



***For Immediate Release***

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**EPDM ROOFING ASSOCIATION (ERA) MONITORS  
COUNTDOWN TO JANUARY 1, 2012 IMPLEMENTATION  
OF VOC REGULATIONS**

***Major Eastern States Face Full Implementation***

**BETHESDA, MD, December 29, 2011** -The EPDM Roofing Association, (ERA), as part of its advocacy work on the issue of VOC regulations, is monitoring the countdown to the January 1, 2012 full implementation VOC regulations in key Northeast and Mid-Atlantic States. While Vermont and New Hampshire are still considering their approach to VOC regulation, and Massachusetts has issued draft regulations, the roofing industry in key states will have to be fully compliant with the new regulations by January 1<sup>st</sup>. Maine, Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, the District of Columbia and Rhode Island will require full compliance with new regulations on January 1, 2012.

However, there are variations – some of which are still evolving – regarding issues such as the sale of products manufactured before the first of the year and sale/distribution of non-compliant products for use in other states. ERA will reflect any of these changes on its website, [www.epdmroofs.org](http://www.epdmroofs.org), maintaining an up-to-date and detailed listing of the regulations and their implementation schedule.

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 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 sufficient time to test and phase in new low VOC materials, 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.

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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.***

**Regulations in Northeast and Mid-Atlantic states concerning emissions of VOCs from adhesives and sealants.**

Updated December 29, 2011



States	Website	Implementation Dates	Sale/Distribution Dates
<b>Connecticut</b>  <b>Regulation effective October 3, 2008.</b>	<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) and (b) (2) and (c) (5) and (c) (11)	2009: 6/1 – 8/31 2010: 5/1 – 9/30 2011: 5/1 – 9/30 2012: 01/01 and thereafter	Sale/distribution 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. No provisions permitting sell-through after January 1, 2012 for use/sale in state.
<b>Delaware</b>  <b>Regulation effective April 11, 2009.</b>	<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 VOC Limits 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. No provisions permitting sell-through after January 1, 2012 for use/sale in state.
<b>District of Columbia</b>  <b>Regulation effective December 29, 2011.</b>	<a href="http://ddoe.dc.gov/ddoe/cwp/view,a,1210,g,494609,ddoeNav,1310071.asp">http://ddoe.dc.gov/ddoe/cwp/view,a,1210,g,494609,ddoeNav,1310071.asp</a> p.6 references comments General Requirements: 743 p. 68 Sale/distribute: 745.6 and 745.10	2012: 01/01 and thereafter	Sale/distribution 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. Sell-through/use-through permitted of products manufactured prior to December 31, 2011.
<b>Maine</b>  <b>Regulation effective June 24, 2009.</b>	<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 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. No provisions permitting sell-through after January 1, 2012 for use/sale in state.
<b>Maryland</b>  <b>Regulation published April 2008. Amendment effective 2/9/09.</b>	<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 (that's the letter I, not the number 1) 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. No provision permitting sell-through.
<b>Massachusetts</b>  <b>Draft regulation proposed.</b>	<a href="http://www.mass.gov/dep/service/regulations/proposed/adhpregr.pdf">http://www.mass.gov/dep/service/regulations/proposed/adhpregr.pdf</a>	Draft: 2012: 5/1-9/30 2013: 5/1 and thereafter	Sale/distribution permitted without restriction until 5/1/13. Non-compliant products intended for use out of state may be sold at any time provided records are kept.

States	Website	Implementation Dates	Sale/Distribution Dates
New Hampshire	Under consideration	Under consideration.	Under consideration
New Jersey  Regulation published 12/1/08.	<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) Sell-through: 7:27-26.3 Requirements 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. Sell-through permitted of products manufactured prior to January 1, 2009.
New York  Regulation effective 9/30/10.	Amend. to 6 NYCRR Part 228 <a href="http://www.dec.ny.gov/regs/68559.html">http://www.dec.ny.gov/regs/68559.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 permitted without restriction until 01/01/12. After 1/1/12, non-compliant products intended for use out of state may be sold at any time provided records are kept. Sell through: Product manufactured in 2010 may be sold/distributed/used without restriction through December 31, 2011.
Pennsylvania  Regulation effective December 2010. Implementation January 1, 2012.	25 PA Code Chapters 129.77 (m) and 130.703 (c) and 130.703 (d) and 130.708 <a href="http://www.pacode.com/secure/data/025/025toc.html">http://www.pacode.com/secure/data/025/025toc.html</a>	2012: 01/01 and thereafter.	Sale/distribution permitted without restriction until 01/01/12. After 1/1/12, non-compliant products intended for use out of state may be sold at any time provided records are kept. Sell-through: Sell-through/use-through permitted of products manufactured prior to December 31, 2011.
Rhode Island  Regulation published June 4, 2009.	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. Sell-through permitted of products manufactured prior to January 1, 2009.
Vermont	Under consideration	Under consideration	Under consideration
Virginia  1 regulation final but not yet effective. 1 effective.	D06 (D zero 6) <a href="http://www.townhall.virginia.gov/L/ViewAction.cfm?actionid=2328">http://www.townhall.virginia.gov/L/ViewAction.cfm?actionid=2328</a> J07 (J zero 7) <a href="http://www.townhall.virginia.gov/L/ViewAction.cfm?actionid=2500">http://www.townhall.virginia.gov/L/ViewAction.cfm?actionid=2500</a> Implementation Dates: 9VAC5-45-650 G.1. Sale/distribute: 9VAC5-45-650 H and 9VAC5-45-630 Exemptions A	<b>FINAL D06</b> <b>2010: 8/1 – 9/30</b> 2011: 5/1 – 9/30 2012: 01/01 and thereafter.  Final, but not yet effective: J07 2012: not final	Permits 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. No provisions permitting sell-through after January 1, 2012.  D06 applies to: Northern Virginia Emissions Control Area and Fredericksburg Emissions Control Area. Spotsylvania County; Fredericksburg City J07 will apply to: Richmond Emissions Control Area.