0.12 kilogram or less of solids
2157 per liter (1 pound or less of solids per gallon) of coating material.
2158
2159 "Magnesite Cement Coating" means a coating labeled and formulated for
2160 application to magnesite cement decking to protect the magnesite cement
2161 substrate from erosion by water.
2162
2163 "Mastic Texture Coating" means a coating labeled and formulated to cover holes
2164 and minor cracks and to conceal surface irregularities, and is applied in a single
2165 coat of at least 10 mils (0.010 inch) dry film thickness.
2166
2167 "Metallic Pigmented Coating" means a coating containing at least 48 grams of
2168 elemental metallic pigment per liter of coating as applied (0.4 pounds per gallon),
2169 when tested in accordance with SCAQMD Method 318-95, incorporated by
2170 reference in Section 223.120.
2171
2172 "Multi-Color Coating" means a coating that is packaged in a single container and
2173 that exhibits more than one color when applied in a single coat.
2174
2175 "Non-Flat Coating" means a coating that is not defined under any other definition
2176 in this Section and that registers a gloss of 15 or greater on an 85-degree meter
2177 and five or greater on a 60-degree meter according to ASTM D523-89,
2178 incorporated by reference in Section 223.120, or an equivalent method approved
2179 by the CARB.
2180
2181 "Non-Flat High-Gloss Coating" means a non-flat coating that registers a gloss of
2182 70 or above on a 60-degree meter according to ASTM D523-89, incorporated by
2183 reference into Section 223.120, or an equivalent method approved by the CARB.
2184

2185 "Nonindustrial Use" means any use of architectural coatings except in the
2186 construction or maintenance of any of the following: facilities used in the
2187 manufacturing of goods and commodities; transportation infrastructure, including
2188 highways, bridges, airports and railroads; facilities used in mining activities,
2189 including petroleum extraction; utilities infrastructure, including power generation
2190 and distribution; and water treatment and distribution systems.

2191
2192 "Nuclear Coating" means a protective coating formulated and recommended to
2193 seal porous surfaces such as steel (or concrete) that otherwise would be subject to
2194 intrusions by radioactive materials. These coatings must be resistant to long-term
2195 (service life) cumulative radiation exposure (ASTM D4082-02), incorporated by
2196 reference in Section 223.120, relatively easy to decontaminate, and resistant to
2197 various chemicals to which the coatings are likely to be exposed (ASTM D3912-
2198 95, incorporated by reference in Section 223.120).

2199
2200 "Post-Consumer Coating" means a finished coating that would have been
2201 disposed of in a landfill, having completed its usefulness to a consumer, and does
2202 not include manufacturing wastes.

2203
2204 "Pre-Treatment Wash Primer" means a primer that contains a minimum of 0.5
2205 acid, by weight, when tested in accordance with ASTM D1613-03, incorporated
2206 by reference into Section 223.120, or an equivalent method approved by the
2207 CARB that is labeled and formulated for application directly to bare metal
2208 surfaces to provide corrosion resistance and to promote adhesion of subsequent
2209 topcoats.

2210
2211 "Primer" means, for purposes of this Subpart, a coating labeled and formulated for
2212 application to a substrate to provide a firm bind between the substrate and
2213 subsequent coats.

2214
2215 "Quick-Dry Enamel" means a non-flat coating that is labeled as specified in
2216 Section 223.320(h) and that is formulated to have the following characteristics:

2217
2218 Is capable of being applied directly from the container under normal
2219 conditions with ambient temperatures between 16 and 27°C (60 and
2220 80°F); and

2221
2222 When tested in accordance with ASTM D1640-03, incorporated by
2223 reference in Section 223.120, or an equivalent method approved by the
2224 CARB, sets to touch in two hours or less, is tack free in four hours or less,
2225 and dries hard in eight hours or less by the mechanical test method; and

2226
2227 Has a dried film gloss of 70 or above on a 60-degree meter.

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"Quick-Dry Primer Sealer and Undercoater" means a "Primer", "Sealer", or "Undercoater" that is dry to the touch in 30 minutes and can be recoated in two hours when tested in accordance with ASTM D1640-03, incorporated by reference in Section 223.120, or an equivalent method approved by the CARB.

"Recycled Coating" means an architectural coating formulated such that not less than 50 percent of the total weight consists of secondary and post-consumer coating, with not less than 10 percent of the total weight consisting of post-consumer coating.

"Residence" means areas where people reside or lodge, including, but not limited to, single and multiple family dwellings, condominiums, mobile homes, apartment complexes, motels, and hotels.

"Roof Coating" means a nonbituminous coating labeled and formulated exclusively for application to roofs for the primary purpose of preventing penetration of the substrate by water or reflecting heat and ultraviolet radiation. Metallic pigmented roof coatings that qualify as metallic pigmented coatings shall not be considered in this category, but shall be considered to be in the metallic pigmented coatings category.

"Rust Preventive Coating" means a coating formulated exclusively for nonindustrial use to prevent the corrosion of metal surfaces and labeled as specified in Section 223.320(f).

"Sanding Sealer" means, for purposes of this Subpart, 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 it is included in the "Lacquer" category.

"Sealer" means, for purposes of this Subpart, 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.

"Secondary Coating (Rework)" means a fragment of a finished coating or a finished coating from a manufacturing process that has converted resources into a commodity of real economic value, but does not include excess virgin resources of the manufacturing process.

"Shellac" means a clear or opaque coating formulated solely with the resinous secretions of the lac beetle (*Lacifer lacca*), thinned with alcohol, and formulated to dry by evaporation without a chemical reaction.

2271 "Shop Application" means the application of a coating to a product or a component of a
 2272 product in or on the premises of a factory or a shop as part of a manufacturing,
 2273 production or repairing process (e.g., original equipment manufacturing coatings).
 2274

2275 "Solicit" means to require for use or to specify by written or oral contract.
 2276

2277 "Specialty Primer, Sealer, and Undercoater" means a coating labeled as specified in
 2278 Section 223.320(g) and that is formulated for application to a substrate to seal fire,
 2279 smoke, or water damage; to condition excessively chalky surfaces; to seal in
 2280 efflorescence; or to block stains. An excessively chalky surface is one that is defined as
 2281 having a chalk rating of four or less as determined by ASTM D4214-98, incorporated by
 2282 reference in Section 223.120, or an equivalent method approved by the CARB.
 2283

2284 "Stain" means a clear, semitransparent, or opaque coating labeled and formulated to
 2285 change the color of a surface, but not conceal the grain pattern or texture.
 2286

2287 "Stone Consolidant" means a coating that is labeled and formulated for application to
 2288 stone substrates to repair historical structures that have been damaged by weathering or
 2289 other decay mechanisms. "Stone Consolidants" must penetrate into stone substrates to
 2290 create bonds between particles and consolidate deteriorated material. "Stone
 2291 Consolidants" must be specified and used in accordance with ASTM E2167-01,
 2292 incorporated by reference in Section 223.120. "Stone Consolidants" are for professional
 2293 use only and must be labeled as such, in accordance with the labeling requirements in
 2294 Section 223.320.
 2295

2296 "Swimming Pool Coating" means a coating labeled and formulated to coat the interior of
 2297 swimming pools and to resist swimming pool chemicals.
 2298

2299 "Swimming Pool Repair and Maintenance Coating" means a rubber-based coating
 2300 labeled and formulated to be used over existing rubber-based coatings for the repair and
 2301 maintenance of swimming pools.
 2302

2303 "Temperature-Indicator Safety Coating" means a coating labeled and formulated as a
 2304 color-changing indicator coating for the purpose of monitoring the temperature and safety
 2305 of the substrate, underlying piping, or underlying equipment, and for application to
 2306 substrates exposed continuously or intermittently to temperatures above 204°C (400°F).
 2307

2308 "Thermoplastic Rubber Coating and Mastics" means a coating or mastic formulated and
 2309 recommended for application to roofing or other structural surfaces and that incorporates
 2310 no less than 40 percent by weight of thermoplastic rubbers in the total resin solids and
 2311 may also contain other ingredients, including, but not limited to, fillers, pigments and
 2312 modifying resins.
 2313

2314 "Tint Base" means an architectural coating to which colorant is added after packaging in
 2315 sale units to produce a desired color.
 2316

2317 "Traffic Marking Coating" means a coating labeled and formulated for marking and
 2318 striping streets, highways, or other traffic surfaces, including, but not limited to, curbs,
 2319 berets, driveways, parking lots, sidewalks, and airport runways.
 2320

2321 "Undercoater" means a coating labeled and formulated to provide a smooth surface for
 2322 subsequent coatings.
 2323

2324 "Varnish" means a clear or semitransparent wood coating, excluding lacquers and
 2325 shellacs, formulated to dry by chemical reaction on exposure to air. Varnishes may
 2326 contain small amounts of pigment to color a surface, or to control the final sheen or gloss
 2327 of the finish.
 2328

2329 "VOC Content" shall have the same meaning as "VOM Content."
 2330

2331 "VOM Content" means the weight of VOM per volume of coating, calculated according
 2332 to the procedures specified in Section 223.340(a).
 2333

2334 "Waterproofing Concrete/Masonry Sealers" means clear or pigmented sealers that are
 2335 formulated for sealing concrete and masonry to provide resistance against water, alkalis,
 2336 acids, ultraviolet light, or staining.
 2337

2338 "Waterproofing Sealer" means a coating labeled and formulated for application to a
 2339 porous substrate for the primary purpose of preventing the penetration of water.
 2340

2341 "Wood Preservative" means a coating labeled and formulated to protect exposed wood
 2342 from decay or insect attack that is registered with USEPA under the Federal Insecticide,
 2343 Fungicide, and Rodenticide Act (7 USC 136 et seq.).
 2344

2345 **Section 223.310 Standards**
 2346

- 2347 a) VOM Content Limits: Except as provided in subsection (c), no person shall
 2348 manufacture, blend, or repackage for sale within Illinois, supply, sell, or offer for
 2349 sale within Illinois, or solicit for application or apply within Illinois, any
 2350 architectural coating manufactured on or after January 1, 2009 that contains a
 2351 VOM content in excess of the corresponding limit specified below:
 2352

Coating Category	VOM Content Limit Grams/Liter (Pounds/Gallon)
1) Flat Coatings	100 (0.8)

- 2) Non-Flat Coatings 150 (1.3)
- 3) Non-Flat High-Gloss Coatings 250 (2.1)

Specialty Coatings

- 4) Antenna Coatings 530 (4.4)
- 5) Antifouling Coatings 400 (3.3)
- 6) Bituminous Roof Coatings 300 (2.5)
- 7) Bituminous Roof Primers 350 (2.9)
- 8) Bond Breakers 350 (2.9)
- 9) Calcamine Recoaters 475 (4.0)
- 10) Clear Wood Coatings

- 2353
 - A) Clear Brushing Lacquers 680 (5.7)
 - B) Lacquers
(including lacquer sanding sealers) 550 (4.6)
 - C) Sanding Sealers
(other than lacquer sanding sealers) 350 (2.9)
 - D) Varnishes 350 (2.9)

- 2354
 - 11) Concrete Curing Compounds 350 (2.9)
 - Concrete Surface Retarder 780 (6.5)

- 2355
 - 12) Conversion Varnish 725 (6.0)
 - 13) Dry Fog Coatings 400 (3.3)
 - 14) Faux Finishing Coatings 350 (2.9)
 - 15) Fire-Resistive Coatings 350 (2.9)

2356	16) Fire-Retardant Coatings		
	A) Clear	650	(5.4)
	B) Opaque	350	(2.9)
2357	17) Floor Coatings	250	(2.1)
	18) Flow Coatings	420	(3.5)
	19) Form-Release Compounds	250	(2.1)
	20) Graphic Arts Coatings (Sign Paints)	500	(4.2)
	21) High-Temperature Coatings	420	(3.5)
	22) Impacted Immersion Coating	780	(6.5)
	23) Industrial Maintenance Coatings	340	(2.8)
	24) Low-Solids Coatings	120	(1.0)
	25) Magnesite Cement Coatings	450	(3.8)
	26) Mastic Texture Coatings	300	(2.5)
	27) Metallic Pigmented Coatings	500	(4.2)
	28) Multi-Color Coatings	250	(2.1)
	29) Nuclear Coating	450	(3.8)
	30) Pre-Treatment Wash Primers	420	(3.5)
	31) Primers, Sealers, and Undercoaters	200	(1.7)
	32) Quick-Dry Enamels	250	(2.1)
	33) Quick-Dry Primers, Sealers and Undercoaters	200	(1.7)
	34) Recycled Coatings	250	(2.1)
	35) Roof Coatings	250	(2.1)

	36)	Rust Preventive Coatings	400	(3.3)
2358	37)	Shellacs		
		A) Clear	730	(6.1)
		B) Opaque	550	(4.6)
2359	38)	Specialty Primers, Sealers, and Undercoaters	350	(2.9)
	39)	Stains	250	(2.1)
	40)	Stone Consolidants	450	(3.8)
	41)	Swimming Pool Coatings	340	(2.8)
	42)	Swimming Pool Repair and Maintenance Coatings	340	(2.8)
	43)	Temperature-Indicator Safety Coatings	550	(4.6)
	44)	Thermoplastic Rubber Coatings and Mastics	550	(4.6)
	45)	Traffic Marking Coatings	150	(1.3)
	46)	Waterproofing Concrete/Masonry Sealers	400	(3.3)
	47)	Waterproofing Sealers	250	(2.1)
	48)	Wood Preservatives	350	(2.9)

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BOARD NOTE: Conversion factor: one pound VOM per gallon (U.S.) = 119.95 grams per liter.

- b) Limits are expressed in grams of VOM per liter of coating thinned to the manufacturer's maximum recommendation, excluding the volume of any water, exempt compounds, or colorant added to tint bases. "Manufacturers maximum recommendation" means the maximum recommendation for thinning that is indicated on the label or lid of the coating container.
- c) Most Restrictive VOM Limit. 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

2373 the manufacturer's behalf, any representation is made that indicates that the
 2374 coating meets the definition of or is recommended for use for more than one of
 2375 the coating categories listed in subsection (a), then the most restrictive VOM
 2376 content limit shall apply. This provision does not apply to the coating categories
 2377 specified in subsections (c)(1) through (c)(21):
 2378

- 2379 1) Lacquer coatings (including lacquer sanding sealers);
- 2380
- 2381 2) Metallic pigmented coatings;
- 2382
- 2383 3) Shellacs;
- 2384
- 2385 4) Fire-retardant coatings;
- 2386
- 2387 5) Pretreatment wash primers;
- 2388
- 2389 6) Industrial maintenance coatings;
- 2390
- 2391 7) Low-solids coatings;
- 2392
- 2393 8) Wood preservatives;
- 2394
- 2395 9) High-temperature coatings;
- 2396
- 2397 10) Temperature-indicator safety coatings;
- 2398
- 2399 11) Antenna coatings;
- 2400
- 2401 12) Antifouling coatings;
- 2402
- 2403 13) Flow coatings;
- 2404
- 2405 14) Bituminous roof primers;
- 2406
- 2407 15) Specialty primers, sealers, and undercoaters;
- 2408
- 2409 16) Conversion varnish;
- 2410
- 2411 17) Calcimine recoaters;
- 2412
- 2413 18) Impacted immersion coatings;
- 2414
- 2415 19) Nuclear coatings;

- 2416
- 2417 20) Thermoplastic rubber coating and mastics;
- 2418
- 2419 21) Concrete surface retarder.
- 2420
- 2421 d) Painting Practices. All architectural coating containers used to apply their
- 2422 contents to a surface directly from the container by pouring, siphoning, brushing,
- 2423 rolling, padding, ragging, or other means shall be closed when not in use. These
- 2424 architectural coatings containers include, but are not limited to, drums, buckets,
- 2425 cans, pails, trays, or other application containers. Containers of any VOM-
- 2426 containing materials used for thinning and cleanup shall also be closed when not
- 2427 in use.
- 2428
- 2429 e) Thinning. No person who applies or solicits the application of any architectural
- 2430 coating shall apply a coating that is thinned to exceed the applicable VOM limit
- 2431 specified in subsection (a).
- 2432
- 2433 f) Rust Preventive Coatings. No person shall apply or solicit the application of any
- 2434 rust preventive coating for industrial use unless the rust preventive coating
- 2435 complies with the industrial maintenance coating VOM limit specified in
- 2436 subsection (a). If the coating is also regulated under another Part, the more
- 2437 restrictive limit shall apply.
- 2438
- 2439 g) Coatings Not Listed in Subsection (a). For any coating that does not meet any of
- 2440 the definitions for the specialty coatings categories listed in subsection (a), the
- 2441 VOM content limit shall be determined by classifying the coating as a flat
- 2442 coating, a non-flat coating, or a non-flat high-gloss coating, based on its gloss, as
- 2443 defined in Section 223.307, and the corresponding flat or non-flat coating limit
- 2444 shall apply.
- 2445

Section 223.320 Container Labeling Requirements

Each manufacturer of any architectural coatings subject to this Subpart shall display the information listed in subsections (a) through (j) on the coating container in which the coating is sold or distributed (or on its label).

- 2451
- 2452 a) Date-code. The date the coating was manufactured, or a date-code representing
- 2453 the date, shall be indicated on the label, lid or bottom of the container. If the
- 2454 manufacturer uses a date-code for any coating, the manufacturer shall file an
- 2455 explanation of each code with the Agency upon request.
- 2456
- 2457 b) Thinning Recommendations. A statement of the manufacturer's recommendation
- 2458 regarding thinning of the coating shall be indicated on the label or lid of the

- 2459 container. This requirement does not apply to the thinning of architectural
 2460 coatings with water. If thinning of the coating prior to use is not necessary, the
 2461 recommendation must specify that the coating is to be applied without thinning.
 2462
- 2463 c) VOM or VOC Content. Each container of any coating subject to this Subpart
 2464 shall display either the maximum or the actual VOM content of the coating, as
 2465 supplied, or the actual VOM content including the maximum thinning as
 2466 recommended by the manufacturer. VOM content shall be displayed in grams of
 2467 VOM per liter of coating. VOM content displayed shall be calculated using
 2468 product formulation data, or shall be determined using the test methods in Section
 2469 223.340(b). The equations in Section 223.340(a) shall be used to calculate VOM
 2470 content. In each of the above cases, the term "VOC content" shall have the same
 2471 meaning as "VOM content".
 2472
- 2473 d) Industrial Maintenance Coatings. In addition to the information specified in
 2474 subsections (a), (b), and (c), each manufacturer of any industrial maintenance
 2475 coating subject to this Subpart shall display on the label or the lid of the container
 2476 in which the coating is sold or distributed one or more of the following
 2477 descriptions:
 2478
- 2479 1) "For industrial use only";
 - 2480
 - 2481 2) "For professional use only";
 - 2482
 - 2483 3) "Not for residential use" or "Not intended for residential use".
 - 2484
- 2485 e) Clear Brushing Lacquers. The labels of all clear brushing lacquers shall
 2486 prominently display the statements "For brush application only" and "This
 2487 product must not be thinned or sprayed".
 2488
- 2489 f) Rust Preventive Coatings. The labels of all rust preventive coatings shall
 2490 prominently display the statement "For Metal Substrates Only".
 2491
- 2492 g) Specialty Primers, Sealers, and Undercoaters. The labels of all specialty primers,
 2493 sealers, and undercoaters shall prominently display one or more of the following
 2494 descriptions:
 2495
- 2496 1) "For blocking stains";
 - 2497
 - 2498 2) "For fire-damaged substrates";
 - 2499
 - 2500 3) "For smoke-damaged substrates";
 - 2501

- 2502 4) "For water-damaged substrates";
- 2503
- 2504 5) "For excessively chalky substrates".
- 2505
- 2506 h) Quick-Dry Enamels. The labels of all quick dry enamels shall prominently
- 2507 display the words "Quick Dry" and the dry hard time.
- 2508
- 2509 i) Non-Flat High-Gloss Coatings. The labels of all non-flat high-gloss coatings
- 2510 shall prominently display the words "High Gloss."
- 2511
- 2512 j) Stone Consolidants. Effective January 1, 2010, the labels of all stone consolidants
- 2513 shall prominently display the statement "Stone Consolidant – For Professional
- 2514 Use Only".
- 2515

2516 **Section 223.330 Reporting Requirements**

- 2517
- 2518 a) Clear Brushing Lacquers. Within 90 days after written request by the Agency,
- 2519 each manufacturer of clear brushing lacquers shall report the following
- 2520 information for products sold in Illinois:
- 2521
- 2522 1) The number of gallons of clear brushing lacquers sold in the State during
- 2523 the preceding calendar year; and
- 2524
- 2525 2) The method used by the manufacturer to calculate State sales.
- 2526
- 2527 b) Rust Preventive Coatings. Within 90 days after written request by the agency,
- 2528 each manufacturer of rust preventive coatings shall report the following
- 2529 information for products sold in Illinois:
- 2530
- 2531 1) The number of gallons of rust preventive coatings sold in the State during
- 2532 the preceding calendar year; and
- 2533
- 2534 2) The method used by the manufacturer to calculate State sales.
- 2535
- 2536 c) Specialty Primers, Sealers, and Undercoaters. With 90 days after written request
- 2537 by the Agency, each manufacturer of specialty primers, sealers, and undercoaters
- 2538 shall report the following information for products sold in Illinois:
- 2539
- 2540 1) The number of gallons of specialty primers, sealers, and undercoaters sold
- 2541 in the State during the preceding calendar year; and
- 2542
- 2543 2) The method used by the manufacturer to calculate State sales.
- 2544

- 2545 d) Toxic Exempt Compounds. For each architectural coating that contains
2546 perchloroethylene or methylene chloride, within 90 days after written request by
2547 the Agency, the manufacturer shall report the following information for products
2548 sold in Illinois:
2549
- 2550 1) The product brand name and a copy of the product label with legible usage
2551 instructions;
 - 2552
 - 2553 2) The product category listed in Section 223.310(a) to which the coating
2554 belongs;
 - 2555
 - 2556 3) The total sales in Illinois, during the calendar year, to the nearest gallon;
2557 and
2558
 - 2559 4) The volume percent, to the nearest 0.10 percent, of perchloroethylene and
2560 methylene chloride in the coating.
2561
- 2562 e) Recycled Coatings.
2563
- 2564 1) Within 90 days after written request by the Agency, manufacturers of
2565 recycled coatings must submit a letter to the Agency self-certifying their
2566 status as a Recycled Paint Manufacturer.
2567
 - 2568 2) Within 90 days after written request by the Agency, each recycled
2569 coatings manufacturer shall report the following information for products
2570 sold in Illinois:
2571
 - 2572 A) The number of gallons of recycled coatings sold in the State during
2573 the preceding calendar year; and
 - 2574
 - 2575 B) The method used by the manufacturer to calculate State sales.
2576
- 2577 f) Bituminous Coatings. Within 90 days after written request by the Agency, each
2578 manufacturer of bituminous roof coatings or bituminous roof primers shall report
2579 the following information for products sold in Illinois:
2580
- 2581 1) The number of gallons of bituminous roof coatings or bituminous roof
2582 primers sold in the State during the preceding calendar year; and
2583
 - 2584 2) The method used by the manufacturer to calculate State sales.
2585
- 2586 **Section 223.340 Compliance Provisions and Test Methods**
2587

2588 a) Calculation of VOM Content. For the purpose of determining compliance with
 2589 the VOM content limits in Section 223.310(a), the VOM content of a coating
 2590 shall be determined by using the procedures described in subsection (a)(1) or
 2591 (a)(2), as appropriate. The VOM content of a tint base shall be determined
 2592 without colorant that is added after the tint base is manufactured.

2593
 2594 1) With the exception of low solids coatings, determine the VOM content in
 2595 grams of VOM per liter of coating thinned to the manufacturer's maximum
 2596 recommendation, excluding the volume of any water and exempt
 2597 compounds. Determine the VOM content as follows:
 2598

2599
$$VOM_{contents} = \frac{(W_s - W_w - W_{em})}{(V_m - V_w - V_{em})}$$

2600
 2601 Where:
 2602

- VOM content = grams of VOM per liter of coating
- W_s = weight of volatiles, in grams
- W_w = weight of water, in grams
- W_{em} = weight of exempt materials, in grams
- V_m = volume of coating, in liters
- V_w = volume of water, in liters
- V_{em} = volume of exempt materials, in liters

2603
 2604 2) For low solids coatings, determine the VOM content in units of grams of
 2605 VOM per liter of coating thinned to the manufacturer's maximum
 2606 recommendation, including the volume of any water and exempt
 2607 compounds. Determine the VOM content as follows:
 2608

2609
$$VOM_{content}(1s) = \frac{(W_s - W_w - W_{em})}{(V_m)}$$

2610 Where:
 2611

- VOM content = the VOM content of a low solids coating
in grams per liter of coating
- W_s = weight of volatiles, in grams
- W_w = weight of water, in grams
- W_{em} = weight of exempt materials, in grams
- V_m = volume of coating, in liters

2612
 2613 b) VOM Content of Coatings. To determine the physical properties of a coating in
 2614 order to perform the calculations in subsection (a), the reference method for VOM
 2615 content is USEPA Method 24, incorporated by reference in Section 223.120,

2616 except as provided in Sections 223.350 and 223.360. An alternative method to
 2617 determine the VOM content of coatings is SCAQMD Method 304-91,
 2618 incorporated by reference in Section 223.120. The exempt compounds content
 2619 shall be determined by SCAQMD Method 303-91, incorporated by reference in
 2620 Section 223.120. To determine the VOM content of a coating, the manufacturer
 2621 may use USEPA Method 24, or an equivalent alternative method as provided in
 2622 Section 223.350, formulation data, or any other reasonable means for predicting
 2623 that the coating has been formulated as intended (e.g., quality assurance checks,
 2624 recordkeeping). However, if there are any inconsistencies between the results of a
 2625 Method 24 test and any other means for determining VOM content, the Method
 2626 24 results will govern, except when an equivalent alternative method is approved
 2627 as specified in Section 223.350. The Agency may require the manufacturer to
 2628 conduct a Method 24 analysis.
 2629

2630 **Section 223.350 Alternative Test Methods**

2631
 2632 Other test methods demonstrated to provide results that are acceptable for purposes of
 2633 determining compliance with Section 223.340(b), after review and approval in writing by the
 2634 Agency and USEPA, may also be used.
 2635

2636 **Section 223.360 Methacrylate Traffic Coating Markings**

2637
 2638 Analysis of methacrylate multi-component coatings used as traffic marking coatings shall be
 2639 conducted according to a modification of USEPA Method 24, incorporated by reference in
 2640 Section 223.120, or an equivalent method approved by the CARB. This method has not been
 2641 approved for methacrylate multi-component coatings used for purposes other than as traffic
 2642 marking coatings or for other classes of multi-component coatings.
 2643

2644 **Section 223.370 Test Methods**

2645
 2646 The following test methods are incorporated by reference in Section 223.120 and shall be used to
 2647 test coatings subject to the provisions of this Subpart:
 2648

- 2649 a) Flame Spread Index. The flame spread index of a fire-retardant coating shall be
 2650 determined by ASTM E84-07, Standard Test Method for Surface Burning
 2651 Characteristics of Building Materials (see Section 223.307, Fire-Retardant
 2652 Coating), or an equivalent method approved by the CARB.
 2653
- 2654 b) Fire-Resistance Rating. The fire-resistance rating of a fire-resistive coating shall
 2655 be determined by ASTM E119-98, Standard Test Methods for Fire Tests of
 2656 Building Construction Materials (see Section 223.307, Fire-Resistive Coating), or
 2657 an equivalent method approved by the CARB.
 2658

- 2659 c) Gloss Determination. The gloss of a coating shall be determined by ASTM
 2660 D523-89, Standard Test Method for Specular Gloss (see Section 223.307, Flat
 2661 Coating, Non-Flat Coating, Non-Flat High-Gloss Coating, and Quick-Dry
 2662 Enamel), or an equivalent method approved by the CARB.
 2663
- 2664 d) Metal Content of Coatings. The metallic content of a coating shall be determined
 2665 by SCAQMD Method 318-95, Determination of Weight Percent Elemental Metal
 2666 in Coatings by X-Ray Diffraction, SCAQMD Laboratory Methods of Analysis for
 2667 Enforcement Samples (see Section 223.307, Metallic Pigmented Coating).
 2668
- 2669 e) Acid Content of Coatings. The acid content of a coating shall be determined by
 2670 ASTM D1613-03, Standard Test Method for Acidity in Volatile Solvents and
 2671 Chemical Intermediates Used in Paint, Varnish, Lacquer and Related Products
 2672 (see Section 223.307, Pre-Treatment Wash Primer), or an equivalent method
 2673 approved by the CARB.
 2674
- 2675 f) Drying Times. The set-to-touch, dry-hard, dry-to-touch and dry-to-recoat times
 2676 of a coating shall be determined by ASTM D1640-03, Standard Methods for
 2677 Drying, Curing, or Film Formation of Organic Coatings at Room Temperature
 2678 (see Section 223.307, Quick-Dry Enamel and Quick-Dry Primer, Sealer, and
 2679 Undercoater). The tack free time of a quick-dry enamel coating shall be
 2680 determined by the Mechanical Test Method of ASTM D1640-03, or an equivalent
 2681 method approved by the CARB.
 2682
- 2683 g) Surface Chalkiness. The chalkiness of a surface shall be determined using ASTM
 2684 D4214-98, Standard Test Methods for Evaluating the Degree of Chalking of
 2685 Exterior Paint Films (see Section 223.307, Specialty Primer, Sealer, and
 2686 Undercoater), or an equivalent method approved by the CARB.
 2687
- 2688 h) Exempt Compounds – Siloxanes. Exempt compounds that are cyclic, branched,
 2689 or linear, completely methylated siloxanes shall be analyzed as exempt
 2690 compounds for compliance with Section 223.340 by BAAQMD Method 43,
 2691 Determination of Volatile Methylsiloxanes in Solvent-Based Coatings, Inks, and
 2692 Related Materials, BAAQMD Manual of Procedures, Volume III (see Section
 2693 223.307, VOM Content, and Section 223.340(b)).
 2694
- 2695 i) Exempt Compounds – Parachlorobenzotrifluoride (PCBTF). The exempt
 2696 compound parachlorobenzotrifluoride shall be analyzed as an exempt compound
 2697 for compliance with Section 223.340 by BAAQMD Method 41, Determination of
 2698 Volatile Organic Compounds in Solvent-Based Coatings and Related Materials
 2699 Containing Parachlorobenzotrifluoride, BAAQMD Manual of Procedures,
 2700 Volume III (see Section 223.307, VOM Content, and Section 223.340(b)).
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- j) Exempt Compounds. The content of compounds exempt under USEPA Method 24 shall be analyzed by SCAQMD Method 303-91, Determination of Exempt Compounds, SCAQMD Laboratory Methods of Analysis for Enforcement Samples (see Section 223.307, VOM Content, and Section 223.340(b)).
 - k) VOM Content of Coatings. The VOM content of a coating shall be determined by USEPA Method 24 as it exists in Appendix A of 40 CFR 60, Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings (see Section 223.340(b)), or an equivalent method approved by the CARB.
 - l) Alternative VOM Content of Coatings. The VOM content of coatings may be analyzed by either USEPA Method 24 or SCAQMD Method 304-91, Determination of Volatile Organic Compounds (VOC) in Various Materials, SCAQMD Laboratory Methods of Analysis for Enforcement Samples (see Section 223.340(b)).
 - m) Methacrylate Traffic Marking Coatings. The VOM content of methacrylate multicomponent coatings used as traffic marking coatings shall be analyzed by the procedures in 40 CFR 59, subpart D, appendix A, Determination of Volatile Matter Content of Methacrylate Multicomponent Coatings Used as Traffic Marking Coatings (see Section 223.360), or an equivalent method approved by the CARB.