

Air Pollution Control Requirements for Architectural and Industrial Maintenance (AIM) Coatings

Regulatory Update

August 2013

Architectural and Industrial Maintenance (AIM) Coatings are regulated under 6 NYCRR Part 205. AIM coatings and reducers/thinners typically contain some percentage of volatile organic compounds (VOC) that evaporate during the surface coating operations, and contribute to air pollution problems such as the formation of ozone/smog and other related public health problems.

REQUIREMENTS

Part 205 establishes VOC content limits (see Table of Standards), labeling requirements and “good housekeeping practices”. Recently, New York State Department of Environmental Conservation (DEC) passed emergency rule revisions to Part 205 and the changes are **EFFECTIVE IMMEDIATELY**.

Additional information about the regulation and rule revisions can be found at www.efc.ny.gov/SBEAP and clicking on Architectural Coating BUSINESS SECTOR.

REQUIREMENTS FOR MANUFACTURERS

CONTAINER LABELING REQUIREMENTS

Coating manufacturers subject to Part 205 are required to provide product information (see table) on the coating container, or on the label affixed to the container.

RECORD KEEPING

Manufacturers of these coatings are required to

- 1) Maintain a product list
- 2) Document proof of VOC content for each coating
- 3) Maintain distribution/sales data and include additional information on the container/affixed container label.

LABEL REQUIREMENTS

- Manufactured Date or Date Code:
Date Code must be on file with the DEC
- Thinning recommendations
- VOC content
- Specific Labeling Instructions for:
 - Industrial maintenance coatings
 - Clear brushing lacquers
 - Rust preventatives
 - Specialty primers, sealers & undercoaters
 - Quick dry enamels

All manufacturers must keep records on site to verify the actual VOC content of each AIM coating. Records must be maintained for five years and be made available to the DEC within 90 days **upon their request**. Manufacturers of recycled AIM coatings or coatings that contain *perchloroethylene* or *methylene chloride* have additional reporting requirements (*Refer to section §205.5 for complete listing of additional requirements*).

EXEMPTIONS

The rule does not apply to: AIM coatings that are sold or manufactured for use outside of New York State; any aerosol-coating product; any architectural coatings that are sold in a container of one liter or less, products sold in quart containers are not subject to the regulation; or any asphalt pavement and asphalt based surface coating regulated under Part 241. These exemptions are valid only in New York State. Please check with other States to see what exemptions apply in their jurisdictions.



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TABLE OF STANDARDS - VOC CONTENT LIMITS FOR ARCHITECTURAL COATINGS

The VOC limits listed are for the coating as applied (after thinning)

<u>COATING CATEGORY</u>	<u>VOC LIMIT (G/L)</u>	<u>COATING CATEGORY</u>	<u>VOC LIMIT (G/L)</u>
Flat coatings	100	Impacted immersion coatings	780
Nonflat coatings	150	Industrial maintenance coatings	340
Nonflat – high gloss coatings	250		
Antenna coatings	530	Low solids coatings	120
Antifouling coatings	400	Magnesite cement coatings	450
Bituminous roof coatings	300	Mastic texture coatings	300
Bituminous roof primers	350	Metallic pigmented coatings	500
Bond breakers	350	Multi-color coatings	250
Calcimine recoaters	475	Nuclear coatings	450
Clear wood coatings:		Pre-treatment wash primers	420
<i>Clear brushing lacquers</i>	680	Primers, sealers & undercoaters sealers)	200
<i>Lacquers (including lacquer sanding sealers)</i>	550	Quick-dry enamels	250
<i>Sanding sealers (other than lacquer sanding sealers)</i>	350	Quick-dry primers, sealers & undercoaters	200
<i>Varnishes</i>	350	Recycled coatings	250
<i>Conversion varnishes</i>	725	Roof coatings	250
Concrete curing compounds	350	Rust preventive coatings	400
Concrete surface retarders	780	Shellacs:	
Dry fog coatings	400	<i>Clear</i>	730
Faux finishing coatings	350	<i>Opaque</i>	550
Fire resistive coatings	350	Specialty Primers, sealers & undercoaters	350
Fire retardant coatings:		Stains	250
<i>Clear</i>	650	Swimming pool coatings & swimming pool repair & maintenance coatings	340
<i>Opaque</i>	350	Temperature-indicator safety coatings	550
Floor coatings	250	Thermoplastic-Rubber coatings & mastics	550
Flow coatings	420	Traffic marking coatings	150
Form-release compounds	250	Waterproofing sealers	250
Graphic arts coatings (sign plates)	500	Waterproofing concrete/masonry sealers	400
High Temperature Coatings	420	Wood preservatives	350

For coatings not listed in the above table and that do not meet the definition of the "specialty coatings" categories, the coating will be classified as flat, nonflat or nonflat-high gloss, as applicable, and the corresponding VOC coating limit will apply.

NEW YORK STATE PERMITTING REQUIREMENTS

All AIM coating manufacturers located within New York State are subject to permitting requirements under DEC regulation 6 NYCRR Part 201. If you do not have a current Permit or Registration issued by DEC, please contact our office to determine your compliance status with this regulation.

The information in this fact sheet is intended for general reference only; it is not a full and complete statement of the technical or legal requirements associated with the regulation.

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