

**Paint Stewardship
Program
Discussion**



California's Paint Recycling Law

November HHWIE

- Overview of AB 1343
- Responsibilities by stakeholder group
- CalRecycle activities
- Opportunities for participation

California Paint Recycling Law

- CA paint recycling law builds off pilot in OR
- AB 1343 signed by Governor September 2010
 - ensures a level playing field
 - establishes a financing system
 - provides for anti-trust protection

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Roles Overview

- Manufacturers – Design and implement a stewardship program
- CalRecycle – Provide oversight and enforcement
- Retailers – Only sell compliant products
- Local governments – Voluntary participation in collection

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Key Implementation Dates

April 1, 2012	Submit Plan: The manufacturer or designated stewardship organization shall submit an architectural paint stewardship plan to CalRecycle.
July 1, 2012 (on or before)	Approve Plan: CalRecycle has 90 days to approve plans.
July 1, 2012 (or three months after a plan is approved)	Implement Plan: The manufacturer or designated stewardship organization shall implement the approved plan.
April 1, 2013 (6 month updates)	Notice Compliant Manufacturers: CalRecycle shall post a list of compliant manufacturers on its web site.
July 1, 2013 (annually thereafter)	Submit annual report: The manufacturer submits a report to CalRecycle individually or through a stewardship organization.
120 days after notice of compliant manufacturers (July 29 is 120 days after April 1)	Sales prohibition for non-compliant manufacturers. Sales prohibition shall be effective on the 120th day after the notice is posted on the CalRecycle's web site.
Within 90 Days of receipt (Sept 28 is 90 days from July 1)	Review and adopt finding on annual report: The CalRecycle shall review the annual report and adopt a finding of compliance or noncompliance within 90 days of receipt of the report.

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Manufacturers

No later than April 1, 2012 manufacturers must submit a plan for a statewide architectural paint program that

- Provides for collection of postconsumer paint statewide
- Includes a paint stewardship assessment to fund the program
- Includes education and outreach to consumers, contractors and retailers
- Includes goals for reduction of post-consumer paint generation, and to promote recycling and recovery

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Manufacturers

- Pay administrative fee to CalRecycle
- Submit annual report to CalRecycle, including:
 - Volume and Type of Paint and Method of Disposition
 - Collection, transportation and processing information
 - Total costs and description of program costs
 - Independent financial audit
 - Evaluation of funding mechanism
 - Examples of education/outreach materials

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CalRecycle

- Review and approve/disapprove manufacturers' plans
- Review and approve/disapprove proposed assessments
- Review annual reports and make determination of compliance
- Post list of compliant manufacturers on website
- Enforcement

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Retailers

- Can only sell products from compliant manufacturers
- May participate as collection center

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Local Government

- May participate as collection centers under the new program
- Participants will have contract with mfrs/stewardship organization

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Other Stakeholders

- Haulers
- Contractors
- Recyclers

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CalRecycle Activities

- Timeline
- Outreach/information gathering
- Regulations – will require workshops and public meetings
- Plan approval
- Review of manufacturers' annual report (s)

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Regulations

- Administrative Fees
- Enforcement
- Criteria for plan approval
- Criteria for annual report review

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Updates

- Listserv
www.calrecycle.ca.gov/Listserv
Look for **"Paint Product Stewardship Listserv"**
- Website –
www.calrecycle.ca.gov/HPV/Regulations
- HHWIE meetings

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Contact

- Emily Wang
Emily.Wang@calrecycle.ca.gov
916-322-2888
- Cynthia Dunn
Cynthia.Dunn@calrecycle.ca.gov
916-341-6449



Funded by a grant from the Department of Resources Recycling and Recovery (CalRecycle) and supported by the following partners:



CPSC
California Product Stewardship Council

How We Got Here:
California's path to paint
product stewardship



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The Origins of the Paint Product Stewardship Movement

- Product stewardship for paint has been a priority of CalRecycle* since the 1990's, took action 2002
- CalRecycle began staffing and funding the national Paint Product Stewardship Initiative (PPSI) in 2002
- Paint was targeted because:
 - high volume of HHW
 - use of non-renewable resources
 - costs to manage
 - high potential for recovery, reuse, recycling.

*formerly California Integrated Waste Management Board



Why CPSC Supports Paint Stewardship....

- Primary responsibility now producers
- Encourages green design
- Convenience for consumers
- Saves CA government \$27 million/yr
- Encourages reuse first, then recycling
- Creates green jobs!
- >2 million gallons of leftover paint /yr
- CA spends > \$90 million/yr buying excess paint

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Leftover Paint is a Serious Problem!



The National Dialogue

- Project Work Completed:
 - Educational message
 - Recycled Paint Certification
 - Completion of Study on Source Reduction
 - Completion of How to Start Paint Swap
 - Infrastructure Report
 - Health and Safety Issues
 - Lifecycle study started but not finished....
 - Etc....

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The National Dialogue Continues

- Minnesota introduces model paint stewardship legislation
- Despite bi-partisan support, the bill is vetoed twice by the Governor.
- 2009: Oregon becomes first state to pass model law

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California Moves Forward

- 2008: San Joaquin County is awarded \$400,000 CalRecycle grant - Be Paint Wi\$e Partnership
- 2008: Assemblymember Jared Huffman introduces AB 1343
- 2009: AB 1343 stalls "2-year bill"

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California Moves Forward

- On September 28, 2010, Governor Schwarzenegger signs AB 1343.
- California is second state with product stewardship legislation for paint!

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CPSC Partners (10/14/10)

Platinum Partners ★

- Recology
- Republic Services



Gold Partners ★

- California Resource Recovery Association
- Marin Sanitary Service
- Product Policy Institute



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CPSC Partners (10/14/10)

Silver Partners ★

- Nortech Waste LLC
- Peninsula Packaging Company
- Waste Management Inc.



Bronze Partners ★

- Amador Disposal
- Amazon Environmental, Inc.
- California Waste Solutions
- Clean Harbors Environmental Services, Inc.
- Ecology Action
- Johnson's Environmental Products
- PSC Environmental Services
- Visions Paint Recycling



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Thank You!

- Questions?
- Contact:
 - Heidi Sanborn, Executive Director
California Product Stewardship Council
 - heidi@calpsc.org
 - (916) 480-9010



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PaintCare

The Oregon Paint Stewardship Pilot Program

Paint Stewardship – Next Steps for California

October 14, 2010



Alson Keane,
ACA and PaintCare



Mark Kurschner
Product Care



Industry Implementation and Oregon's Paint Program as a Model



Background

- **Paint identified as the #1 issue by cost and volume for HHW Programs**
- **PPSI formed w/facilitation by Product Stewardship Institute**
 - capable of effectively coordinating multi-stakeholder and multi-state approach to the issue
- **ACA joined PPSI in 2003**
 - Coordinated approach versus state-by-state approach
 - Share information with state and local governments
 - Gain better information from non-industry stakeholders
- **Goal was to find a resolution**
 - Status Quo not adequate



Background Cont.

- **1st PPSI MOU in 2005 for pilot projects**
 - Projects address the potential to eliminate or lower leftover paint volume and cost and data gaps
- **2nd PPSI MOU in 2007 following ACA Board Resolution**
 - Develop a nationally coordinated system for the management of post-consumer waste paint
- **Key Elements**
 - Consumer Education
 - No Mandatory Retail Take-Back
 - Cost Effective
 - Industry Operated Product Stewardship Organization
 - Market Based Financing
 - Begin w/Pilot State
- **Legislation need for level-playing field and anti-trust protection**



Key Elements of Legislation

- Provides for an industry Stewardship Organization
- A Paint Stewardship Assessment fee to be added to the price of paint to fund the program
- Education and Outreach to consumers
- Voluntary (not mandatory) retail take-back
- Partnering with existing government collection sites



Key Elements of Legislation

- Plan submitted to CalRecycle
 - Participants
 - Brands
 - Collection sites
 - Disposition and hierarchy of paint
 - Reuse, recycling, fuel blending, proper disposal
 - Budget and Assessment Rates
 - Communication Strategy
- Annual Report and Financial Audit



ACA

- The American Coatings Association is a voluntary non-profit association, originally organized in 1888
- ACA represents approximately 250 manufacturers, distributors, raw material suppliers to the industry, and individuals working in the industry
- Serve as advocate, compliance assistance resource and community liaison
 - Legislative
 - Regulatory
 - Judicial



PaintCare

- Incorporated October 2009
- Non-profit 501(c)(3)
- Wholly owned by ACA
- Operated by Board of architectural paint companies
- Hired Product Care as Program Manager

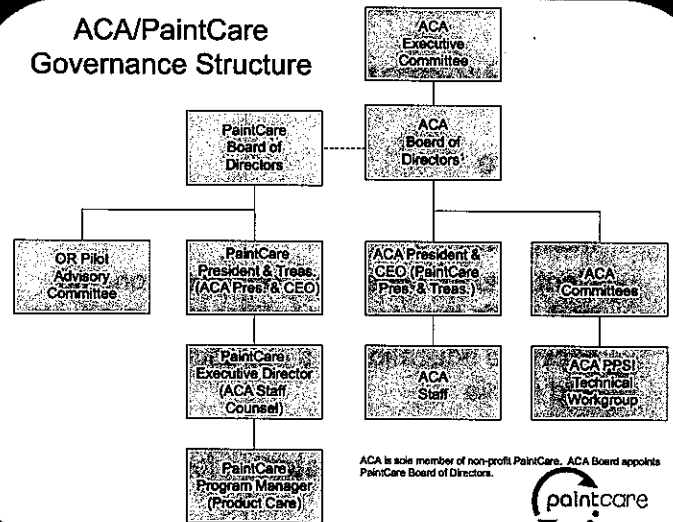


Product Care

- Based in Vancouver, BC, in operation since 1994
- Not-for-profit industry association dedicated to the management of stewardship programs
- Currently managing all or part of 5 paint stewardship programs in Canada as well as other programs
- Has program coordinators in each province/state
- Objective: to operate stewardship programs that are both efficient and effective.
- Has established Product Care-USA, a 501c3 non-profit with an office in Portland



ACA/PaintCare Governance Structure



Model Program Elements

- **Manufacturer**
 - Registers as a PaintCare participant
 - Reports sales and pays PaintCare a PaintCare Recovery Fee for every architectural paint container sold in Oregon
 - Adds PaintCare Recovery Fee to wholesale cost of paint to distributors and retailers
- **Retailer**
 - Checks OR DEQ website to make sure producer is part of PaintCare
 - Adds PaintCare Recovery Fee to the final purchase price of paint
 - Provides point of sale PaintCare educational materials
 - Acts as a collection site for return paint (on a voluntary basis)



Model Program Elements, cont.

- **Household Hazardous Waste Programs**
 - Acts as a collection site for return paint (on a voluntary basis)
 - Permanent or events
 - Transportation and ultimate end-of-life paint management provided by PaintCare
 - Reuse, recycling and other management methods may also be contracted for
- **Consumer**
 - Pays PaintCare Recovery Fee when they buy new architectural paint in Oregon
 - Drop off unused, leftover paint to any of the PaintCare collection sites in Oregon



Model Program Elements, cont.

- **PaintCare**

- Files Program Plan on behalf of manufacturers
- Contracts for collection, transportation and end-of-life management of program products
- Provides education and outreach materials and media
- Reports annually on program elements to state and pays administration fees





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CPSC
California Product Stewardship Council

Painting the Solution

EPR Workshop Panel 10/14/ 2010



Funded by a grant from the Department of Resources Recycling and Recovery (CalRecycle) and supported by the following partners:



What is the Be Paint Wise Partnership?

- San Joaquin County
- Tehama County
- City and County of San Francisco
- CalRecycle
- California Product Stewardship Council
- Follow our progress at: www.calpsc.org/projects/SanJoaquin.html



Goals of the Project

Long-Term: Begin the transition to a statewide paint product stewardship program, managed and funded by the paint industry

Short-Term:

1. Develop educational campaign
2. Develop a model stewardship system

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Objective 1:

PR on paint collection & source reduction

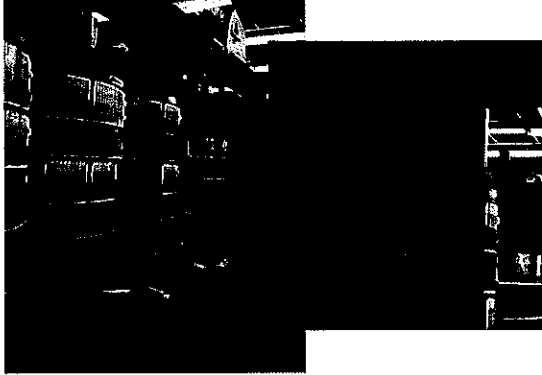
- Convene consumer focus groups
- Develop education materials on paint source reduction
 - Consumer Poster
 - Now in Spanish!
 - Consumer Card
- Distribute education materials to 45 paint retailers in 3 pilot Counties (distributed to 99 retailers)
- Give 24 presentations to local government, retailers, business groups and others (24 of 24 completed)
- Outreach via articles, press releases, website, etc.





Consumer Education at Point of Sale

Funded by a grant from the Department of Resources Recycling and Recovery. CalRecycle and supported by the following partners:



Consumer source reduction cards & poster on display at Stockton Ace Hardware.



Focus Group Findings

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- Keep it simple. Use bullet points
- Biggest motivator is cost savings
- Consumers don't equate themselves with local government
- Point of Sale education is best
- HHW Facility? What's that??
- What is recycled paint??
- Message from a variety of source



Objective 2: Foster Demand for Recycled-Content Paint



Funded by a grant from the Department of Resources Recycling and Recovery. CalRecycle and supported by the following partners:



- Create demand for recycled paint
- Buy GS-43 certified recycled paint
www.greenseal.org/findproduct/paints_coatings.cfm
- Include EPR language for latex paint into procurement policies
- Teach local governments to buy off the state contract

www.calpsc.org/projects/SanJoaquin/EPR-Language-Final-Draft.pdf



Buy Recycled-Content Paint !

Visit the Green Seal website:

www.greenseal.org/findproduct/paints_coatings.cfm

Funded by a grant from the Department of Resources Recycling and Recovery. CalRecycle and supported by the following partners:



Green Seal Certified Products/Services

Recycled Content Latex Paint		
Manufacturer	Product Name	Standard
Amazon Environmental	Amazon Select Recycled Latex Paint	GS-43 Recycled-Content Latex Paint
Metro	MetroPaint Interior/Exterior Low-Sheen Recycled Latex Paint	GS-43 Recycled-Content Latex Paint
Vanguard BioCoat	Workhorse Interior (Latex Flat, Latex Eggshell, Latex Semi-Gloss) Workhorse Exterior (Latex Flat, Latex Low Sheen)	GS-43 Recycled-Content Latex Paint

Procurement Fact Sheet:

www.calpsc.org/projects/SanJoaquin/EPR-Language-Final-Draft.pdf



The San Joaquin County Administration Building – 4,500 gallons of recycled paint!

Funded by a grant from the Department of Resources Recycling and Recovery, California and supported by the following partners:



Objective 3: Recruit Paint Collection Sites

- Conduct a barrier study
- Create recruitment materials for paint collection sites
- Recruit collection sites (21 sites participating)
- Support paint collection
- Evaluate the pilot project and summarize findings



Employee Completes Barrier Study Survey

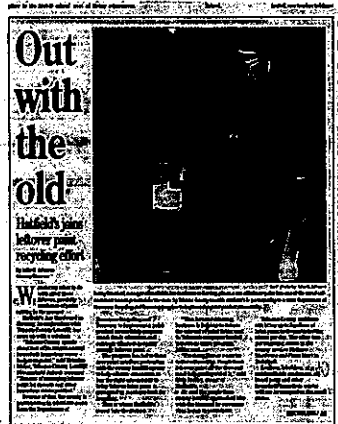
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Retailers Provide Valuable Community Service

"I'm doing this as a service to the community. People have leftover paint all the time and need help getting rid of it."

Chip McCoy, owner Hatfield's Ace Hardware of Corning



Funded by a grant from the Department of Resources Recycling and Recovery, California and supported by the following partners:



Paint is Collected & Recycled



- Visions Paint Recycling collects paint from retailers in San Joaquin & Tehama Counties
- Paint is recycled at Visions' Sacramento plant & creates green jobs!
- 3,500 gallons collected since March
- Counties saved approx. \$27,000

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Objective 4: Increase Paint Reuse

Funded by a grant from
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CalRecycle and supported
by the following partners:



- Develop paint reuse fact sheet and outreach materials
- Provide technical assistance to set up paint swaps at HHW facilities
- Disseminate reuse materials through websites, listserves, conferences, etc.
- Identify and recruit reuse locations
- Survey reuse sites



Why Start a Paint Swap?

Funded by a grant from
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Recycling and Recovery
CalRecycle and supported
by the following partners:



- Reuse before recycling!
- Save Money
- Offer good quality paint to the public at low or no-cost
- Help beautify your community
- Easy to establish with few regulatory requirements



Look for Paint Reuse Opportunities in Your Community

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- HHW facility
- Architectural salvage and thrift stores
- Landfill scalehouse or transfer station
- Schools, theater and community groups
- Graffiti eradication



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The collage includes several items:

- A flyer titled "NEW PAINT COLLECTION NETS MAKE RECYCLING EASIER" with the CPSC logo.
- A newspaper clipping from "DAILY NEWS" with the headline "Paint Swap Gets Green Reviews" and sub-headline "Customs Shows Much Economic Benefit".
- A newspaper clipping from "Hardware Hotline" with the headline "Our Community Partner Program Turns 10!" and sub-headline "Six Months, Join the Paint Swap Partnership".
- A flyer with a "20% OFF" discount and "thank you SALE" text.



Objective 5: Statewide Stewardship Roll-Out

- Gather information on existing collection infrastructure and service gaps
- Statewide Conference – today!
- Assist paint industry in roll-out
- **Finally have convenient and fully funded paint recycling in California!**

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For More on This Project...

Visit the Grant Project Webpage:

CPSC Website – San Joaquin paint grant project

www.calpsc.org/projects/SanJoaquin.html

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Thank You!

- Questions?
- Contact:
Kimbra Andrews, Management Analyst
Hazardous Waste Program
San Joaquin County Public Works
kandrews@sjgov.org
(209) 468-3066

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PaintCare

**The Oregon Paint Stewardship
Pilot Program**

Paint Stewardship – Next Steps for California

October 14, 2010



**Alison Keane,
ACA and PaintCare**



**Mark Kurschner
Product Care**



Timing, Information and Resources needed for Implementation



Timing

- Program plan submitted by April 1, 2012
- Start date July 1, 2012 or three months after program plan approval
- “In the meantime”
 - Establishing a timeline for the next 21 months
 - Identifying/recruiting producers
 - RFP to identify service providers
 - Drafting budget (assessment rate)



Information

- Survey of current programs
- Collection infrastructure
- Reuse, Recycling, Disposal methods
- Paint Volumes
- Markets
- Potential impediments
 - Regulatory
 - Political



Resources

- CalRecycle staff
- California operations staff for PaintCare/Product Care
- County and Local Government staff
- Coordination w/CA and outside stakeholders



Buying Recycled Paint
Paint Product Stewardship
Workshop and Webcast

October 14, 2010

DGS CALIFORNIA DEPARTMENT OF
GENERAL SERVICES

Environmentally Preferable
Purchasing (EPP)

“Buying Green”

DGS CALIFORNIA DEPARTMENT OF
GENERAL SERVICES

EPP LAW

California Public Contract Code,
Section 12400 -

The procurement or acquisition of goods and services that have a lesser or reduced effect on human health and the environment when compared with competing goods or services that serve the same purpose...

DGS CALIFORNIA DEPARTMENT OF
GENERAL SERVICES

Green Contracts

Paint, Recycled Latex

1-08-80-10

NON-MANDATORY

(5/01/2008 – 4/30/2011)



[http://www.bidsync.com/DPX?ac=agencycontview
&contid=3626](http://www.bidsync.com/DPX?ac=agencycontview&contid=3626)

DGS CALIFORNIA DEPARTMENT OF
GENERAL SERVICES

Contract Spent and Major Users

Total Spent

- \$ 26,090.00 + \$34,800.00 = \$60,890.00

Agencies

- Department of Corrections & Rehabilitation
- Department of Parks & Recreation
- Department of Transportation

Recycled Paint Specification

- Material - a minimum of 50% by volume post-consumer latex paint and a maximum of 50% secondary industrial materials
- Performance Standard - Master Painters Institute (MPI)

How to purchase

E-Procurement

- <http://www.eprocure.dgs.ca.gov/default.htm>

EPP Website

- Buying Green

<http://www.green.ca.gov/EPP/default.htm>

Questions?

Contact Information:

Kin Yee Wong, Dept. of General Services
E-mail: Buygreen@dgs.ca.gov
Current Website: www.green.ca.gov/EPP/

Procurement Division
707 Third Street, 2th Floor
West Sacramento, CA 95605

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GENERAL SERVICES



CPSC
California Product
Stewardship Council

Funded by a grant from
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**Paint Wise: Making Paint
Purchasing Decisions that
Matter**

Paint Stewardship Workshop: October 14, 2010



Presentation Overview

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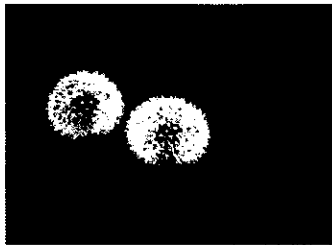
- Understand Environmentally Preferable Purchasing (EPP)
- Learn about recycled-content paint and the Green Seal standard.
- Understand how to incorporate EPR into green purchasing and foster the use of recycled-content products.



What is EPP?

- Environmentally Preferable Purchasing
- "Green" procurement
- Products AND services

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Be Paint Wise! Responsible Paint Procurement

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Why Use Recycled Paint?

- Quality and Selection
 - Proven to perform to same standards as virgin paint
 - Available for interior/exterior projects
 - Variety of colors/sheens

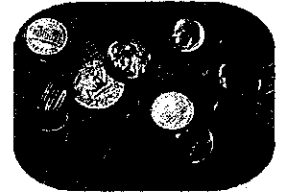
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Why Use Recycled Paint?

- Lower Cost
 - Often less expensive than virgin paint
 - Less expensive to recycle paint than to produce new paint

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by the following partners:



Why Use Recycled Paint?

- Environmental Benefits
 - Contains at least 50% recycled content
 - Closes the recycling loop!

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by the following partners:



What to assess when making recycled paint purchasing decisions

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by the following partners:





Paint Selection Criteria

- Purchase the correct amount
 - Saves money
 - Reduces waste
 - Estimate use with online paint calculator
- Purchase GS-43 Paint

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Pesticide Regulation and University
of California and supported
by the following partners:



What is GS-43?

- Green Seal (GS) Standard for Recycled Latex Paint
 - Established environmental performance requirements for recycled content latex paint
 - Interior
 - Exterior

Funded by grant from
The California Department of
Pesticide Regulation and University
of California and supported
by the following partners:



What is GS-43?

- Consolidated Paint
 - contains a minimum of 95% post-consumer paint with a maximum of 5% secondary industrial or virgin materials
- Reprocessed Paint
 - contains a minimum of 50% post-consumer paint, with a maximum of 50% secondary industrial or virgin materials

Funded by grant from
The California Department of
Pesticide Regulation and University
of California and supported
by the following partners:



What is GS-43?

- Green Seal Standard for Recycled Latex Paint
 - Undergone extensive performance reviews
 - Meets low VOC criteria
 - Contains minimum 50% **POST CONSUMER** recycled content

Funded by grant from
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by the following partners:





What is GS-43?

- Green Seal Standard for Recycled Latex Paint
 - Meet ALL applicable Master Paint Institute performance standards.
 - Same performance standards as virgin paint.

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THE MASTER PAINTERS INSTITUTE



For Additional Resources Visit...

- CPSC Website – paint project
<http://www.calpsc.org/projects/SanJoaquin.html>
 - Guidelines on how to create an EPP from scratch
 - Example paint procurement language
- Example paint EPR language
<http://www.calpsc.org/projects/SanJoaquin/EPR-Language-Final-Draft.pdf>
- Recycled paint fact sheet
<http://www.calpsc.org/projects/SanJoaquin/EPR-Language-Final-Draft.pdf>

Funded by a grant from the California Department of Resources Recycling and Recovery (CalRecycle) and supported by the following partners:



For Additional Resources Visit...

- www.greenseal.org/findproduct/paints_coatings.cfm

Funded by a grant from the California Department of Resources Recycling and Recovery (CalRecycle) and supported by the following partners:



Green Seal Certified Products/Services

Recycled Content Latex Paint		
Manufacturer	Product Name	Standard
Arcochem Environmental	Arcochem Select Recycled Latex Paint	GS-43 Recycled Content Latex Paint
Benck	Phenopark Supreme/Ultimate Low-Volatile Recycled Latex Paint	GS-43 Recycled Content Latex Paint
Wolcott Recycling	Workhorse Interior (Latex Flat, Latex Eggshell, Latex Semi-Gloss) Workhorse Exterior (Latex Flat, Latex Semi-Gloss)	GS-43 Recycled Content Latex Paint



How to incorporate EPR into your procurement policies

Funded by a grant from the California Department of Resources Recycling and Recovery (CalRecycle) and supported by the following partners:





Procurement Contract Language

- Review procurement specifications
 - Ensure that outdated/unnecessary requirements do not exclude any products from consideration
 - Ex: paint



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Procurement Contract Language

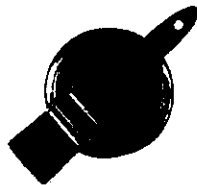
- Amend procurement specifications
 - Include recycled-content product language
 - Ask for 'take-back'
- Resource: Sample language in DGS Best Practices Manual for EPP
 - <http://www.green.ca.gov/EPP/Introduction/default.htm>

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Procurement Contract Language

- Include product specific EPR clause
 - visit www.calpsc.org for examples
 - Add language that requires vendor to 'take back' unused products



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For Additional Resources Visit...

- www.pd.dgs.ca.gov/contracts/usingcontracts.htm
 - Information about using statewide contracts to purchase recycled paint



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Thank You!

- Questions?

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KELLY-MOORE PAINTS™



The Kelly-Moore Paint Company has been recycling post-consumer latex paint products since the mid 1980's.

Our E-Coat products are created using the "remanufactured" recycling method using Kelly-Moore manufactured post-consumer waste.



- **Color Availability:**
 - = E-Coat's new/old stock in 10 ready-mix colors at no additional cost. E-Coat has the capability to custom tint a variety of colors at no additional cost. Custom colors now represent a large percentage of the orders placed by Painting Contractors, State, Federal or Local Government Agencies.



- **Product Availability:**
 - = E-Coat's new/old stock in 10 ready-mix colors at no additional cost.
- **Advantages:**

There are significant advantages to purchasing and applying E-Coat Recycled Latex Paint Products.

 - = Major Cost Savings Versus Virgin Product
 - = The Ability to Continue With or Change Color Schemes
 - = Purchasing E-Coat Recycled Latex Paint Products Will Help Satisfy the Mandated Procurement Goal to Purchase RGP for State Facilities



- E-Coat has been tested for performance by MPI (Master Painter's Institute) and is approved in recycled latex product categories #10RR, 15RR, 44RR, 52RR, 53RR, and 54RR.
- E-Coat "Green Seal" Certification Update
 - Samples have been submitted.
 - Kelly-Moore anticipates obtaining Green Seal Certification by the end of the first quarter of 2011.



- For more information please contact:

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Mary Pitto

From: hhwie@yahoogroups.com on behalf of Bill Worrell [bworrell@iwma.com]
Sent: Monday, November 22, 2010 10:57 AM
To: hhwie@yahoogroups.com
Cc: 'Levenson, Howard'; 'Mark Murray'
Subject: [hhwie] Implementation of AB 1343 [1 Attachment]

[Attachment(s) from Bill Worrell included below]

It has been about a month now since our dialogue regarding implementing AB 1343. In that time we have had a chance to reflect on how to implement a program recognizing that each of us in local government have different needs. However I think we all would like to see a program that achieves 2 goals: (1) removes from local government the financial burden of managing paint and (2) provides local government the flexibility to allow the implementation of a paint program that works best in our community.

To achieve the above 2 goals the San Luis Obispo County Integrated Waste Management Authority (IWMA) at its recent November Board Meeting voted unanimously to adopt the attached Resolution 10-07. This resolution urges CalRecycle and PaintCare to do the following:

- Implement the paint product stewardship plan by May 1, 2011. While AB 1343 allows the implementation of the plan as late as July 1, 2012, this delay will continue to result in a financial hardship to local governments who are currently managing paint. PaintCare has indicated that it will take until July 1, 2012 to implement a comprehensive statewide plan. To meet PaintCare's needs, the IWMA is proposing a 2 phase plan. The 1st phase would begin on May 1, 2011 and would simply reimburse the cost to local government (\$6.00/gallon) for the paint that they are currently managing through their existing HHW program. All that would be required of PaintCare under Phase 1 would be to begin collecting the funds from manufacturers and making payment to HHW facilities for the paint that is collected. The 2nd phase would begin on July 1, 2012 and would be the comprehensive statewide plan in which PaintCare would arrange contracts with various vendors and provide equipment, advertising and signage.
- Include in the comprehensive statewide paint product stewardship plan a local paint management option similar to the above Phase 1 reimbursement program. I recognize that some local governments would prefer the simplicity of PaintCare implementing a comprehensive paint collection plan for their communities. On the other hand other local governments would like to continue to manage paint. For example the IWMA has been managing paint since 1995 through our Household Hazardous Waste Program. In addition as part of a grant from CalRecycle, for over 1 year we have been collecting paint from retail paint stores. This program has been successful -- resulting in very high paint collection rates and is cost effective.

AB 1343 does not include a role for local government in developing and approving the paint stewardship plan; however, local government will be most impacted by the plan. Thus I would encourage you to provide input to both CalRecycle and PaintCare.

Bill Worrell
SLO County IWMA
870 Osos Street
San Luis Obispo, CA 93401
805-782-8530 fax 805-782-8529

Attachment(s) from Bill Worrell

1 of 1 File(s)



SLO County Resolution.pdf

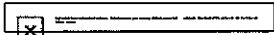
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RESOLUTION NO. 10-07

**RESOLUTION OF THE SAN LUIS OBISPO COUNTY
INTEGRATED WASTE MANAGEMENT AUTHORITY
REGARDING IMPLEMENTATION OF AB 1343**

WHEREAS, the Governor signed AB 1343 on September 28, 2010; and

WHEREAS, the purpose of AB 1343 is to require paint manufacturers to develop and implement a program to collect, transport, and process postconsumer paint to reduce the costs and environmental impacts of the disposal of postconsumer paint in this state; and

WHEREAS, AB 939, The Integrated Waste Management Act of 1989, required local governments to adopt Household Hazardous Waste Elements and establish infrastructure to manage household hazardous waste including postconsumer paint; and

WHEREAS, because of the request of the paint stewardship organization, AB 1343 was amended to allow the paint stewardship organization to submit its architectural paint stewardship plan on April 1, 2012 with implementation to follow by at least 3 months; and

WHEREAS, the delay in implementing the architectural paint stewardship plan until potentially July 1, 2012 will continue to cause a financial hardship on local government which is already managing postconsumer paint.

NOW, THEREFORE, BE IT RESOLVED, that the San Luis Obispo County Integrated Waste Management Authority urges CalRecycle and the paint stewardship organization to adopt an architectural paint recovery program that provides local government with an option to continue to manage all aspects of the postconsumer paint program including advertising, collection, processing and disposal. The paint stewardship organization would provide the funding to local government to implement the program. Such funding should be equal to 90% of the revenue from the fee placed on the sale on paint in that jurisdiction.

NOW, THEREFORE, BE IT RESOLVED, that the San Luis Obispo County Integrated Waste Management Authority hereby urges CalRecycle and the paint stewardship organization to submit an architectural paint stewardship plan by January 1, 2011 with implementation planned for May 1, 2011. To meet the issues raised by the paint stewardship organization the plan could be implemented in 2 phases. The first phase could provide funding to support the existing local government program to collect paint. The second phase, to be implemented on July 1, 2012, could provide the option to local government to have the paint stewardship organization assume responsibility for the management of postconsumer paint.

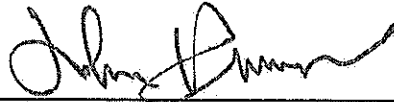
PASSED AND ADOPTED, this 10 day of November, 2010, by the following roll call vote:

AYES: Ashbaugh, Beraud, Borchard, Brooks, Ehring, Fellows, Gibson, Hill, Mecham, Mires, Patterson, Hamon

NOES: None

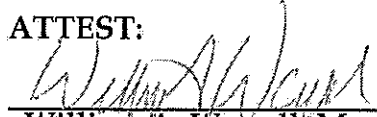
ABSTAIN: None

ABSENT: Achadjian



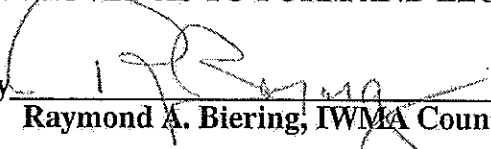
John Hamon, President

ATTEST:



William A. Worrell, Manager

APPROVED AS TO FORM AND LEGAL EFFECT:

By  _____

Raymond A. Biering, IWMA Counsel