



***For Immediate Release***

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**EPDM ROOFING ASSOCIATION (ERA) ISSUES  
UPDATED INFORMATION ON VOC REGULATIONS**

***District of Columbia, Massachusetts, Vermont and New Hampshire  
Regulations Will Not Be Implemented in 2011***

**BETHESDA, MD, April 18, 2011** -The EPDM Roofing Association, (ERA), as part of its advocacy work on the issue of VOC regulations, is alerting the industry to new information concerning implementation dates in the Northeast and Mid-Atlantic states. Specifically, regulations in the District of Columbia, Massachusetts, Vermont, and New Hampshire will not be made effective in time for implementation in 2011.

VOCs (volatile organic compounds), found in adhesives and sealants used by the roofing industry, are regulated because high levels of emission of VOCs may contribute to the formation of ground-level ozone. As part of the effort to achieve Federally mandated standards in the Northeast and Mid-Atlantic, the Ozone Transport Commission developed a Model Rule for Adhesives and Sealants. This model was based on regulations used in California, and incorporated provisions that were effective primarily in the climactic and market conditions of that state. Since the initial release of these model regulations, ERA has supported fair and reasonable efforts to reduce VOC emissions. However, since these conditions and practices differ significantly from those in the Northeast and Mid-Atlantic, ERA began an intensive campaign to inform individual state regulators of these differences and to ask for modifications in the regulations.

Based on these concerns raised by ERA, several states have incorporated a seasonal implementation schedule into draft regulations, and others have drafted language to incorporate a seasonal implementation schedule into their final regulations. These changes have allowed and will continue to allow sufficient time to test and phase in new low VOC materials, and make process changes to meet the new standards and train state contractors.

ERA will continue to stay abreast of these new regulations for the Mid-Atlantic and Northeast as they are developed, allowing the industry to know the exact parameters of the challenges it faces, and to work from a base of knowledge rather than guesswork. For an up-to-date and accurate listing of the regulations and their implementation schedule, go to [www.epdmroofs.org](http://www.epdmroofs.org).

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***The EPDM Roofing Association (ERA) is the first trade association solely representing the manufacturers of EPDM single-ply roofing products and their leading suppliers. ERA provides technical and research support to the public and the construction industry, and communicates the longstanding attributes, consistency and the value proposition of EPDM rubber membrane roofing materials.***

# State Regulations

Overview of passed, pending, and proposed regulations in Northeast and Mid-Atlantic states concerning emissions of volatile organic compounds from adhesives and sealants.



States	Website	Implementation Dates	Sale/Distribution Dates
<b>Connecticut</b> Regulation in place.	<a href="http://www.ct.gov/dep/lib/dep/regulations/22a/22a-174-1through200.pdf">http://www.ct.gov/dep/lib/dep/regulations/22a/22a-174-1through200.pdf</a> Sec 22a-174-44 Adhesives and sealants p. 706 (c) (10) Sale/distribution: (b) (1); (b) (2); (c) (5); (c) (11)	2009: 6/1 – 8/31 2010: 5/1 – 9/30 2011: 5/1 – 9/30 2012: 01/01 and thereafter	Permitted without restriction until 01/01/12. After 01/01/12, non-compliant products intended for use out of state may be sold/distributed at any time provided records are kept.
<b>Delaware</b> Regulation in place.	<a href="http://regulations.delaware.gov/register/april2009/final/12%20DE%20Reg%201333%2004-01-09.htm">http://regulations.delaware.gov/register/april2009/final/12%20DE%20Reg%201333%2004-01-09.htm</a> Section 4.0 Adhesives and Sealants; 4.3 Requirements, Table 4-1; Amendments to Regulation 1141; Sale/distribute: 4.4.5	2009: 6/1 – 8/31 2010: 5/1 – 9/30 2011: 5/1 – 9/30 2012: 01/01 and thereafter	During implementation periods, only compliant products may be sold/distributed for use within state. Non-compliant products intended for use out of state may be sold at any time provided records are kept.
<b>District of Columbia</b> Draft regulation proposed.	<a href="http://ddoe.dc.gov/ddoe/cwp/view,a,1210,q,494609,ddoeNav, 31007 .asp">http://ddoe.dc.gov/ddoe/cwp/view,a,1210,q,494609,ddoeNav, 31007 .asp</a> p.6 references comments Seasonal Implementation 745.9 Sale/distribute: 745.6 and 745.10	2012: 01/01 and thereafter	Sale/distribution/manufacture permitted without restriction until 01/01/12. Non-compliant products intended for use out of state may be sold at any time provided records are kept.
<b>Maine</b> Regulation in place.	<a href="http://www.maine.gov/dep/air/regulations/index.htm">http://www.maine.gov/dep/air/regulations/index.htm</a> Chapter 159 Seasonal Implementation: 3 (F) Manufacture/Sale/Distribution: 1.A.(1) and 3 (G)	2011: 5/1 – 9/30 2012: 01/01 and thereafter	Sale/distribution/manufacture permitted without restriction until 01/01/12. After 01/01/12, non-compliant products intended for use out of state may be manufactured/sold/distributed at any time provided records are kept.
<b>Maryland</b> Regulation in place.	<a href="http://www.dsd.state.md.us/comar/getfile.aspx?file=26.11.35.01.htm">http://www.dsd.state.md.us/comar/getfile.aspx?file=26.11.35.01.htm</a> Seasonal Implementation: Subsection I Sale/distribution: Part F	2009: 5/15 – 9/15 2010: 5/1 – 9/30 2011: 5/1 – 9/30 2012: 01/01 and thereafter	During implementation periods, only compliant products may be sold/distributed for use within state. Non-compliant products intended for use out of state may be sold at any time provided records are kept.
<b>Massachusetts</b>	Regulation under consideration.	Under consideration	Under consideration
<b>New Hampshire</b>	Regulation under consideration.	Under consideration	Under consideration

States	Website	Implementation Dates	Sale/Distribution Dates
<b>New Jersey</b>  Regulation in place.	<a href="http://www.state.nj.us/dep/aqm/Sub26.pdf">http://www.state.nj.us/dep/aqm/Sub26.pdf</a>  Seasonal implementation: Section 7:27-26.4 (h)  Sale/distribution: 7:27-26.4 (e) and (i)	2009: 6/1 – 8/31 2010: 5/1 – 9/30 2011: 5/1 – 9/30 2012: 01/01 and thereafter	During implementation periods, only compliant products may be sold / distributed for use within state. Non-compliant products intended for use out of state may be sold at any time provided records are kept.
<b>New York</b>  Regulation in place.	Amendments to 6 NYCRR Part 228 Summary: <a href="http://www.dec.ny.gov/regulations/60692.html">http://www.dec.ny.gov/regulations/60692.html</a> Full text: <a href="http://www.dec.ny.gov/regulations/61066.html">http://www.dec.ny.gov/regulations/61066.html</a> Seasonal implementation: 228 – 2.3 (c) Sale/distribution: [228 – 2.3 (d) ] AND [228 – 2.4 (d 1) and (d 2) ]	2011: 5/1-9/30 2012: 01/01 and thereafter	Sale/distribution/manufacture permitted without restriction until 01/01/12. Allows sale of non-compliant product after January 1, 2012 provided that the product is not to be used in NYS and that records are kept supporting this.
<b>Pennsylvania</b>  Regulation in place. Effective in 2012.	<a href="http://www.pacode.com/secure/data/025/chapter129/s129.77.html">http://www.pacode.com/secure/data/025/chapter129/s129.77.html</a> 25 PA Code Chapters 129.77 (m) and 130.703 (c) Sale/distribution: 130.703 (d)	2012: 01/01 and thereafter.	Permits manufacture/sale/distribution without restriction until 01/01/12; permits sale/distribution outside PA after 1/1/12.
<b>Rhode Island</b>  Regulation in place.	APC. Regulation No. 44 <a href="http://www.dem.ri.gov/pubs/regs/regs/air/air44_09.pdf">http://www.dem.ri.gov/pubs/regs/regs/air/air44_09.pdf</a> Seasonal Implementation: 44.2.2 Sale/distribute: 44.2.3 (k) and record-keeping: 44.5.1	2009: 7/1 – 8/31 2010: 5/1 – 9/30 2011: 5/1 – 9/30 2012: 01/01 and thereafter	During implementation periods, only compliant products may be sold / distributed for use within the state. Non-compliant products intended for use out of state may be sold at any time provided records are kept.
<b>Vermont</b>	Under consideration	Under consideration	Under consideration
<b>Virginia</b>  1 regulation final but not yet effective. 1 effective.	J07 (J zero 7) <a href="http://www.townhall.virginia.gov/l/viewstage.cfm?stageid=5207&amp;display=documents">http://www.townhall.virginia.gov/l/viewstage.cfm?stageid=5207&amp;display=documents</a> D06 (D zero 6) <a href="http://www.townhall.virginia.gov/l/viewstage.cfm?stageid=5373&amp;display=documents">http://www.townhall.virginia.gov/l/viewstage.cfm?stageid=5373&amp;display=documents</a> Implementation Dates: 9VAC5-45-650 G.1. Sale/distribute: 9VAC5-45-650 H and 9VAC5-45-630 Exemptions A 2 separate regulations in Virginia. J07 covers Richmond. D06 covers Fredericksburg and Northern Virginia.	D06 2010: 8/1 – 9/30 2011: 5/1 – 9/30 2012: 01/01 and thereafter.  Final, but not yet effective: J07 Unknown for 2011, but not likely 2012: 01/01 and thereafter	Permits manufacture/sale/distribution without restriction until 01/01/12; After 01/01/2012 non-compliant products intended for use out of emissions control areas may be sold at any time provided records are kept.  <hr/> Note: D06 applies to the Northern Virginia and Fredericksburg Emissions Control Area, which is the counties/cities of: Arlington; Fairfax; Loudoun; Prince William; Stafford; Alexandria; Fairfax; Falls Church; Manassas; Manassas Park; Spotsylvania; Fredericksburg. J07 applies to the Richmond Emissions Control area, which is counties/cities of Charles; Chesterfield; Hanover; Henrico; Prince George; Colonial Heights; Hopewell; Petersburg; Richmond