

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

June 2008

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

## New Requirements

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

- Small AIM coating manufacturers issued a small manufacturer's exemption (SME) cannot manufacture coatings that exceed the VOC content limits of Part 205 after **December 31, 2006**. This deadline is one year earlier than previously allowed. Additionally, the option for a three-year extension has been repealed and will not be allowed.
- All non-compliant AIM coatings, either produced prior to January 1, 2005 or manufactured under an SME, must be sold by July 16, 2007 (legislation was passed extending the original deadline by 60 days). Any AIM coatings on the market after this date must meet the VOC standards in the current version of Part 205 (see Table of Standards). All non-compliant coatings must be sold by July 16, 2007 or removed from vendors' shelves.

Additional information about the rule revision and legislation can be found at [www.nysefc.org](http://www.nysefc.org) by clicking on the SBEAP PROGRAM, Architectural Coating BUSINESS SECTOR.

## Requirements for Manufacturers

### Container Labeling Requirements

Manufacturers of these coatings are required to provide product information (see table) on the coating container or on the label affixed to the container.

### Record Keeping

Manufacturers of these coatings are required to maintain a product list; document proof of VOC content for each coating; maintain distribution/sales data and include additional information on the container/affixed container label.

### Label Requirements

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

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

(over)



New York State  
ENVIRONMENTAL  
FACILITIES  
CORPORATION

## Exemptions

The rule does not apply to: AIM coatings that are sold or manufactured for use outside of New York State; any aerosol-coating product; or any architectural coatings that are sold in a container of one liter or less. Products sold in quart containers are not subject to the regulation. These exemptions are valid in New York State. Please check with other States to see what exemptions apply in other jurisdictions.

Table of Standards – VOC Content Limits for Architectural Coatings  
The VOC limits listed are for the coating as applied (after thinning).

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

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

## New York State Permitting Requirements

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

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

***Helping New York's Small Businesses understand and comply with environmental regulations.***

**Small Business Environmental Assistance Program**  
**NYS ENVIRONMENTAL FACILITIES CORPORATION**  
 625 Broadway, Albany, NY 12207-2997  
 1-800-780-7227 / 518-402-7462  
**sbeap@nysefc.org**