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June 2, 2017

Senator Paul Doyle  
Representative Christie Carpino  
Legislative Regulation Review Committee  
State Capitol, Room 011  
Hartford, CT 06106

***Re: Substitute Page Submission for PR 2015-196:  
Proposed Amendment and Adoption of the Air Quality Regulations Concerning  
Consumer Products, Architectural and Industrial Maintenance Coatings and Prevention  
of Significant Deterioration Permit Program***

Dear Senator Doyle and Representative Carpino:

Pursuant to section 4-170 of the Connecticut General Statutes and Rule 13 of the Committee, I am submitting one substitute page to PR2015-196.

The substitute page addresses drafting errors in the original submission concerning certain compliance dates. In the original proposal, a general compliance date of May 1, 2017 was assigned for the requirements in section 22a-174-40 of the Regulations of Connecticut State Agencies (RCSA). However, due to comment submitted and the passage of time since the proposal, the compliance date is recommended to change to May 1, 2018. The compliance dates that designate a "sell through" period for certain multi-purpose solvent and paint thinners, which are set out in RCSA section 22a-174-40(d)(14)(A) and (B), should have been extended by one year in accordance with the compliance date extension, but the appropriate changes were not made. The revisions are consistent with the intent of the proposed sell-through to occur for a period of three years. The necessary dates are revised in the provided substitute page.

A marked version of these changes is provided in Attachment A to this letter to assist in your understanding of the revisions on the substitute page.

If there are any questions concerning this submission, please contact Merrily A. Gere, Bureau of Air Management, at 860-424-3416. Thank you for your assistance with this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert J. Klee". The signature is stylized with a large, sweeping initial "R" and a long horizontal line extending to the right.

Robert J. Klee,  
Commissioner

cc: Lee Sawyer

## ATTACHMENT A

Marked version of the revisions to section 22a-174-40(d)(14) of the Regulations of Connecticut State Agencies on substitute page 22 of 64.

(14) Except as provided below, effective May 1, 2018, no person shall sell, supply, offer for sale, or manufacture for use in Connecticut any multi-purpose solvent or paint thinner that contains methylene chloride, perchloroethylene, or trichloroethylene, or greater than 1% aromatic compound content by weight, except as follows:

(A) Multi-purpose solvent aerosols and paint thinner aerosols that contain methylene chloride, perchloroethylene, or trichloroethylene, or greater than 1% aromatic compound content by weight and were manufactured prior to May 1, ~~2017~~ **2018** may be sold, supplied, or offered for sale through April 30, ~~2020~~ **2021**, if that product complies with the product dating requirements;

(B) Any person who sells or supplies a consumer product identified in subparagraph (A) of this section shall notify the purchaser of the product in writing that the sell-through period for that product will end on April 30, ~~2020~~ **2021**, however, this notification shall be given only if both of the following conditions are met:

(i) The product is sold or supplied to a distributor or retailer; and

(ii) The product is sold or supplied on or after October 31, ~~2019~~ **2020**; and

(C) The requirements of subparagraph (B) of this subdivision shall not apply to any multi-purpose solvent or paint thinner that contains any methylene chloride, perchloroethylene, or trichloroethylene that is present as an impurity in a combined amount equal to or less than 0.01 percent by weight.

amount equal to or less than 0.01% by weight of the product.

~~[(7)](8)~~ No person shall sell, supply, offer for sale or manufacture for sale in Connecticut any antiperspirant or deodorant that contains any compound that has been identified by CARB in 17 CCR 93000 as a toxic air contaminant.

~~[(8)](9)~~ No person shall sell, supply, offer for sale or manufacture for use in Connecticut any solid air freshener or ~~[toilet/urinal]~~ toilet or urinal care product that contains para-dichloro-benzene.

~~[(9)](10)~~ If a representation is made on the display panel of any consumer product, except a general purpose cleaner, an antiperspirant or a deodorant product, that the product may be used as, or, is suitable for use as, a consumer product for which a lower VOC standard is specified in Table 40-1 or Table 40-3 of this section, then the lowest VOC standard shall apply.

~~[(10)](11)~~ To determine whether a product is an air freshener, all verbal and visual representations regarding product use on the label or packaging and in the product's literature and advertising may be considered. The presence of, and representations about, a product's fragrance and ability to deodorize resulting from surface application shall not constitute a claim of air freshening.

(12) Notwithstanding the provisions of subsection (d)(1) of this section, a consumer product manufactured prior to May 1, 2018 may be sold, supplied or offered for sale if the consumer product complies with any VOC content limit in effect at the time the product is manufactured. The exception offered in this subdivision shall only apply to a product that displays a date or a date code as required by subsection (e)(1) of this section.

(13) For those consumer products that are registered under the FIFRA, the effective date of the VOC standards listed is May 1, 2019.

(14) Except as provided below, effective May 1, 2018, no person shall sell, supply, offer for sale, or manufacture for use in Connecticut any multi-purpose solvent or paint thinner that contains methylene chloride, perchloroethylene, or trichloroethylene, or greater than 1% aromatic compound content by weight, except as follows:

(A) Multi-purpose solvent aerosols and paint thinner aerosols that contain methylene chloride, perchloroethylene, or trichloroethylene, or greater than 1% aromatic compound content by weight and were manufactured prior to May 1, 2018 may be sold, supplied, or offered for sale through April 30, 2021, if that product complies with the product dating requirements;

(B) Any person who sells or supplies a consumer product identified in subparagraph (A) of this section shall notify the purchaser of the product in writing that the sell-through period for that product will end on April 30, 2021, however, this notification shall be given only if both of the following conditions are met:

(i) The product is sold or supplied to a distributor or retailer; and

(ii) The product is sold or supplied on or after October 31, 2020; and

(C) The requirements of subparagraph (B) of this subdivision shall not apply to any multi-purpose solvent or paint thinner that contains any methylene chloride, perchloroethylene, or trichloroethylene that is present as an impurity in a combined amount equal to or less than 0.01 percent by weight.

(15) After May 1, 2018, no person shall sell, supply, offer for sale, or manufacture for use in Connecticut any "flammable" or "extremely flammable" multi-purpose solvent or paint thinner named, on the principle display panel as paint thinner, multi-purpose solvent, clean-up solvent, or paint clean-up;

(A) This subdivision does not apply to a product that meets either of the following criteria:

(i) A product that includes an attached hang tag, sticker, or contrasting square or rectangular area on the principle display panel that displays, at a minimum, the following statements in a font size as large as, or larger than, the "signal word" (i.e., "DANGER," "WARNING," or "CAUTION") not including the font size used for the company name, brand name, or logo, as specified in 16 CFR section 1500.121: "Formulated to meet California VOC limits; see warnings on label," or