



Ozone Transport Commission (OTC) FREQUENTLY ASKED QUESTIONS (FAQ)

What is the Ozone Transport Commission (OTC)?

- Multi-state organization responsible for advising EPA on regional solutions to reduce air pollution.
- OTC members: Connecticut, Delaware, the District of Columbia, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont and Virginia.



Why is the OTC developing regulations?

- Pollution generated in the Midwest drifts to the east causing high levels of pollutants.
- EPA has mandated strict air quality standards for the Northeast Region that currently are not being met.
- OTC has amended one Model Rule and developed another to address this issue.
- Model Rules are based on regulations currently in effect in California.
- Purpose: To reduce VOC emissions through sale and manufacture restrictions that limit the VOC content of specified adhesives, sealants and primers sold in each state.

Which Model Rules will specifically affect ITW TACC finished products?

- Model Rule for Consumer Products
 - Most Northeast states already have a consumer regulation in effect
 - Amendments were proposed to further reduce VOC emissions
- Model Rule for Adhesives and Sealants
 - New rule implementing VOC limits on adhesives and sealants depending on application.

What is a Consumer Adhesive Product?

- *Consumer Product Definition:* a chemically formulated product used by household and institutional consumers including, but not limited to, detergents, cleaning compounds, polishes, floor finishes, cosmetics, personal care products, home, lawn and garden products, disinfectants, sanitizers, aerosol paints, and automotive specialty products. Includes Aerosol Adhesives used for consumer, industrial or commercial uses.
- Contact adhesives - one (1) gallon or less
- Other Adhesives – 16 fluid ounces or less or one (1) pound or less
- Maximum VOC content in percent (%) by weight
- Banned Substances:
 - Methylene Chloride
 - 1,1,1-Trichloroethylene
 - Perchloroethylene

What is the definition of a VOC?

- Federal EPA definition: Volatile Organic Compound (VOC) means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions
- Excludes the following organic compounds because they have been determined to have negligible photochemical reactivity:
 - Methylene Chloride
 - Acetone
 - Methyl Acetate
 - Propellant 134a
 - Propellant 152a
 - Parachlorobenzotrifluoride (PCBTF)

What are the VOC standards for Consumer Products?

Consumer Product Category	VOC Content (by weight)
Aerosol:	
Mist Spray	65%
Web Spray	55%
Polyolefin and Laminate Repair/Edgebanding	60%
Contact:	
Contact General Purpose	55%
Contact Special Purpose	80%
Construction, Panel, and Floor Covering	15%
General Purpose	10%

Is the Adhesive and Sealant Rule applicable to my products?

- Applicability depends on size:
 - Contact Adhesives - > one (1) gallon
 - Other Adhesives - > 16 fluid ounces or > one (1) pound
- No banned substances – i.e. methylene chloride is allowed and is **NOT** included in the VOC calculation
- VOC is calculated by EPA Method 24 (same as California)
- VOC limits, listed by adhesive and sealant category

Adhesive and Sealant Category	VOC Limit (grams per liter)
Ceramic Tile Installation	130
Contact Bond	250
Cove Base Installation	150
Indoor Floor Covering Installation	150
Multipurpose Construction	200
Nonmembrane Roof Installation/Repair	300
Outdoor Floor Covering Installation	250
Single-Ply Roof Membrane Installation/Repair	250

**** Categories listed above affect ITW TACC products. It is not a complete list.**

When will these rules be effective in my state?

- Each state has a different timetable for adoption of the new rules

OTC State Regulation Summary
February-09

State	Agency	Model Rule For Consumer Rule		Model Rule Adhesive & Sealant Rule	
		Effective Date		Effective Date	
Connecticut	Department of Environmental Protection (DEP)	26-Jul-07	22aa-174-40	3-Oct-08	22a-174-44
Delaware	Department of Natural Resources & Environmental Control	May 1, 2009 Amendments	1141 Sect. 2.0	1-May-09	1141 Sect. 4.0
Washington DC	Environmental Health - Air Quality Division	1-Jan-05	DCMR 719	<i>Under Development</i>	
Maine	Department of Environmental Protection (DEP)	January 1, 2009 Amendments	Chapter 152	1-Jan-11	Chapter 154
Maryland	Department of the Environment	1-Jan-09	COMAR 26.11.32	1-Jan-09	COMAR 26.11.35
Massachusetts	Department of Environmental Protection (DEP)	1-Jan-09	310 CMR 7.25(12)	<i>Under Development</i>	
New Hampshire	Department of Environmental Services (DES)	1-Jan-07	ENV-A 4100	<i>Under Development (On Hold)</i>	
New Jersey	Department of Environmental Protection (DEP)	1-Jan-09	NJSA 7:27-24	1-Jan-09	NJSA 7:27-26
New York	Department of Environmental Conservation (DEC)	1-Jan-05	3 NYCRR Part 235	1-Jan-10	6 NYCRR part 228
Pennsylvania	Department of Environmental Protection (DEP)	11-Oct-08	Art. III Chap 130.201	April 10, 2010 Proposed	Art. III Chap 121
Rhode Island	Department of Environmental Management (DEM)	1-Jul-09	APC Reg. 31	1-Jul-09	APC Reg. 44
Vermont	Agency of Natural Resources (ANR)	<i>No Plans for Regulation</i>		<i>No Plans for Regulation</i>	
Virginia	Department of Environmental Quality (DEQ)	October 4, 2006 Amendments	9 VAC 5-40-7240	<i>Still in Proposal Stage</i>	9 VAC 5-45

Can I sell to a Distributor who sells to an end user outside the OTC States?

- Yes. The Adhesive and Sealant Rule does not apply if the adhesive or sealant is intended for shipment and use outside the OTC State.
- The Distributor must keep records showing that any non-compliant product that is purchased by them is shipped outside the OTC States.
- The Distributor and Manufacturer must take "reasonable precautions" to assure that the adhesive or sealant is not distributed to or within for use in the OTC State.

What if an end user only requires a small amount of product for their operation?

- Each State has included a Small Quantity Exemption in their regulation to allow for a small amount of non-compliant product to be used
- Basis is either per calendar year or consecutive 12 month period (depends on State):
 - Total VOC emissions from all adhesives and sealants is less than 200 pounds, or
 - Total Volume of adhesive and sealant does not exceed 55 gallons (1 drum)
- If claiming this exemption, end user must keep monthly operational records to document use.

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