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October 22, 2009

Laki Tisopulos, PhD, P.E.
Assistant Deputy Executive Officer
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765

Re: Proposed Rule 1144 – Lubricants, Metalworking Fluids and Rust Inhibitors

Dear Dr. Tisopulos,

As you know, the Independent Lubricant Manufacturers Association (ILMA) has met periodically over the past 18 months with the staff of the South Coast Air Quality Management District (AQMD) and other interested parties to develop appropriate amendments to AQMD Rule 1144 regarding test methods, record-keeping requirements, and emissions limitations. Rule 1144 limits emissions of volatile organic compounds (VOCs) from the use of vanishing oils and rust inhibitors, and anticipated, proposed amendments may extend the Rule's limitations to metal working fluids.

ILMA recently conducted testing using thermo gravimetric analysis (TGA) to measure VOCs in the categories of products potentially intended for regulation by Rule 1144. ILMA believes that it has established a robust test method based on TGA to measure VOCs in these products. ILMA understands that AQMD staff is willing to accept ILMA's TGA methodology for determination of VOCs in materials intended for regulation under Rule 1144, pending additional validation (round-robin) testing by ILMA. This testing will be conducted at considerable time and expense to ILMA and its member companies. ILMA has stated many times on the record that the need to promptly finalize a test method is critical to meeting existing deadlines in Rule 1144.

ILMA intends to proceed with the TGA round-robin testing as follows:

1. The TGA round-robin testing for Rule 1144 is to be conducted in triplicate for each of the five (5) samples supplied by ILMA and distributed to the testing laboratories by AQMD. The five (5) samples consist of one (1) solvent based rust preventative; one (1) water diluted metal working fluid; two (2) petroleum-based metal working fluids; and, one (1) petroleum-based heavy duty machine lubricant. The testing will be conducted at eight (8) testing laboratories selected by ILMA.

The temperature used during the procedure shall be 81 degrees Celsius (°C). The weight loss will be noted at 110 minutes and the calculation procedures to determine accuracy for ASTM E691-05 will be conducted using the weight loss in the range of 110 minutes. All tests are run for two hours, then a 30-minute cool down period after

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each test. All standardization procedures beyond the prescriptions in ATSM 1868-04 (e.g., pan size and composition, sample weight and/or volume, air flow rate, gas type, and temperature ramp up rate) will be provided to AQMD. Additionally, all raw data generated during the testing will be provided to AQMD. Further, all raw data generated during the testing will be provided to ASTM for evaluation.

2. The pass/fail criteria for the test outlined in #1 above is plus/minus either 10% or 20 g/l, of the average of the final VOCs value in grams per liter of all tests by all testing laboratories at 81 °C at 110 minutes, for each individual sample, whichever is greater.

For example, Lab A tests product 001 three times. The average value of the three runs on sample 001 will be compared against all other testing laboratories for product 001, with all other testing laboratories following the same averaging of three runs procedure.

3. If the ILMA test passes the criteria in #2 above, and the TGA test procedure is validated by ASTM, then ILMA anticipates that AQMD staff will propose that this TGA test procedure be incorporated into Rule 1144 as an acceptable method to determine VOCs in the product categories identified in the Rule. ILMA further anticipates that AQMD staff will propose that EPA Method 24 be removed as the test method under Rule 1144. Moreover, AQMD staff should give serious consideration to not proposing another test method as an alternate to the ILMA proposed TGA test method. It should not be necessary to perform additional testing for robustness or validation of the TGA method, unless both ILMA and AQMD agree that additional testing is warranted.

4. If the ILMA TGA test does not pass the criteria outlined in #2 above, then ILMA will identify variables within the test and make the necessary correction to the test methodology, and will re-submit samples for re-validation.

In addition to the round-robin testing discussed above, ILMA would like to take this opportunity to reiterate several requests it has made in recent discussions with AQMD staff.

As we mentioned in our July 30 letter to you, ILMA requests that AQMD staff give serious consideration to proposing the use of initial boiling point of 280 degrees Celsius as a screening tool for products to be removed from the regulatory requirements of Rule 1144. That is, if a product has an initial boiling point greater than 280 degrees Celsius, then that product would be exempt from the regulatory requirements of Rule 1144.

As an alternative to the initial boiling point threshold, ILMA would like AQMD staff to give serious consideration to proposing the use of flash point by ASTM D93-07 of 280 degrees Fahrenheit screening tool for products to be removed from regulatory requirements of Rule 1144. That is, if a product has a flash point greater than 280 degrees Fahrenheit, then that product would be exempt from the regulatory requirements of Rule 1144.

Finally, ILMA anticipates that AQMD staff will study options and then propose a procedure to lessen the reporting burden by end users for products with VOCs greater than 50 grams per liter as outlined in Rule 109. One possible method is to raise the reporting requirement cut off to 175 grams per liter. That is, if a product is lower than 175 grams per liter by a test method to be determined, then there would be only annual inventory reporting requirements.

As you know, ILMA has felt very frustrated by what it regards as the slow progress on the adoption of a valid test method and the other issues discussed above. If AQMD staff unreasonably delays

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action on the adoption of a valid test method or other needed changes to Rule 1144 outlined above, then ILMA believes it will have no alternative but to seek relief from the compliance dates in Rule 1144.

ILMA welcomes comments from or an open discussion with AQMD staff on the above.

Sincerely,

A handwritten signature in black ink that reads "Celeste Powers". The signature is written in a cursive, flowing style.

Celeste M. Powers, CAE
Executive Director

cc: Naveen Berry, AQMD
Michael Morris, AQMD
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