

2014 Washington Paint Stewardship

Bill Summary SB 5424 / HB 1579

Information for Washington Local Governments

A paint stewardship bill would authorize paint manufacturers selling paint in Washington to finance a take back and recycling program for unwanted architectural paint that would be overseen by the Department of Ecology.

The legislation was initiated by the American Coatings Association (ACA), which is working to establish paint recycling programs across the country. Similar legislation passed and programs have been implemented in Oregon, California and Connecticut. Since 2012, Rhode Island, Maine, Minnesota and Vermont passed similar legislation and bills have been introduced in four other states.



Types of Paint Covered and Who Can Use the Program

- Interior and exterior architectural coatings, sold in a container of five gallons or less.
- Does not include industrial, original equipment or specialty coatings.
- Any household or business in Washington that has unwanted latex paint.
- Any household or conditionally exempt small quantity generator that has unwanted oil-based paint.

Paint Stewardship Program Plan

Paint manufacturers must submit a plan to the Department of Ecology that includes:

- Description of an assessment funding mechanism (see next page).
- Goals for reduction, reuse, recycling, overall collection, and proper end-of-life management.
- A reasonably convenient and available statewide collection system (see next page).
- Description of environmentally sound management practices, recycling of paint containers where practical, education and outreach.

An annual report is required including documentation of paint volumes collected, disposition method, financial audit, outreach efforts and effectiveness evaluation.



Funding Mechanism

- No charge to users when they turn in unwanted paint.
- Paint producers will finance the program through an “architectural paint stewardship assessment” that will be reviewed/approved by Ecology. The assessment used in the pilot Oregon Paint Product Stewardship Program in 2011 was:
 - 1/2 pint container or less \$ 0.00
 - >1/2 pint to 1 quart container \$ 0.35
 - >1 quart to 1 gallon container \$ 0.75
 - >1 gallon to 5 gallon container \$ 1.60
- Paint producers must add the assessment to each container of paint sold to Washington retailers and distributors. Producers must pay the assessment to a stewardship organization.
- Washington retailers must add the assessment to the price of paint paid by consumers.
- The funds generated by the assessment cannot exceed the cost of providing the stewardship program.

Costs Covered by the Stewardship Organization

- The “architectural paint stewardship assessment” is established to cover a stewardship organization’s costs of administration, education and outreach, collecting, transporting, and processing the leftover architectural paint.
- Drawing from the experience of the Oregon Paint Product Stewardship Program, the paint industry has covered costs of the following:
 - containers needed to collect, store and ship unwanted paint
 - transportation of the paint to the recycling or disposal facility
 - recycling or final disposition of the paint.
- Reimbursement for costs of collecting paint at municipal or retail collection sites is not required in the current bill. In Oregon, the stewardship organization negotiated with each collection site on a case by case basis for collection services.

Convenience Standards for Number and Locations of Collection Sites

- The program must provide a reasonably convenient and available statewide collection system for unwanted paint.
- Service must be available to urban and rural areas, island and geographically isolated communities.
- At least ninety percent of Washington residents must have a permanent collection site within a fifteen mile radius. One additional permanent site must be established for every thirty thousand residents of a population center¹.
- Service must be distributed to provide convenient and reasonably equitable access for residents within each population center, unless otherwise approved by the Department of Ecology.
- The program shall utilize existing government owned moderate risk waste infrastructure and existing paint retail stores where cost effective, reasonably feasible and mutually agreeable.

Complete bill language can be found at <http://apps.leg.wa.gov/billinfo/default.aspx>

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