

799 DEFINITIONS

799.1 The meanings ascribed to the definitions and abbreviations appearing in § 199 of chapter 1 shall apply to the terms and abbreviations in this chapter. In addition, the following terms and phrases used in this chapter shall have the meanings set forth in this section unless the text or context of a particular section, subsection or paragraph provides otherwise:

ACP agreement – the document signed by the Department that includes the conditions and requirements of the Alternative Control Plan (ACP) and allows manufacturers to sell ACP products in District of Columbia.

ACP emissions – is the following:

- (a) The sum of the VOC emissions during the compliance period specified in the ACP agreement from every ACP product subject to an ACP Agreement approving an ACP, expressed to the nearest pound of VOC; and
- (b) Calculated according to the following equation:

$$ACP\ Emissions = (Emissions)_1 + (Emissions)_2 + \dots + (Emissions)_N$$

$$Emissions = \frac{(VOC\ Content) \times (Enforceable\ Sales)}{100}$$

where:

- (1) For all products except for charcoal lighter material products:

$$VOC\ Content = \frac{((B - C) \times 100)}{A}$$

A = net weight of unit (excluding container and packaging);

B = total weight of all VOCs per unit, as defined in this section; and

C = total weight of all exempted VOCs per unit, as specified in § 721; or

- (2) For charcoal lighter material products only:

$$VOC\ Content = \frac{(Certified\ Emissions \times 100)}{Certified\ Use\ Rate}$$

Certified Emissions = the emissions level for products approved by the Department under § 730, as determined pursuant to South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (Feb. 27, 1991) including subsequent amendments, expressed to the nearest one one-thousandth of a pound (0.001 lb) of methylene (CH₂) per start; and

Certified Use Rate = the usage level for products approved by the Department under § 730, as determined pursuant to South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (Feb. 27, 1991) including subsequent amendments, expressed to the nearest one one-thousandth of a pound (0.001 lb.) certified product used per start.

ACP limit – is the following:

- (a) The maximum allowable ACP Emissions during the compliance period specified in an ACP Agreement approving an ACP, expressed to the nearest pound of VOC; and
- (b) Calculated according to the following equation:

$$ACP\ Limit = (Limit)_1 + (Limit)_2 + \dots + (Limit)_N$$

where:

$$Limit = \frac{(ACP\ Standard) \times (Enforceable\ Sales)}{100}$$

Enforceable Sales = the total amount of an ACP product sold for use in District of Columbia during the applicable compliance period specified in the ACP Agreement approving an ACP, as determined through enforceable sales records, expressed to the nearest pound, excluding container and packaging;

ACP Standard = either the ACP product's Pre-ACP VOC Content, or the applicable VOC standard specified in § 720, whichever is the lesser of the two;

Pre-ACP VOC Content = the lowest VOC content which the ACP product had between January 1, 1990, and the date on which the application for a proposed ACP is submitted to the Department, based on either the data on the product obtained from the March 12, 1991, CARB Consumer Products Survey, or other accurate records available to the Department, whichever yields the lowest VOC content for the product; and

1, 2,...N = each product in an ACP up to the maximum N.

ACP product – any consumer product subject to the VOC standards specified in § 720, except those products that have been exempted under § 721 or exempted as Innovative Products under § 736.

ACP reformulation or ACP reformulated – the process of reducing the VOC content of an ACP product, within the period that an ACP is in effect, to a level which is less than the current VOC content of the product.

ACP standard – either the ACP product's pre-ACP VOC content or the applicable VOC standard specified in § 720, whichever is less.

ACP VOC standard – the maximum allowable VOC content for an ACP product, determined as follows:

- (a) For all ACP products except for charcoal lighter material, the applicable VOC Standard specified in § 720; and
- (b) For charcoal lighter material products only, the VOC Standard shall be calculated according to the following equation:

$$VOC\ Standard = \frac{(0.020\ pound\ CH_2\ per\ start\ x\ 100)}{Certified\ Use\ Rate}$$

where:

0.020 = the certification emissions level for the District of Columbia-approved product, as specified in § 730; and

Certified Use Rate = the usage level for products approved by the District of Columbia under § 730, as determined pursuant to South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (Feb. 27, 1991), including subsequent amendments, expressed to the nearest one one-thousandth of a pound (0.001 lb.) certified product used per start.

Acrylonitrile-butadiene-styrene (ABS) welding adhesive – any adhesive intended by the manufacturer to weld ABS pipe, which is made by reacting monomers of acrylonitrile, butadiene, and styrene.

Adhesive – is the following:

- (a) For the purposes of §§ 719 through 737:
 - (1) Any product that is used to bond one (1) surface to another by attachment;
 - (2) Does not include products used on humans and animals, adhesive tape, contact paper, wallpaper, shelf liners, or any other product with an adhesive incorporated onto or in an inert substrate;
 - (3) For “contact adhesive,” does not include units of product, less packaging, which consist of more than one gallon (1 gal.); and
 - (4) For “construction, panel, and floor covering adhesive” and “general purpose adhesive,” does not apply to aerosol adhesives or units of product, less packaging, that weigh more than one pound (1 lb.) and consist of more than sixteen (16) fluid ounces; and
- (b) For the purposes of §§ 714, 743 through 749, 770 and 771, and 773 through 778, any chemical substance that is used to bond two (2) surfaces together other than by mechanical means.

Adhesive primer – any product intended by the manufacturer to be applied to a substrate, before the application of an adhesive, to provide a bonding surface.

Adhesive remover – a product designed to remove adhesive from either a specific substrate or a variety of substrates. Adhesive remover does not include a product that removes adhesives intended exclusively for use on humans or animals. Adhesive includes, but is not limited to, caulks,

sealants, glues, or similar substances used for the purposes of forming a bond. For the purpose of this definition and “adhesive remover” subcategories (a) through (d), the term “adhesive” shall mean a substance used to bond one (1) or more of the following materials:

- (a) Floor and wall covering adhesive remover – a product designed or labeled to remove floor or wall coverings and associated adhesive from the underlying substrate;
- (b) Gasket or thread locking adhesive remover – a product designed or labeled to remove gaskets or thread locking adhesives. Products labeled for dual use as a paint stripper and gasket remover or thread locking adhesive remover are considered gasket or thread locking adhesive remover;
- (c) General purpose adhesive remover – a product designed or labeled to remove cyanoacrylate adhesives as well as non-reactive adhesives or residue from a variety of substrates. General purpose adhesive remover includes, but is not limited to, products that remove thermoplastic adhesives; pressure sensitive adhesives; dextrine or starch-based adhesives; casein glues; rubber or latex based adhesives; as well as products that remove stickers; decals; stencils; or similar materials. General purpose adhesive remover does not include floor or wall covering adhesive remover; and
- (d) Specialty adhesive remover – a product designed to remove reactive adhesives from a variety of substrates. Reactive adhesives include adhesives that require a hardener or catalyst in order for the bond to occur. Examples of reactive adhesives include, but are not limited to epoxies, urethanes, and silicones. Specialty adhesive remover does not include gasket or thread locking adhesive remover.

Adhesion promoter - an automotive coating labeled and formulated to be applied to uncoated plastic surfaces to facilitate bonding of subsequent coatings and on which a subsequent coating is applied.

Aerosol adhesive or adhesive primer – an aerosol adhesive or adhesive primer product in which the spray mechanism is permanently housed in a non-refillable can designed for hand-held application without the need for ancillary hoses or spray equipment. Aerosol adhesives include special purpose spray adhesives, mist-spray adhesives, and web spray adhesives.

Aerosol coating product – a pressurized coating product containing pigments or resins that dispenses product ingredients by means of a propellant and is

packaged in a disposable can for hand-held application or for use in specialized equipment for ground traffic/marking applications.

Aerosol cooking spray – any aerosol product designed either to reduce sticking on cooking and baking surfaces or to be applied on food, or both.

Aerosol product – a pressurized spray system that dispenses product ingredients with a propellant contained in a product or a product’s container, or with a mechanically induced force, excluding pump sprays.

Aerospace component – for the purposes of §§ 743 to 749, the fabricated part, assembly of parts, or completed unit of any aircraft, helicopter, missile, or space vehicle, including passenger safety equipment.

Agricultural use – is the following:

- (a) The use of any pesticide, method, or device for the control of pests in connection with the commercial production, storage, or processing of any animal or plant crop;
- (b) Does not include the sale or use of pesticides in properly labeled packages or containers that are intended for home use, use in structural pest control, industrial use, or institutional use; and
- (c) For the purposes of this definition:
 - (1) “Home use” refers to use in a household or its immediate environment;
 - (2) “Structural pest control” refers to a use requiring a license under the applicable District of Columbia pesticide licensing requirement;
 - (3) “Industrial use” refers to use for or in a manufacturing, mining, or chemical process or use in the operation of factories, processing plants, and similar sites; and
 - (4) “Institutional use” refers to use within the lines of, or on property necessary for the operation of buildings such as hospitals, schools, libraries, auditoriums, and office complexes.

Air-assisted airless spray - coating spray technology that uses compressed air to shape and distribute the fan of atomized coating but still uses fluid pressure to create the atomized coating.

Air freshener – is the following:

- (a) Any consumer product including, but not limited to, sprays, wicks, powders, and crystals, designed for the purpose of masking odors, or freshening, cleaning, scenting, or deodorizing the air;
- (b) Spray disinfectants and other products that are expressly represented for use as air fresheners, except institutional and industrial disinfectants when offered for sale through institutional and industrial channels of distribution. 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 shall not constitute a claim of air freshening; and
- (c) Does not include products that are used on the human body, products that function primarily as cleaning products as indicated on a product label or “toilet/urinal care products”, disinfectant products claiming to deodorize by killing germs on surfaces, or institutional/industrial disinfectants when offered for sale solely through institutional and industrial channels of distribution.

Airless cleaning system – a solvent cleaning machine that is automatically operated and seals at a differential pressure of five tenths of a pound (0.5 lb.) per square inch gauge (psig) or less, before the introduction of solvent or solvent vapor into the cleaning chamber, and maintains differential pressure under vacuum during all cleaning and drying cycles.

Airless spray - a coating technology that relies solely on the fluid pressure of the coating to create an atomized coating spray pattern and does not apply atomizing compressed air to the coating before it leaves the nozzle.

Air-tight cleaning system – a solvent cleaning machine that is automatically operated and seals at a differential pressure no greater than five tenths of a pound (0.5 lb.) per square inch gauge (psig), before the introduction of solvent or solvent vapor into the cleaning chamber and during all cleaning and drying cycles.

Alcohol – any of the following compounds when used as a fountain solution additive for offset lithographic printing: ethanol, normal propyl alcohol (n-propanol), and isopropyl alcohol (isopropanol).

Alcohol substitutes – non-alcohol additives that contain VOCs and are used in the fountain solution, such as glycol ethers or ethylene glycol. Some

additives are used to reduce the surface tension of water; others are added to prevent piling (ink build-up).

All other carbon-containing compounds – all other compounds which contain at least one (1) carbon atom and are not a Table B compound or a LVP-VOC.

All other forms – all consumer product forms for which no specific VOC standard is specified including but not limited to solids, liquids, wicks, powders, crystals, and cloth or paper wipes (towelettes).

Alternative control plan or ACP – any emissions averaging program approved by the District of Columbia pursuant to the provisions of this regulation.

Antenna coating – a coating labeled and formulated exclusively for application to equipment and associated structural appurtenances that are used to receive or transmit electromagnetic signals.

Antifouling coating – a coating formulated for application to submerged stationary structures and their appurtenances to prevent or reduce the attachment of marine or freshwater biological organisms. To qualify as an antifouling coating, the coating must be registered with both the U.S. EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. §§ 136, *et seq.*) and with the District of Columbia Department of the Environment (20 DCMR chapters 20-25).

Antimicrobial hand or body cleaner or soap – is the following:

- (a) A cleaner or soap that is designed to reduce the level of microorganisms on the skin through germicidal activity including, but not limited to, antimicrobial hand or body washes/cleaners, food-handler hand washes, healthcare personnel hand washes, pre-operative skin preparations, and surgical scrubs; and
- (b) Does not include prescription drug products, antiperspirants, astringent/toner, deodorant, facial cleaner or soap, general-use hand or body cleaner or soap, hand dishwashing detergent, including antimicrobial, heavy-duty hand cleaner or soap, medicated astringent/medicated toner, and rubbing alcohol.

Antiperspirant – any product including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, that is intended by the manufacturer to be used to reduce perspiration in the human axilla by at least twenty percent (20%) in at least fifty percent (50%) of a target population.

Antique motor vehicle – a motor vehicle, but not a reproduction thereof, manufactured more than twenty-five (25) years before the current year, which has been maintained in or restored to a condition that is substantially in conformance with manufacturer specifications.

Anti-static product – a product that is labeled to eliminate, prevent, or inhibit the accumulation of static electricity. Anti-static product does not include electronic cleaner, floor polish or wax, floor coating, and products that meet the definition of aerosol coating product or architectural coating.

Applicable CTG document – for the purposes of § 714, is the following:

- (a) “Control Techniques Guidelines for Large Appliance Coatings,” published by EPA, September 2007, publication number EPA 453/R-07-004;
- (b) “Control Techniques Guidelines for Metal Furniture Coatings,” published by EPA, September 2007, publication number EPA 453/R-07-005; or
- (c) “Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings,” published by EPA, September 2008, publication number EPA-453/R-08-003.

Appurtenance – any accessory to a stationary structure coated at the site of installation, whether installed or detached, including but not limited to: bathroom and kitchen fixtures, cabinets, concrete forms, doors, elevators, fences, hand railings, lampposts, partitions pipes and piping systems, rain gutters and downspouts, stairways, fixed ladders, catwalks and fire escapes, window screens, air conditioning equipment, heating equipment, and other fixed mechanical equipment or stationary tools.

Architectural coating – a coating applied to stationary structures and their appurtenances, to mobile homes, to pavements, or to curbs. Coatings applied in shop applications or to non-stationary structures such as airplanes, ships, boats, railcars, and automobiles, as well as adhesives are not considered architectural coatings for the purposes of this rule.

Architectural sealant / primer – any sealant or sealant primer intended by the manufacturer to be applied to stationary structures, including mobile homes and appurtenances.

As applied - the VOC and solids content of a coating that is actually used to coat the substrate. The term includes the contribution of materials used for in-house dilution of the coating.

As supplied - the VOC and solids content of a coating as sold and delivered to the end user.

Assembly line - an arrangement of industrial equipment and workers in which the product passes from one specialized operation to another until complete, by either automatic or manual means.

Associated parts and components - a structure, device, piece, module, section, assembly, subassembly, or element of a motor vehicle or mobile equipment that is designed to be a part of the motor vehicle or mobile equipment but which is not attached to the motor vehicle or mobile equipment at the time of coating the structure, device, piece, module, section, assembly, subassembly, or element. The term does not include circuit boards.

ASTM – the American Society for Testing and Materials.

Astringent/toner – is the following:

- (a) Any product not regulated as a drug by the United States Food and Drug Administration (FDA) that is applied to the skin for the purpose of cleaning or tightening pores, including but not limited to, clarifiers and substrate-impregnated products; and
- (b) Does not include any hand, face, or body cleaner or soap product, medicated astringent/medicated toner, cold cream, lotion, or antiperspirant.

Automatically close – closure occurs through the activation of a device or mechanism that causes a spill-proof system or spout to close, seal, and remain completely closed when not dispensing fuel.

Automatic closure – a device or mechanism that causes a spill-proof system or spout to close, seal, and remain completely closed when not dispensing fuel.

Automotive brake cleaner – a cleaning product designed to remove oil, grease, brake fluid, brake pad material, or dirt from motor vehicle brake mechanisms.

Automotive coating - a coating or coating component used or recommended for use in motor vehicle or mobile equipment refinishing, service, maintenance, repair, restoration, or modification, except metal plating activities. A reference to automotive refinishing or automotive coating on the container, on a label affixed to the container or in sales, advertising,

technical or product literature constitutes a recommendation for use in motor vehicle or mobile equipment refinishing, coating, or recoating.

Automotive coating component - a portion of a coating, including a reducer or thinner, toner, hardener, and additive, which is recommended by a person to distributors or end-users for use in an automotive coating, or which is supplied for or used in an automotive coating. The raw materials used to produce the components are not considered automotive coating components.

Automotive elastomeric coating – a coating designed for application over surfaces of flexible mobile equipment and mobile equipment components, such as elastomeric bumpers.

Automotive glass adhesive primer – any adhesive primer intended by the manufacturer to be applied to automotive glass before installation with an adhesive/sealant. This primer improves adhesion to the pinch weld and blocks ultraviolet light.

Automotive hard paste wax – an automotive wax or polish, which is designed to protect and improve the appearance of automotive paint surfaces, is a solid at room temperature, and contains zero percent (0%) water by formulation.

Automotive impact-resistant coating – a coating designed to resist chipping caused by road debris.

Automotive instant detailer – a product designed for use in a pump spray that is applied to the painted surface of automobiles and wiped off before the product being allowed to dry.

Automotive jamming clearcoat – a fast-drying, ready-to-spray clearcoat applied to surfaces such as door jams and trunk and hood edges to allow for quick closure.

Automotive lacquer – a thermoplastic coating applied directly to bare metal surfaces of mobile equipment and mobile equipment components which dries primarily by solvent evaporation, and which is resolvable in its original solvent.

Automotive low-gloss coating – a coating that exhibits a gloss reading less than or equal to twenty-five (25) on a sixty (60) degree glossmeter.

Automotive multicolored topcoat – a topcoat that exhibits more than one (1) color, is packaged in a single container, and camouflages surface defects on areas of heavy use, such as cargo beds and other surfaces of trucks and other utility vehicles.

Automotive pretreatment – a primer that contains a minimum of half of a percent (0.5%) acid, by weight, that is applied directly to bare metal surfaces of mobile equipment and mobile equipment components to provide corrosion resistance and to promote adhesion of subsequent coatings.

Automotive pretreatment coating – a coating that:

- (a) Contains a minimum of one half percent (0.5%) acid by weight and not more than sixteen percent (16%) solids by weight necessary to provide surface etching; and
- (b) Is labeled and formulated for application directly to bare metal surfaces to provide corrosion resistance and adhesion.

Automotive primer - a coating, including pigmented automotive primers, labeled and formulated for application to a substrate to provide one (1) or more of the following:

- (a) A bond between the substrate and subsequent coats;
- (b) Corrosion resistance;
- (c) A smooth substrate surface; or
- (d) Resistance to penetration of subsequent coats, and on which a subsequent coating is applied.

Automotive primer-sealer – a coating applied to mobile equipment and mobile equipment components before the application of a topcoat, for the purposes of providing corrosion resistance, promoting adhesion of subsequent coatings, promoting color uniformity, and promoting the ability of the undercoat to resist penetration by the topcoat.

Automotive primer-surfacer – a coating applied to mobile equipment and mobile equipment components before the application of topcoat, for the purposes of filling surface imperfections in the substrate, providing corrosion resistance, or promoting adhesion of subsequent coatings.

Automotive refinishing facility - a shop, business, location, or parcel of land where motor vehicles or mobile equipment or their associated parts and components are coated, including autobody collision repair shops. The term does not include the original equipment manufacturing plant where the new motor vehicle or new mobile equipment is completely assembled.

Automotive rubbing or polishing compound – a product designed primarily to remove oxidation, old paint, scratches or swirl marks, and other defects from the painted surfaces of motor vehicles without leaving a protective barrier.

Automotive specialty coating – coatings including but not limited to automotive elastomeric coatings, adhesion promoters, automotive low-gloss coatings, bright metal trim repair coatings, automotive jambing clearcoats, automotive impact-resistant coatings, rubberized asphaltic underbody coatings, uniform finish blenders, weld-through primers applied to automotive surfaces, and automotive lacquer topcoats applied to a classic motor vehicle or to an antique motor vehicle.

Automotive topcoat – a coating, or series of coatings, applied over an automotive primer-surfacer, automotive primer-sealer, or existing finish on the surface of mobile equipment and mobile equipment components for the purpose of protection or beautification.

Automotive touch-up or repair – the application of automotive topcoat finish materials to cover minor finishing imperfections equal to or less than one inch (1 in.) in diameter.

Automotive wax, polish, sealant or glaze – is the following:

- (a) A product designed to seal out moisture, increase gloss, or otherwise enhance a motor vehicle's painted surfaces, including but not limited to products designed for use in autobody repair shops and drive-through car washes, as well as products designed for the general public; and
- (b) Does not include automotive rubbing or polishing compounds, automotive wash and wax products, surfactant-containing car wash products, and products designed for use on unpainted surfaces such as bare metal, chrome, glass, or plastic.

Automotive windshield washer fluid – is the following:

- (a) Any liquid designed for use in a motor vehicle windshield washer system either as an antifreeze or for the purpose of cleaning, washing, or wetting the windshield; and
- (b) Does not include fluids placed by the manufacturer in a new vehicle.

Available control options – air pollution control technologies or techniques with a reasonable potential for application to the source. Air pollution control

technologies and techniques include the application of production process or methods, and control systems for VOCs. The control technologies and techniques shall include existing controls for the source category and technology transfer controls applied to similar source categories.

Batch vapor cleaning machine – is the following:

- (a) A vapor cleaning machine in which individual parts or a set of parts move through the entire cleaning cycle before new parts are introduced into the cleaning machine, including but not limited to solvent cleaning machines including ferris wheel cleaners or cross rod machines, that clean multiple loads simultaneously and are manually loaded; and
- (b) Does not include machines which do not have a solvent/air interface, such as airless and air-tight cleaning systems.

Bathroom and tile cleaner – is the following:

- (a) A product designed to clean tile or surfaces in bathrooms; and
- (b) Does not include products designed primarily to clean toilet bowls, toilet tanks, or urinals.

Bitumens – black or brown materials including but not limited to asphalt, tar, pitch, and asphaltite that are soluble in carbon disulfide, consist mainly of hydrocarbons, and are obtained from natural deposits or as residues from the distillation of crude petroleum or coal.

Bituminous roof coating – a coating that incorporates bitumens that is labeled and formulated exclusively for roofing.

Bituminous roof primer – a primer that incorporates bitumens that is labeled and formulated exclusively for roofing.

Bond breaker – a coating labeled and formulated for application between layers of concrete to prevent a freshly poured top layer of concrete from bonding to the layer over which it is poured.

Bug and tar remover – a product labeled to remove:

- (a) Biological-type residues including but not limited to insect carcasses and tree sap; and

- (b) Road grime, including but not limited to road tar, roadway paint markings, and asphalt from painted motor vehicle surfaces without causing damage to the finish.

° C – degrees Celsius

Calcimine recoater – a flat solvent-borne coating formulated and recommended specifically for recoating calcimine-painted ceilings and other calcimine-painted substrates.

CARB – the California Air Resources Board.

Carbon adsorber – a bed of activated carbon into which an air/solvent gas-vapor stream is routed and which adsorbs the solvent on the carbon.

Carburetor or fuel-injection air intake cleaner – is the following:

- (a) A product designed to remove fuel deposits, dirt, or other contaminants from a carburetor, choke, throttle body of a fuel-injection system, or associated linkages; and
- (b) Does not include products designed exclusively to be introduced directly into the fuel lines or fuel storage tank before introduction into the carburetor or fuel injectors.

Carpet and upholstery cleaner – is the following:

- (a) A cleaning product designed for the purpose of eliminating dirt and stains on rugs, carpeting, and the interior of motor vehicles or on household furniture or objects upholstered or covered with fabrics such as wool, cotton, nylon, or other synthetic fabrics including but not limited to products that make fabric protectant claims; and
- (b) Does not include general purpose cleaners, spot removers, vinyl or leather cleaners, dry cleaning fluids, or products designed exclusively for use at industrial facilities engaged in furniture or carpet manufacturing.

Ceramic tile installation adhesive – any adhesive intended by the manufacturer for use in the installation of ceramic tiles.

Charcoal lighter material – is the following:

- (a) Any combustible material designed to be applied on, incorporated in, added to, or used with charcoal to enhance ignition; and

- (b) Does not include electrical starters and probes, metallic cylinders using paper tinder, natural gas, propane, or fat wood.

Chlorinated polyvinyl chloride (CPVC) plastic – a polymer of the vinyl chloride monomer that contains sixty-seven percent (67%) chlorine and is normally identified with a CPVC marking.

Chlorinated polyvinyl chloride (CPVC) welding adhesive – any adhesive intended by the manufacturer for the welding of CPVC plastic pipe.

Classic motor vehicle – a motor vehicle, but not a reproduction thereof, manufactured at least fifteen (15) years before the current year, which has been maintained in or restored to a condition that is substantially in conformity with manufacturer specifications and appearance.

Cleaning solution – as applied to offset lithography or letterpress printing operations subject to the requirements of § 716, liquids used to remove ink or coating and debris from the operating surfaces of the printing press and its parts, including but are not limited to blanket wash, roller wash, metering roller cleaner, plate cleaner, impression cylinder washes, rubber rejuvenators, and other cleaners.

Cleanup solvent – a VOC-containing material used to remove a loosely held uncured (such as, not dry to the touch) adhesive or sealant from a substrate, or clean equipment used in applying a material.

Clear brushing lacquers – clear wood finishes, excluding clear lacquer sanding sealers, formulated with nitrocellulose or synthetic resins to dry by solvent evaporation without chemical reaction and to provide a solid, protective film, which are intended exclusively for application by brush and which are labeled as specified in § 776.

Clear coating - a coating that contains no pigments and is labeled and formulated for application over a color coating or clear coating. A clear coating may contain talc or silica, which are not pigments.

Clear wood coatings – clear and semi-transparent coatings, including lacquers and varnishes, applied to wood substrates to provide a transparent or translucent solid film.

Coating – a material applied to a substrate for protective, decorative, or functional purposes, but does not include:

- (a) Decorative, protective, or functional materials that consist only of protective oils for metal, acids, bases, or a combination of these substances;

- (b) Paper film or plastic film that may be pre-coated with an adhesive by the film manufacturer;
- (c) Adhesives, sealants, maskants, or caulking materials;
- (d) Lubricants or surface preparation materials; or
- (e) In-mold coatings that are spray applied in the manufacture of reinforced plastic composite parts.

Coating solids – the nonvolatile portion of the coating that makes up the dry film.

Coating unit – a series of one (1) or more coating applicators and any associated drying area or oven wherein a coating is applied, dried, or cured. A coating unit ends at the point where the coating is dried or cured, or before any subsequent application of a different coating. It is not necessary for a coating unit to have an oven or flash-off area.

Cold cleaning machine – is the following:

- (a) A device or piece of equipment, containing or using an unheated liquid, which contains greater than five percent (5%) VOC or five percent (5%) hazardous air pollutant (HAP) by weight, where parts are placed to remove dirt, grease, oil or other contaminants and coatings, from the surfaces of the parts or to dry the parts; and
- (b) Does not include machines that do not have a solvent/air interface, such as airless and air-tight cleaning systems.

Color coating - a pigmented coating, excluding adhesion promoters, primers, and multicolor coatings, which requires a subsequent clear coating and is applied over a primer, adhesion promoter, or color coating. The term includes metallic/iridescent color coatings.

Colorant – any concentrated pigment dispersion in water, solvent, or binder that is added to an architectural coating after packaging in sale units to produce the desired color or coloring material used in a consumer product for an aesthetic effect, or to dramatize an ingredient.

Compliance period – the period of time, not to exceed one (1) year, for which the ACP limit and ACP emissions are calculated and for which compliance with the ACP limit is determined, as specified in the ACP Agreement approving an ACP.

Computer diskette jacket manufacturing adhesive – any adhesive intended by the manufacturer to glue the fold-over flaps to the body of a vinyl computer diskette jacket.

Concrete curing compound – a coating labeled and formulated for application to freshly poured concrete to retard the evaporation of water.

Concrete surface retarder – a mixture of retarding ingredients such as extender pigments, primary pigments, resin, and solvent that interact chemically with the cement to prevent hardening on the surface where the retarder is applied, allowing the retarded mix of cement and sand at the surface to be washed away to create an exposed aggregate finish.

Conjugated oil varnish – a clear or semi-transparent wood coating, labeled as such, excluding lacquers or shellacs, based on a natural occurring conjugated vegetable oil (Tung oil) and modified with other natural or synthetic resins; a minimum of fifty percent (50%) of the resin solids consisting of conjugated oil. Supplied as a single component product, conjugated oil varnishes penetrate and seal the wood. Film formation is due to polymerization of the oil. These varnishes may contain small amounts of pigments to control the final gloss or sheen.

Construction, panel, and floor covering adhesive – is the following:

- (a) Any one (1) component adhesive that is designed exclusively for the installation, remodeling, maintenance, or repair of:
 - (1) Structural and building components including but not limited to beams, trusses, studs, paneling, drywall or drywall laminates, fiberglass reinforced plastic (FRP), plywood, particle board, insulation board, pre-decorated hardboard or tileboard, ceiling and acoustical tile, molding, fixtures, countertops or countertop laminates, cove or wall bases, and flooring or subflooring; or
 - (2) Floor or wall coverings including but not limited to wood or simulated wood covering, carpet, carpet pad or cushion, vinyl-backed carpet, flexible flooring material, non-resilient flooring material, mirror tiles and other types of tiles, and artificial grass; and
- (b) Does not include floor seam sealer.

Consumer – is the following:

- (a) Any person who purchases, or otherwise acquires any consumer product or a new portable fuel container or spout for personal, family, household, or institutional use; and
- (b) Does not include persons acquiring a consumer product or a portable fuel container or spout for resale.

Consumer product – is the following:

- (a) 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;
- (b) Does not include other paint products, furniture coatings, or architectural coatings; and
- (c) Also refers to aerosol adhesives, including aerosol adhesives used for consumer, industrial or commercial uses.

Contact adhesive/contact bond adhesive – is the following:

- (a) An adhesive designed for application to two (2) surfaces to be bonded together, is allowed to dry before the two (2) surfaces are placed in contact with each other, forms an immediate bond that is impossible or difficult to reposition after both adhesive-coated surfaces are placed in contact with each other, and does not need sustained pressure or clamping of surfaces after the adhesive-coated surfaces have been brought together using sufficient momentary pressure to establish full contact between both surfaces; and
- (b) Does not include rubber cements that are primarily intended for use on paper substrates. Contact adhesive also does not include vulcanizing fluids that are designed and labeled for “tire repair” only.

Contact adhesive – general purpose – any contact adhesive that is not a contact adhesive – special purpose.

Contact adhesive – special purpose – a contact adhesive that:

- (a) Is used to bond melamine-covered board, unprimed metal, unsupported vinyl, Teflon, ultra-high molecular weight polyethylene, rubber, high pressure laminate or wood veneer one

sixteenth of an inch (1/16 in.) or less in thickness to any porous or non-porous surface, and is sold in units of product, less packaging, that contain more than eight (8) fluid ounces; or

- (b) Is used in automotive applications that are:
 - (1) Automotive under-the-hood applications requiring heat, oil, or gasoline resistance; or
 - (2) Body-side molding, automotive weather-strip, or decorative trim.

Contact person – a representative that has been designated by the responsible ACP party for the purpose of reporting or maintaining any information specified in the ACP Agreement approving an ACP.

Container/packaging – the part or parts of the consumer or institutional product which serve only to contain, enclose, incorporate, deliver, dispense, wrap, or store the chemically formulated substance or mixture of substances which is solely responsible for accomplishing the purposes for which the product was designed or intended, including but not limited to, any article onto or into which the principal display panel and other accompanying literature or graphics are incorporated, etched, printed, or attached.

Control techniques guideline (CTG) – an EPA document designed to assist the states in designing reasonably available control technology for major sources of volatile organic compounds.

Conventional air spray – a spray coating application method in which the coating is atomized by mixing it with compressed air and applied at an air pressure greater than ten pounds (10 lb.) per square inch gauge (psig) at the point of atomization. The term does not include:

- (a) Airless and air assisted airless spray technologies; or
- (b) Electrostatic spray technology.

Conversion varnish – a clear acid curing coating with an alkyd or other resin blended with amino resins and supplied as a single component or two (2)-component product and it produces a hard, durable, clear finish designed for professional application to wood flooring. The film formation is the result of an acid-catalyzed condensation reaction, affecting a transesterification at the reactive ethers of the amino resins.

Cove base – a flooring trim unit, generally made of vinyl or rubber, having a concave radius on one (1) edge and a convex radius on the opposite edge

that is used in forming a junction between the bottom wall course and the floor, or to form an inside corner.

Cove base installation adhesive – any adhesive intended by the manufacturer to be used for the installation of cove base or wall base on a wall or vertical surface at floor level.

Crawling bug insecticide – is the following:

- (a) Any insecticide product that is designed for use against ants, cockroaches, or other household crawling arthropods, including but not limited to mites, silverfish, or spiders; and
- (b) Does not include products designed to be used exclusively on humans or animals, or any house dust mite product;
 - (1) A house dust mite product is a product whose label, packaging, or accompanying literature states that the product is suitable for use against house dust mites, and does not indicate that the product is suitable for use against ants, cockroaches, or other household crawling arthropods; and
 - (2) A house dust mite is a mite that feeds primarily on skin cells shed in the home by humans and pets and which belong to the phylum *Arthropoda*, the subphylum *Chelicerata*, the class *Arachnida*, the subclass *Acari*, the order *Astigmata*, and the family *Pyroglyphidae*.

CTG – Control Techniques Guideline.

Curtain coating – the application of a coating to an object by moving the object through a falling curtain of coating.

Cyanoacrylate adhesive – any adhesive with a cyanoacrylate content of at least ninety-five percent (95%) by weight.

Cylinder-wipe – as applied to printing operations, the method of removing ink from the non-image areas of the printing plate by using a cylinder(s) or other contrivances. This is distinguished from the subsequent step(s) when the ink removed is in turn removed from the wiping cylinder(s) by the use of a wiping solution.

Date-code – the day, month, and year on which the consumer product was manufactured, filled, or packaged, or a code indicating such a date.

Day – unless otherwise indicated, refers to a calendar day.

Deodorant – is the following:

- (a) For products manufactured before January 1, 2012: any product including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, that is intended by the manufacturer to be used to minimize odor in the human axilla by retarding the growth of bacteria that cause the decomposition of perspiration; or
- (b) For products manufactured on or after January 1, 2012: any product including, but not limited to, aerosol, roll-ons, sticks, pumps, pads, creams, and squeeze bottles, that indicates or depicts on the container or packing, or on any label or sticker affixed thereto, that the product can be used on or applied to the human axilla to provide a scent or minimize odor. A “deodorant body spray” product that indicates or depicts on the container or packaging or on any sticker or label affixed thereto, that it can be used on or applied to the human axilla, is a “deodorant”.

Deodorant body spray – is the following:

- (a) For products manufactured before January 1, 2006, a personal fragrance product with twenty percent (20%) or less fragrance; or
- (b) For products manufactured on or after January 1, 2006, a personal fragrance product with twenty percent (20%) or less fragrance that is designed for application all over the human body to provide a scent. A “deodorant body spray” product that indicates or depicts on the container or packaging, or on any sticker or label affixed thereto, that can be used on or applied to the human axilla, is a “deodorant”.

Department – the District of Columbia Department of the Environment.

Device – is the following:

- (a) Any instrument or contrivance, other than a firearm, which is designed for trapping, destroying, repelling, or mitigating any pest or any other form of plant or animal life other than humans and other than bacteria, viruses, or other microorganisms on or in humans or other living animals; and
- (b) Does not include equipment used for the application of pesticides when sold separately.

Dip coating – a method of applying a coating to a surface by submersion into and removal from a coating bath.

Disinfectant – is the following:

- (a) Any product intended to destroy or irreversibly inactivate infectious or other undesirable bacteria, pathogenic fungi, or viruses on surfaces or inanimate objects and whose label is registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 U.S.C. §§ 136, *et seq.*);
- (b) Does not include products designed solely for use on humans or animals, products designed for agricultural use, products designed solely for use in swimming pools, therapeutic tubs, or hot tubs; and
- (c) Does not include products that, as indicated on the principal display panel or label, are primarily designed for use as bathroom and tile cleaners, glass cleaners, general purpose cleaners, toilet bowl cleaners, or metal polishes.

Distributor – any person to whom a consumer product or portable fuel container or spout or combination portable fuel container and spout is sold or supplied for the purposes of resale or distribution in commerce, except that manufacturers, retailers, and consumers are not distributors.

District of Columbia gross sales – the estimated total District of Columbia sales of an ACP product during a specific compliance period expressed to the nearest pound, based on either of the following methods, whichever the responsible ACP party demonstrates to the satisfaction of the Department will provide an accurate District of Columbia sales estimate:

- (a) Apportionment of national or regional sales of the ACP product to District of Columbia sales, determined by multiplying the average national or regional sales of the product by the fraction of the national or regional population, respectively, that is represented by District of Columbia's current population; or
- (b) Any other documented method that provides an accurate estimate of the total current District of Columbia sales of the ACP product.

District of Columbia sales – the net pounds of product, less packaging and container, per year in the District of Columbia for either the year immediately preceding the year that the registration is due or, if that data is not available, any consecutive twelve (12) month period commencing no earlier than two (2) years before the due date of the registration. If

direct sales data for District of Columbia is not available, sales may be estimated by prorating national or regional sales data by population.

Double-phase aerosol air freshener – an aerosol air freshener with the liquid contents in two (2) or more distinct phases that requires the product container be shaken before use to mix the phases, producing an emulsion.

Dry cleaning fluid – is the following:

- (a) Any non-aqueous liquid product designed and labeled exclusively for use on fabrics which are labeled “for dry clean only”, including but not limited to clothing, draperies, or S-coded fabrics:
 - (1) Including, but not limited to, those products used by commercial dry cleaners and commercial businesses that clean fabrics such as draperies at the customer’s residence or work place; and
 - (2) S-coded fabric is an upholstery fabric designed to be cleaned only with water-free spot cleaning products as specified by the Joint Industry Fabric Standards Committee; and
- (b) Does not include spot remover or carpet and upholstery cleaner.

Dry fog coating – a coating labeled and formulated only for spray application such that overspray droplets dry before subsequent contact with incidental surfaces in the vicinity of the surface coating activity.

Drywall installation – the installation of gypsum dry wall to studs or solid surfaces using an adhesive formulated for that purpose.

Dusting aid – is the following:

- (a) A product designed to assist in removing dust and other soils from floors and other surfaces without leaving a wax or silicone based coating; and
- (b) Does not include “pressurized gas duster”.

Dwell – holding parts within the freeboard area of a solvent cleaning machine but above the solvent vapor zone. This action is necessary after cleaning to allow solvent to drain from the parts or parts baskets back into the solvent cleaning machine.

Dwell time – the period of time between when a parts basket is placed in the vapor zone of a batch vapor or in-line vapor cleaning machine and when solvent dripping ceases. This period of time is determined by placing a basket of parts in the vapor zone and measuring the amount of time between when the parts are placed in the vapor zone and dripping ceases.

Electrical and electronic components – components and assemblies of components that generate, convert, transmit, or modify electrical energy, including, but not limited to, wires, windings, stators, rotors, magnets, contacts, relays, printed circuit boards, printed wire assemblies, wiring boards, integrated circuits, resistors, capacitors, and transistors but does not include the cabinets in which electrical and electronic components are housed.

Electrical cleaner – a product labeled to remove heavy soils such as grease, grime, or oil from electrical equipment, including, but not limited to, electric motors, armatures, relays, electric panels, or generators. Electrical cleaner does not include general purpose cleaner, general purpose degreaser, dusting aid, electronic cleaner, energized electronic cleaner, pressurized gas duster, engine degreaser, anti-static product, or products designed to clean the casings or housings of electrical equipment.

Electron beam ink – an ink that dries by chemical reaction caused by high energy electrons.

Electronic cleaner – a product labeled for the removal of dirt, moisture, dust, flux, or oxides from the internal components of electronic or precision equipment such as circuit boards, and the internal components of electronic devices, including, but not limited to, radios, compact disc (CD) players, digital video disc (DVD) players, and computers. Electronic cleaner does not include general purpose cleaner, general purpose degreaser, dusting aid, electronic cleaner, energized electronic cleaner, pressurized gas duster, engine degreaser, anti-static product, or products designed to clean the casings or housings of electrical equipment.

Electrostatic application – a method of applying coating particles or coating droplets to a grounded surface by electrically charging such particles or droplets.

Electrostatic spray application - a coating application method where an electrostatic attraction is created between the part to be coated and the atomized coating particles.

Energized electrical cleaner – a product that meets the following criteria:

- (a) The product is labeled to clean or degrease electrical equipment, where cleaning or degreasing is accomplished when electrical current exists or when there is a residual electrical potential from a component, such as a capacitor; and
- (b) The product label clearly displays the statements: “Energized Equipment use only. Not to be used for motorized vehicle maintenance or their parts”.

Enforceable sales – the total amount of an ACP product sold for use in the District of Columbia during the applicable compliance period specified in the ACP Agreement approving an ACP, as determined through enforceable sales records, expressed to the nearest pound, excluding product container and packaging.

Enforceable sales record – a written, point-of-sale record or any other District of Columbia-approved system of documentation from which the mass, in pounds, less product container and packaging, of an ACP product sold to the end user in District of Columbia during the applicable compliance period can be accurately documented including but not limited to the following types of records:

- (a) Accurate records of direct retail or other outlet sales to the end user during the applicable compliance period;
- (b) Accurate compilations, made by independent market surveying services, of direct retail or other outlet sales to the end users for the applicable compliance period, provided that a detailed method which can be used to verify any data comprising such summaries is submitted by the responsible ACP party and approved by the Department; and
- (c) Any other accurate product sales records approved by the Department as meeting the criteria specified in this section.

Engine degreaser – a cleaning product designed to remove grease, grime, oil, and other contaminants from the external surfaces of engines and other mechanical parts.

Exempt compound – a compound identified as exempt under the definition of volatile organic compound (VOC). Except as provided in §778.2, the exempt compounds content of a coating shall be determined by U.S. EPA Method 24 or South Coast Air Quality Management District (SCAQMD) Method 303-91, as revised.

Exempt perfluorocarbon compounds – the following classes of compounds: cyclic, branched, or linear, completely fluorinated alkanes; cyclic, branched, or linear, completely fluorinated ethers with no unsaturations; cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

Existing product – any formulation of the same product category and form sold, supplied, manufactured, or offered for sale in the District before January 1, 2005, or any subsequently introduced identical formulation.

° F – degrees Fahrenheit.

Fabric protectant – is the following:

- (a) A product designed to be applied to fabric substrates to protect the surface from soiling from dirt and other impurities or to reduce absorption of liquid into the fabric's fibers; and
- (b) Does not include waterproofers, products designed for use solely on leather, or products designed for use solely on fabrics that are labeled “for dry clean only” and sold in containers of ten (10) fluid ounces or less.

Fabric refresher – a product whose label states the product’s purpose is to neutralize or eliminate odors on non-laundered fabric including, but not limited to, soft household surfaces, rugs, carpeting, draperies, bedding, automotive interiors, footwear, athletic equipment, clothing or on household furniture or objects upholstered or covered with fabrics such as, but not limited to, wool, cotton, or nylon. Fabric refresher does not include anti-static product, carpet and upholstery cleaner, soft household surface sanitizers, footwear or leather care product, spot remover, or disinfectant, or products labeled for application to both fabric and human skin. For the purposes of this definition only, soft household surface sanitizer means a product labeled to neutralize and eliminate odors on surfaces listed above whose label is registered as a sanitizer under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 U.S.C. §§ 136, *et seq.*).

Facial cleaner or soap – is the following:

- (a) A cleaner or soap designed primarily to clean the face, including but not limited to facial cleansing creams, gels, liquids, lotions, and substrate-impregnated forms; and
- (b) Does not include prescription drug products, antimicrobial hand or body cleaner or soap, astringent/toner, general-use hand or body

cleaner or soap, medicated astringent/medicated toner, or rubbing alcohol.

Fat wood – is the following:

- (a) Pieces of wood kindling with high naturally-occurring levels of sap or resin which enhance ignition of the kindling; and
- (b) Does not include any kindling with substances added to enhance flammability, such as wax-covered or wax-impregnated wood-based products.

Faux finishing coating – a coating labeled and formulated as a stain or a glaze to create artistic effects including but not limited to dirt, old age, smoke damage, and simulated marble and wood grain.

Federally enforceable – Enforceable under the Federal Clean Air Act (42 U.S.C. §§ 7401, *et seq.*).

Fiberglass – a material consisting of extremely fine glass fibers, including any fiber reinforced plastic (FRP) surface that has fiber material set in a binding substance of plastic resins.

Fire-resistive coating – an opaque coating labeled and formulated to protect the structural integrity by increasing the fire endurance of interior or exterior steel and other structural materials, that has been fire tested and rated by a testing agency and approved by District of Columbia building code officials for use in bringing assemblies of structural materials into compliance with federal or District of Columbia building code requirements;

- (a) The fire-resistive coating and the testing agency must be approved by District of Columbia building code officials; and
- (b) The fire-resistive coating shall be tested in accordance with ASTM Designation E 119-98, incorporated by reference in § 778.5.

Fire-retardant coating – a coating labeled and formulated to retard ignition and flame spread, that has been fire tested and rated by a testing agency approved by District of Columbia building code officials for use in bringing building and construction materials into compliance with federal and District of Columbia building code requirements.

- (a) The fire-retardant coating and the testing agency must be approved by District of Columbia building code officials; and

- (b) The fire-retardant coating shall be tested in accordance with ASTM Designation E 84-99, incorporated by reference in § 778.5.

First installation date – the first date on which a piece of equipment is in place and prepared to operate. The “installation date” does not change if the equipment is moved to a new location at the same facility.

Flat coating – a coating that is not defined under any other definition in this rule and that registers gloss less than fifteen (15) on an eighty-five (85) degree meter or less than five (5) on a sixty (60) degree meter according to ASTM Designation D 523-89 (1999), incorporated by reference in § 778.5.

Flea and tick insecticide – is the following:

- (a) Any insecticide product that is designed for use against fleas, ticks, their larvae, or their eggs; and
- (b) Does not include products that are designed to be used exclusively on humans or animals and their bedding.

Flexible flooring material – asphalt, cork, linoleum, no-wax, rubber, seamless vinyl, and vinyl composite flooring.

Flexible packaging – any package or part of a package, the shape of which can be readily changed, including but not limited to bags, pouches, liners, and wraps utilizing paper, plastic, film, aluminum foil, metalized or coated paper or film, or any combination of these materials and printing of shrink-wrap labels or wrappers conducted on or in-line with a flexible package printing press, printing, coating, and laminating. “Flexible packaging” does not include production of and printing on self-adhesive labels, folding cartons, gift wraps, wall coverings, vinyl products, decorative laminates, floor coverings, and tissue products.

Flexible vinyl – non-rigid polyvinyl chloride plastic with at least five percent (5%) by weight plasticizer content.

Flexographic package printing – a flexible package printing process where the image is raised above the printing plate, and the image carrier is made of rubber or other elastomeric materials.

Flexographic package printing press – an unwind or feed station, which may include more than one unwind or feed station (such as on a laminator), a series of individual work stations, one (1) or more of which is a flexographic print station, any dryers (including interstage dryers and overhead tunnel dryers) associated with the work stations, and a rewind,

stack, or collection section. The work stations may be oriented vertically, horizontally, or around the circumference of a single large impression cylinder. Inboard and outboard work stations, including those employing any other technology, such as rotogravure, are included if they are capable of printing or coating on the same substrate.

Floor coating – an opaque coating that is labeled and designed for application to flooring, including, but not limited to, decks, porches, steps, and other horizontal surfaces, which may be subjected to foot traffic.

Floor polish or wax – is the following:

- (a) A wax, polish, or any other product designed to polish, protect, or enhance floor surfaces by leaving a protective coating that is designed to be periodically replenished; and
- (b) Does not include spray buff products, products designed solely for the purpose of cleaning floors, floor finish strippers, products designed for unfinished wood floors, and coatings subject to architectural coatings in §§ 773 through 778.

Floor seam sealer – any product designed and labeled exclusively for bonding, fusing, or sealing seams between adjoining rolls of installed flexible sheet flooring.

Floor wax stripper – is the following:

- (a) A product designed to remove natural or synthetic floor polishes or waxes through breakdown of the polish or wax polymers, or by dissolving or emulsifying the polish or wax; and
- (b) Does not include aerosol floor wax strippers or products designed to remove floor wax solely through abrasion.

Flow coating –

- (a) For the purposes of §§ 718 and 743 through 750, a non-atomized technique of applying coating to a substrate using a fluid nozzle in a fan pattern with no air supplied to the nozzle, where the application completely covers the surface; or
- (b) For the purposes of §§ 773 through 778, a coating labeled and formulated exclusively for use by electric power companies or their subcontractors to maintain the protective coating systems present on utility transformer units.

Flying bug insecticide – is the following:

- (a) Any insecticide product that is designed for use against flying insects or other flying arthropods including but not limited to flies, mosquitoes, moths, or gnats; and
- (b) Does not include “wasp and hornet insecticide,” products that are designed to be used exclusively on humans or animals, or any moth-proofing product (moth-proofing product means a product whose label, packaging, or accompanying literature indicates that the product is designed to protect fabrics from damage by moths, but does not indicate that the product is suitable for use against flying insects or other flying arthropods).

Footwear and leather care product – is the following:

- (a) Any product designed or labeled to be applied to footwear or to other leather articles/components, to maintain, enhance, clean, protect, or modify the appearance, durability, fit, or flexibility of the footwear or leather article/component;
- (b) Includes both leather and non-leather foot apparel; and
- (c) Does not include fabric protectant, general purpose adhesive, contact adhesive, vinyl/fabric/leather/polycarbonate coating, rubber and vinyl protectant, fabric refresher, products solely for deodorizing, or sealant products with adhesive properties used to create external protective layers greater than two millimeters (2 mm.) thick.

Form-release compound – a coating labeled and formulated for application 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.

Fountain solution – with respect to offset lithographic printing, a water-based solution that contains small amounts of gum Arabic or synthetic resins, acids, buffer salts and a wetting agent or dampening aid (such as alcohol and alcohol substitutes) applied to the lithographic plate to prevent the non-image areas from receiving ink.

Fountain solution reservoir – the collection tank that accepts fountain solution recirculated from printing unit(s). In some cases, the tanks are equipped with cooling coils for refrigeration of the fountain solution.

Fragrance – a substance or complex mixture of aroma chemicals, natural essential oils, and other functional components, with a combined vapor pressure not in excess of two millimeters of mercury (2 mm. Hg) at twenty degrees Celsius (20° C) or sixty-eight degrees Fahrenheit (68° F), the sole purpose of which is to impart an odor or scent, or to counteract a malodor.

Freeboard ratio – is the following:

- (a) For a cold cleaning machine, the distance from the liquid solvent to the top edge of the cold cleaning machine divided by the width of the cold cleaning machine; and
- (b) For an operating batch vapor cleaning machine or an in-line vapor cleaning machine, the distance from the top of the solvent vapor layer to the top edge of the vapor cleaning machine divided by the width of the vapor cleaning machine.

Freeboard refrigeration device – a set of secondary coils mounted in the freeboard area of a solvent cleaning machine that carries a refrigerant or other chilled substance to provide a chilled air blanket above the solvent vapor. A solvent cleaning machine's primary condenser that is capable of maintaining a temperature in the center of the chilled air blanket at not more than thirty percent (30%) of the solvent boiling point and is both a primary condenser and a freeboard refrigeration device.

Fuel – all fuels subject to any provision of 20 DCMR chapter 9 or Title 13, California Code of Regulations, Chapter 5, Standards for Motor Vehicle Fuels, §§ 2250 through 2298, except for § 2292.5, 2292.6, and 2292.7.

Furniture coating – any paint designed for application to room furnishings including but not limited to cabinets, kitchen, bath and vanity, tables, chairs, beds, and sofas.

Furniture maintenance product – is the following:

- (a) A wax, polish, conditioner, or any other product designed for the purpose of polishing, protecting, or enhancing finished wood surfaces other than floors; and
- (b) Does not include dusting aids, wood cleaners, and products designed solely for the purpose of cleaning, and products designed to leave a permanent finish including but not limited to stains, sanding sealers, and lacquers.

Gel – a colloid in which the disperse phase has combined with the continuous phase to produce a semisolid material, including but not limited to jelly.

General purpose adhesive – is any non-aerosol adhesive designed for use on a variety of substrates, except for:

- (a) Contact adhesives;
- (b) Construction, panel, floor covering adhesives;
- (c) Adhesives designed exclusively for application on one (1) specific category of substrates, including but not limited to substrates that are composed of similar materials, including but not limited to different types of metals, paper products, ceramics, plastics, rubbers, or vinyls; or
- (d) Adhesives designed exclusively for use on one (1) specific category of articles, including but not limited to articles that may be composed of different materials but perform a specific function, including but not limited to gaskets, automotive trim, weather-stripping, or carpets.

General purpose cleaner – is the following:

- (a) A product designed for general all-purpose cleaning, in contrast to cleaning products designed to clean specific substrates in certain situations, including but not limited to products designed for general floor cleaning, kitchen or countertop cleaning, and cleaners designed to be used on a variety of hard surfaces; and
- (b) Does not include general purpose degreasers and electronic cleaners.

General purpose degreaser – is the following:

- (a) Any product labeled to remove or dissolve grease, grime, oil and other oil-based contaminants from a variety of substrates, including automotive or miscellaneous metallic parts; and
- (b) Does not include engine degreaser, general purpose cleaner, adhesive remover, electronic cleaner, electrical cleaner, energized electrical cleaner, metal polish/cleanser, products used exclusively in solvent cleaning tanks or related equipment, or products that are sold exclusively to establishments which manufacture or construct goods or commodities, and are labeled “not for retail sale”.

General-use hand or body cleaner or soap – is the following:

- (a) A cleaner or soap designed to be used routinely on the skin to clean or remove typical or common dirt and soils, including but not limited to hand or body washes, dual-purpose shampoo-body cleaners, shower or bath gels, and moisturizing cleaners or soaps; and
- (b) Does not include prescription drug products, antimicrobial hand or body cleaner or soap, astringent/toner, facial cleaner or soap, hand dishwashing detergent including but not limited to antimicrobial, heavy-duty hand cleaner or soap, medicated astringent/medicated toner, or rubbing alcohol.

Glass cleaner – is the following:

- (a) A cleaning product designed primarily for cleaning surfaces made of glass; and
- (b) Does not include products designed solely for the purpose of cleaning optical materials used in eyeglasses, photographic equipment, scientific equipment and photocopying machines.

Graffiti remover – a product whose label states the product’s purpose is to remove spray paint, ink, marker, crayon, lipstick, nail polish, or shoe polish, from a variety of non-cloth or non-fabric substrates. Graffiti remover does not include paint remover or stripper, nail polish remover, or spot remover. Products labeled for dual use as both a paint stripper and graffiti remover are considered graffiti removers.

Graphic arts operation - the application of logos, letters, numbers, or graphics to a painted surface by brush, roller, or airbrush.

Graphic arts coating or sign paint – a coating labeled and formulated for hand-application by artists using brush or roller techniques to indoor and outdoor signs excluding structural components and murals including letter enamels, poster colors, copy blockers, and bulletin enamels.

Gravure – any process for producing prints from a plate where the image is etched or sunk below the surface of the plate where:

- (a) The depression is usually a series of dots or wells;
- (b) The depression is shallower in depth than the depression intaglio;
- (c) The ink applied to the plate is fluid under room temperature; and

- (d) The ink is absorbed by the paper (or other substrate) out of the wells or depressions.

Hair mousse – a hair styling foam designed to facilitate styling of a coiffure and provide limited holding power.

Hair shine – is the following:

- (a) Any product designed for the primary purpose of creating a shine when applied to the hair, including but not limited to dual-use products designed primarily to impart a sheen to the hair; and
- (b) Does not include hair spray, hair mousse, hair styling product, hair styling gel, or products whose primary purpose is to condition or hold the hair.

Hairspray – is the following:

- (a) For products manufactured before January 1, 2012, a consumer product designed primarily for the purpose of dispensing droplets of a resin on and into a hair coiffure which will impart sufficient rigidity to the coiffure to establish or retain the style for a period of time; and
- (b) For products manufactured on or after January 1, 2012, a consumer product that is applied to styled hair, and is designed or labeled to provide sufficient rigidity, to hold, retain or finish the style of the hair for a period of time, which:
 - (1) Includes aerosol hair sprays, pump hair sprays, spray waxes, color, glitter, or sparkle hair sprays that make finishing claims, and products that are both a styling and finishing product;
 - (2) Does not include spray products that are intended to aid in styling but does not provide finishing of a hairstyle; and
 - (3) For the purposes of this definition, “finish” or “finishing” means the maintaining or holding of previously styled hair for a period of time, and “styling” means the forming, sculpting, or manipulating hair to temporarily alter the hair’s shape.

Hair styling gel – a consumer product manufactured before January 1, 2012, that is a high viscosity, often gelatinous, product that contains a resin and is

designed for the application to hair to aid in styling and sculpting of the hair coiffure.

Hair styling product – a consumer product manufactured on or after January 1, 2012, that is designed or whose label states the product’s purpose is to aid in defining, shaping, lifting, styling, or sculpting of the hair:

- (a) Including, but not limited to, hair balm, clay, cream, crème, curl straightener, gel, liquid, lotion, paste, pomade, putty, root lifter, serum, spray gel, stick, temporary hair straightener, wax, spray products that aid in styling but do not provide finishing of a hairstyle, and leave-in volumizers, detanglers, or conditioners that make styling claims;
- (b) Excluding hair mousse, hair shine, hair spray, or shampoos or conditioners that are rinsed from the hair before styling; and
- (c) For the purposes of this definition, “finish” or “finishing” means the maintaining or holding of previously styled hair for a period of time, and “styling” means the forming, sculpting, or manipulating hair to temporarily alter the hair’s shape.

Hand application methods – the application of adhesive or sealant by manually held equipment. Such equipment includes paint brush, hand roller, trowel, spatula, dauber, rag, sponges, and mechanically- or pneumatic-driven syringes without atomization of the materials.

Heatset – a lithographic printing process where the inks and other materials applied to the substrate are dried, set, cured, or otherwise treated by the action of heat in a heatset dryer, excluding treatment by the use of ultraviolet light;

Heatset dryer – a hot air dryer used in heatset lithography to heat the printed substrate and to promote the evaporation of ink solvents or oils.

Heavy-duty hand cleaner or soap – is the following:

- (a) A product designed to clean or remove difficult dirt and soils such as oil, grease, grime, tar, shellac, putty, printer’s ink, paint, graphite, cement, carbon, asphalt, or adhesives from the hand with or without the use of water; and
- (b) Does not include prescription drug products, antimicrobial hand or body cleaner or soap, astringent/toner, facial cleaner or soap, general-use hand or body cleaner or soap, medicated astringent/medicated toner, or rubbing alcohol.

Herbicide – a pesticide product designed to kill or retard a plant’s growth, but excludes products that are for agricultural use or restricted materials that require a permit for use and possession.

High precision optic – an optical element used in an electro-optical device to sense, detect, or transmit light energy, including specific wavelengths of light energy and changes in light energy levels.

High-temperature coating – a high performance coating whose label states as the product’s purpose and is formulated for application to substrates exposed continuously or intermittently to temperatures above two hundred and four degrees Celsius (204° C) or four hundred degrees Fahrenheit (400° F).

High volatility organic compound (HVOC) – any volatile organic compound that exerts a vapor pressure greater than eighty millimeters of mercury (80 mm. Hg) when measured at twenty degrees Celsius (20° C) or sixty-eight degrees Fahrenheit (68° F).

High-volume low-pressure (HVLP) spray – spray equipment permanently labeled HVLP that is designed and operated between one tenth of a pound (0.1 lb.) and ten pounds (10.0 lb.) per square inch gauge (psig) air atomizing pressure, measured dynamically at the center of the air cap and at the air horns.

High volume-low pressure spray – the application of a coating with a gun which operates between one tenth pounds (0.1 lb.) and ten pounds (10.0 lb.) per square inch gauge (psig) air pressure.

Household product – any consumer product that is primarily designed to be used inside or outside of living quarters or residences that are occupied or intended for occupation by individuals, including the immediate surroundings.

Immersion cold cleaning machine – a cold cleaning machine in which the parts are immersed in the solvent when being cleaned.

Impacted immersion coating – a high performance maintenance coating formulated and recommended for application to steel structures subject to immersion in turbulent, debris-laden water. These coatings are specifically resistant to high-energy impact damage caused by floating ice or debris.

Indoor floor covering installation adhesive – any adhesive intended by the manufacturer for use in the installation of wood flooring, carpet, resilient tile, vinyl tile, vinyl-backed carpet, resilient sheet and roll, or artificial

grass. Adhesives used to install ceramic tile and perimeter bonded sheet flooring with vinyl backing onto a non-porous substrate, such as flexible vinyl, are excluded from this category.

Industrial cleaning solvent – any liquid containing a volatile organic compound or combination of volatile organic compounds, which is used as a cleaning agent in a solvent cleaning operation.

Industrial maintenance coating – a high performance architectural coating, including primers, sealers, undercoaters, intermediate coats, and topcoats, formulated for application to substrates exposed to one or more of the following extreme environmental conditions listed as follows and labeled as set forth in § 776:

- (a) Immersion in water, wastewater, or chemical solutions (aqueous and non-aqueous solutions), or chronic exposures of interior surfaces to moisture condensation;
- (b) Acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions;
- (c) Repeated exposure to temperatures above one hundred twenty-one degrees Celsius (121° C) or two hundred fifty degrees Fahrenheit (250° F);
- (d) Repeated heavy abrasion, including mechanical wear and repeated scrubbing with industrial solvents, cleansers, or scouring agents; or
- (e) Exterior exposure of metal structures and structural components.

Inking cylinder – the contrivance, usually a cylinder, which applies the ink to the printing plate.

In-line vapor cleaning machine – a vapor cleaning machine that uses an automated parts handling system, typically a conveyor, to automatically provide a supply of parts to be cleaned. In-line vapor cleaning machines are fully enclosed except for the conveyor inlet and exit portals.

Insecticide – is the following:

- (a) A pesticide product that is designed for use against insects or other arthropods; and
- (b) Excludes products that are for agricultural use, for a use that requires a structural pest control license under applicable District

of Columbia laws or regulations, or restricted materials that require a permit for use and possession.

Insecticide fogger – any insecticide product designed to release all or most of its content, as a fog or mist, into indoor areas during a single application.

Institutional product or industrial and institutional (I & I) product – is the following:

- (a) A consumer product that is designed for use in the maintenance or operation of an establishment that manufactures, transports, or sells goods or commodities; provides services for profit; or is engaged in the nonprofit promotion of a particular public, educational, or charitable cause, including but not limited to, government agencies, factories, schools, hospitals, sanitariums, prisons, restaurants, hotels, stores, automobile service and parts centers, health clubs, theaters, or transportation companies; and
- (b) Excludes household products and products that are incorporated into or used exclusively in the manufacture or construction of the goods or commodities at the site of the establishment.

Intaglio – the method of printing from plates in which the image is etched or sunk below the surface of the plate and where:

- (a) The depression is usually a line or area;
- (b) The depression is deeper than the depression of the gravure dots;
- (c) The ink used is viscous under room temperature; and
- (d) The ink is transferred to the paper (or other substrate) at least partly by pressure.

Janitorial cleaning – the cleaning of building or facility components, including but not limited to, floors, ceilings, walls, windows, doors, stairs, bathrooms, furnishings, and exterior surfaces of office equipment, and excluding the cleaning of work areas where manufacturing or repair activity is performed.

Janitorial products – products used for the janitorial cleaning of building or facility components including, but limited to, floors, ceilings, walls, windows, doors, stairs, and bathrooms.

Kerosene – any light petroleum distillate that is commonly or commercially known, sold, or represented as kerosene that is used in space heating, cook

stoves, and water heaters, and is suitable for use as a light source when burned in wick-fed lamps.

Label – any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed, molded into, embossed on, or appearing upon any consumer product or consumer product package, for purposes of branding, identifying, or giving information with respect to the product or to the contents of the package.

Lacquer – a clear or opaque wood coating, including clear lacquer sanding sealers, formulated with cellulosic or synthetic resins to dry by evaporation without chemical reaction and to provide a solid, protective film.

Laminate – a product made by bonding together two (2) or more layers of material.

Large appliance coatings – A product that includes paints, sealants, caulks, inks, adhesives, and maskants, except for the use of quick-drying lacquers for repair of scratches and nicks that occur during assembly, provided that the volume of coating does not exceed ninety-five one hundredths of a liter (0.95 L) or twenty-five hundredth gallons (0.25 gal.) in any one eight-hour period.

Large appliance part – Any organic surface-coated metal lid, door, casing, panel, or other interior or exterior metal part or accessory that is assembled to form a large appliance product.

Large appliance product – Any organic surface-coated metal range, oven, microwave oven, refrigerator, freezer, washer, dryer, dishwasher, water heater, or trash compactor manufactured for household, commercial, or recreational use.

Laundry prewash – a product that is designed for application to a fabric before laundering and that supplements and contributes to the effectiveness of laundry detergents or provides specialized performance.

Laundry starch product – a product that is designed for application to a fabric, either during or after laundering, to impart and prolong a crisp, fresh look and may also act to help ease ironing of the fabric including but not limited to fabric finish, sizing, and starch.

Lawn and garden insecticide – an insecticide product whose label states the product's purpose is primarily to be used in household lawn and garden areas to protect plants from insects or other arthropods. Notwithstanding

the requirements of § 732.11 and 732.12, aerosol lawn and garden insecticide may claim to kill insects or other arthropods.

Letterpress – any method of printing from type, plates, or other characters cast or engraved in relief upon metal, wood, or other material in which the ink is applied directly to the paper (or other substrate) from the printing plate, and the impression is made by pressing the inked plate to the substrate.

Letterset – an indirect letterpress process in which the ink is transferred from a relief plate to a blanket and then from the blanket to the paper (or other substrate).

Liquid – is the following:

- (a) A substance or mixture of substances that is capable of a visually detectable flow as determined under ASTM D-4359-90(2000)e1, including any subsequent amendments; and
- (b) Does not include powders or other materials that are composed entirely of solid particles.

Lithography – a planographic printing process where the image and non-image areas are chemically differentiated, the image area is oil receptive, and the non-image area is water receptive. This method differs from other printing methods, where the image is typically printed from a raised or recessed surface.

Low-solids coating, adhesive, sealant, or primer – a coating containing twelve one hundredths of a kilogram (0.12 kg.) or less of solids per liter (one pound (1 lb.) or less of solids per gallon) of material.

Lubricant – is the following:

- (a) A product designed to reduce friction, heat, noise, or wear between moving parts, or to loosen rusted or immovable parts or mechanisms; and
- (b) Does not include automotive power steering fluids, products for use inside power generating motors, engines, and turbines, and their associated power-transfer gearboxes, two (2) cycle oils or other products designed to be added to fuels, products for use on the human body or animals, products that are sold exclusively to establishments that manufacture or construct goods or commodities, and products labeled not for retail sale.

LVP content – the total weight, in pounds, of LVP compounds in an ACP product multiplied by one hundred (100) and divided by the product's total net weight, in pounds, excluding container and packaging, expressed to the nearest tenth (0.1).

LVP-VOC – is the following:

- (a) A chemical compound or mixture that contains at least one (1) carbon atom and meets one of the following:
 - (1) Has a vapor pressure less than one tenth millimeters of mercury (0.1 mm Hg) at twenty degrees Celsius (20° C) or sixty-eight degrees Fahrenheit (68° F), as determined by CARB Method 310;
 - (2) Is a chemical compound with more than twelve (12) carbon atoms, or a chemical “mixture” comprised solely of “compounds” with more than twelve (12) carbon atoms as verified by formulation data, and the vapor pressure and boiling points are unknown;
 - (3) Is a chemical compound with a boiling point greater than two hundred and sixteen degrees Celsius (216° C) or sixty-eight degrees Fahrenheit (68° F), as determined by CARB Method 310; or
 - (4) Is the weight percent of a chemical mixture that boils above two hundred and sixteen degrees Celsius (216° C) or sixty-eight degrees Fahrenheit (68° F), as determined by CARB Method 310;
- (b) Chemical compound means a molecule of definite chemical formula and isomeric structure, and
- (c) Chemical mixture means a substrate comprised of two (2) or more chemical compounds.

Magnesite cement coating – a coating whose label states as the product's purpose and is formulated for application to magnesite cement decking to protect the magnesite cement substrate from erosion by water.

Magnet wire – Wire used in electromagnetic field application in electrical machinery and equipment such as transformers, motors, generators, and magnetic tape recorders.

Manufacturer – any person who imports, manufactures, assembles, produces, packages, repackages, or re-labels a consumer product or portable fuel container or spout or combination portable fuel container and spout.

Marine deck sealant or marine deck sealant primer – any sealant or sealant primer whose label states the product’s purpose is for application to wooden marine decks.

Maskant – Decorative, protective, or functional materials that consist only of protective oils for metal, acids, bases, or any combination of these substances that are not considered metal furniture coatings.

Mastic texture coating – a coating whose label states the product’s purpose and is formulated to cover holes and minor cracks and to conceal surface irregularities, and is applied in a single coat of at least ten one-thousandth of an inch (0.010 in.) dry film thickness.

Medical equipment manufacturing – the manufacture of medical devices, such as, but not limited to, catheters, heart valves, blood cardioplegia machines, tracheostomy tubes, blood oxygenators, and cardiatory reservoirs.

Medicated astringent/medicated toner – is the following:

- (a) Any product regulated as a drug by the FDA that is applied to the skin for the purpose of cleaning or tightening pores including but not limited to clarifiers and substrate-impregnated products; and
- (b) Does not include hand, face, body cleaner or soap products, astringent/toner, cold cream, lotion, antiperspirants, or products that must be purchased with a doctor’s prescription.

Medium volatility organic compound (MVOC) – any volatile organic compound that exerts a vapor pressure greater than two millimeters of mercury (2 mm. Hg) and less than or equal to eighty millimeters of mercury (80 mm. Hg) when measured at twenty degrees Celsius (20° C) or sixty-eight degrees Fahrenheit (68° F).

Metal furniture coatings – includes paints, sealants, caulks, inks, adhesives, and maskants that are applied to metal furniture substrates, such as:

- (a) Paints and adhesives that are typically applied without a primer;
- (b) Higher solids and powder coatings; and
- (c) Coatings that provide a covering finish, or functional or protective layer, and can also provide a decorative finish to metal furniture.

Metal furniture substrate – the furniture or components of furniture, constructed either entirely or partially from metal.

Metallic/iridescent color coating - a coating that contains more than five (5) grams per liter (forty-two one thousandths, or 0.042, pounds per gallon) of metal or iridescent particles as applied, where the particles are visible in the dried film.

Metallic pigmented coating – a coating containing at least forty-eight grams (48 g.) of elemental metallic pigment per liter of coating as applied (four tenths of a pound (0.4 lb.) per gallon), when tested in accordance with SCAQMD Method 318-95.

Metal polish/cleanser – is the following:

- (a) Any product designed primarily to improve the appearance of finished metal, metallic, or metallized surfaces by physical or chemical action;
 - (1) Including, but not limited to, metal polishes used on brass, silver, chrome, copper, stainless steel, and other ornamental metals; and
 - (2) “To improve the appearance” means to remove or reduce stains, impurities, or oxidation from surfaces or to make surfaces smooth and shiny; and
- (b) Excluding automotive wax, polish, sealant or glaze, wheel cleaner, paint remover or stripper, products designed and whose label states the product’s purpose is exclusively for automotive and marine detailing, or products designed for use in degreasing tanks.

Metal to urethane/rubber molding or casting adhesive – any adhesive intended by the manufacturer to bond metal to high density or elastomeric urethane or molded rubber materials, in heater molding or casting processes, to fabricate products such as rollers for computer printers or other paper handling equipment.

Miscellaneous metal product and plastic parts surface coatings – coatings that are applied to the surfaces of a range of metal and plastic parts and products, which are constructed either entirely or partially from metal or plastic, to protect metal parts from corrosion by providing resistance to moisture, heat, and sometimes the outdoor elements; or to provide color, texture, or protection of plastic parts, thus improving appearance and durability, or to attenuate electromagnetic interference or radio frequency

interference signals, and to conceal mold lines and flaws in the substrate surface.

Miscellaneous metal products facility – a facility that manufactures and repairs fabricated metal, machinery, computer and electronic equipment, transportation equipment, and rail transportation equipment, and typically uses coating technologies such as higher solids, waterborne, and powder coatings, as well as conventional solvent-borne coatings.

Missing data days – the number of days in a compliance period for which the responsible ACP party has failed to provide the required enforceable sales or VOC content data to the Department, as specified in the ACP Agreement approving an ACP.

Mist spray adhesive – any aerosol that is not a special purpose spray adhesive and that delivers a particle or mist spray, resulting in the formation of fine, discrete particles that yield a generally uniform and smooth application of adhesive to the substrate.

Mobile equipment – equipment that may be drawn or driven or is capable of being drawn or driven on a roadway or rails, including but not limited to: automobiles, trucks, truck cabs, truck bodies, truck trailers, buses, motorcycles, utility bodies, camper shells, mobile cranes, bulldozers, street cleaners, golf carts, ground support vehicles used in support of aircraft activities at airports, implements of animal husbandry or agriculture and farm equipment, and trains and railcars.

Motor vehicle – any motor vehicle, as defined in § 1(a) of title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.01).

Motor vehicle adhesive – an adhesive, including glass bonding adhesive, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied for the purpose of bonding two (2) vehicle surfaces together without regard to the substrates involved.

Motor vehicle glass bonding primer – a primer, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to windshield or other glass, or to body openings, to prepare the glass or body opening for the application of glass bonding adhesives or the installation of adhesive bonded glass. Motor vehicle glass bonding primer includes glass bonding and cleaning primers that perform both functions (cleaning and priming of the windshield or other glass, or body openings) before the application of adhesive or the installation of adhesive bonded glass.

Motor vehicle weatherstrip adhesive – an adhesive, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to weatherstripping materials for bonding the weatherstrip material to the surface of the vehicle.

Multicolor coating – a coating that exhibits more than one color in the dried film after a single application, is packaged in a single container, hides surface defects on areas of heavy use, and is applied over a primer or adhesion promoter.

Multi-purpose construction adhesive – any adhesive intended by the manufacturer for use in installation or repair of various construction materials, including but not limited to, drywall, subfloor, panel, fiberglass reinforced plastic (FRP), ceiling tile, and acoustical cement.

Multi-purpose dry lubricant – any lubricant which is designed and whose label states the product's purpose is to provide lubrication by depositing a thin film of graphite, molybdenum disulfide (moly), or polytetrafluoroethylene or closely related fluoropolymer (teflon) on surfaces, and designed for general purpose lubrication, or for use in a wide variety of applications.

Multi-purpose lubricant – any lubricant designed for general purpose lubrication, or for use in a wide variety of applications. This term does not include multi-purpose dry lubricants, penetrants, or silicone-based multi-purpose lubricants.

Multi-purpose solvent – is any organic liquid designed to be used for a variety of purposes, including cleaning or degreasing of a variety of substrates, or thinning, dispersing or dissolving other organic materials:

- (a) Including solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific, or other laboratories; and
- (b) Excluding solvents used in cold cleaners, vapor degreasers, conveyORIZED degreasers or film cleaning machines, or solvents that are incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment.

Nail polish – any clear or colored coating designed for application to the fingernails or toenails and including but not limited to, lacquers, enamels, acrylics, base coats, and top coats.

Nail polish remover – a product designed to remove nail polish and coatings from fingernails or toenails.

Nominal capacity – the volume indicated by the manufacturer that represents the maximum recommended filling level.

Non-aerosol product – any consumer product that is not dispensed by a pressurized spray system.

Non-carbon containing compound – any compound that does not contain any carbon atoms.

Non-flat coating – a coating that is not defined under any other definition in this rule and that registers a gloss of fifteen (15) or greater on an eighty-five (85) degree meter and five (5) or greater on a sixty (60) degree meter according to ASTM Designation D 523-89 (1999), incorporated by reference in § 778.5.

Non-flat high gloss coating – a non-flat coating that registers a gloss of seventy (70) or above on a sixty (60) degree meter according to ASTM Designation D 523-89 (1999), incorporated by reference in § 778.5.

Non-heatset – as applied to offset lithography or letterpress printing operations subject to the requirements of § 716, any operation where the printing inks are set without the use of heat. For the purposes of § 716, infrared heater or printing conducted using ultraviolet-cured or electron beam-cured inks are considered non-heatset.

Non-industrial use – any use of architectural coatings, except in the construction or maintenance of any of the following:

- (a) Facilities used in the manufacturing of goods and commodities;
- (b) Transportation infrastructure, including highways, bridges, airports, and railroads;
- (c) Facilities used in mining activities, including petroleum extraction; and
- (d) Utilities infrastructure, including power generation and distribution, and water treatment and distribution systems.

Non-membrane roof installation/repair adhesive – any adhesive intended by the manufacturer for use in the installation or repair of non-membrane roofs and that is not intended for use in the installation of prefabricated single-ply flexible roofing membrane. This category includes plastic or asphalt roof cement, asphalt roof coatings, and cold application cement.

Non-membrane roof installation/repair solvent – any solvent intended by the manufacturer for use in the installation or repair of non-membrane roofs and that is not intended for use in the installation of prefabricated single-ply flexible roofing membrane.

Non-resilient flooring – flooring of a mineral content that is not flexible, including but not limited to terrazzo, marble, slate, granite, brick, stone, ceramic tile, and concrete.

Non-selective terrestrial herbicide – a terrestrial herbicide product that is toxic to plants without regard to species.

Nuclear coating – a protective coating formulated and recommended to seal porous surfaces such as steel or concrete that otherwise would be subject to intrusion by radioactive materials;

- (a) These coatings must be resistant to long-term (service life) cumulative radiation exposure in accordance with ASTM Method D 4082-89, Standard Test Method for Effects of Gamma Radiation on Coatings for Use in Light-Water Nuclear Power Plants; and
- (b) Relatively easy to decontaminate, and resistant to various chemicals to which the coatings are likely to be exposed in accordance with ASTM Method D 3912-80 (Reapproved 1989), Standard Test Method for Chemical Resistance of Coatings Used in Light-Water Nuclear Power Plants.

Off-line cleaning – the cleaning of inks, coatings, and adhesives from press parts that have been removed from the press for cleaning.

Offset printing process – a printing process that transfers the ink film from the lithographic plate to an intermediary (a blanket, made of rubber or other material) which, in turn, transfers the ink film to the substrate.

One-product business – a responsible ACP party that sells, supplies, offers for sale, or manufactures for use in District of Columbia:

- (a) Only one (1) distinct ACP product, sold under one (1) product brand name, that is subject to the requirements of § 720; or
- (b) Only one (1) distinct ACP product line subject to the requirements of §720, in which all the ACP products belong to the same product category or categories and the VOC contents in the products are within ninety-eight percent (98%) and one hundred two percent (102%) of the arithmetic mean of the VOC contents over the entire product line.

Other automotive coating type - an automotive coating that does not meet the definitions for the specified automotive coating categories in Table I of § 718.

Outboard engine – a spark-ignition marine engine that, when properly mounted on a marine watercraft in the position to operate, houses the engine and drive unit external to the hull of the marine watercraft.

Outdoor floor covering installation adhesive – any adhesive intended by the manufacturer for use in the installation of floor covering that is not in an enclosure and that is exposed to ambient weather conditions during normal use.

Oven cleaner – any cleaning product designed to clean and to remove dried food deposits from oven walls.

Paint – any pigmented liquid, liquefiable, or mastic composition, including several categories of primers, topcoats, and specialty coatings, typically defined by the coating’s function, which is designed for application to a substrate in a thin layer which is converted to an opaque solid film after application and is used for protection, decoration, or identification, or to serve some functional purpose including but not limited to the filling or concealing of surface irregularities or the modification of light and heat radiation characteristics.

Paint remover or stripper – is the following:

- (a) Any product designed to strip or remove paints or other related coatings, by chemical action, from a substrate without markedly affecting the substrate; and
- (b) Excludes multi-purpose solvents, paint brush cleaners, products designed and whose label states the product’s purpose is exclusively as “graffiti removers”, and hand cleaner products that claim to remove paints and other related coatings from skin.

Panel installation – the installation of plywood, pre-decorated hardboard (or tileboard), fiberglass reinforced plastic, and similar pre-decorated or non-decorated panels to studs or solid surfaces using an adhesive formulated for that purpose.

Paper-wipe – the method of removing ink from the non-image areas of the printing plate by using paper.

Penetrant – is the following:

- (a) A lubricant designed and whose label states the product's purpose is primarily to loosen metal parts that have bonded together due to rusting, oxidation, or other causes; and
- (b) Excludes multi-purpose lubricants that claim to have penetrating qualities, but are not whose label states the product's purpose is primarily to loosen bonded parts.

Percent VOC by weight – the ratio of the weight of the VOC to the weight of the material, expressed as a percentage of VOC by weight. The percent VOC by weight can be calculated as follows:

$$\%VOCweight = \left[\frac{W_v}{W} \right] \times 100$$

where: W_v = Weight of VOCs in grams; and
 W = Weight of material in grams.

Perimeter bonded sheet flooring installation – the installation of sheet flooring with vinyl backing onto a nonporous substrate using an adhesive designed to be applied only to a strip of up to four inches (4 in.) wide around the perimeter of the sheet flooring.

Permeation – means the process by which individual fuel molecules may penetrate the walls and various assembly components of a portable fuel container directly to the outside ambient air.

Personal fragrance product – is the following:

- (a) Any product which is applied to the human body or clothing for the primary purpose of adding a scent or masking a malodor, including cologne, perfume, aftershave, and toilet water; and
- (b) Does not include deodorant; medicated products designed primarily to alleviate fungal or bacterial growth on feet or other areas of the body; mouthwashes, breath fresheners, and deodorizers; lotions, moisturizers, powders, or other skin care products used primarily to alleviate skin conditions such as dryness or irritations; products designed exclusively for use on human genitalia and; fragrance products designed to be used exclusively on non-human animals.

Pesticide – is the following:

- (a) Any substance or mixture of substances whose label states as the product's purpose, or is designed or intended for use in preventing, destroying, repelling or mitigating any pest, or any substance or mixture of substances whose label states as the product's purpose, or is designed or intended for use as a defoliant, desiccant, or plant regulator; and
- (b) Does not include any substance, mixture of substances, or device that the United States Environmental Protection Agency does not consider to be a pesticide.

Pharmaceutical products – a preparation or compound, which includes any drug, analgesic, decongestant, antihistamine, cough suppressant, vitamin, mineral, or herb supplement intended for human or animal consumption and used to cure, mitigate or treat disease or improve or enhance health.

Photochemically reactive solvent – any solvent with an aggregate of more than twenty percent (20%) of its total volume composed of chemical compounds classified below or which exceeds any of the following individual percentage composition limitations:

- (a) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cyclo-olefinic type of unsaturation that account for five percent (5%) or more of the total volume of a solvent;
- (b) A combination of aromatic compounds with eight (8) or more carbon atoms to the molecule except ethylbenzene that account for eight percent (8%) or more of the total volume of a solvent; or
- (c) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene that account for twenty percent (20%) or more of the total volume of a solvent.

Plastic cement welding adhesive – any adhesive intended by the manufacturer for use to dissolve the surface of plastic to form a bond between mating surfaces.

Plastic cement welding adhesive primer – any primer intended by the manufacturer for use to prepare plastic substrates before bonding or welding.

Plastic foam – foam constructed of plastic.

Plasticizer – a material, such as high boiling point organic solvent, that is incorporated into a vinyl to increase its flexibility, workability, or distensibility, as determined by the ASTM Method E-260-96.

Plastics – synthetic material chemically formed by the polymerization of organic (carbon-based) substances. Plastics are usually compounded with modifiers, extenders, or reinforcers and are capable of being molded, extruded, cast into various shapes and films or drawn into filaments.

Plastic part – A piece made from a substance that has been formed from resin through the application of pressure or heat or both.

Plate – a plate or cylinder or any other contrivance that carries the image to be printed and to which ink is applied. The inked plate transfers the image to the paper (or other substrate) either directly, or, in the offset process, indirectly through a blanket.

Polyvinyl chloride (PVC) plastic – a polymer of the chlorinated vinyl monomer that contains fifty-seven percent (57%) chlorine.

Polyvinyl chloride (PVC) welding adhesive – any adhesive intended by the manufacturer for the welding of PVC plastic pipe. PVC plastic is a polymer of the chlorinated vinyl monomer that contains fifty-seven percent (57%) chlorine and which is normally identified with a PVC marking.

Porous material – a substance that has tiny openings, often microscopic, in which fluids may be absorbed or discharged. Such materials include, but are not limited to, paper, corrugated paperboard, and, except for the limit in Category 5 (Adhesives Applied To Particular Substrates) in the Table of Standards in § 744.2, wood.

Portable fuel container – any container or vessel, with a nominal capacity of ten (10) gallons or less, intended for reuse, that is designed, used, sold, advertised, or offered for sale for receiving, transporting, storing, and dispensing fuel or kerosene. Portable fuel containers do not include containers or vessels permanently embossed or permanently labeled, as described in 49 C.F.R. § 172.407(a), as the rule existed on September 15, 2005, with language indicating said containers or vessels are solely intended for use with non-fuel or non-kerosene products.

Post-consumer coating – a finished coating that would have been disposed of in a landfill, having completed its usefulness to a consumer, and does not include manufacturing wastes.

Pre-ACP VOC content – the lowest VOC content of an ACP product between January 1, 1990, and the date on which the application for a proposed ACP is submitted to the Department, based on either the data on the product obtained from the March 12, 1991, CARB Consumer Products Survey, or other accurate records available to the Department, whichever yields the lowest VOC content for the product.

Pressurized gas duster – a pressurized product whose label states the product's purpose is to remove dust from a surface solely by mass air or gas flow, including surfaces such as photographs, photographic film negatives, computer keyboards, and other types of surfaces that cannot be cleaned with solvents. Pressurized gas duster does not include a dusting aid.

Pre-treatment wash primer – a primer that contains a minimum of one half of a percent (0.5%) acid, by weight, when tested in accordance with ASTM Designation D 1613-96, incorporated by reference into § 778.5, that is labeled and formulated for application directly to bare metal surfaces to provide corrosion resistance and to promote adhesion of subsequent topcoats.

Primer – a coating whose label states the product's purpose is, and is formulated for, application to a substrate to provide a firm bond between the substrate and subsequent coats.

Principal display panel or panels – that part, or those parts, of a label that are so designed as to most likely be displayed, presented, shown, or examined under normal and customary conditions of display or purchase. Whenever a principal display panel appears more than once, all requirements pertaining to the principal display panel shall pertain to all such principal display panels.

Printing – the process of producing images, coatings, or other design on paper (or other substrate) by the use of inks.

Printing operation – each operation used in connection with printing, including, but not limited to, the printing itself, lithographic varnish and coating operations, ink manufacture, ink mixing, preparing, and packaging the printed products and disposal of the waste.

Printing press – a printing production assembly composed of one (1) or more printing units to produce a printed sheet or web or substrate including any associated coating, spray powder application, heatset web dryer, ultraviolet or electron beam curing units, or infrared heating units.

Printing unit – one (1) or more pieces of equipment used for the simultaneous placing of one (1) or more inks on paper (or some other substrate) in the

process of printing. A printing press often contains more than one (1) printing unit, each unit successively printing a separate portion of the total printing.

Product brand name – the name of the product exactly as it appears on the principal display panel of the product.

Product category – the applicable category that best describes the product as listed in this section and § 720.

Product line – a group of products of identical form and function belonging to the same product category or categories.

Propellant – a liquid or compressed gas that is used, in whole or in part, such as a co-solvent, to expel a liquid or any other material from the same self-pressurized container or from a separate container.

Pump spray – a packaging system in which the product ingredients within the container are not under pressure and in which the product is expelled only while a pumping action is applied to a button, trigger or other actuator.

Quick-dry enamel – a non-flat coating that is labeled as specified in § 776.1(h) and that is formulated to have the following characteristics:

- (a) Is capable of being applied directly from the container under normal conditions with ambient temperatures between sixteen degrees Celsius (16° C) or sixty-one degrees Fahrenheit (61° F) and twenty-seven degrees Celsius (27° C) or eight-one degrees Fahrenheit (81° F);
- (b) When tested in accordance with ASTM Designation D 1640-95, incorporated by reference in § 778.5, sets to touch in two (2) hours or less, is tack free in four (4) hours or less, and dries hard in eight (8) hours or less by the mechanical test method; and
- (c) Has a dried film gloss of seventy (70) or above on a sixty (60) degree meter.

Quick-dry primer sealer and undercoater – a primer, sealer, or undercoater that is dry to the touch in thirty (30) minutes and can be re-coated in two (2) hours when tested in accordance with ASTM Designation D 1640-95, incorporated by reference in § 778.5.

RACT – Reasonably Available Control Technology.

Reactive diluent – a liquid that is a reactive organic compound during application and that, through chemical or physical reactions, such as polymerization, twenty percent (20%) or more of the reactive organic compound becomes an integral part of the finished material.

Reactive Penetrating Carbonate Stone Sealer – a clear or pigmented coating whose label states the product’s purpose is, and is formulated for, application to above-grade carbonate stone substrates to provide protection from water and waterborne contaminants, including, but not limited to, alkalis, acids, and salts. Reactive Penetrating Carbonate Stone Sealers must penetrate into carbonate stone substrates and chemically react to form covalent bonds with naturally occurring minerals in the substrate. Reactive Penetrating Carbonate Stone Sealers line the pores of carbonate substrates with a hydrophobic coating, but do not form a surface film. Reactive Penetrating Carbonate Stone Sealers must:

- (a) Improve water repellency at least eighty percent (80%) after application on a carbonate stone substrate. This performance must be verified on standardized test specimens, in accordance with, ASTM C67-07, ASTM C97-02, or ASTM C140-06; and
- (b) Not reduce the water vapor transmission rate by more than ten percent (10%) after application on a carbonate stone substrate. This performance must be verified on standardized test specimens, in accordance with ASTM E96/E96M-05.

Reasonably Available Control Technology (RACT) – the lowest emission limit for VOCs or NO_x that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

Reconcile or reconciliation – to provide sufficient VOC emission reductions to completely offset any shortfalls generated under the ACP during an applicable compliance period.

Reconciliation of shortfalls plan – the plan to be implemented by the responsible ACP party when shortfalls have occurred, as approved by the Department pursuant to § 735.

Recycled coating – an architectural coating formulated such that not less than fifty percent (50%) of the total weight is secondary and post-consumer coating, with not less than ten percent (10%) of the total weight consisting of post-consumer coating.

Reduced room draft – decreasing the flow or movement of air across the top of the freeboard area of a solvent cleaning machine to less than fifty feet (50

ft.) per minute (fifteen and two tenths meters (15.2 m.) per minute) by methods including, but not limited to, redirecting fans or air vents, moving a machine to a corner where there is less room draft, or constructing a partial or complete enclosure.

Reinforced plastic composites – a composite material consisting of plastic reinforced with fibers.

Remote reservoir cold cleaning machine – a machine in which liquid solvent is pumped to a sink-like work area that immediately drains solvent back into an enclosed container while parts are being cleaned, allowing no solvent to pool in the work area.

Residence – areas where people reside or lodge, including, but not limited to, single and multiple family dwellings, condominiums, mobile homes, apartment complexes, motels, and hotels.

Responsible ACP party – the company, firm, or establishment that is listed on the ACP product's label. If the label lists two (2) or more companies, firms, or establishments, the responsible ACP party is the party that the ACP product was manufactured for or distributed by, as noted on the label.

Responsible party – the company, firm, or establishment that is listed on the product's label. If the label lists two (2) companies, firms or establishments, the responsible party is the party that the product was manufactured for or distributed by, as noted on the label.

Restricted materials – pesticides listed as restricted materials under applicable District of Columbia laws or regulations.

Retailer – any person who owns, leases, operates, controls, sells, supplies, or offers consumer products for sale directly to consumers or supervises a retail outlet.

Retail outlet – any establishment at which consumer products or portable fuel containers or spouts or combination portable fuel containers and spouts are sold, supplied, or offered for sale directly to consumers.

Roadway sealant – any sealant intended by the manufacturer for application to public streets, highways, and other surfaces, including but not limited to curbs, berms, driveways and parking lots.

Roller coating – the application of a coating to a sheet or strip in which the coating is continuously transferred by a roller or series of rollers that rotate opposite of one another.

Roll-on product – any antiperspirant or deodorant that dispenses active ingredients by rolling a wetted ball or wetted cylinder on the affected area.

Roof coating – is the following:

- (a) A non-bituminous coating whose label states the product's purpose is, and is formulated exclusively for, application to roofs for the primary purpose of preventing penetration of the substrate by water or reflecting heat and ultraviolet radiation; and
- (b) Excludes metallic pigmented roof coatings.

Rotogravure package printing – a flexible package printing process in which an image (type and art) is etched or engraved below the surface of a plate or cylinder.

Rotogravure package printing press – an unwind or feed section, which may include more than one (1) unwind or feed station (such as on a laminator), a series of individual work stations, one (1) or more of which is a rotogravure print station, any dryers associated with the work stations, and a rewind, stack, or collection station. Inboard and outboard workstations, including those employing any other technology, such as flexography, are included if they are capable of printing or coating on the same substrate.

Rubber – any natural or manmade rubber substrate, including but not limited to: styrene-butadiene rubber (SBR), polychloroprene (neoprene), butyl rubber, nitrile rubber, chlorosulfonated polyethylene (CSM), and ethylene propylene diene terpolymer (EPDM).

Rubber and vinyl protectant – is the following:

- (a) Any product designed to protect, preserve, or renew vinyl, rubber, and plastic on vehicles, tires, luggage, furniture, and household products such as vinyl covers, clothing, and accessories; and
- (b) Excludes products primarily designed to clean the wheel rim, such as aluminum or magnesium wheel cleaners, and tire cleaners that do not leave an appearance-enhancing or protective substance on the tire.

Rubbing alcohol – any product containing isopropyl alcohol (also called isopropanol) or denatured ethanol and whose label states the product's purpose is for topical use, usually to decrease germs in minor cuts and scrapes, to relieve minor muscle aches, as a rubefacient, and for massage.

Rust preventive coating – a coating formulated exclusively for non-industrial use to prevent the corrosion of metal surfaces and labeled as specified in § 776.1(f).

Sanding sealer – is the following:

- (a) A clear or semi-transparent wood coating whose label states the product's purpose is, and is formulated for, application to bare wood to seal the wood and to provide a coat that can be abraded to create a smooth surface for subsequent applications of coatings; and
- (b) Does not include sanding sealers that also meet the definition of a lacquer.

SCAQMD – South Coast Air Quality Management District.

Screen printing – a process in which the printing ink passes through a web or a fabric to which a refined form of stencil has been applied where the stencil openings determine the form and dimensions of the imprint.

Sealant – any material with adhesive properties that is formulated primarily to fill, seal, waterproof, or weatherproof gaps or joints between two (2) surfaces. Sealants include sealant primers and caulks.

Sealant and caulking compound – is the following:

- (a) Any product with adhesive properties that is designed to fill, seal, waterproof, or weatherproof gaps or joints between two (2) surfaces;
- (b) Does not include roof cements and roof sealants, insulating foams, removable caulking compounds, clear/paintable/water resistant caulking compounds, floor seam sealers, products designed exclusively for automotive uses, or sealers that are applied as continuous coatings;
 - (1) Removable caulking compounds are compounds which temporarily seal windows or doors for three (3) to six (6) month time intervals, and
 - (2) Clear/paintable/water resistant caulking compounds are compounds that contain no appreciable level of opaque fillers or pigments, transmit most or all visible light through the caulk when cured, are paintable, and are immediately resistant to precipitation upon application; and

- (c) Does not include units of product, less packaging, which weigh more than one (1) pound and consist of more than sixteen (16) fluid ounces.

Sealant primer – any product intended by the manufacturer to be applied to a substrate, before the application of a sealant, to enhance the bonding surface.

Sealer – a coating whose label states the product’s purpose is and is formulated for application to a substrate for one (1) or more of the following purposes:

- (a) To prevent subsequent coatings from being absorbed by the substrate; or
- (b) To prevent harm to subsequent coatings by materials in the substrate.

Secondary coating (rework) – is the following:

- (a) A fragment of a finished coating or a finished coating from a manufacturing process that has converted resources into a commodity of real economic value; and
- (b) Does not include excess virgin resources of the manufacturing process.

Semisolid – a product that, at room temperature, will not pour, but will spread or deform easily, including but not limited to gels, pastes, and greases.

Shaving cream – an aerosol product which dispenses foam lather intended to be used with a blade, cartridge razor, or other wet-shaving system to remove facial or other bodily hair. Shaving cream does not include shaving gel.

Shaving gel – an aerosol product that dispenses a post-foaming semisolid designed to be used with a blade, cartridge razor, or other shaving system to remove facial or other bodily hair. Shaving gel does not include shaving cream.

Sheet-applied rubber installation – the process of applying sheet rubber liners by hand to metal or plastic substrates to protect the underlying substrate from corrosion or abrasion. These operations also include laminating sheet rubber to fabric by hand.

Sheet-fed – as applied to offset lithography or letterpress printing operations subject to the requirements of § 716, a printing process where individual sheets of paper or other substrate are fed into the printing press sequentially.

Shellac – a clear or opaque coating formulated solely with the resinous secretions of the lac beetle (*Lacifer lacca*), thinned with alcohol, and formulated to dry by evaporation without a chemical reaction.

Shop application – application of a coating to a product or a component of a product in or on the premises of a factory or a shop as part of a manufacturing, production, or repairing process, including but not limited to original equipment manufacturing coatings.

Shortfall – is the following:

- (a) The ACP emissions minus the ACP limit when the ACP emissions were greater than the ACP limit during a specified compliance period, expressed to the nearest pound of VOC; and
- (b) Excludes emissions occurring before the date that the ACP Agreement approving an ACP is signed by the Department.

Silicone-based multi-purpose lubricant – is the following:

- (a) Any lubricant which is designed, and whose label states the product's purpose is, to provide lubricity primarily through the use of silicone compounds, including but not limited to polydimethylsiloxane, and designed and whose label states the product's purpose is for general purpose lubrication, or for use in a wide variety of applications; and
- (b) Excludes products designed, and whose label states the product's purpose is, exclusively to release manufactured products from molds.

Single-phase aerosol air freshener – an aerosol air freshener with the liquid contents in a single homogeneous phase that does not require that the product container be shaken before use.

Single-ply roof membrane – a prefabricated single sheet of rubber, normally EPDM (ethylene-propylenediene terpolymer), that is applied in a single layer to a building roof.

Single-ply roof membrane adhesive primer – any primer whose label states the product's purpose is for use by the manufacturer for cleaning and

promoting adhesion of the single-ply roof membrane seams or splices before bonding.

Single-ply roof membrane installation or repair adhesive – any adhesive whose label states the product’s purpose is for use by the manufacturer for use in the installation or repair of single-ply roof membrane.

Single-ply roof membrane sealant – any sealant whose label states the product’s purpose is for use by the manufacturer for application to single-ply roof membrane.

Single-stage coating - a pigmented coating, excluding primers and multicolor coatings, labeled and formulated for application without a subsequent clear coat.

Small business – shall have the same meaning as defined in applicable District of Columbia laws and regulations.

Solicit – to require for use or to specify, by written or oral contract.

Solid – a substance or mixture of substances that, either whole or subdivided (such as the particles comprising a powder), is not capable of visually detectable flow as determined under ASTM D 4359-90(2000)e1, including subsequent amendments, incorporated by reference.

Solvent –

- (a) For purposes of § 718, a fluid containing organic compounds added to a coating, including reducers and thinners.
- (b) For all other purposes in this chapter, organic compounds that are used as diluents, thinners, solvents, viscosity reducers, cleaning agents or other related uses.

Solvent/air interface – the location of contact between the concentrated solvent vapor layer and the air:

- (a) This location of contact is defined as the mid-line height of the primary condenser coils; and
- (b) For a cold cleaning machine, it is the location of contact between the liquid solvent and the air.

Solvent cleaning machine – a device or piece of equipment that uses solvent liquid or vapor to remove contaminants, including but not limited to dirt, grease, oil, and coatings, from the surfaces of materials. Types of solvent

cleaning machines include but are not limited to batch vapor cleaning machines, in-line vapor cleaning machines, immersion cold cleaning machines, remote reservoir cold cleaning machines, airless cleaning systems, and air-tight cleaning systems.

Solvent cleaning machine automated parts handling system – a mechanical device that carries all parts and parts baskets at a controlled speed from the initial loading of soiled or wet parts through the removal of the cleaned or dried parts.

Solvent cleaning machine down time – the period when a solvent cleaning machine is not cleaning parts and the sump heating coils, if present, are turned off.

Solvent cleaning machine idle time – the period when a solvent cleaning machine is not actively cleaning parts and the sump heating coil, if present, is turned on.

Solvent cleaning operation – the removal of loosely held uncured adhesives, uncured inks, uncured coatings, and contaminants, which include, but are not limited to:

- (a) Dirt, soil, and grease from parts, products, tools, machinery, equipment, and general work areas; or
- (b) Activities such as wipe cleaning, solvent flushing, or spraying, where each distinct method of cleaning in a cleaning process, which is a series of cleaning methods, constitute a separate solvent cleaning operation.

Solvent cleaning tanks or related equipment – include, but are not limited to cold cleaners, vapor degreasers, conveyORIZED degreasers, film cleaning machines, or products designed to clean miscellaneous metallic parts by immersion in a container.

Solvent flushing – the use of a solvent to remove uncured adhesives, uncured inks, uncured coatings, or contaminants from the internal surfaces and passages of the equipment by flushing solvent through the equipment.

Special purpose spray adhesive – an aerosol adhesive that satisfies any of the following definitions:

- (a) Mounting adhesive – an aerosol adhesive designed to permanently mount photographs, artwork, and any other drawn or printed media to a backing (paper, board, cloth, etc.) without causing discoloration to the artwork;

- (b) Flexible vinyl adhesive – an aerosol adhesive designed to bond flexible vinyl to substrates. Flexible vinyl means a non-rigid polyvinyl chloride plastic with at least five percent (5%), by weight, of plasticizer content. A plasticizer is a material, such as a high boiling point organic solvent, that is incorporated into a plastic to increase its flexibility, workability, or distensibility, and may be determined using ASTM Method E260-91, including any subsequent amendments, or from product formulation data;
- (c) Polystyrene foam adhesive – an aerosol adhesive designed to bond polystyrene foam to substrates;
- (d) Automobile headliner adhesive – an aerosol adhesive designed to bond together layers in motor vehicle headliners;
- (e) Polyolefin adhesive – an aerosol adhesive designed to bond polyolefins to substrates;
- (f) Laminate repair/edgebanding adhesive – consists of the following:
 - (1) An aerosol adhesive designed for the touch-up or repair of items laminated with high pressure laminates including but not limited to lifted edges, delaminates, or for the touch-up, repair, or attachment of edgebanding materials, including but not limited to, other laminates, synthetic marble, veneers, wood molding, and decorative metals; and
 - (2) High pressure laminate means sheet materials which consist of paper, fabric, or other core material that have been laminated at temperatures exceeding two hundred and sixty-five degrees Fahrenheit (265° F) or one hundred twenty-nine degrees Celsius (129° C), and at pressures between one thousand pounds (1,000 lb.) and one thousand four hundred pounds (1,400 lb.) per square inch (psi); or
- (g) Automotive engine compartment adhesive – an aerosol adhesive designed for use in motor vehicle under-the-hood applications that require oil and plasticizer resistance, as well as high shear strength, at temperatures of two hundred degrees Fahrenheit (200° F) to two hundred seventy-five degrees Fahrenheit (275° F) or ninety-three degrees Celsius (93° C) to one hundred thirty-five degrees Celsius (135° C).

Specialty flexographic printing – flexographic printing on polyethylene or polypropylene food packaging, fertilizer bags, or liquid-tight food containers.

Specialty primer, sealer, and undercoater – a coating labeled as specified in § 776.1(g) and that is formulated for application to a substrate to seal fire, smoke, or water damage, to condition excessively chalky surfaces, to seal in efflorescence or to block stains. An excessively chalky surface is one that is defined as having a chalk rating of four (4) or less as determined by ASTM Designation D 4214-98, incorporated by reference in § 778.5.

Spill-proof spout – any spout that complies with all of the performance standards specified in § 752 or with the certification requirement in § 755 and with the requirements in § 754.

Spill-proof system – any configuration of a portable fuel container and firmly attached spout that complies with all of the performance standards in § 752 or with the certification requirement in § 755 and with the requirements in § 754.

Spot repair - repair of an area of less than one (1) panel in size on a motor vehicle, piece of mobile equipment, or associated parts or components. There are several coating operations unique to spot repair that utilize a solvent only and in some cases a blend of solvent with appropriate film forming solids. As the blend required and the appropriate VOC content may vary depending upon the nature and extent of the spot repair, no VOC limits are specified for this operation which is limited to spot repair.

Spot remover – is the following:

- (a) Any product whose label states the product’s purpose is to clean localized areas, or remove localized spots or stains on cloth or fabric such as drapes, carpets, upholstery, and clothing, that does not require subsequent laundering to achieve stain removal; and
- (b) Excludes dry cleaning fluid, laundry prewash, or multi-purpose solvent.

Spout – any device that can be firmly attached to a portable fuel container for conducting pouring through which the contents of a portable fuel container can be dispensed, not including a device that can be used to lengthen the spout to accommodate necessary applications.

Spray buff product – a product designed to restore a worn floor finish in conjunction with a floor buffing machine and special pad.

Stain – a clear, semi-transparent, or opaque coating formulated and whose label states the product’s purpose is to change the color of a surface, but not conceal the grain pattern or texture.

Stick product – any antiperspirant or deodorant that contains active ingredients in a solid matrix form, and that dispenses the active ingredients by frictional action on the affected area.

Stone consolidant – a coating whose label states the product’s purpose is, and is formulated for application to stone substrates to repair historical structures that have been damaged by weathering or other decay mechanisms. Stone consolidants must penetrate into stone substrates to create bonds between particles and consolidate deteriorated material. Stone consolidants must be specified and used in accordance with ASTM E2167-01, incorporated by reference in § 778.5(l). Stone consolidants are for professional use only and must be labeled as such, in accordance with the labeling requirements in § 776.1(j).

Stripping – the removal of cured coatings, inks, adhesives, or maskants, including, but not limited to, industrial coating removal systems used to remove propellants, paints, or other previously applied coatings other than grease from metal, to wood furniture stripping, metal parts stripping, and dry film stripper operations.

Structural glazing adhesive – any adhesive intended by the manufacturer to apply glass, ceramic, metal, stone, or composite panels to exterior building frames.

Structural waterproof adhesive – in accordance with the Federal Consumer Products Regulation, 40 C.F.R. Part 59 Subpart C, an adhesive whose bond lines are resistant to conditions of continuous immersion in fresh or salt water, and that conforms with Federal Specification MMM-A-181D (Type 1, Grade A).

Subfloor installation – the installation of subflooring material over floor joists, including the construction of any load bearing joists. Subflooring is covered by a finish surface material.

Superheated vapor system – a system that heats the solvent vapor to a temperature of ten degrees Fahrenheit (10° F) or negative twelve degrees Celsius (-12° C) above the solvent’s boiling point. Parts are held in the superheated vapor before exiting the machine to evaporate the liquid solvent on the parts.

Surface preparation – the cleaning of surfaces before coating, further treatment, sale, or intended use.

Surface preparation solvent – a solvent used to remove dirt, oil, and other contaminants from a substrate before the application of a primer, adhesive, or sealant.

Surplus reduction – the ACP limit minus the ACP emissions when the ACP limit was greater than the ACP emissions during a given compliance period, expressed to the nearest pound of VOC. Except as provided in § 735.11 this term does not include emissions occurring before the date that the ACP Agreement approving an ACP is signed by the Department.

Surplus trading – the buying, selling, or transfer of Surplus Reductions between responsible ACP parties.

Swimming pool coating – a coating whose label states the product’s purpose is, and is formulated, to coat the interior of swimming pools and to resist swimming pool chemicals.

Swimming pool repair and maintenance coating – a rubber-based coating whose label states the product’s purpose is, and is formulated, to be used over existing rubber-based coatings for the repair and maintenance of swimming pools.

Table B compound – any carbon-containing compound listed as an exception to the definition of VOC.

Target fuel tank – any receptacle that receives fuel from a portable fuel container.

Temperature-indicator safety coating – a coating whose label states the product’s purpose is, and is formulated as, a color-changing indicator coating for the purpose of monitoring the temperature and safety of the substrate, underlying piping, or underlying equipment, and for application to substrates exposed continuously or intermittently to temperatures above two hundred and four degrees Celsius (204° C) or four hundred degrees Fahrenheit (400° F).

Temporary protective coating - a coating labeled and formulated for the purpose of temporarily protecting areas from overspray or mechanical damage.

Terrestrial – to live on or grow from land.

Thermoplastic rubber coating and mastic – a coating or mastic formulated and recommended for application to roofing or other structural surfaces and that incorporates no less than forty percent (40%) by weight of

thermoplastic rubbers in the total resin solids and may also contain other ingredients including but not limited to fillers, pigments, and modifying resins.

Thin metal laminating adhesive – any adhesive intended by the manufacturer to bond multiple layers of metal to metal, or metal to plastic, in the production of electronic or magnetic components in which the thickness of the bond line(s) is less than twenty-five one hundredths of a millimeter (0.25 mm.).

Tint base – an architectural coating to which colorant is added after packaging in sale units to produce a desired color.

Tire repair – a process that includes expanding a hole, tear, fissure, or blemish in a tire casing by grinding or gouging, applying adhesive and filling the hole or crevice with rubber.

Tire sealant and inflation – any pressurized product that is designed to temporarily inflate and seal a leaking tire.

Tire retread adhesive – any adhesive intended by the manufacturer for application to the back of pre-cured tread rubber and to the casing and cushion rubber. Tire retread adhesive may also be used to seal buffed tire casings to prevent oxidation while the tire is being prepared for a new tread.

Toilet/urinal care product – any product designed or whose label states the product’s purpose is to clean or deodorize toilet bowls, toilet tanks, or urinals. “Toilet bowls, toilet tanks, or urinals” includes, but is not limited to toilets, urinals, connected-to permanent plumbing in buildings and other structures, portable toilets or urinals placed at temporary or remote locations, and toilet or urinals in vehicles such as buses, recreational motor homes, boats, ships, and aircraft. Toilet/urinal care product does not include bathroom and tile cleaner or general purpose cleaner.

Total maximum historical emissions (TMHE) – is the following:

- (a) The total VOC emissions from all ACP products for which the responsible ACP party has failed to submit the required VOC content or enforceable sales records. This term shall be calculated for each ACP product during each portion of a compliance period for which the responsible ACP has failed to provide the required VOC Content or Enforceable Sales records; and
- (b) Shall be expressed to the nearest pound and calculated according to the following calculation:

$$TMHE = (MHE)_1 + (MHE)_2 + \dots + (MHE)_N$$

$$MHE = \left(\frac{\text{Highest VOC Content} \times \text{Highest Sales}}{100 \times 365} \right) \times \text{Missing Data Days}$$

where:

Highest VOC Content = the maximum VOC content which the ACP product has contained in the previous five (5) years, if the responsible ACP party has failed to meet the requirements for reporting VOC Content data (for any portion of the compliance period), as specified in the ACP Agreement approving the ACP, or the current actual VOC Content, if the responsible ACP party has provided all required VOC Content data (for the entire compliance period), as specified in the ACP Agreement;

Highest Sales = the maximum one (1) year District of Columbia gross sales of the ACP product in the previous five (5) years, if the responsible ACP party has failed to meet the requirements for reporting Enforceable Sales records (for any portion of the compliance period), as specified in the ACP Agreement approving the ACP, or the current actual one (1) year Enforceable Sales for the product, if the responsible ACP party has provided all required Enforceable Sales records (for the entire compliance period), as specified in the ACP Agreement approving the ACP;

Missing Data Days = the number of days in a compliance period for which the responsible ACP party has failed to provide the required Enforceable Sales or VOC Content data as specified in the ACP Agreement approving an ACP; and

1, 2, ..., N = each product in an ACP, up to the maximum N, for which the responsible ACP party has failed to submit the required Enforceable Sales or VOC Content data as specified in the ACP Agreement approving an ACP.

Traffic marking coating – a coating whose label states the product’s purpose is, and is formulated for marking and striping streets, highways, or other traffic surfaces including but not limited to curbs, berets, driveways, parking lots, sidewalks, and airport runways.

Traffic marking tape – preformed reflective film intended by the manufacturer for application to public streets, highways, and other surfaces, including but not limited to curbs, berms, driveways, and parking lots.

Traffic marking tape adhesive primer – any primer intended by the manufacturer for application to surfaces before installation of traffic marking tape.

Transfer efficiency - the amount of coating solids adhering to the object being coated divided by the total amount of coating solids sprayed, expressed as a percentage.

Truck bed liner coating - a coating, excluding clear, color, multicolor, and single-stage coatings, labeled and formulated for application to a truck bed to protect it from surface abrasion.

Type A propellant – a compressed gas such as CO₂, N₂, N₂O, or compressed air that is used as a propellant, and is either incorporated with the product or contained in a separate chamber within the product's packaging.

Type B propellant – any halocarbon that is used as a propellant including chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and hydrofluorocarbons (HFCs).

Type C propellant – any propellant that is not a Type A or Type B propellant, including propane, isobutane, n-butane, and dimethyl ether (also known as dimethyl oxide).

Ultraviolet ink – an ink that dries by polymerization reaction induced by ultraviolet energy.

Underbody coating - a coating labeled and formulated for application to wheel wells, the inside of door panels or fenders, the underside of a trunk or hood, or the underside of the motor vehicle.

Undercoater – a coating formulated and whose label states the product's purpose is to provide a smooth surface for subsequent coatings.

Undercoating – any aerosol product designed to impart a protective, non-paint layer to the undercarriage, trunk interior, or firewall of motor vehicles to prevent the formation of rust or to deaden sound including but not limited to rubberized, mastic, or asphaltic products.

Undersea-based weapons systems components – the fabrication of parts, assembly of parts, or completed units of any portion of a missile launching system used on undersea ships.

Uniform finish coating - a coating labeled and formulated for application to the area around a spot repair for the purpose of blending a repaired area's

color or clear coat to match the appearance of an adjacent area's existing coating.

Usage directions – the text or graphics on the product's principal display panel, label, or accompanying literature that describes to the end user how and in what quantity the product is to be used.

U.S. EPA or EPA – the United States Environmental Protection Agency.

Vapor cleaning machine – is the following:

- (a) A solvent cleaning machine that boils liquid solvent, generating a vapor, or that heats liquid solvent that is used as part of the cleaning or drying cycle; and
- (b) Does not include machines that do not have a solvent/air interface, such as airless and air-tight cleaning systems.

Vapor cleaning machine primary condenser – a series of circumferential cooling coils on a vapor cleaning machine through which a chilled substance is circulated or recirculated to provide continuous condensation of rising solvent vapors and, thereby, create a concentrated vapor zone.

Vapor up control switch – a thermostatically controlled switch that shuts off or prevents condensate from being sprayed when there is no vapor. On in-line vapor cleaning machines the switch also prevents the conveyor from operating when there is no vapor.

Varnish – a clear or semi-transparent wood coating, excluding lacquers and shellacs, formulated to dry by chemical reaction on exposure to air. Varnishes may contain small amounts of pigment to color a surface, or to control the final sheen or gloss of the finish.

Vinyl/Fabric/Leather/Polycarbonate coating – a coating designed and whose label states the product's purpose is exclusively to coat vinyl, fabric, leather, or polycarbonate substrates.

VOC composite partial vapor pressure – as applied to offset lithography or letterpress printing operations subject to the requirements of § 716, the sum of the partial pressure of the compounds defined as VOCs. VOC composite partial vapor pressure is calculated as defined in § 716.8(a).

VOC content – is the following:

- (a) For the purpose of §§ 719 through 737, except for charcoal lighter products, the total weight of VOC in a product expressed as a

percentage of the product weight, exclusive of the container or packaging, as determined pursuant to § 734.1 through 734.3;

- (b) For charcoal lighter material products only:

$$VOC\ Content = \frac{(Certified\ Emissions \times 100)}{Certified\ Use\ Rate}$$

where:

Certified Emissions = the emissions level for products approved by the District of Columbia under § 730, as determined pursuant to South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (Feb. 27, 1991), including subsequent amendments, expressed to the nearest one one-thousandth of a pound (0.001 lb) of methylene (CH₂) per start;

Certified Use Rate = the usage level for products approved by the District of Columbia under § 730, as determined pursuant to South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (Feb. 27, 1991), including subsequent amendments, expressed to the nearest one one-thousandth of a pound (0.001 lb) of certified product used per start; and

- (c) For the purpose of §§ 773 through 778, the weight of VOC per volume of coating, calculated according to the procedures specified in § 778.1.

Wasp and hornet insecticide – any insecticide product that is designed for use against wasps, hornets, yellow jackets, or bees by allowing the user to spray from a distance a directed stream or burst at the intended insects, or their hiding place.

Water-based solvent – a solvent that consists mostly of water and that contains no more than twelve percent (12%) by weight of volatile organic compound. The solvent dissolves or otherwise carries the pigment, extenders, binders, and other related material which, when added to the solvent, forms the ink.

Waterproofer – is the following:

- (a) A product designed and whose label states the product's purpose is exclusively to repel water from fabric or leather substrates; and

- (b) Does not include fabric protectants.

Waterproofing concrete/masonry sealer – a clear or pigmented coating whose label states the product’s purpose is, and is formulated for, sealing concrete and masonry to provide resistance against water, alkalis, acids, ultraviolet light, and staining.

Waterproofing sealer – a coating whose label states the product’s purpose is, and is formulated for, application to a porous substrate for the primary purpose of preventing the penetration of water.

Waterproof resorcinol glue – a two (2)-part resorcinol-resin-based adhesive designed for applications where the bond line must be resistant to conditions of continuous immersion in fresh or salt water.

Wax – is the following:

- (a) A material or synthetic thermoplastic substance generally of high molecular weight hydrocarbons or high molecular weight esters of fatty acids or alcohols, except glycerol and high polymers (plastics); and
- (b) Includes but is not limited to substances derived from the secretions of plants and animals such as carnauba wax and beeswax, substances of a mineral origin including but not limited to ozocerite and paraffin, and synthetic polymers such as polyethylene.

Web – as applied to offset lithography or letterpress printing operations subject to the requirements of § 716, a continuous roll of paper used as the printing substrate.

Web spray adhesive – any aerosol adhesive that is not a mist spray or special purpose spray adhesive.

Wiping solution – the liquid cleanser used to assist in removing ink from cylinder(s) wipe process.

Wood cleaner – a product whose label states the product’s purpose is to clean wooden materials including, but not limited to, decking, fencing, flooring, logs, cabinetry, and furniture. Wood cleaner does not include dusting aid, general purpose cleaner, furniture maintenance product, floor wax stripper, floor polish or wax, or products designed and whose label states the product’s purpose is exclusively to preserve or color wood.

Wood floor wax – wax-based products for use solely on wood floors.

Wood preservative – a coating formulated and whose label states the product’s purpose is to protect exposed wood from decay or insect attack, that is registered with both the U.S. EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. §§ 136, *et seq.*) and with the District of Columbia Department of the Environment pursuant to 20 DCMR chapter 7.

Working day – a day other than Saturday, Sunday, a legal holiday, or day on which the Department is officially closed.

Working mode cover – any cover or solvent cleaning machine design that allows the cover to shield the cleaning machine openings from outside air disturbances while parts are being cleaned in the cleaning machine. A cover that is used during the working mode is opened only during parts entry and removal.

Year – unless otherwise indicated, refers to the calendar year.

SOURCE: Final Rulemaking published at 51 DCR 3879 (April 16, 2004); as amended by Final Rulemaking published at 51 DCR 10781 (November 26, 2004); as amended by Final Rulemaking published at 58 DCR 11286, 11408 (December 30, 2011); as amended by Final Rulemaking published at 63 DCR 15095 (December 9, 2016).