

records and date-coding information, altering the VOC content of a coating batch, or altering the results of any required tests to determine VOC content.

§ 59.412 Incorporations by reference.

(a) The materials listed in this section are incorporated by reference in the paragraphs noted in § 59.401. These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they exist on the date of the approval, and notice of any changes in these materials will be published in the FEDERAL REGISTER. The materials are available for purchase at the corresponding addresses noted below, and all are available for inspection at the Air and Radiation Docket and Information Center, U.S. EPA, 401 M St., SW., Washington, DC 20460; at the EPA Library (MD-35), U.S. EPA, Research Triangle Park, North Carolina; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(b) The materials listed below are available for purchase at the following address: American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959.

(1) ASTM Method C 1315-95, Standard Specification for Liquid Membrane-Forming Compounds Having Special Properties for Curing and Sealing Concrete, incorporation by reference approved for § 59.401, *Concrete curing and sealing compound*.

(2) ASTM Method D 523-89, Standard Test Method for Specular Gloss, incorporation by reference approved for § 59.401, *Flat coating* and *Nonflat coating*.

(3) ASTM Method D 1640-83 (Re-approved 1989), Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature, incorporation by reference approved for § 59.401, *Quick-dry enamel* and *Quick-dry primer, sealer, and undercoater*.

(4) ASTM Method D 3912-80 (Re-approved 1989), Standard Test Method for Chemical Resistance of Coatings Used in Light-Water Nuclear Power Plants, incorporation by reference approved for § 59.401, *Nuclear coating*.

(5) ASTM Method D 4082-89, Standard Test Method for Effects of Gamma Radiation on Coatings for Use in Light-Water Nuclear Power Plants, incorporation by reference approved for § 59.401, *Nuclear coating*.

(c) The following material is available from the AAMA, 1827 Walden Office Square, Suite 104, Schaumburg, IL 60173.

(1) AAMA 605-98, Voluntary Specification Requirements and Test Procedures for High Performance Organic Coatings on Aluminum Extrusions and Panels, incorporation by reference approved for § 59.401, *Extreme high durability coating*.

(2) [Reserved]

[63 FR 48877, Sept. 11, 1998, as amended at 69 FR 18803, Apr. 9, 2004]

§ 59.413 Availability of information and confidentiality.

(a) *Availability of information.* The availability to the public of information provided to or otherwise obtained by the Administrator under this part shall be governed by part 2 of this chapter.

(b) *Confidentiality.* All confidential business information entitled to protection under section 114(c) of the Act that must be submitted or maintained by each manufacturer or importer of architectural coatings pursuant to this section shall be treated in accordance with 40 CFR part 2, subpart B.

APPENDIX A TO SUBPART D OF PART 59—
DETERMINATION OF VOLATILE MATTER CONTENT OF METHACRYLATE MULTICOMPONENT COATINGS USED AS TRAFFIC MARKING COATINGS

1.0 PRINCIPLE AND APPLICABILITY

1.1 Applicability. This modification to Method 24 of appendix A of 40 CFR part 60 applies to the determination of volatile matter content of methacrylate multicomponent coatings used as traffic marking coatings.

1.2 Principle. A known amount of methacrylate multicomponent coating is dispersed in a weighing dish using a stirring device before the volatile matter is removed by heating in an oven.

2.0 PROCEDURE

2.1 Prepare about 100 milliliters (mL) of sample by mixing the components in a storage container, such as a glass jar with a screw top or a metal can with a cap. The storage container should be just large enough to hold the mixture. Combine the components (by weight or volume) in the ratio recommended by the manufacturer. Tightly close the container between additions and during mixing to prevent loss of volatile materials. Most manufacturers' mixing instructions are by volume. Because of possible error caused by expansion of the liquid when measuring the volume, it is recommended that the components be combined by weight. When weight is used to combine the components and the manufacturer's recommended ratio is by volume, the density must be determined by section 3.5 of Method 24 of appendix A of 40 CFR part 60.

2.2 Immediately after mixing, take aliquots from this 100 mL sample for determination of the total volatile content, water content, and density. To determine water content, follow section 3.4 of Method 24 of appendix A of 40 CFR part 60. To determine density, follow section 3.5 of Method 24. To determine total volatile content, use the apparatus and reagents described in section 3.8.2 of Method 24 and the following procedures:

2.2.1 Weigh and record the weight of an aluminum foil weighing dish and a metal paper clip. Using a syringe as specified in section 3.8.2.1 of Method 24, weigh to 1 milligrams (mg), by difference, a sample of coating into the weighing dish. For methacrylate multicomponent coatings used for traffic marking use 3.0 ±0.1 g.

2.2.2 Add the specimen and use the metal paper clip to disperse the specimen over the surface of the weighing dish. If the material

forms a lump that cannot be dispersed, discard the specimen and prepare a new one. Similarly, prepare a duplicate. The sample shall stand for a minimum of 1 hour, but no more than 24 hours before being oven dried at 110 ±5 degrees Celsius for 1 hour.

2.2.3 Heat the aluminum foil dishes containing the dispersed specimens in the forced draft oven for 60 minutes at 110 ±5 degrees Celsius. Caution—provide adequate ventilation, consistent with accepted laboratory practice, to prevent solvent vapors from accumulating to a dangerous level.

2.2.4 Remove the dishes from the oven, place immediately in a desiccator, cool to ambient temperature, and weigh to within 1 mg. After weighing, break up the film of the coating using the metal paper clip. Weigh dish to within 1 mg. Return to forced draft oven for an additional 60 minutes at 110 ±5 degrees Celsius.

2.2.5 Remove the dishes from the oven, place immediately in a desiccator, cool to ambient temperature, and weigh to within 1 mg.

2.2.6 Run analyses in pairs (duplicate sets for each coating mixture until the criterion in section 4.3 of Method 24 of appendix A of 40 CFR part 60 is met. Calculate the weight of volatile matter for each heating period following Equation 24-2 of Method 24 and record the arithmetic average. Add the arithmetic average for the two heating periods to obtain the weight fraction of the volatile matter.

3.0 DATA VALIDATION PROCEDURE

3.1 Follow the procedures in Section 4 of Method 24 of appendix A to 40 CFR part 60.

3.2 If more than 10 percent of the sample is lost when the sample is being broken up in 2.2.4, the sample is invalid.

4.0 CALCULATIONS

Follow the calculation procedures in Section 5 of Method 24 of appendix A of 40 CFR part 60.

TABLE 1 TO SUBPART D OF PART 59—VOLATILE ORGANIC COMPOUND (VOC), CONTENT LIMITS FOR ARCHITECTURAL COATINGS

[Unless otherwise specified, limits are expressed in grams of VOC 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.]

Coating category	Grams VOC per liter	Pounds VOC per gallon ^a
Antenna coatings	530	4.4
Anti-fouling coatings	450	3.8
Anti-graffiti coatings	600	5.0
Bituminous coatings and mastics	500	4.2
Bond breakers	600	5.0
Calimine recoater	475	4.0
Chalkboard resurfacers	450	3.8
Concrete curing compounds	350	2.9
Concrete curing and sealing compounds	700	5.8

Environmental Protection Agency

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[Unless otherwise specified, limits are expressed in grams of VOC 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.]

Coating category	Grams VOC per liter	Pounds VOC per gallon ^a
Concrete protective coatings	400	3.3
Concrete surface retarders	780	6.5
Conversion varnish	725	6.0
Dry fog coatings	400	3.3
Extreme high durability coatings	800	6.7
Faux finishing/glazing	700	5.8
Fire-retardant/resistive coatings:		
Clear	850	7.1
Opaque	450	3.8
Flat coatings:		
Exterior coatings	250	2.1
Interior coatings	250	2.1
Floor coatings	400	3.3
Flow coatings	650	5.4
Form release compounds	450	3.8
Graphic arts coatings (sign paints)	500	4.2
Heat reactive coatings	420	3.5
High temperature coatings	650	5.4
Impacted immersion coatings	780	6.5
Industrial maintenance coatings	450	3.8
Lacquers (including lacquer sanding sealers)	680	5.7
Magnesite cement coatings	600	5.0
Mastic texture coatings	300	2.5
Metallic pigmented coatings	500	4.2
Multi-colored coatings	580	4.8
Nonferrous ornamental metal lacquers and surface protectants	870	7.3
Nonflat coatings:		
Exterior coatings	380	3.2
Interior coatings	380	3.2
Nuclear coatings	450	3.8
Pretreatment wash primers	780	6.5
Primers and undercoaters	350	2.9
Quick-dry coatings:		
Enamels	450	3.8
Primers, sealers, and undercoaters	450	3.8
Repair and maintenance thermoplastic coatings	650	5.4
Roof coatings	250	2.1
Rust preventative coatings	400	3.3
Sanding sealers (other than lacquer sanding sealers)	550	4.6
Sealers (including interior clear wood sealers)	400	3.3
Shellacs:		
Clear	730	6.1
Opaque	550	4.6
Stains:		
Clear and semitransparent	550	4.6
Opaque	350	2.9
Low solids	^b 120	^b 1.0
Stain controllers	720	6.0
Swimming pool coatings	600	5.0
Thermoplastic rubber coatings and mastics	550	4.6
Traffic marking coatings	150	1.3
Varnishes	450	3.8
Waterproofing sealers and treatments	600	5.0
Wood preservatives:		
Below ground wood preservatives	550	4.6
Clear and semitransparent	550	4.6
Opaque	350	2.9
Low solids	^b 120	^b 1.0
Zone marking coatings	450	3.8

^a English units are provided for information only. Compliance will be determined based on the VOC content limit, as expressed in metric units.

^b Units are grams of VOC per liter (pounds of VOC per gallon) of coating, including water and exempt compounds, thinned to the maximum thinning recommended by the manufacturer.

[63 FR 48877, Sept. 11, 1998; 63 FR 55175, Oct. 14, 1998; 63 FR 32103, June 15, 1999; 64 FR 35002, June 30, 1999]

Subpart E [Reserved]**Subpart F—Control of Evaporative Emissions From New and In-Use Portable Fuel Containers**

SOURCE: 72 FR 8533, Feb. 26, 2007, unless otherwise noted.

OVERVIEW AND APPLICABILITY**§ 59.600 Does this subpart apply for my products?**

(a) Except as provided in § 59.605 and paragraph (b) of this section, the regulations in this subpart F apply for all portable fuel containers (defined in § 59.680) that are manufactured on or after January 1, 2009.

(b) See § 59.602 (a) and (b) to determine how to apply the provisions of this subpart for containers that were manufactured before January 1, 2009.

§ 59.601 Do the requirements of this subpart apply to me?

(a) Unless specified otherwise in this subpart, the requirements and prohibitions of this subpart apply to all manufacturers and importers of portable fuel containers. Certain prohibitions in § 59.602 apply to all other persons.

(b) New portable fuel containers that are subject to the emissions standards of this part must be covered by a certificate of conformity that is issued to the manufacturer of the container. If more than one person meets the definition of manufacturer for a portable fuel container, see § 59.621 to determine if you are the manufacturer who may apply for and receive a certificate of conformity.

(c) Unless specifically noted otherwise, the term “you” means manufacturers, as defined in § 59.680.

§ 59.602 What are the general prohibitions and requirements of this subpart?

(a) *General prohibition for manufacturers and importers.* No manufacturer or importer may sell, offer for sale, introduce or deliver for introduction into commerce in the United States, or import any new portable fuel container that is subject to the emissions standards of this subpart and is manufactured after December 31, 2008 unless it

is covered by a valid certificate of conformity, it is labeled as required, and it complies with all of the applicable requirements of this subpart, including compliance with the emissions standards for its useful life. After June 30, 2009, no manufacturer or importer may sell, offer for sale, introduce or deliver into commerce in the United States, or import any new portable fuel container that was manufactured prior to January 1, 2009 unless it meets the requirements of this subpart.

(b) *General prohibition for wholesale distributors.* No wholesale distributor may sell, offer for sale, or distribute any portable fuel container in the United States that is subject to the emissions standards of this subpart and is manufactured after December 31, 2008 unless it is covered by a valid certificate of conformity and is labeled as required. After December 31, 2009, no wholesale distributor may sell, offer for sale, or distribute in the United States any portable fuel container that was manufactured prior to January 1, 2009 unless it meets the requirements of this subpart. After December 31, 2009, all new portable fuel containers shall be deemed to be manufactured after December 31, 2008 unless they are in retail inventory.

(c) *Reporting and recordkeeping.* (1) You must keep the records and submit the reports specified in § 59.628. Records must be retained for at least 5 years from the date of manufacture or importation and must be supplied to EPA upon request.

(2) No person may alter, destroy, or falsify any record or report required by this subpart.

(d) *Testing and access to facilities.* You may not keep us from entering your facility to observe tests or inspect facilities if we are authorized to do so. Also, you must perform the tests we require (or have the tests done for you). Failure to perform this testing is prohibited.

(e) *Warranty.* You may not fail to offer, provide notice of, or honor the emissions warranty required under this subpart.

(f) *Replacement components.* No person may sell, offer for sale, introduce or deliver for introduction into commerce in the United States, import, or install