

RULE 67.0. ARCHITECTURAL COATINGS (Effective 11/30/77:
Rev. Adopted & Effective 5/15/96)

(a) **APPLICABILITY**

This rule is applicable to any person who supplies, sells, offers for sale, applies or solicits the application of any architectural coating.

(b) **EXEMPTIONS**

The provisions of Section (d) of this rule shall not apply to the following coatings:

- (1) Architectural coatings supplied in containers having capacities of one liter or less;
- (2) Architectural coatings sold in non-refillable aerosol containers having capacities of one liter or less;
- (3) Emulsion-type bituminous pavement sealers.

(c) **DEFINITIONS** (Revision Effective 5/15/96)

(1) **"Appurtenance"** means an accessory to an architectural structure including but not limited to: hand railings, cabinets, bathroom and kitchen fixtures, fences, rain gutters and down spouts, window screens, lamp posts, heating and air conditioning equipment, large fixed stationary tools, and concrete forms.

(2) **"Architectural Coating"** means any coating applied to stationary structures and their appurtenances coated onsite or in close proximity to the intended installed location, to mobile homes, to pavement, or to curbs.

(3) **"Below-Ground Wood Preservative"** means a coating formulated to protect below-ground wood from decay or insect attack and which contains a wood preservative chemical registered by the California Department of Food and Agriculture.

(4) **"Bituminous Coating"** means a black or brownish coating material, soluble in carbon disulfide, consisting mainly of hydrocarbons and which is obtained from natural deposits or as residue from the distillation of crude petroleum oils or of low grades of coal.

(5) **"Bond Breaker"** means a coating applied between layers of concrete to prevent the freshly poured top layer of concrete from bonding to the layer over which it is poured.

(6) **"Concrete-Curing Compound"** means a coating applied to fresh concrete to retard the evaporation of water.

(7) **"Dry-Fog Coating (Mill White Coating)"** means a coating formulated only for spray application such that overspray droplets dry before subsequent contact with other surfaces.

(8) **"Exempt Solvent"** means the same as defined in Rule 2.
(Rev. Effective 5/15/96)

(9) **"Fire-Retardant Coating"** means a coating which has a flame spread index of less than 25 when tested in accordance with the current version of ASTM Designation E 84-87, "Standard Test Method for Surface Burning Characteristics of Building Material," after application to Douglas fir according to the manufacturer's recommendations.

(10) **"Form-Release Compound"** means a coating applied to a concrete form to prevent the freshly poured concrete from bonding to the form. The form may consist of wood, metal or some material other than concrete.

(11) **"Graphic Arts Coating (Sign Coating)"** means a coating which is formulated for and hand-applied by artists using brush or roller techniques to indoor and outdoor signs and murals, excluding structural components, including lettering enamels, poster colors, copy blockers, and bulletin enamels.

(12) **"High Temperature Industrial Maintenance Coating"** means an industrial maintenance coating which is formulated for and applied to substrates exposed continuously or intermittently to temperatures above 400 degrees Fahrenheit.

(13) **"Industrial Maintenance Anti-graffiti Coating"** means a two-component clear industrial maintenance coating which is formulated for and applied to exterior walls and murals to resist repeated scrubbing and exposure to harsh solvents.

(14) **"Industrial Maintenance Coating"** means a high performance coating which is formulated for and applied to substrates exposed to one or more of the following extreme environmental conditions:

(i) Repeated (frequent) heavy abrasion, including mechanical wear and repeated (frequent) scrubbing with industrial solvents, cleansers, or scouring agents;

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

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

(iv) Repeated exposure to temperatures in excess of 250°F; or

(v) Exterior exposure of metal structures.

(15) **"Lacquer"** means a clear or pigmented coating formulated with nitrocellulose or synthetic resins to dry by evaporation without chemical reaction.

(16) **"Magnesite Cement Coating"** means a coating formulated for and applied to magnesite cement decking to protect the magnesite cement substrate from erosion by water.

(17) **"Mastic Texture Coating"** means a coating which is formulated to cover holes and minor cracks and to conceal surface irregularities and applied in a thickness of at least 10 mils (dry, single coat).

(18) **"Metallic-Pigmented Coating"** means a coating containing at least 0.4 pounds of metal particles per gallon of coating as applied.

(19) **"Multi-Colored Coating"** means a coating which exhibits more than one color when applied and which is packaged in a single container and applied in a single coat.

(20) **"Non-Flat Architectural Coating"** means a coating which registers a gloss of 15 or greater on an 85° meter or 5 or greater on a 60° meter, and which is identified on the label as a gloss, semi-gloss, or eggshell enamel coating.

(21) **"Opaque Stain"** means any stain that is not classified as a semi-transparent stain.

(22) **"Opaque Wood Preservative"** means any wood preservative that is not classified as a semi-transparent wood preservative or as a below-ground wood preservative.

(23) **"Quick Dry Primer, Sealer, and Undercoater"** means a primer, sealer or undercoater which is dry to touch in one-half hour and can be recoated in two hours, as determined under the current version of ASTM D 1640 and which is intended to be applied to a surface for one or more of the following reasons: to provide a firm bond between the substrate and subsequent coats, or to prevent subsequent coatings from being absorbed by the substrate, or to prevent harm to subsequent coatings by materials in the substrate, or to provide a smooth surface for subsequent coats.

(24) **"Quick-Dry Enamel"** means a coating which can be applied directly from the container by brush or roller at ambient temperatures between 60° F and 80° F and which is formulated to have a gloss of 70 or greater on a 60° meter and to have the following drying characteristics when tested in accordance with the current version of ASTM D 1640:

- (i) Set to touch in not more than two hours; be tack-free (mechanical tester) in not more than four hours; and

(ii) Dry hard in not more than eight hours.

(25) "**Pretreatment Primer (Wash Primer)**" means a coating which contains a minimum of 0.5 percent acid by weight, applied directly to bare metal surfaces and is necessary to provide surface etching.

(26) "**Primer**" means a coating which is intended to be applied to a surface to provide a firm bond between the substrate and subsequent coats.

(27) "**Roof Coating**" means a coating which is formulated for and applied to exterior roofs for the primary purpose of preventing penetration of the substrate by water, or reflecting heat and reflecting ultraviolet radiation. Metallic-pigmented roof coatings which qualify as metallic pigmented coatings shall not be considered to be in this category, but shall be considered to be in the metallic pigmented coatings category.

(28) "**Sanding Sealer**" means a clear wood coating formulated for and applied to bare wood for sanding and to seal the wood for subsequent application of varnish. To be considered a sanding sealer a coating must be clearly labeled as such.

(29) "**Sealer**" means a coating formulated for and applied to a substrate to prevent subsequent coatings from being absorbed by the substrate, or to prevent harm to subsequent coatings by materials in the substrate.

(30) "**Semi-transparent Stain**" means a coating which is formulated to change the color of a surface but not conceal the surface.

(31) "**Semi-Transparent Wood Preservative**" means a wood preservative stain, including clear wood preservatives, which is formulated and used to protect exposed wood from decay or insect attack by the addition of a wood preservative chemical registered by the California Department of Food and Agriculture, and which changes the color of a surface but does not conceal the surface.

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

(33) "**Solicit**" means to require for use or to specify, by written or oral contract.

(34) "**Swimming Pool Coating**" means a coating formulated and used to coat the interior of swimming pools and to resist swimming pool chemicals.

(35) "**Swimming Pool Repair and Maintenance Coating**" means a chlorinated rubber-based coating used for the repair and maintenance of swimming pools over existing chlorinated rubber-based coatings.

(36) **"Traffic Coating"** means a coating which is formulated for and applied to public streets, highways, or other surfaces including but not limited to curbs, berms, driveways and parking lots.

(37) **"Undercoater"** means a coating which is formulated for and applied to substrates to provide a smooth surface for subsequent coats.

(38) **"Varnish"** means a clear wood finish formulated with various resins to dry by chemical reaction on exposure to air.

(39) **"Volatile Organic Compound (VOC)"** means any compound of carbon- which may be emitted to the atmosphere during the application of or subsequent drying or curing of coatings subject to this rule, except methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and exempt compounds. VOC content of coatings is expressed in grams of VOC per liter of coating, as applied, less water and less exempt compounds. (Rev. Effective 5/15/96)

(40) **"Waterproofing Mastic Coating"** means a weatherproof or waterproof coating which is formulated to cover holes and minor cracks and to conceal surface irregularities and which is to be applied in thicknesses of at least 15 mils.

(41) **"Waterproofing Sealer"** means a colorless coating which is formulated and applied for the sole purpose of protecting porous substrates by preventing the penetration of water and which does not alter surface appearance or texture.

(d) **STANDARDS AND REQUIREMENTS**

(1) Except as provided in Subsection (d)(2), (d)(3), and (d)(4) a person shall not manufacture, blend, repackage, supply, sell, offer for sale, apply, or solicit the application of any architectural coating for use within San Diego County which at the time of sale or manufacture contains more than 250 grams of VOC per liter of coating (excluding water and exempt solvents and any colorant added to tint bases).

(2) A person shall not manufacture, blend or repackage for use or sale within San Diego County any architectural coating listed in the table of standards below which contains VOC (excluding water and exempt solvents, and excluding any colorant added to tint bases), in excess of the corresponding limit specified in the following table, after the corresponding date specified.

Table of Standards
(grams of VOC per liter)

	Effective 12/1/87	Effective 2/2/90
Below-Ground Wood Preservative		600
Bond Breakers		350
Concrete-Curing Compounds	350	350
Dry-Fog Coatings	400	400
Fire-Retardant Coating		
Clear		650
Pigmented		350
Form-Release Compounds	250	
Graphics Arts (Sign) Coatings		500
High Temperature Industrial Maint. Coatings		650
Industrial Maintenance Anti-graffiti Coatings		600
Industrial Maintenance Coatings	420	420
Lacquer	680	680
Magnesite Cement Coatings		600
Mastic Texture Coatings		300
Metallic-Pigmented Coatings		500
Multi-Color Coatings		580
Opaque Stains	350	350
Opaque Wood Preservatives	350	350
Pretreatment (Wash) Primer		780
Primers, Sealers & Undercoaters	350	350
Quick Dry Enamels	400	400
Quick Dry Primers, Sealers & Undercoaters		525
Roof Coatings	300	300
Sanding Sealers		550
Semi-Transparent Stains	350	350
Semi-Transparent & Clear Wood Preservatives	350	350
Shellac		
Clear		730
Pigmented		550
Swimming Pool Coatings		650
Swimming Pool Repair & Maintenance Coatings		650
Traffic Paints		250
Varnish	350	350
Waterproofing Sealers	400	400
Waterproofing Mastic Coatings	300	300

(3) A person shall not supply, ship or distribute into San Diego County any architectural coating, for use within San Diego County, subject to the requirements of Subsection (d)(2) which contains VOC (excluding water and exempt solvents, and excluding any colorant added to tint bases) in excess of the corresponding limit specified in the Table of Standards in Subsection (d)(2) for more than three months after December 4, 1990.

(4) A person shall not sell, offer for sale, apply or solicit the application of any architectural coating subject to the requirements of Subsection (d)(2) for use within San Diego County which, at the time of sale, contains VOC (excluding water and exempt solvents, and excluding any colorant added in tint bases) in excess of the corresponding new or revised limit that is effective on February 2, 1990 specified in the Table of Standards in Subsection (d)(2) for more than three years after the effective date of the standard.

(5) A person shall not sell, offer for sale, or supply any architectural coating for use within San Diego County unless the coating container displays the date of manufacture of the contents or a code indicating the dates of manufacture. The manufacturers of such coatings shall file an explanation of each code with the Air Pollution Control Officer and the Executive Officer of the California Air Resources Board.

(6) A person shall not sell, offer for sale, or supply any architectural coating for use within San Diego County unless the coating container carries a statement of the manufacturer's recommendation regarding thinning of the coating. This requirement shall not apply to the thinning of architectural coatings with water. A person shall not sell or offer for sale any architectural coating for use within San Diego County unless the thinning recommended on the label for normal environmental and application conditions would not cause the coating to exceed its applicable standard.

(7) A person shall not manufacture, sell, or offer for sale any architectural coating manufactured after December 4, 1991 for use within San Diego County unless the coating container or top of the lid displays the maximum VOC content of the coating as applied and after any thinning as recommended by the manufacturer. The VOC content shall be displayed as grams of VOC per liter of coating (less water and exempt solvents and excluding any colorant added to tint bases). The VOC content displayed may be calculated using product formulation data or may be determined using the test method in Section (h).

(e) If anywhere on the container of any coating listed on the Table of Standards, on any sticker or label affixed thereto, or in any sales or advertising literature, any representation is made that the coating may be used as, or is suitable for use as, a coating for which a lower VOC standard is specified in the table or in Subsection (d)(1), then the lowest VOC standard shall apply. This requirement does not apply to the representation of the following coatings in the manner specified:

(1) High Temperature Industrial Maintenance Coatings, which may be represented as metallic-pigmented coatings for use consistent with the definition of high temperature industrial maintenance coatings;

(2) Lacquer Sanding Sealers, which may be recommended for use as sanding sealers in conjunction with clear lacquer topcoats;

(3) Metallic-Pigmented Coatings, which may be recommended for use as primers, sealers, undercoaters, roof coatings, or industrial maintenance coatings;

- (4) Shellacs; and
- (5) Fire Retardant Coatings.
- (f) Rule 66 shall not apply to the sale or application of coatings subject to this rule.
- (g) **TEST METHODS**

Measurement of VOC in architectural coatings shall be conducted and reported in accordance with EPA Test Method 24 (40 CFR 60, Appendix A) as it exists on December 4, 1990.

Measurement of the water content and exempt solvent content shall be conducted and reported in accordance with ASTM Test Methods D 4457-85 and D 3792-86.

Calculation of the VOC content of coatings less water and exempt solvents shall be performed in accordance with ASTM Standard Practice D 3960-87.

Measurement of acid content shall be conducted and reported in accordance with ASTM Test Method D 1613-81.

Measurement of elemental metal content shall be conducted and reported in accordance with the Spectrographic Method used by Pacific Spectrochemical Laboratory, Inc. for the analysis of carbon dust and carbon laminates, as it exists on December 4, 1990.