



District of Columbia Architectural Paint Stewardship Program Plan

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Submitted to:

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1. Introduction and Overview

A. Introduction

On December 8, 2014, Mayor Vincent Gray signed A20-501 – the District of Columbia Architectural Paint Stewardship Act of 2014. Following U.S. Congressional review the act became law on March 11, 2015. This act is codified in the District of Columbia Statutes, Title 8 Environmental and Animal Control and Protection, Subtitle A Environmental Control and Protection, Chapter 2A Paint Hazards and Paint Stewardship, Subchapter II Paint Stewardship. A full copy of the District of Columbia Paint Stewardship Law is included Appendix A.

The District of Columbia Paint Stewardship Program is anticipated to start on September 1, 2016.

The broad goals of product stewardship is for industry, in this case, paint manufacturers, to relieve government of the responsibility of managing products at their end of life. Paint stewardship in the District of Columbia will be achieved by partnering with the existing government waste collection program at Fort Totten to cover their paint management costs and by increasing opportunities for the public to recycle their leftover paint through the addition of retail drop-off sites, paint collection events, and other services. The program will follow the waste management principles of reduce, reuse, recycle – achieving reduction and reuse through education on buying the correct amount of paint for a job and tips for using up leftover paint. All paint collected through the program will be managed in an environmentally responsible manner. All of these details will be reported annually to the District’s Department of Energy and the Environment (DOEE) – the program’s oversight agency.

B. Paint Stewardship in the United States

At the urging of state environmental agencies and municipal household hazardous waste programs across the country, a formal effort began in 2002 to bring about an industry-managed paint stewardship system in the U.S. This effort, the Paint Product Stewardship Initiative (PPSI), led by the Product Stewardship Institute based in Boston, Massachusetts, involved several years of stakeholder dialogue and industry and public sector research on paint use habits and recycling opportunities. Participants included the American Coatings Association, paint manufacturers, paint recyclers, federal EPA, and state and local governments across the country.

The PPSI resulted in the development of a model state law to establish an economically and environmentally-sustainable, industry-designed and implemented postconsumer paint management system. Oregon passed the model legislation in 2009, followed by California in 2010; Connecticut in 2011; Rhode Island in 2012; Maine, Minnesota, and Vermont in 2013; Colorado in 2014; and the District of Columbia in 2015.

C. Paint Stewardship Program Plan

The District of Columbia Paint Stewardship Law requires a stewardship organization (or individual manufacturers) to submit to the DOEE, on or before April 1, 2016, a Paint Stewardship Program Plan that addresses the following:

1. Minimize District involvement in the management of postconsumer paint by reducing its generation, promoting its reuse and recycling, and implementing agreements to collect, transport, reuse, recycle, and dispose of postconsumer paint using environmentally sound management practices;
2. Provide for convenient and available collection of postconsumer paint that, at a minimum, provides for collection rates and convenience equal to or greater than the collection programs available to consumers before the paint stewardship program and addresses coordination of the paint stewardship program with existing household hazardous waste collection infrastructure;
3. Ensure the program addresses coordination with local nonprofit building material reuse organizations without charge to the organizations;
4. Identify each producer participating in the program and the brands of paint sold in the District by each producer;
5. Describe sufficient funding for the paint stewardship program, including a funding mechanism for securing and disbursing funds to cover administrative, operational, and capital costs, including the assessment of charges on paint sold by producers in the District. The funding mechanism shall provide for a paint stewardship assessment for each container of paint sold in the District by producers and the assessment shall be remitted to the representative organization, if applicable; and
6. Describe how postconsumer paint will be managed in the most environmentally and economically sound manner, including following the sustainable solid waste management hierarchy established in section 102 of the Sustainable Solid Waste Management Amendment Act of 2014, enacted on September 23, 2014 (D.C. Act 20-423; 61 DCR 9971).

The DC Paint Stewardship Law also requires the program to provide consumers in the District with educational materials regarding the paint stewardship assessment and program, including information regarding available end-of-life management options offered through the program and information notifying consumers that a charge for the operation of the program is included in the purchase price of all paint sold in the District.

D. PaintCare Inc.

PaintCare Inc. – a 501(c)(3) non-profit organization – was created by the American Coatings Association, the primary trade association for the paint and coatings industry.

PaintCare was formed in 2009 to serve as the stewardship organization for architectural paint manufacturers (also referred to as producers) in states that pass paint stewardship legislation. PaintCare representation is open to all architectural paint manufacturers, and they may register with PaintCare at any time. PaintCare currently represents 200 paint manufacturers in its active state paint stewardship programs and will represent participating manufacturers in the District of Columbia program.

PaintCare’s corporate office is located in Washington, DC. State program staff are located in and/or work in the states and jurisdictions in which PaintCare programs operate, including the District of Columbia.

PaintCare’s Board of Directors consists of eleven non-paid representatives of architectural paint manufacturing companies. Appendix B provides the names and companies of PaintCare’s Board of Directors as of April 2016.

E. Program Contacts

Primary Contact

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F. Citations

To provide context, each section of this plan begins with citations of the relevant sections of the DC law.

2. Registered Manufacturers and Brands

Statutory Citation

Division I, Title 8. Subtitle A. Chapter 2A. Subchapter II. Paint Stewardship

D.C. Code 8-233.02 Producer paint plan required. (a) By April 1, 2016, a producer of paint sold at retail in the District, or a representative organization in which the producer is a member, shall submit a plan for the establishment of a paint stewardship program to the Mayor for approval. The Plan shall:

(4) Identify each producer participating in the program and the brands of paint sold in the District by each producer.

Section Overview

This section discusses:

- Manufacturer and brand registration
- Private label agreements
- Posting and purpose of registration lists
- Program products

A. Manufacturer and Brand Registration

Representation by PaintCare is open to all architectural paint manufacturers who are obligated to take part in the District of Columbia Paint Stewardship Program.

To identify potential participants, PaintCare obtained manufacturer information through a variety of sources, including:

- Prior registrations with PaintCare for other states
- The American Coatings Association membership
- Internet research

Manufacturers were notified about the new DC law through an electronic newsletter and a notice on PaintCare's website for reporting sales for other states.

Some manufacturers may still be unfamiliar with the program and may need to be contacted several times to become aware of their obligations under the new law. Therefore, the identification and notification of potential manufacturers is an on-going process, and the lists of registered manufacturers and brands are expected to change as additional manufacturers become aware of the program.

Prior to the program launch, PaintCare will provide the DOEE with a current list of registered manufacturers and brands. PaintCare will provide an updated list within 30 days of any change after that.

B. Private Label Agreements

Private label agreements (or services) represent products manufactured or distributed by one company for use under another company's label. The products are also referred to as store brands or generic brands, and the agreements are also known as tolling agreements. These agreements are often kept confidential to protect the arrangements from competitive interests. Therefore, PaintCare will not specify which brands are produced by which manufacturer, unless the name of the manufacturer is included in the brand name. Instead, registered manufacturers and their registered brands will always be presented in separate lists to assure the confidentiality of private labeling and other agreements.

C. Posting and Purpose of Registration Lists

PaintCare posts the lists of registered manufacturers and brands on the PaintCare website. The purpose of posting the lists is to make them available for retailers, distributors and the DOEE. Retailers and distributors will use the brand lists to learn which brands may be legally sold in the District upon implementation of the program. The DOEE will use the manufacturer list to ensure that any manufacturer selling paint into the District is participating in a paint stewardship program, and they will use the brand list to verify that only registered brands are being sold in the District. The DOEE can also call PaintCare at any time to find out if a manufacturer or brand was recently registered for compliance.

The current lists of registered manufacturers and brands are included in Appendix C and available on PaintCare's website. The lists will be updated and reposted within 30 days of any changes.

D. Program Products

The terms program products, PaintCare products, architectural paint, and paint are used interchangeably in this plan. In addition, this plan uses the common term *latex paint* to mean non-combustible or water-based program products, and *oil-based paint* to mean combustible or petroleum solvent-based program products.

Program products are architectural paints in containers no larger than 5 gallons in size. They do not include Industrial Maintenance (IM) coatings, Original Equipment Manufacturing (OEM) coatings, and other specialty coatings. Appendix D provides the full definition and examples of both program and non-program products. This definition is used to determine the products on which manufacturers are to apply the paint stewardship assessment (PaintCare Fee), as well as to determine which postconsumer products are accepted by the program's paint drop-off sites. As needed, PaintCare issues product notices to explain or clarify whether and why certain types of products are a part of the program or not. Examples of these notices are also included in Appendix D.

3. Collection Infrastructure

Statutory Citation

Division I, Title 8. Subtitle A. Chapter 2A. Subchapter II. Paint Stewardship

D.C. Code 8-233.02 Producer paint plan required. (a) By April 1, 2016, a producer of paint sold at retail in the District, or a representative organization in which the producer is a member, shall submit a plan for the establishment of a paint stewardship program to the Mayor for approval. The Plan shall:

(1) Minimize District involvement in the management of postconsumer paint by reducing its generation, promoting its reuse and recycling, and implementing agreements to collect, transport, reuse, recycle, and dispose of postconsumer paint using environmentally sound management practices.

(2) Provide for convenient and available collection of postconsumer paint that, at a minimum, provides for collection rates and convenience equal to or greater than the collection programs available to consumers before the paint stewardship program and addresses coordination of the paint stewardship program with existing household hazardous waste collection infrastructure.

(3) Ensure the program addresses coordination with local nonprofit building material reuse organizations without charge to the organizations.

Section Overview

This section discusses:

- Who can use the DC Paint Stewardship Program
- Paint collection sites and services
- Drop-off site convenience
- Drop-off site operations

A. Program Audience

The DC PaintCare program will serve the District's residents, businesses, schools, government agencies and other entities that have leftover, unwanted paint, subject to programmatic limitations.

Residential Generators/Renters and Homeowners

The program will accept any quantity of postconsumer latex or oil-based paint from this group.

Conditionally Exempt Small Quantity Generators (CESQGs)¹

Painting contractors, small businesses, and other small to medium-sized organizations are typical CESQGs. The program will accept any quantity of postconsumer latex paint from CESQGs and will accept postconsumer oil-based paint at or below the limits applied to hazardous waste generation for CESQGs.

¹CESQG is defined under the federal rules at 40 CFR 261.5.

To qualify as a CESQGs, among other requirements, a business must generate less than 220 pounds (about 25 gallons) of total hazardous waste per month.

Small Quantity Generators (SQGs) and Large Quantity Generators (LQGs)

The program will accept any quantity of postconsumer latex paint from SQGs and LQGs. The program will not accept postconsumer oil-based paint from SQGs or LQGs.

B. Paint Collection System

The District of Columbia does not currently offer collection of postconsumer latex paint. Residents may utilize the District's household hazardous collection (HHW) events for dropping off oil-based paint at the Fort Totten Transfer Station 4-5 times a month, but no other paint recycling opportunities are in place for households at this time. Businesses have the option to hire a private hazardous waste hauler, but that is often cost prohibitive. PaintCare will increase paint recycling opportunities in the District through the addition of new paint drop-off sites, events, and other services, with the goal of providing either a retail drop-off site, or annual paint drop-off event, in each of the District's Wards. PaintCare's proposed paint collection system is described in the next sections.

As discussed in the next sections, the Fort Totten Transfer Station and several paint retail stores have already expressed interest in partnering with PaintCare to be public drop-off sites. Prior to program launch, PaintCare will provide the DOEE with a current list of drop-off sites and planned events, and provide ongoing updates within 30 days or another timeframe requested by the DOEE.

C. Fort Totten Household Hazardous Waste Program

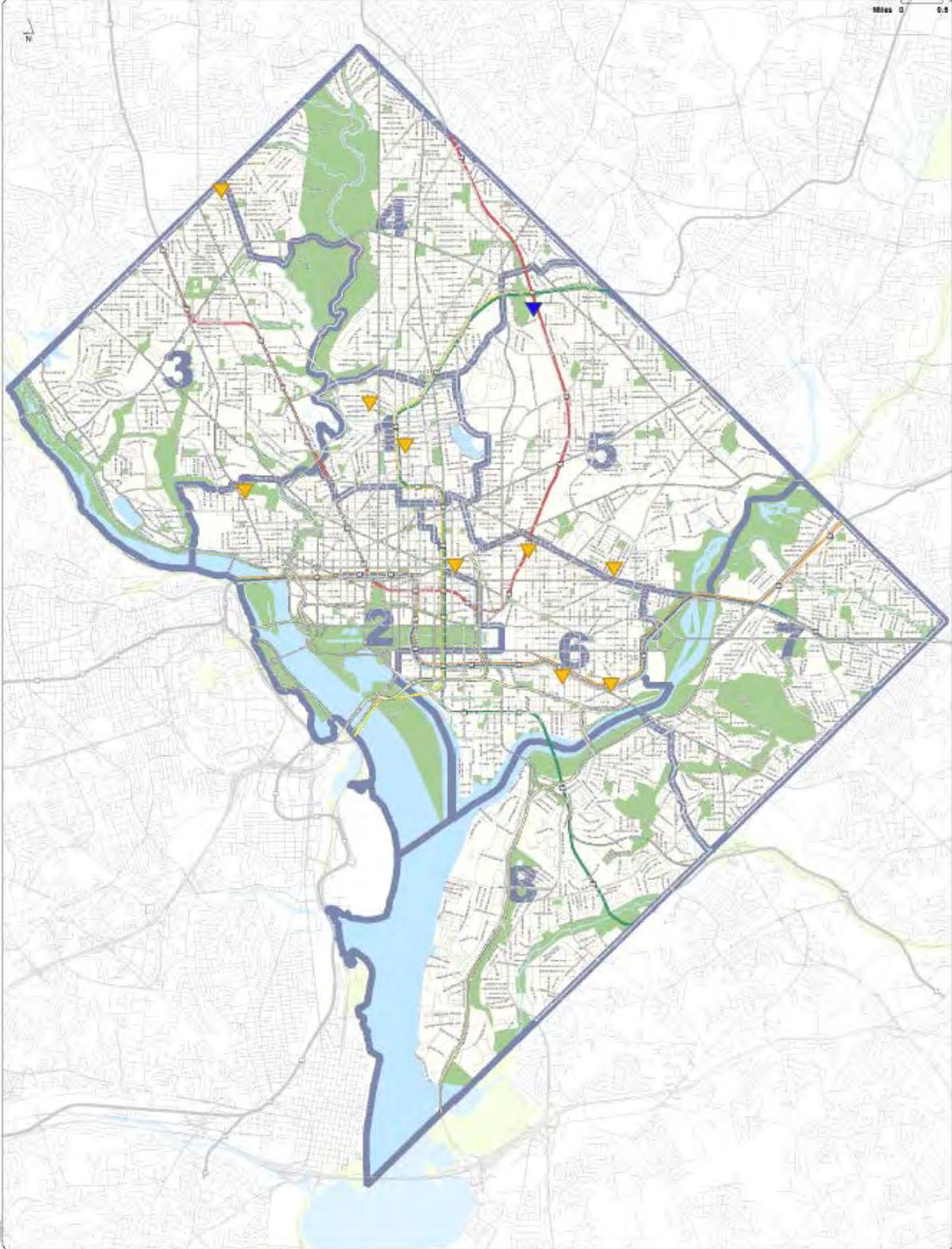
Household hazardous waste collection programs like Fort Totten's are good program partners because they already have an existing customer base and have often been in place for many years. PaintCare has been in communication with the District's Department of Public Works (DPW), the operator of the Fort Totten Transfer Station, since May of 2015. DPW is aware of the benefits to the District of partnering in the program – including cost savings, offering expanded services to the community, reducing waste, and increasing paint recycling – and would like to participate in the program. DPW contracts with a third party to -run its household hazardous waste program (where oil-based paint is accepted) and the next steps are to determine their contractor's role in the PaintCare-DPW partnership. PaintCare is optimistic that this will be happen before the program launches.

D. Paint Retailers

Paint retailers provide the ideal drop-off site because they are generally conveniently located, are open five or more days per week, and have staff familiar with paint products and their safe handling. In addition, their customers are likely to have some leftover paint and often ask store staff for advice on what to do with it. Retail participation as a drop-off site is entirely voluntary, and sites are not compensated.

PaintCare has identified 31 paint retailers across six of the District's eight Wards – Wards 7 and 8 do not have any paint retailers. Retailers include paint, hardware, and home improvement stores, and they are a combination independent, co-op, chain, and corporate stores – both small and large. Of these stores, approximately 20 were identified as potential partners based on PaintCare's experience in other states.

Of the 20, nine have expressed interest in being drop-off sites. The following map shows the location of the nine retail stores (yellow triangles). Fort Totten's location is also indicated, with a blue triangle.



All suitable retail locations are invited to participate as PaintCare drop-off sites provided they have adequate space for paint collection bins. The space must be secure, inaccessible to the public, large enough to hold paint collection bins, have an impermeable surface, and be out of direct sunlight and rain/snow.

Sites must also comply with PaintCare's operational requirements, including accepting all program products (latex and oil-based products), having staff available during operating hours, serving both residential and commercial users, and not charging a fee to participants who drop off paint. In addition, sites must be willing to be promoted on PaintCare's drop-off site locator on its website and through other outreach, and to post and distribute PaintCare point-of-sale outreach materials, including a window or site poster advertising their site as a PaintCare paint drop-off site.

For all sites, PaintCare provides and covers the cost for paint collection bins, paint transportation, and paint processing (end-of-life management). In addition, sites are provided spill kits, signage, training, and training materials.

PaintCare has visited all paint retailers in person to inform them of the new law and the new fees that will be applied to architectural paint, to recruit them as paint drop-off sites, and to address any questions or concerns they may have. The following additional efforts were directed at retailers:

Retail Mailings

Broad outreach to retailers began in July 2015 through a mailing to all retailers – either as hard copy or electronically to their corporate office. Along with a cover letter, the mailing included:

- A retail-focused fact sheet “How Will the District’s Paint Stewardship Program Affect Paint Retailers?”
- A copy of a fact sheet for professional painters that is made available to retailers for distribution to their customers “Information for Painting Contractors”
- A copy of a fact sheet for general consumers “Information for Paint Purchasers”
- A fact sheet of program products “What Products Are Covered?”

A second notification was mailed to retailers in October 2015 that included:

- Notification that the program start date has been moved to September 2016 (PaintCare initially intended to begin the program in January 2016, but the District’s regulatory process prevented that)
- “Information for Painting Contractors” fact sheets (25 copies) to distribute to professional painters

Information was hand delivered to retailers about how to sign up as a drop-off site for the program in February 2016 that included:

- “How to Become a Drop-Off Site” fact sheet and interest form

A final starter pack of program brochures and other point-of-sale education materials will be mailed or hand delivered to all paint retailers at the beginning of August 2016 and include:

- General program poster (2 copies) with the approved fee structure and list of program products, to post in stores for informing customers about the upcoming program
- General program brochure (50 copies) that includes the goals of the program, the approved fee structure, list of program products, and other program information to inform customers about the upcoming program
- Minicard (50 copies) with information about finding a paint drop-off site when the program starts
- Another copy of the fact sheet “How Will the District’s Paint Stewardship Program Affect Paint Retailers”
- Another copy of the fact sheet “Information for Painting Contractors”
- Order form for additional printed materials (retail stores and other stakeholders may order any of the print materials, free of charge, at any time)

Current versions of all of these materials are included in Appendix E.

E. Material Reuse Stores

Building material stores or salvage yards are an excellent partner because along with serving as drop-off sites, they can operate paint reuse programs by donating or selling good quality leftover paint back to the local community to use, rather than sending it downstream through PaintCare for processing. Unfortunately, PaintCare has not been able to identify any such stores or organizations within the District. If any are identified in the future, they will be notified of the opportunity to become a PaintCare partner.

F. One-Day Paint Drop-Off Events

Paint drop-off events will be held throughout the year across the District to supplement the program’s retail drop-off sites. At least one event will be held each year in each Ward that does not have retail drop-off site. PaintCare’s paint-only drop-off events will be open to participants from any Ward in the District. PaintCare has identified about a dozen potential event locations and will work to secure them prior to program start. A list of planned events and secured locations will be provided to DOEE before program launch.

G. Large Volume Pick-Up Service

The Large Volume Pick-Up (LVP) Service will be offered to painting contractors, other businesses, and households with large volumes of paint – generally more than 300 gallons. Under this service, approved users will receive a direct pick-up at their business or home. Approval for use of the LVP service is determined by PaintCare. Users of the service will be asked to provide specific information about their volume of paint, paint type (latex vs. oil-based), and container sizes. Once an entity is approved for pick-up, they will be put in direct contact with PaintCare’s transporter to schedule an appointment.

H. Site Visits and Monitoring

Retail drop-off sites will receive site visits a minimum of two times per year, and PaintCare will contact Fort Totten annually. The purpose of these visits is to ensure compliance with program requirements, address any needs or concerns the sites may have, check their supplies of outreach materials, and solicit their feedback on how to improve the program.

I. Drop-Off Site Operations

All PaintCare drop-off sites must have an agreement in place with PaintCare, follow all procedures in PaintCare's operational guidelines, and operate in accordance with applicable federal, state and local environmental laws, regulations, and permits.

Drop-Off Site Training

All drop-off sites receive an in-person, on-site training regarding PaintCare program operations and are provided with a training binder that is reviewed during the training and that includes a training log to be signed by all employees who handle paint for the program at the site. Training topics include:

- History and goals of paint stewardship programs
- Identification of program products
- Safe handling and storage of program products
- Spill clean-up and reporting
- Procedures for scheduling a paint pick-up
- Screening for generator status to determine if a business qualifies to use the program for oil-based paint
- Record keeping



Additional details about site requirements and site training can be found in the retail Drop-Off Site Guidelines and the training slides in Appendix F. Both of these documents are included in the training binder left with sites following their training.

Collection Volumes

Drop-off sites may set their own limit for the amount of paint they will accept, as long as the limit is not less than five gallons per customer per day.

Paint Storage Bins

Drop-off sites will be provided with paint storage bins to place postconsumer paint received through the program. These bins will be US DOT approved reusable boxes (below left) or single-use cardboard boxes (below right), or other appropriate containers. Drop-off sites will be required to keep bins in a secure location that does not have public access.



Non-Program Products

Minimization of non-program products entering the program is critical and will be achieved through public education, signage at drop-off sites, and drop-off site training on product identifications.

PaintCare's transporters and downstream processors will manage any incidental non-program products they receive. They will notify PaintCare of any incident and identify the specific drop-off site from where the non-program products originated and the quantity and type that were found. Depending on the severity of the contamination, PaintCare may do one or more of the following: (1) contact the site to let them know about the incident, (2) provide additional/refresher site training on identification of program and non-program products, or (3) in extreme cases, remove the site from the program.

4. Materials Management

Statutory Citations

Division I, Title 8. Subtitle A. Chapter 2A. Subchapter II. Paint Stewardship

D.C. Code 8-233.02 Producer paint plan required. (a) By April 1, 2016, a producer of paint sold at retail in the District, or a representative organization in which the producer is a member, shall submit a plan for the establishment of a paint stewardship program to the Mayor for approval. The Plan shall:

(6) Describe how postconsumer paint will be managed in the most environmentally and economically sound manner, including following the sustainable solid waste management hierarchy established in section 102 of the Sustainable Solid Waste Management Amendment Act of 2014, enacted on September 23, 2014 (D.C. Act 20-423; 61 DCR 9971).

Section Overview

This section discusses:

- Paint transportation
- Paint processing
- Insurance and financial assurance

A. Paint Transportation

An effective transportation system is required to ensure the paint collection system operates efficiently. PaintCare will contract for all paint transportation services. Transporters may include both private and public entities and must:

- Meet all applicable state and federal DOT rules and regulations.
- Track postconsumer paint from the point of collection to its final destination.
- Have experience in scheduling pick-ups and routing to maximize efficiency, taking into account the number of stops, location, volume of paint to be collected, and projected weight of loads.
- Make their facilities and records available to PaintCare for audit.

Following a formal bid process that began in July 2015, PaintCare selected and has finalized a transportation collection agreement with Maumee Express, Inc. (MXI) to service retail drop-off sites, large volume pick-ups and one day drop-off events. MXI meets all of the requirements listed above. In addition, in an effort to minimize operational changes to the Fort Totten's household hazardous waste collection program, PaintCare is working with DPW to incorporate their program operator into the PaintCare program.

Transporters will service drop-off sites on either an on-call basis (sites call for pick-up when their storage capacity is 50% full), or on a set schedule – whichever method is best for each drop-off site. Transporters will deliver empty paint storage bins and other supplies (e.g., spill kits) to PaintCare drop-off sites and

events. Transporters will pick up full bins within five days of a request for drop-off sites or at the end of the day for events.

All sites will be asked to accommodate more than one paint collection bin. It is less expensive and more efficient to pick up several bins from one location than to serve the same location several times and pick up only one bin each time. PaintCare recognizes the limitation of space within the retail locations within the District and will work with both the retailers and MXI to accommodate as many retailers while still operating an effective transportation system.

B. Paint Processing

PaintCare will contract for processing and proper end-of-life management of postconsumer paint collected in the program. Through an RFP process, MXI Environmental Services of Abingdon, VA was selected as the processor for both latex and oil-based paints.

The following summarizes the management options PaintCare intends to use for postconsumer paint collected in the program. These options are prioritized by highest, best use:

Latex Paint

1. Reuse
2. Recycling back into paint or into another product
3. Beneficial use
4. Proper disposal

Oil-Based Paint²

1. Reuse
2. Energy recovery or fuel incineration

The condition of paint received by the program will determine how it will be managed. If containers are not sealed well or not stored properly (indoors, out of rain or freezing temperatures), latex and oil-based paint can harden or dry out or otherwise be spoiled by mold, rusting cans, or freezing which will make some or all of the contents of an individual container of the paint unusable or not recyclable. Ultimately, the method of storage and the timing of the decision to recycle leftover paint are determined by the consumer. The program encourages the return of unwanted postconsumer paint in a timely manner in an effort to reduce the age and improve the condition of the paint.

The following provides a more detailed description of the latex and oil-based paint management options listed above.

Latex Paint Management

Reuse. As discussed previously, the program will implement and support latex paint reuse programs if any are identified in the future. Monetary compensation will be provided to sites that give away (or sell) reusable paint to the public. Paint reuse programs return good quality paint to the local community

² While it is possible to recycle oil-based paint back into paint, no processor offers this option at this time.

without moving the paint through a costly network of transporters and processors. This is also an important opportunity to reduce the environmental impacts of the program. As with other second-hand products, users of “previously-owned” latex paint will be notified that the suitability of the product cannot be guaranteed. Reuse sites will seek to obtain participant acknowledgement through a waiver form or logbook entry before the paint is taken for reuse.

Recycling Paint Back into Paint. Latex paint may be used to make recycled-content latex paint. Once reprocessed, recycled-content paint is sold in domestic and international markets. The finished recycled-content paint varies from high quality color-segregated and filtered paint to color-blended gray paint often used to paint over graffiti.

Recycling Paint into Non-Paint Products. Though options are limited at this time, latex paint may be used as a raw material for other products.

Beneficial Use. Latex paint may go to a beneficial use – as approved by federal, state and local authority – including use as a fuel substitute or as alternative daily cover (ADC).

Disposal. Latex paint may be solidified for proper disposal. In this process, liquid paint is combined with drying agents and turned into a solid that is suitable for landfill. Solidification represents the least desirable management method for post-consumer latex paint and will only be utilized for latex paint that is not suitable to be managed for recycling or beneficial use.

Oil-Based Paint Management

Reuse. As with latex paint, the program will support oil-based paint reuse where possible. Reuse programs benefit the community and reduce the lifecycle impact of the postconsumer paint. Users of “previously owned” oil-based paint will be notified that the suitability of the product cannot be guaranteed. Drop-off sites will seek to obtain participant acknowledgement through a waiver form or logbook entry before the paint is taken away for reuse.

Energy Recovery. Some cement kilns process high BTU value industrial by-products and hazardous wastes, including oil-based paint. The energy generated through processing the waste is recovered and used beneficially. These kilns are fully permitted for the necessary federal, state, and local requirements for hazardous waste management and monitor air emissions and kiln ash for permit compliance.

Fuel Incineration. Permitted hazardous waste incinerators commonly use high BTU value waste materials, including oil-based paint as a substitute fuel source. Using waste as a fuel source offsets the use of fossil fuels. These incinerators are fully permitted for the necessary federal, state, and local requirement for hazardous waste management and monitor air emissions and ash for permit compliance.

C. Non-Program Products and Empty Containers

Non-Program Products. Although drop-off sites will be trained and instructed to screen out non-program products, it is likely that a small number of containers of non-program products may enter the program and be screened out during the sorting process by PaintCare’s transporters and processors. Non-program products will be recycled or disposed of as hazardous waste by PaintCare’s service providers rather than returned to a drop-off site.

Empty Paint Containers. Whenever possible, after processing the paint, empty metal and plastic paint containers will be recycled. PaintCare will work with its service providers to identify and utilize opportunities to recycle containers as markets permit.

D. Insurance and Financial Assurance

PaintCare requires all contractors – drop-off sites, transporters, processors, etc. – to carry insurance appropriate to the services provided for the PaintCare program. While the specific amount and terms may vary from one contractor to another, they may include:

- Commercial General Liability Insurance
- Commercial Automobile Liability Insurance
- Workers' Compensation Insurance
- Environmental Pollution Liability Insurance
- Endorsements to name PaintCare as an additional insured on the required insurance coverage (other than Workers' Compensation)

Because contractors have widely different insurance policies (e.g., commercial insurance vs. self-insurance, etc.), PaintCare evaluates (often with the assistance of outside legal counsel) the insurance terms in each contract on a case-by-case basis to ensure that the contractor maintains insurance of the types and in the amounts appropriate for the services the contractor provides to the PaintCare program. PaintCare itself also carries Pollution Liability, Commercial General Liability and Excess Umbrella Coverage to cover any liability PaintCare may incur.

PaintCare also requires all contractors to comply with all federal, state and local laws. If financial assurance requirements are applicable to a PaintCare contractor, then they must be in compliance with those laws.

5. Education and Outreach

Statutory Citation

Division I, Title 8. Subtitle A. Chapter 2A. Subchapter II. Paint Stewardship

D.C. Code 8-233.02 Producer paint plan required (e) A producer or representative organization shall provide consumers in the District with educational materials regarding the paint stewardship assessment and paint stewardship program, including information regarding available end-of-life management options for paint offered through the paint stewardship program and information notifying consumers that a charge for the operation of the program is included in the purchase price of all paint sold in the District.

Section Overview

This section discusses:

- Outreach methods, messages, and target audiences
- Phased outreach approach and lessons learned from PaintCare programs in other states
- Input and lessons learned from paint retailers
- Site locator tool
- PaintCare hotline
- Surveys
- Examples of outreach materials

A. Methods

PaintCare is committed to providing robust and effective education and outreach in the District of Columbia using a variety of communication methods, including:

- Earned media (e.g., press releases/coverage)
- Print media (e.g., newspaper, direct mail, flyers)
- Point of Sale (POS) materials (e.g., brochures, fact sheets)
- Online and social media (e.g., webpage, banner ads, Facebook)
- Direct, face-to-face communications (e.g., home shows, retail site visits, presentations)

B. Messages

Reduce, Reuse, Recycle

The “Reduce, Reuse, Recycle” messages have been used by environmental organizations and waste management programs for many years. To reduce the amount of postconsumer paint and to inform

consumers how and where to recycle their unwanted paint, PaintCare uses a more instructive and paint-specific version of the 3Rs. PaintCare’s message is “Buy Right, Use It Up, Recycle the Rest” to say (1) purchase the right amount of paint for a job, (2) try to use up leftover paint when you can or give their unwanted paint to others who can use it, such as schools, churches and non-profits, and (3) if you still have unwanted paint, bring it to a PaintCare site for recycling.

Program Awareness

Additional messages are used to create awareness of the program and answer these questions:

- What is PaintCare and why does the program exist?
- Why was the law passed (e.g., product stewardship, cost savings to municipalities)?
- How much is the PaintCare Fee and what is it for?
- Which products are accepted in the program and which products are not?

C. Target Audiences

PaintCare’s outreach and education strategy will focus appropriate messages to the following audiences:

- Households (residents)
- Businesses that generate paint (e.g., professional painters, contractors, property managers)
- Trade associations (e.g., contractors associations, realtor associations)
- Paint retailers
- Non-English speakers

The following examples illustrate how the program may adjust the emphasis of messages in outreach materials based on target audience:

Households

- Emphasize how to find a drop-off site to recycle paint – this is the information most requested.
- Promote using up leftover paint to do-it-yourselfers as a primer or for small or creative projects.
- Educate consumers on how to buy the right amount of paint by describing factors that determine the correct amount of paint needed in addition to calculating square footage of the walls, such as the texture of the surface to be painted, quality and coverage rate of the paint, changing colors, and whether the surfaces have been previously painted or primed. PaintCare will promote that consumers consult with paint store staff rather than relying on simple square footage calculations.

Businesses that Generate Paint

- Emphasize “Recycle the Rest” as more recycling opportunities will be available than previously and also available districtwide.
- Promote using up leftover paint.

- Promote the LVP service to businesses with large volumes of leftover paint so they can request a direct pick-up of all of their leftover paint rather than transport their paint to drop-off sites a little at a time.

Real Estate Agents

Many new home buyers find paint left behind by previous owners. To help those either buying or selling a home, PaintCare will reach out to real estate agents. Although real estate agents usually don't generate leftover paint themselves, they are in an excellent position to help educate home buyers, sellers, as well as the professional painters who help get the homes ready to sell.

Paint Retailers

PaintCare has developed print materials for use by all paint retailers to educate store staff and the general public (regardless of whether or not they are drop-off sites) about the program. Retailers are provided PaintCare materials at no charge. Examples include:

- Brochures and mini cards that help the public find drop-off sites and explain the program.
- Signage that promotes general awareness of the program, explains the PaintCare Fee, and how to find a paint drop-off site.
- Fact sheets (available as printed copies or from PaintCare's website) and designed for a number of audiences and subjects (e.g., general information, how to become a paint drop-off site, how to request a large volume pick-up).

It is the responsibility of PaintCare to provide outreach and education materials to retailers of paint. Retailers may order printed materials using PaintCare's order form or by phone year round. Drop-off sites also receive materials from PaintCare staff during site visits. Finally, electronic files of materials are always available from PaintCare's website for retailers who wish to print them.

PaintCare will also inform retailers that PaintCare's outreach messaging about buying the right amount of paint for a job recommends that customers consult with retail store staff.

Translated Materials

PaintCare has identified the need to translate the program brochure and fact sheets into languages other than English that are commonly spoken. In the District, PaintCare will translate brochures and fact sheets into Amharic, Chinese, French, Korean, Vietnamese and Spanish, and other languages upon request. Translated materials are also available at any time to retailers and electronic copies will be posted on PaintCare's website.

D. Phasing in Outreach

PaintCare has learned from starting programs in eight states that at the start of a new program, it is important to balance the need to inform the public about the new program (that there is a new fee on paint and that there are new paint drop-off sites) with the need to allow the drop-off sites time to become familiar and comfortable with program operations.

The use of the Fort Totten HHW program by District residents often requires acting in a timely manner because the number of operating days and hours are limited. At the start of PaintCare programs in some

states, some sites were deluged with large numbers of people hurrying to use the retail drop-off sites as soon as they learned about the program because they assumed that the program would be limited in some way. However, with PaintCare there is no immediacy to using the retail drop-off sites because they are available year round.

PaintCare will conduct outreach to all Wards in the District about the program and drop-off options, but the outreach will be phased in gradually in order to avoid overwhelming sites and frustrating customers and retailers. When paint storage bins become full, sites cannot accept more paint until the full bins are replaced with empty ones for safety reasons. If customers are then turned away, they become unhappy with the program and with the retailer, the retailer also becomes frustrated turning customers away, and there is concern this may lead to illegal dumping.

To address these issues, PaintCare's approach will be to limit outreach at the start of the program to press releases that announce that there is a new program – with a fee on new paint – and explain that retail drop-off sites are permanent and open year round during regular business hours. As sites become more comfortable with the operations, PaintCare will gradually start placing media buys to increase awareness of the program and inform people how to find drop-off sites. Once the retailers that are serving as drop-off sites are more comfortable with the program, PaintCare will expand the level of outreach. Due to the fact that the District is a relatively small area within a larger and expensive media market that includes large suburban populations in Maryland and Virginia, broadcast media will not be used because radio and television cannot be isolated to only listeners within the District borders. Compared to the eight PaintCare states, the mass media options are limited, and PaintCare will use mostly POS materials distributed in paint stores, local or neighborhood newspapers targeted to District residents and businesses, regular mail, and geo-targeted social and online media in combination with direct face-to-face contact at community events.

This initial strategy lacks an important element – informing those people who may not see any news stories that the PaintCare Fee is being added to their new paint purchases. PaintCare knows that professional painters and other consumers who purchase paint frequently will notice the new fee and be more concerned and vocal than those who buy paint infrequently. To address this group, PaintCare will work with painting contractors and their associations to inform them in advance of the program and fees, and has already started to provide fact sheets to retailers to insert in their monthly bills to regular customers and make available in the stores so that customers will not be surprised by the fees.

E. Stakeholder Meetings with Retailers

Experience in PaintCare's existing programs demonstrated that it is difficult to get retailers to use written materials about the PaintCare program, despite offering and delivering them free of charge. To address this, PaintCare worked with retail stakeholders to learn what would make them more willing or interested in utilizing PaintCare's materials and promoting the benefits of the program.

PaintCare held two meetings with retailers: In California in June 2012, several months prior to the start of that program (PaintCare's second program), and in Oregon in 2013, almost three years after the start of that program. At these meetings, retailers reviewed PaintCare point-of-sale materials (posters, brochures, etc.) and provided feedback about messaging, design, size, adaptability, co-branding and other elements that may factor into a retailers willingness or ability to use these materials. Key feedback from these meetings included:

- Messages should be simple and not abstract in any way, e.g., “Recycle with PaintCare” was recommended to replace “From Basement to Beautiful, from Garage to Glorious.”
- Retailers requested a simple and small card to hand to customers to help them contact PaintCare by phone or via the website to find a drop-off site.
- Estimating the correct amount of paint to purchase is complicated. It requires knowledge about the type of paint, surface to be painted, and other factors. Retailers would not utilize or distribute PaintCare materials addressing this subject because it oversimplified the purchasing process and was likely to result in incorrect estimates. Instead, retailers suggested PaintCare educate consumers to seek advice about buying the right amount of paint from store staff.
- Retailers need to provide advance notice to their commercial customers (mostly professional painters) to provide them ample time to prepare for the new fees and incorporate the fees into their bids/estimates prior to the start of the program.
- After the first year of the program, there are not many complaints about fees and the focus should be shifted more to information about drop-off site and other recycling services, and less on the fees.
- Drop-off sites like to be listed in newspaper ads and see their name in print.

Much of the input received from retailers has been incorporated into PaintCare outreach materials and PaintCare continues to solicit and encourage feedback from paint retailers and transfer stations about the program’s print materials and other promotional efforts. Feedback from retailers since these focus groups were held have led to additional signage about what products are acceptable, cobranded materials (brochures and fact sheets developed with a retailer and including their logo), a counter mat version of the store poster, translations of POS materials into additional languages, better window posters, and digital ads for the retailers to use on their own websites to promote to their customers that they take back paint.

F. Site Locator Tool

PaintCare is committed to providing accurate, up-to-date information regarding paint recycling options available to the public and has developed its own nationwide database of paint collection programs, referred to as the *site locator tool*. This tool provides a unique, paint-specific, easy-to-use way to search for the nearest PaintCare drop-off site. Site-specific information will explain who is eligible to use a site and what limitations apply. This tool is available from PaintCare’s website. In non-PaintCare States the tool lists HHW programs where the public can bring leftover paint. In PaintCare States, it lists only PaintCare drop-off sites, including HHW programs that partner with PaintCare.

G. PaintCare Hotline

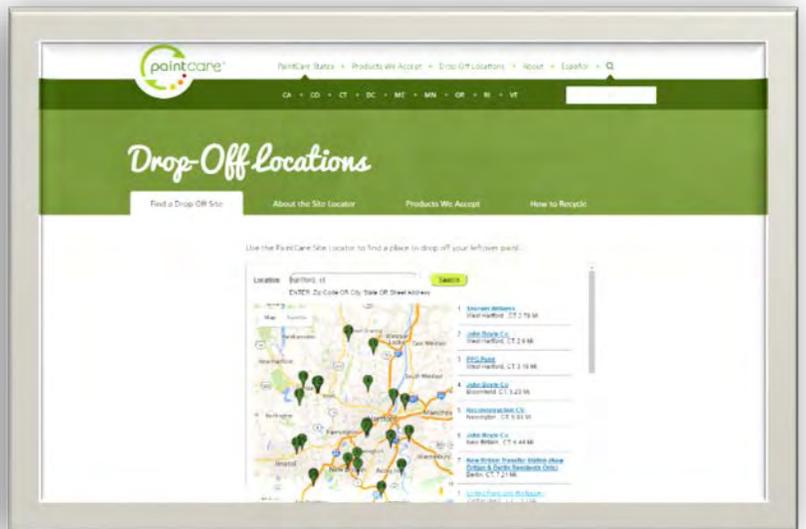
PaintCare operates a weekday hotline to assist the public with finding the nearest drop-off site and to answer questions about the program. The primary hotline staff person speaks English and Spanish.

H. Surveys

PaintCare will conduct a consumer awareness survey each year to measure awareness of the program. The surveys will target the general public, and results of each survey will be included in the Annual Reports. At a minimum the questions will ask if respondents are aware of opportunities recycling unwanted postconsumer paint in the District. Other questions may vary from one survey to another.

I. Examples of Outreach Materials

Program Brochure, Mini Card, General Program Poster, Counter Mat, Fact Sheet for Painting Contractors, Fact sheet for Large Volume Pick-Up, Newspaper advertisement, Site locator tool. Full size electronic versions of PaintCare POS materials and examples of advertisements are available from www.PaintCare.org.



6. Program Budget and Paint Stewardship Assessment

Statutory Citation

Division I, Title 8. Subtitle A. Chapter 2A. Subchapter II. Paint Stewardship

D.C. Code 8-233.02 Producer paint plan required. (a) By April 1, 2016, a producer of paint sold at retail in the District, or a representative organization in which the producer is a member, shall submit a plan for the establishment of a paint stewardship program to the Mayor for approval. The Plan shall:

(5) Describe sufficient funding for securing and disbursing funds to cover administrative, operational, and capital costs, including the assessment of charges on paint sold by producers in the District. The funding mechanism shall provide for a paint stewardship assessment for each container of paint sold in the District by producers and the assessment shall be remitted to the representative organization, if applicable.

Section Overview

This section discusses:

- PaintCare’s funding mechanism
- Projected paint sales and collection volumes
- Paint stewardship assessment
- Annual budget

A. Introduction

Architectural paint manufacturers – through representation by PaintCare – have established a sustainable funding system to cover the cost of implementing the District of Columbia Paint Stewardship Program. The PaintCare program works by placing a paint stewardship assessment on qualifying containers of architectural paint sold in the District of Columbia beginning on the program’s start date. This assessment is referred to as the *PaintCare Fee*. The PaintCare Fee is set at a rate to cover, but not exceed, the cost of implementing the District’s program. All revenue generated by fees on District of Columbia paint sales is spent on the District’s program.

B. Funding Mechanism

As the representative stewardship organization, PaintCare will implement and direct all aspects of the District of Columbia Paint Stewardship Program for participating manufacturers, including the financial components. Funding for program implementation will come from registered manufacturers (discussed in Section 2 of this plan) to PaintCare in the form of the PaintCare Fee. The following steps describe the application of the PaintCare Fee:

- (1) Manufacturers add the PaintCare Fee to containers of architectural paint sold in the District directly or through dealers (retailers and distributors).
- (2) Retailers and distributors pass the PaintCare Fee to their customers by including it in the price of architectural paint they sell in the District.

- (3) When consumers buy architectural paint in the District, the PaintCare Fee is included in the purchase price. This is how retailers (and distributors) recoup the PaintCare Fee they paid when purchasing architectural paint from their suppliers.
- (4) Within a designated timeframe (generally monthly), manufacturers report sales and remit to PaintCare the PaintCare Fees for architectural paint they sold in the District in the preceding reporting period. Manufacturers have already recouped the PaintCare Fees they pay to PaintCare because the Fees were included in the price of their architectural paint when they sold it to their dealers.

C. Paint Sales

Due to complex distribution chains that may involve layers of distributors between the manufacturer and final point of sale, most manufacturers do not know the volume of their paint sold into each individual state. To address this, PaintCare commissioned a study in 2012, with updates conducted in 2014 by a research firm that specializes in coatings industry analysis and economic forecasting. The firm utilized key indicators including existing home sales, housing starts, state-level employment rates and commercial vacancy rates to build a national and state-level model for predicting annual sales of architectural paint. The results of the study worked well for projecting paint sales in three early PaintCare states (California, Connecticut, and Rhode Island), but sales were significantly lower than projected in three later PaintCare states (Maine, Minnesota, and Vermont), leading to deficits in the latter three states.

As a result of this discrepancy, PaintCare is using a different method for projecting paint sales in the District of Columbia. The method takes the average, per capita, calendar year 2015 paint sales for the six PaintCare states (California, Connecticut, Minnesota, Oregon, Rhode Island, and Vermont) that were operational the entire 12 months in 2015. This average is then multiplied by the population of the District to derive the number of gallons of paint projected to be sold on a per capita basis in the District. The result is 1.67 gallons per capita per year.

Next, to determine the mix of container sizes – pints/quarts, 1-gallon, and 5-gallon – an average percent of each size category was determined using the 2015 breakout from the six states noted above. The result is 5% of paint is sold in pints/quarts, 50% in 1-gallons, and 45% in 5-gallons.

Following implementation, the program will know the actual sales volume and container size mix in the District from manufacturer reporting and fee payments. If actual sales differ from the estimates used to develop the projected budget, then the estimated revenue, postconsumer paint collection volumes, and related costs may need to be revised. If this results in the need to change the fee structure, approval would be required from DOEE.

D. Paint Collection Volumes

Paint is designed to be fully consumed through application to walls, buildings and other surfaces. Although the amount of postconsumer paint received through collection programs is measurable, the actual quantity of postconsumer paint that is leftover, unwanted and available for collection at any one time is unknown. The lag time between the purchase of paint and the decision that the remaining volume is unwanted, and the additional time taken to recycle or dispose of it, can vary greatly. In addition, architectural paint products have a long shelf-life, so consumers purchasing paint in one year

may not decide that the unused portion is unwanted for several years. All of these factors make it difficult to determine how much postconsumer paint is available for collection.

Postconsumer Paint Volume Studies and Projections

In preparing this program plan, PaintCare considered a number of studies that estimate postconsumer volumes (see Appendix G for a list of studies and their key findings). The summary of these studies is that approximately 10% of paint is leftover and of that 7% is available for collection. These numbers are consistent with data from mature programs in Canada and PaintCare’s Oregon Program which has been operating for almost six years.

The following assumptions and data were used in deriving the anticipated revenue and volume of postconsumer paint to be collected annually in the District of Columbia once the program is in a relatively steady state. This information is also summarized in the table on the next page.

- Sales volume will remain relatively stable in the District, at approximately 1.1 million gallons annually – this volume is needed to project revenue.
- 10% of architectural paint sold remains leftover and is available for recycling, equaling approximately 110,000 gallons – this volume is needed to project collection volumes.
- Mature paint stewardship programs collect about 7% of leftover paint annually, equaling approximately 77,000 gallons. This value can also be stated as the equivalent of 7% of sales, referred to as the recovery rate (volume collected divided by volume sold). However, because of there is a limited number of paint retailers in the District to serve as drop-off sites, PaintCare is reducing this volume slightly, to 6%, or 66,000 gallons.

Projected Collection Volumes and Recovery Rate

Description	Gallons
Annual sales volume for revenue projections	1,100,000
Annual volume leftover (10% of sales)	110,000
Annual collection volume once the program is mature (6% of sales)	66,000

E. Program Budget and Paint Stewardship Assessment

PaintCare has developed a budget and proposed a fee structure to sustain the District’s program once it is mature. It is PaintCare’s experience from other states that it takes years for a program to reach a steady state of paint collection and costs. As described in the Outreach and Education section of this plan, because PaintCare is cautious in publicizing the program in the first year, outreach and resulting paint collection volumes increase gradually over the first few years of the program. Conversely, the program has already and will continue to build up pre-program expenses until it starts and revenue is generated. These are expenses for activities that support the program from the time legislation passed to the time the program launches and funding becomes available. It includes personnel time, program supplies, legal costs, etc. The reduced costs at the start of the program resulting from a soft launch will allow pre-program expenses to be paid off in the early years of the program.

The proposed annual budget that follows is based on the assumptions discussed previously and that result in a projected recovery rate of 6% once the program is mature. The following describes the primary elements of the budget.

Revenue

The volume of paint sales and the corresponding container mix is derived from averages of actual paints sales in other PaintCare states.

Operational (Direct) Expenses

- In combination, paint transportation and processing are the most significant expense of the program, and are estimated to be approximately 61% of the District of Columbia's total program costs. Transportation and processing costs for the District are based on contract pricing with the program's service provider.
- Collection support is estimated to be 8% of program costs and includes paint storage bins, spill kits for drop-off sites, labor to assist LVP service users pack their paint, and other paint collection-related support.
- Communication expenses include advertising and promotional materials to increase awareness of the program. They represent approximately 10.5% of program costs.
- Personnel, professional fees and other expenses include the cost of one part-time District-dedicated employee, legal costs for developing contracts, and other logistical, professional support, and miscellaneous office expenses. These add up to approximately 10% of program costs.
- State administrative and oversight fees in the amount of \$26,000 will be paid by PaintCare to DOEE annually – representing approximately 3.5% of program costs.

Corporate (Indirect) Expenses

Corporate expenses, also referred to as administrative or indirect expenses) are those that that are not specific to the District, but rather indirectly support the District's program. They include corporate staffing (e.g., PaintCare's Executive Director and communications team), IT support, company-wide auditing and legal fees, and other general services that support all PaintCare states.

Corporate costs are allocated among all PaintCare states based on their relative populations. At the time of this plan, the District of Columbia represents just over 1% of the combined population of the eight PaintCare states and the District. Total corporate costs are estimated to be \$4.7 million annually, or approximately \$50,000 annually for the District of Columbia. These costs represent approximately 7% of the program budget.

Reserve Policy

Reserves (or net assets) represent the accumulated surplus (or deficit) of the program. PaintCare has a Reserve Policy to maintain net asset balances in each PaintCare state program. This policy establishes a minimum threshold of 17% of annual expenses (i.e., at least two months of operating expenses). The accumulated balance allows PaintCare programs to continue to operate in times of either higher than expected postconsumer paint collection or lower than expected paint sales – or a combination of the two.

Paint Stewardship Assessment

The combination of anticipated program costs and projected revenue, results is the following proposed paint stewardship assessment (PaintCare Fee) structure to sustainably fund the District’s program.

Container Size	Fee
Half pint or smaller	\$ 0.00
Larger than half pint to smaller than 1 gallon	\$ 0.45
1 gallon	\$ 0.95
Larger than 1 gallon up to 5 gallons	\$ 1.95

In order for the District’s program to operate on the calendar year, PaintCare and DOEE have agreed to an initial 4-month reporting period followed by annual 12-month, calendar year-based reporting periods. Since PaintCare first report will cover the 4-month period of September-December 2016, a proposed budget is provided for this period. This is followed by a proposed annual, 12-month budget.

Program Budget for the Reporting Period September 1 – December 31, 2016

Revenue	
Container size: Larger than half pint to smaller than 1 gallon	\$ 33,670
Container size: 1 gallon	168,352
Container size: Larger than 1 gallon up to 5 gallons	58,923
Total revenue	260,945
Expenses	
Paint transportation and processing	108,460
Collection support	23,120
Communications	18,000
Personnel, professional fees, other	38,475
District administrative fees	50,000
Total direct expenses	238,055
Allocation of corporate activity (indirect expenses)	16,000
Total expenses	254,055
Change in net assets	6,890
Pre-program cost*	(184,063)
Ending net assets	\$ (177,173)

*PaintCare has incurred, and will continue to incur, pre-program/start-up costs until the program launches. These costs include but are not limited to personnel, legal costs, and the allocation of corporate expenses.

Annual Program Budget

Revenue

Container size: Larger than half pint to smaller than 1 gallon	\$ 99,184
Container size: 1 gallon	523,474
Container size: Larger than 1 gallon up to 5 gallons	193,410
Total revenue	816,068

Expenses

Paint transportation and processing	448,279
Collection support	51,478
Communications	78,000
Personnel, professional fees and other	72,550
State administrative fees	26,000
Total direct expenses	686,307

Allocation of corporate activity (indirect expenses)	50,000
Total expenses	736,307

Change in net assets	\$ 79,761
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7. Annual Report and Financial Audit

Statutory Citation

Division I, Title 8. Subtitle A. Chapter 2A. Subchapter II. Paint Stewardship

D.C. Code 8-233.02 Producer paint plan required. (f) On or before October 1, 2017, and annually thereafter, a producer or representative organization shall submit a paint stewardship program report to the Mayor that includes:

- (1) A description of the methods used to collect, transport, and reuse or process postconsumer paint in the District.*
- (2) The total volume and type of postconsumer paint collected in the District and the volume by method of disposition.*
- (3) The total cost of implementing the program, as determined by an independent financial audit funded from the paint stewardship assessment.*
- (4) Samples of educational information provided to consumers of paint and a description of how the information is distributed.*
- (5) Other information as required by the Mayor through rulemaking.*

Section Overview

This section discusses:

- Content of the Annual Report
- Content and process for the annual financial audit

A. Annual Report

PaintCare will submit an Annual Report to the DOEE in the spring of each year covering the previous calendar year.

The Annual Report will include, at a minimum:

- A description of the methods used to collect, transport, and reuse or process postconsumer paint in the District.
- The total volume and type of postconsumer paint collected in the District and the volume by method of disposition.
- The total cost of implementing the program, as determined by an independent financial audit funded from the paint stewardship assessment.
- Samples of educational information provided to consumers of paint and a description of how the information is distributed.

B. Financial Audit

PaintCare undergoes an annual, independent financial audit of the organization as a whole. PaintCare conducts a competitive selection for the auditing firm and hires the auditor to conduct an independent audit. The cost of the audit is shared by all PaintCare states.

While the audit is conducted of the organization as a whole, it will also serve as the annual financial audit of the District of Columbia Paint Stewardship Program.

The independent audit is conducted in accordance with auditing standards generally accepted in the United States of America. Those standards require that the auditing firm plan and perform the audit to obtain reasonable assurance that financial statements are free of material misstatement. The audit also includes examination, on a test basis, of evidence supporting the amounts and disclosures in the financial statements; evaluation of the accounting principles used and any significant estimates made by management; and appraisal of the overall financial statement presentation. PaintCare will include the audited financial statements as part of the Annual Report.

Appendix A

ENROLLED ORIGINAL

AN ACT
D.C. ACT 20-501

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 8, 2014

To require a producer of paint sold in the District to establish and implement a paint stewardship program in the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Paint Stewardship Act of 2014".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Distributor" means a company that has a contractual relationship with one or more producers to market and sell paint to retailers in the District.

(2) "Environmentally sound management practices" means procedures for the collection, storage, transportation, reuse, recycling, and disposal of paint, to be implemented by the producer, representative organization, or their contracted partners to ensure compliance with applicable federal and District laws and regulations and to protect human health and the environment. These procedures shall address adequate record keeping, tracking, and documenting the fate of materials, and adequate environmental liability coverage for professional services and for the contractors working on behalf of the producer or representative organization.

(3) "Paint" means interior and exterior architectural coatings sold in containers of 5 gallons or less and does not mean industrial, original equipment, or specialty coatings.

(4) "Paint stewardship assessment" means the amount added to the purchase price of paint sold in the District necessary to cover the paint stewardship program's cost of collecting, transporting, and processing the postconsumer paint District-wide.

(5) "Postconsumer paint" means paint not used and no longer wanted by a purchaser.

(6) "Producer" means a manufacturer of paint who sells, offers for sale, or distributes that paint in the District under the producer's own name or brand. The term "producer" does not include a retailer that adds tint, colorant, or other additives to paint at the retail location.

(7) "Recycling" means a process by which discarded products, components, and by-products are transformed into new usable or marketable materials in a manner in which the original products may lose their identity but does not include energy recovery or energy generation by means of incineration or combustion of discarded products, components, and by-products with or without other waste products.

ENROLLED ORIGINAL

(8) "Representative organization" means a nonprofit organization created by producers to implement a paint stewardship plan required by section 3.

(9) "Retailer" means a person or entity that offers paint for sale at retail in the District.

(10) "Reuse" means the return of a product into the economic stream for use in the same kind of application as originally intended, without a change in the product's identity.

(11) "Sell" or "sale" means any transfer of title for consideration including remote sales conducted through sales outlets, catalogs, or electronic means.

Sec. 3. Producer paint stewardship plan required.

(a) By April 1, 2016, a producer of paint sold at retail in the District, or a representative organization in which the producer is a member, shall submit a plan for the establishment of a paint stewardship program to the Mayor for approval. The plan shall:

(1) Minimize District involvement in the management of postconsumer paint by reducing its generation, promoting its reuse and recycling, and implementing agreements to collect, transport, reuse, recycle, and dispose of postconsumer paint using environmentally sound management practices;

(2) Provide for convenient and available collection of postconsumer paint that, at a minimum, provides for collection rates and convenience equal to or greater than the collection programs available to consumers before the paint stewardship program and addresses coordination of the paint stewardship program with existing household hazardous waste collection infrastructure;

(3) Ensure the program addresses coordination with local nonprofit building material reuse organizations without charge to the organizations;

(4) Identify each producer participating in the program and the brands of paint sold in the District by each producer;

(5) Describe sufficient funding for the paint stewardship program, including a funding mechanism for securing and disbursing funds to cover administrative, operational, and capital costs, including the assessment of charges on paint sold by producers in the District. The funding mechanism shall provide for a paint stewardship assessment for each container of paint sold in the District by producers and the assessment shall be remitted to the representative organization, if applicable; and

(6) Describe how postconsumer paint will be managed in the most environmentally and economically sound manner, including following the sustainable solid waste management hierarchy established in section 102 of the Sustainable Solid Waste Management Amendment Act of 2014, enacted on September 23, 2014 (D.C. Act 20-423; 61 DCR 9971).

(b)(1) A paint stewardship assessment established in accordance with paragraph (2) of this subsection shall be added to the cost of all paint sold to retailers and distributors in the District. Retailers and distributors shall add the assessment to the purchase price of all paint sold in the District.

(2) The paint stewardship assessment shall be approved by the Mayor as part of

ENROLLED ORIGINAL

the plan, and shall be sufficient to recover, but not exceed, the cost of the paint stewardship program. The plan shall require that any surplus funds be put back into the program to reduce the costs of the program, including the assessment amount.

(c) A producer or its representative organization shall implement its paint stewardship program plan within 3 months of the plan's approval by the Mayor.

(d) Beginning September 1, 2016, a producer shall not sell or offer for sale paint to any person in the District unless the producer of the paint or a representative organization of which the producer is a member submitted a paint stewardship plan to the Mayor on or before April 1, 2016, that has not been disapproved, or is implementing an approved paint stewardship program plan as required by this section.

(e) A producer or representative organization shall provide consumers in the District with educational materials regarding the paint stewardship assessment and paint stewardship program, including information regarding available end-of-life management options for paint offered through the paint stewardship program and information notifying consumers that a charge for the operation of the program is included in the purchase price of all paint sold in the District.

(f) On or before October 1, 2017, and annually thereafter, a producer or representative organization shall submit a paint stewardship program report to the Mayor that includes:

- (1) A description of the methods used to collect, transport, and reuse or process postconsumer paint in the District;
- (2) The total volume and type of postconsumer paint collected in the District and the volume by method of disposition;
- (3) The total cost of implementing the program, as determined by an independent financial audit funded from the paint stewardship assessment;
- (4) Samples of educational information provided to consumers of paint and a description of how the information is distributed; and
- (5) Other information as required by the Mayor through rulemaking.

Sec. 4. Retailer obligations.

(a) Beginning September 1, 2016, or within 2 months of the Mayor's first website publication of the list required under section 5(d), whichever is later, a retailer shall not sell or offer for sale paint to a person in the District unless the producer or the paint brand was listed on the website maintained by the Mayor under section 5(d) on the date the paint was ordered from the paint producer or the producer's agent.

(b) A paint retailer may participate on a voluntary basis as paint collection points pursuant to a paint stewardship program.

Sec. 5. Mayor's responsibilities.

(a) The Mayor shall review and determine whether to approve a paint stewardship program plan submitted under section 3 within 120 days of its receipt. The Mayor shall make the plan available for public review for at least 30 days before determining whether to approve the plan.

(b) The Mayor may approve or deny the plan and may make approval of the plan

ENROLLED ORIGINAL

contingent upon the removal, change, or inclusion of specific actions and practices, or the addition of paints covered under section 2(3).

(c) Within 60 days of submission of a report under section 3(f), upon a determination by the Mayor that the implementation of the approved plan fails to meet the requirements of this act or regulations promulgated pursuant to this act, the Mayor may request modifications to the producer of representative organization's paint stewardship program plan. The Mayor may approve or deny the proposed modifications to the plan as set forth in section 5(b). The Mayor may impose civil penalties under section 7 upon a determination that the paint stewardship organization or producer is not complying with the modified plan.

(d) Within 7 days of approving a paint stewardship program plan, the Mayor shall list the producers and brands implementing or participating in the plan on the Mayor's website.

(e) The Mayor shall impose an initial fee to be submitted with a proposed paint stewardship program plan under section 3(a) and an annual fee to be submitted thereafter in an amount sufficient to cover the costs of an agency reviewing a paint stewardship program plan, conducting inspections, and enforcing the provisions of this act. Permit fees collected pursuant to this section shall not exceed the cost of implementing and enforcing this act.

Sec. 6. Immunity from liability; confidential information.

(a) Notwithstanding the provisions of Chapter 45 of Title 28 of the D.C. Official Code, a producer or producers and a representative organization may negotiate, enter into agreements with, share the burdens of their operation with, and conduct business with each other in accordance with this act in ways that may affect competition. No producer or representative organization shall be prosecuted, held liable, or subject to penalties or damages under Chapter 45 of Title 28 of the D.C. Official Code for actions conducted in accordance with this act.

(b) Financial, production, and sales data reported to the Mayor by a producer or representative organization shall not be subject to disclosure under the Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), or any other law or regulation; provided, that the Mayor may release a summary form of the data that does not disclose individual producer information.

Sec. 7. Rules; enforcement.

(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.

(b) The Mayor may impose civil fines and penalties as sanctions for violations of the provisions of this act or any rules issued under the authority of this act, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*) ("Civil Infractions Act"). Enforcement and adjudication of an infraction shall be pursuant to the Civil Infractions Act.

(c) In addition to the enforcement authority provided in subsection (b) of this section, the Mayor may seek injunctive relief or other appropriate remedy in any court of competent jurisdiction to enforce compliance with the provisions of this act.

ENROLLED ORIGINAL

Sec. 8. Fiscal impact statement.

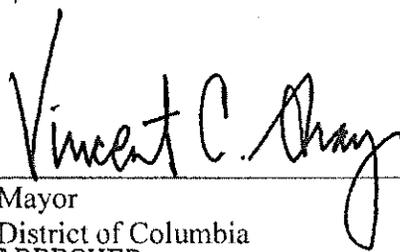
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 9. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 8, 2014

Appendix B



1500 RHODE ISLAND AVENUE N.W. • WASHINGTON, DC 20005 • T 855.724.6809 • F 855.385.2020

PaintCare Board of Directors

Steve Devoe	Kelly-Moore Paint Company, Inc. (Chairman)
Steve McMenemy	California Product Corporation (Vice-Chairman)
Barry Chadwick	Benjamin Moore and Co.
John Gilbert	Behr
Michael Kenny	Henry Company
John McLaughlin	RPM
John Vanderpool	True Value
Mike Weber	Hirshfield's Paint
Tom White	UGL
Simon Yeung	Valspar
George Young	Sherwin-Williams

Appendix C



Registered Manufacturers

District of Columbia Paint Stewardship Program as of 4/1/2016

- 1 Ace Hardware Paint Division
- 2 Amitha Verma, LLC
- 3 Anchor Paint Manufacturing Company of Denver Inc
- 4 Basic Coatings
- 5 Benjamin Moore & Co.
- 6 Betco Corporation LTD
- 7 Bond Distributing, Ltd.
- 8 Clemons Concrete Coatings
- 9 Complementary Coatings Corp.
- 10 CRC Industries, Inc.
- 11 Custom Building Products, Inc.
- 12 Eagle IFP Company
- 13 Gaco Western LLC
- 14 Gardner-Gibson
- 15 Gemini Coatings, Inc.
- 16 Gemini Industries, Inc.
- 17 H. Behlen & Bro.
- 18 Heartwood Corp
- 19 Henry Company LLC
- 20 Insl-X Products
- 21 Laticrete International, Inc.
- 22 Mad Dog Paint Products, Inc.
- 23 One Time
- 24 Osmo Holz und Color GmBH &Co.KG/ Osmo NA
- 25 Osmo USA
- 26 Penofin
- 27 Performance Coatings, Inc.
- 28 Preserva Products, Ltd
- 29 Protek Paint LTD
- 30 Quikrete
- 31 Ready Seal, Inc.
- 32 RPM Wood Finishes Group, Inc.
- 33 Rudd Company, Inc.
- 34 Rust-Oleum Corporation
- 35 Sherwin-Williams
- 36 Sika Corporation
- 37 Sydney Harbour Paint Company
- 38 Textured Coatings of America, Inc.
- 39 Texturline Decorative Products
- 40 Timber Pro Coatings
- 41 True Value Manufacturing Company
- 42 United Gilsonite Laboratories (UGL)
- 43 United States Gypsum Company
- 44 Valspar Corporation
- 45 Ware Products LLC
- 46 Waterlox Coatings Corporation
- 47 Yolo Colorhouse LLC



A-100	Anchor / Unikote Int-Ext Gloss Oil Enamel P-600 Series	Benjamin Moore Moorcraft Super Craft
Accolade®	Anchor / Unikote Int-Ext Semi-Gloss Oil Enamel P-400 Series	Benjamin Moore Moorcraft Super Hide
Ace Contractor Pro Paints and Primers	Anchor / Unikote Latex Drywall Primer P1508	Benjamin Moore Moore's Floor and Patio
Ace Essence Paints	Anchor / Unikote Porch & Deck Latex Enamel P1400 Series	Benjamin Moore Moore's Kitchen and Bath
Ace Great Finishes Interior Stains & Varnishes	Anchor / Unikote Waterborne Masonry Sealer P-1122	Benjamin Moore Moore's Masonry Sealer
Ace Interior Premium Enamels	Anchor / Waterborne Lot Coating	Benjamin Moore Moore's Muresco
Ace Royal Finest Paint	Anchor / Wood Wonder Latex Stain	Benjamin Moore Moore's Porch and Floor
Ace Royal Paints and Primers	Andersons	Benjamin Moore Moore's Swimming Pool Paint
Ace Rust Stop Enamels and Primers	Apoc	Benjamin Moore MoorePro
Ace Sealtech Waterproofers	Aqua Mix Aqua Stain	Benjamin Moore Moorgard
Ace Sensations Paint	Aqua Mix Enrich-n-Seal	Benjamin Moore Moorglo
Ace Simply Magic Ceiling Paint	Aqua Mix High Gloss Sealer	Benjamin Moore Moorlastic Elastomeric
Ace Stain	Aqua Mix Penetrating Sealer	Benjamin Moore Moorlife
Ace Stain Halt	Aqua Mix ProSolv	Benjamin Moore Multi-Purpose Primer/Finish
Ace Wood Royal Exterior Stains	Aqua Mix Seal & Finish Low Sheen	Benjamin Moore Natura
American Accents	Aqua Mix Sealer's Choice Gold	Benjamin Moore Premium Exterior Stain
Amitha Verma	Aqua Mix Stone Enhancer	Benjamin Moore Pro Finish
Anchor / 1600 Series Anco Inhibitive Primers	Aqua Mix UltraSolv	Benjamin Moore Regal
Anchor / 1601 Asphaltic Black	Aqua Zar (All Gloss Levels)	Benjamin Moore Regal Select
Anchor / Environ II DTM Latex Enamel 3800 Series	Architect Series	Benjamin Moore Satin Impervo
Anchor / Fin Seal 1109	Artistic Finishes	Benjamin Moore Solid Color Stain
Anchor / Flexi-Coat 100% Acrylic Latex Exterior Primer 3601	Aspire	Benjamin Moore Studio Finishes
Anchor / Flexi-Coat 100% Acrylic Latex Exterior Satin Finish 3600 Series	AutoBody Master	Benjamin Moore Super Craft
Anchor / Flexi-Coat Aviation Tower Coatings AA-4514 & AA-4515	Bakor	Benjamin Moore Super Spec (does not include Super Spec HP)
Anchor / Flexi-Coat Plus 100% Acrylic Latex Exterior Satin Finish CC-1805 Series	Barn & Fence Paints	Benjamin Moore Super Spec 100% Acrylic Exterior Flat
Anchor / Poly U Super Spar Varnish 1170	Basic Coatings Hardwood Floor Refinisher Gloss	Benjamin Moore Super Spec 100% Acrylic Exterior Satin
Anchor / Richwood Oil Stain 3300 Series	Basic Coatings Hardwood Floor Refinisher Satin	Benjamin Moore Super Spec HP 220 Latex Flat Fire Retardant Coating
Anchor / Safety Zone Marking Paint	Bellezza	Benjamin Moore Super Spec HP Alkyd Metal Primer
Anchor / Satin Speed Stain 2500 Series	Benjamin Moore Advance	Benjamin Moore Super Spec HP Clear Acrylic Sealer
Anchor / Signature Interior Eggshell Latex 5100 Series	Benjamin Moore Alkyd Dulamel	Benjamin Moore Super Spec HP DTM Acrylic Gloss
Anchor / Signature Interior Flat Latex 5000 Series	Benjamin Moore Anti-Slip Coating	Benjamin Moore Super Spec HP DTM Acrylic Low Lustre
Anchor / Sun Up Oil Based House Primer 1516	Benjamin Moore Arborcoat	Benjamin Moore Super Spec HP DTM Acrylic Semi-Gloss
Anchor / Unikote Interior Eggshell Latex P-200 Series	Benjamin Moore Aura	Benjamin Moore Super Spec HP DTM Alkyd Gloss Enamel
Anchor / Unikote Interior – Exterior Semi-Gloss Latex P-300 Series	Benjamin Moore Ben	
Anchor / Unikote Interior Flat Latex P-100 Series	Benjamin Moore Benwood Finishes	
	Benjamin Moore Color Samples	
	Benjamin Moore Concepts	
	Benjamin Moore Concrete Stain	
	Benjamin Moore Concrete Waterproof Sealer	
	Benjamin Moore Eco Spec	
	Benjamin Moore Fresh Start	
	Benjamin Moore Grand Entrance	
	Benjamin Moore Imagine	
	Benjamin Moore Impervex	
	Benjamin Moore Impervo	
	Benjamin Moore Ironclad	



Benjamin Moore Super Spec HP DTM Alkyd Low Lustre	Classic Cote	Coronado Super Kote 5000
Benjamin Moore Super Spec HP DTM Alkyd Semi-Gloss Enamel	ColorAccents Interior Alkyd	Coronado Supreme
Benjamin Moore Super Spec HP Rust Converter	Color Decor	Coronado Texcrete
Benjamin Moore Super Spec HP Shop-Coat Alkyd Metal Primer	Color Extra	Coronado Texcrete Wb
Benjamin Moore Super Spec HP Universal Metal Primer	Colorfast	Coronado Tough Shield
Benjamin Moore Super Spec HP Urethane Alkyd Gloss Enamel	Color Made Simple	Coronado Tough Tex
Benjamin Moore Super Spec Sweep Up	Colorplace	Coronado Tough Walls
Benjamin Moore Ultra Spec	ColorPlace®	Coronado Vivid Accents
Benjamin Moore Vinyl Latex Flat	Color Solutions®	Corotech Alkyd Urethane Gloss Aluminum
Benjamin Moore Waterborne Ceiling Paint	Color Wheel	Corotech Electrostatic Enamel Semi- Gloss
Benjamin Moore Waterborne Satin Impervo	Colour Crete	Corotech Hammertone Enamel
Benjamin Moore Weatherproof Aluminum Paint	Comex Paint	Corotech Organic Zinc Rich Primer
Best Look®	Conco	Corotech Pre-Cat Epoxy Eggshell
Betco EZ Gym Coat N Seal	ConFlex XL	Corotech Pre-Cat Epoxy Semi-Gloss
Betco Marathane 350	Controlz Primers	Corotech Quick Dry Acrylic Spray Dtm
Betco OMU Sealer 350	Cool-Tex	Corotech Quick Dry Alkyd Primer
Betco TyGlu	Coolwall	Corotech Quick Dry Enamel Gloss
BIN	Coronado Acoustical Ceiling Dye	Corotech Quick Dry Enamel Semi- Gloss
Black Jack	Coronado Air Care	Corotech Rust Arretor
Blacknight	Coronado Aqua Plastic	Corotech Shop Cote Primer
Block Filler	Coronado Aqua Stop-It	Corotech Silicone Alkyd Gloss Enamel
Blok-Tite™	Coronado Blocklustre	Cover & Go
Blue Seal	Coronado Ceiling Paint	Crackle Lacquer Clear
Bright Life	Coronado Ceramagard	CRC® Rust Converter
Bruce Fresh Finish	Coronado Cover-It	CRC® Zinc-It® Instant Cold Galvanize™
Builders Masterpiece	Coronado Crylicote	DeckScapes Ext
Builders Solution Int.	Coronado Crylicote Gold	Decorative Painter's Products
Bulls Eye	Coronado Dual Seal	Design Accents
C&M Coatings	Coronado Elastite	Design Basics Interior
Cabinet, Door& Trim Paint	Coronado Exterior Clear Wood Finish	Designer Drylok (all colors)
Cabot	Coronado Final Finish	Devine
Cabot "The Finish"	Coronado Final Finish Wb	Dimensions
Cabot Australian Timber Oil	Coronado Final Touch	Dirt Fighter Interior
Cabot Cabothane	Coronado Grip & Seal	Do it Best
Cabot Clear solutions	Coronado Lead Block	Do-It-Best
Cabot OVT	Coronado Liquid Plastic	Drylok Concrete Floor Paint (all colors)
Cabot Problem Solver	Coronado Marine Spar Varnish	Drylok Concrete Protector
Cabot PROVT	Coronado Optimum Hide	Drylok E1 Floor Paint (all colors)
Cadalac	Coronado Penetrating Oil Wood Stain	Drylok Extreme
Carquest	Coronado Polyurethane 350 Voc Clear	Drylok Latex Base Masonry Waterproofer (all colors)
Cashmere Interior	Coronado Premium Gold Collection	Drylok Natural Look Sealer
China Crackle	Coronado Quick Seal	Drylok Oil Base Masonry Waterproofer (all colors)
Clark+Kensington Paints	Coronado Rust Scat	Drylok Water Based 5% Silicone
Classic 99 Int	Coronado Sanding Sealer (Gloss And Acrylic)	Drylok Wet Look Sealer
	Coronado Seal & Finish	Duckback
	Coronado Seal-It	
	Coronado Step Safer	
	Coronado Stick It	
	Coronado Stop-It	
	Coronado Super Kote 1000	
	Coronado Super Kote 3000	



Registered Brands

District of Columbia Paint Stewardship Program as of 4/1/2016

DuPont™ Granite & Marble Countertop Sealer	DuPont™ StoneTech® Professional Sealer	Gaco A41 Series
DuPont™ High Gloss Sealer & Finish	DuPont™ StoneTech® Professional Semi Gloss Finishing Sealer	Gaco A56 Series
DuPont™ Paver Armor Pro™ Premium High Gloss Color Enriching Sealer	Dura Clad	Gaco Deck
DuPont™ Paver Armor Pro™ Premium No Gloss Color Enriching Sealer	DuraCraft Acrylic Latex	Gaco H22 Series
DuPont™ Paver Armor Pro™ Premium Penetrating Natural Look Sealer	Duraseal	Gaco H25 Series
DuPont™ Paver Armor Pro™ Premium Salt Repelling Natural Look Sealer	Duration	Gaco H27 Series
DuPont™ Paver Armor Pro™ Premium Semi Gloss Color Enriching Sealer	Duron	Gaco Roof
DuPont™ Paver Armor Pro™ Premium Waterproofing Natural Look Sealer	Dutch Boy	Gaco Shield
DuPont™ Premium Stone Sealer	Dynamite	Galvanized & Aluminum Primer
DuPont™ Premium Stone Sealer & Enhancer	Eagle Armor Seal	Gardner
DuPont™ Saltillo Tile Sealer & Finish	Eagle Chattahoochee Sealer	Gem Clear
DuPont™ Semi Gloss Sealer & Finish	Eagle Concrete Polish	Gem Coat
DuPont™ Stone Sealer	Eagle Exterior Dye	Gem Cryl
DuPont™ Stone Sealer & Enhancer	Eagle Gloss Coat	Gem Dye
DuPont™ StoneTech® Professional Enhancer	Eagle Interior Dye	Gem Glo
DuPont™ StoneTech® Professional Enhancer Pro™ Sealer	Eagle Natural Seal	Gemini
DuPont™ StoneTech® Professional Grout Release	Eagle Paver Sealer	Gemini Coatings
DuPont™ StoneTech® Professional Heavy Duty Exterior Sealer	Eagle Premium Coat	Gemini Craftsman Collection
DuPont™ StoneTech® Professional Heavy Duty Sealer	Eagle Satin Seal	Gemini Tone Stain
DuPont™ StoneTech® Professional High Gloss Finishing Sealer	Eagle Solid Color Sealer	Gem Prime
DuPont™ StoneTech® Professional High Gloss Lacquer	Eagle Supreme Seal	Gem Pro
DuPont™ StoneTech® Professional Impregnator Pro® Sealer	Eagle Top Coat	Gem Pur
DuPont™ StoneTech® Professional Maximum BulletProof® Sealer	Easy Care	Gem Tone
DuPont™ StoneTech® Professional Natural Stone Countertop Sealer	Easy Color	Gem Var
DuPont™ StoneTech® Professional Paver Sealer & Enhancer	Easy Crackle	Geocel
DuPont™ StoneTech® Professional Salt Water Resistant Sealer	EasyLiving®	Glitsa Gold Seal™ Finish
	Economy	Glitsa Gold Seal™ Lite Scent™ Finish
	EcoSelect® Zero VOC	Glitsa Gold Seal™ Stains (various colors)
	Emerald	Glitsa High Performance Waterborne Finish
	Eminence®	Glitsa Infinity II LVOCTM Finish
	Enrich	GlitsaMax™ Finish
	Enviropure	Glitsa Quality Seal™ Sealer
	Epo-Text	Glitsa Wood Flour Cement™
	Epoxy Shield	Glitza TruSeal
	EverLast	GPM
	E-Z Glaze Flat Extender	Guardian Contractor Grade
	E-Z Kare	Guardian Professional Quality
	Fabulon	H&C
	Faux Impressions®	Harmony
	Field Marking Paints	HD® DESIGNS
	FLEX BON	Heavy Bodied Glazing Stain (Various colors)
	Formby's	Henry/Bakor
	Frazee	Henry Acryprime Recoat Primer
	Fred Myers	Henry Air Bloc 31 Brush/Spray
	French Lac	Henry Aquaprime Primer
	Fresh Kote	Henry Aquatac Primer
	Gaco A30 Series	Henry Binder/Tack Emulsion
	Gaco A31 Series	Henry Grey Elastomeric Roof Coating
	Gaco A326 Series	Henry Light Tan Roof Coating
	Gaco A32 Series	
	Gaco A3734 Food Safe	
	Gaco A38 Series	



Registered Brands

District of Columbia Paint Stewardship Program as of 4/1/2016

Henry Metalshield Rubber Based Gray Roof Coating	Kwal	Osmo Polyx Oil Tints (multicolor)
Henry Metalshield Waterbased Elastomeric Roof Coating	Laura Ashley	Osmo Polyx Professional #5125
Henry Premium Elastomeric Base Coating	Lok-Tite	Osmo Polyx Spray Wax #3063
Henry Premium Non-Fibered Aluminum	Loxon	Osmo Pro Color Stains (multicolor)
Henry RTC Coat	Luxury Living	Osmo Top Oil
Henry Solorflx Tan Elastomeric	Mad Dog Crack Fix (MDCF)	Osmo UV Protection Oil
Henry Special Color Elastomeric	Mad Dog Deck Fix (MDDF)	Osmo Wood Wax Finish (multicolor)
HGTV Home	Mad Dog Primer (MDP)	Painter's Select
Homestead	Mad Dog Primer 2 (MDP 2)	Painter's Touch
Impressions	Mad Dog Primer Smooth (MDPSM)	Painters Edge
Infinity®	Maintenance One	PalGard®
Insl-X Aqua Lock	Maintenance Pro	Pantone
Insl-X Bravo	Martin Senour Paints	Penofin Concrete & Masonry Stain
Insl-X Cabinet Coat	Marvins	Penofin Wood Finishes
Insl-X Check Rust™	Master's Magic	Perma White
Insl-X Chlorinated Rubber Pool Paint	MasterClear Supreme	Permax 108 Acrylic Coating
Insl-X Clear Through Acrylic Polyurethane	Master Gel® Finish Clear	Permax 115 Acrylic Coating
Insl-X Concrete Stain Waterproofing Selaer	Masterline	Permax 120 Acrylic Coating
Insl-X Hot Trax™ Acrylic Garage Floor Paint	Master Painters	Plastic Kote
Insl-X Insl-Cap™ Lead Encapsulating Compound	Master Touch	Plasti-Kote
Insl-X Multi-Surface Utility Enamel	Maxbond®	Platinum
Insl-X Naturescapes	Maxflex™	Platinum Products
Insl-X Odor Less	Maxum	Ply-Mastic
Insl-X One Prep	Maxwood®	Ply-Thane
Insl-X Ordorless Alkyd Primer	McCloskey	Ply-Tile
Insl-X Prep-A-Wall	McCloskey Man-O-War	Porcelain®
Insl-X Prime Lock	McCloskey Multi-Use	Pore-O-Pac™ Grain Filler (various colors)
Insl-X Pro-Line	McCloskey Special Effects	Pore-O-Pac™ Grain Filler Reducer
Insl-X Pro-Plate Enamel - Rust Preventative Coating	McCloskey Stains	PPI™ Waterborne Finish
Insl-X Rubber Based Pool Paint	Metallic Finishes	Pratt & Lambert®
Insl-X Rust Arrestor	Metallic Paint Collection	Premier Aluminum Roof Coating Fibered
Insl-X Seal Lock	MetalTech Gold Base	Premium
Insl-X Silathane Ii Interior-Exterior Acrylic	MetalTech Pearl Base	Premium Decor
Insl-X Silathane Interior-Exterior Alkyd	MetalTech Silver Base	PrepRite
Insl-X Stix	Minwax	Preserva Wood
Insl-X Sure Step	ML Campbell	Pre-Stain Clear Wood Stain
Insl-X Tru-Flex	Modac	Prestige
Insl-X Tuffcrete	Multispec	Pro Best
Insl-X Waterblock	NuDeck	ProClassic
Insl-X Waterborne Pool Paint	Odds N Ends	Professional Coatings
Kool Seal	OKON	Pro Good
Krylon	One Time Wood Preservative (various colors)	Pro Grade
Krylon Commercial	Optima Formula 360	ProGreen 200
	Optimus	Pro-Hide® Gold
	Orgill	Pro-Hide® Green
	Osmo Clear Wood Oil #000	Pro-Hide® Silver
	Osmo Decking Oils (multicolor)	Pro Kote
	Osmo Oil Stain (multicolor)	ProLine Supreme
	Osmo One Coat Only HS (multicolor)	ProMar 200
	Osmo Opaque Gloss Wood Stain #2104	ProMar 400
	Osmo Polyx Oil	ProMar 700
	Osmo Polyx Oil 'Effect' (multicolor)	Property Solution



Pro Var	Rudd Colorplex™ Lacquer (various colors)	Rudd Problend TC™ Spray/Wiping Stains (various colors)
Qualalacq™ Lacquer Gloss	Rudd Colorplex™ Undercoaters (various colors)	Rudd Problend™ Spray/Wiping Stains (various colors)
Qualalacq™ Lacquer Reducer	Rudd Colortools™ LH Spray Stain (various colors)	Rudd Pro-Hibuild™ Lacquer
Qualalacq™ Lacquer Satin	Rudd Colortools™ Wiping Stain (various colors)	Rudd Pro-Hibuild™ Sealer
Qualalacq™ Sanding Sealer	Rudd Duracac-V 550 VOC Lacquer	Rudd Pro-Hibuild™ Undercoater (various colors)
Qualarenu™ #1	Rudd Duracac-V 550 VOC Sealer	Rudd Prothane™
Qualasole™	Rudd Duracac-V Plus™ Lacquer	Rudd Pro™ Lacquer
Quick Dry Zar Sanding Sealer (Gloss/Satin)	Rudd Duracac-V™ Lacquer (various colors)	Rudd Pro™ Sealer
Quik Hide	Rudd Duracac-V™ Sealer (various colors)	Rudd Quickstack™ (various colors)
Quikrete	Rudd Durafill™ Wood Filler	Rudd Terraset™ Stain Concentrates (various colors)
Quikrete Concrete & Masonry High Gloss Sealer	Rudd Duralac™ Lacquers (various colors)	Rust-O-Lastic
Quikrete Concrete & Masonry Waterproofing Sealer	Rudd Excelite™ Lacquer (various colors)	Rust Oleum
Quikrete Masonry Waterproofer	Rudd Fastwipe™ Wiping Stain (various colors)	Satin Varnish
Quikrete Penetrating Concrete Stain	Rudd Glaze Stain	Sears
Quikrete Textured Acrylic Concrete	Rudd Hi-build™ Fast Dry Finish	Sea Shore
Quikrete Translucent Concrete Stain	Rudd Hycryl™ Waterborne Finish	Severe Weather Contractor Finish
Rainstopper	Rudd Hycryl™ Waterborne Sealer	Shading/Glazing Stain (various colors)
Ready Seal (all products)	Rudd Hyclex™ Lacquer (various colors)	SharkTooth Undercoat
Red Devil	Rudd ISC™ Stains (various colors)	Sheetrock® brand Ceiling Texture Paint
RedSeal®	Rudd ISS LH™ Spray Stains (various colors)	Sheetrock® brand First Coat Primer
RedSeal® Zero VOC	Rudd ISS™ Spray Stains (various colors)	Sheetrock® brand TUFF-HIDE Primer-Surfacer
Refresh	Rudd IWS™ Wiping Stains (various colors)	Sher-Crete
Reserve	Rudd Natuseal™ Stains (various colors)	SherStripe
Resilience	Rudd Nulustre™ Lacquer	Sherwin-Williams
Rich Lux	Rudd Nu-wave™ Lacquer (various colors)	Shimmer Stone
Roofers Choice	Rudd Nu-wave™ Sealers (various colors)	Shizen
Room & Board by Valspar	Rudd Nu-wave™ Stains (various colors)	Shur-Stik
RPM Water Based Grain Filler (various colors)	Rudd On-site™ Lacquer	Signature Select
RPM Wood -15 Minute Wood Stain (various colors)	Rudd Plastiprime™ (various colors)	Sikagard® 510
RPM Wood-8x Wipe On Water Base Urethane Satin	Rudd Primer Undercoater (various colors)	Sikagard® 550W Elastocolor
RPM Wood -Polyurethane Satin	Rudd Prism™ Waterborne Stains (various colors)	Sikagard® 552W Primer
RPM Wood -Teak Oil	Rudd Problend 350 VOC™ Spray/Wiping Stains (various colors)	Sikagard® 570
RPM Wood- Vinyl Sealer		Sikagard® Elastic Base Coat Smooth
RPM Wood Waterborne Urethane Finish Satin		Sikagard® Elastic Base Coat Textured
Rudd Acryl Fin™ Finish		Simply Glaze
Rudd Aerodry™ (various colors)		Skim Stone
Rudd Basetoner™ (various colors)		SkimStone® Protective Sealer
Rudd Catalast™ Lacquer (various colors)		SkimStone® Select Finish
Rudd Chromacac™ Lacquer (various colors)		Skylight®
Rudd Chromawipe NVO™ Wiping Stain (various colors)		Snow Roof
Rudd Chromawipe™ Wiping Stain (various colors)		Solar Guard



Registered Brands

District of Columbia Paint Stewardship Program as of 4/1/2016

Solar-Lux™ Waterborne Wiping Stains (various colors)	TileLab Gloss Sealer & Finish	Valspar Tractor & Implement
Solastic	TileLab Matte Sealer & Finish	Valspar Ultra
Solo 100% Acrylic	TileLab Sealer/Cleaner/Resealer Combo Pack	Valspar Ultra Premium
Spar Restoration Varnish	TileLab Stone Enhancer	Valspar Weathercoat
Stainmaster	TileLab SurfaceGard	Value
STAINShield®	Timber Pro UV Crystal Urethane	Varathane
Sta-Kool	Timber Pro UV Deck & Fence Formula	Walmart
Starlite Gold Sparkle	Timber Pro UV Internal Concrete Sealer	Watco
Starlite Silver Sparkle	Timber Pro UV Internal Wood Stabilizer	Waterlox 350 VOC Satin Finish
Start Right	Timber Pro UV Log & Siding Formula	Waterlox 350 VOC Sealer/Finish
Stone & Masonry Conditioner	Timber Pro UV Masonry Top Sealer	Waterlox 450 VOC Satin Finish
Stone Mason	Titanium Series	Waterlox Original High Gloss Finish
Stone Mason Ultra Gloss Water Based	Top Choice	Waterlox Original Satin Finish
Stop Rust	Total Wood Preservative	Waterlox Original Sealer/Finish
Storm Shield	Tribuilt Roof X Tender	Waterlox XL88 Gloss Urethane
Stucco, Masonry & Brick Paint	Tru Seal	Waterlox XL89 Satin Urethane
SuperBond	Twist & Try	Weather All
SuperPaint	Two Minute Repair Liquid	Weathershield
Sydney Harbour Alchemy Liquid Gold	TWP	WFS
Sydney Harbour Clearcoat	UGL Pro Finish (all Gloss Levels)	White Pickling Stain
Sydney Harbour Duchess Satin	UltraCrete	Wipe on Zar (Semi Gloss/Satin)
Sydney Harbour Eggshell Acrylic	Ultra Deluxe	WithSTAND®
Sydney Harbour Industrial Lustre	Ultra Guard	Wolman
Sydney Harbour Instant Rust Clear Sealer	Ultra Zar Plus (Gloss/Satin)	Wood Classics
Sydney Harbour Interno Lime Wash	Uniflex	Wood Finishers Supply
Sydney Harbour Limeproof Undercoat Sealer	USG™ Plaster Bonder	WoodScapes
Sydney Harbour Liquid Copper & Patina Green	USG™ Plaster Sealer	Woodsmen
Sydney Harbour Liquid Iron & Instant Rust	Valspar	Woodturners Finish
Sydney Harbour Liquid Tin	Valspar Anti-Rust	XL70
Sydney Harbour Low Sheen Acrylic	Valspar Climate Zone	X-O Rust
Sydney Harbour Matt Wall Sealer	Valspar Color Style	Yolo Colorhouse
Sydney Harbour Original Lime Wash	Valspar Decorator	ZAP Primers
Sydney Harbour Palm Beach Black	Valspar Duramax	Zar Classic (all Gloss Levels)
Sydney Harbour Ultra Flat Acrylic	Valspar Elan	Zar Clear Wood Sealer
Sydney Harbour Wood Wash	Valspar Integrity	Zar Clear Wood Sealer Toner Base
Temproof 1200 Stove paint	Valspar Medallion	Zar Deck&Siding Stains Solid and Semi-Transparent (all colors)
Terminator™	Valspar Medallion Primers	Zar Exterior Polyurethane (Gloss/Satin)
Tex Cote	Valspar Prep-Step Primers	Zar Exterior Water Base Polyurethane (Gloss/Satin)
TexPrime Textured Drywall Sealer	Valspar Pro 2000 Interior Contractor Finish	Zar Interior Polyurethane (all Gloss Levels)
Texture Effects	Valspar Professional	Zar Ultra Exterior Polyurethane (all gloss Levels)
TexturGlaze Basic Satin	Valspar Professional Bonding Primer	Zar Ultra Interior Polyurethane (all Gloss Levels)
TexturGlaze Flat Extender	Valspar Professional Exterior	Zar Ultra Max OMU (all gloss Levels)
TexturGlaze Scumble	Valspar Professional Exterior Primer	Zar Ultra Max Rejuvenator
TexturLine AquaGlass	Valspar Professional Interior	Zar Ultra Max Sanding Sealer
Theme Paint	Valspar Professional New Construction Primer	Zar Ultra Max Wipe On
The Paint Drop™	Valspar Professional PVA Primer	Zar Ultra Max Wood Stains (all colors)
Thompsons	Valspar Restoration Series	Zar Wood Stains (all colors)
	Valspar Signature Colors	



Registered Brands

District of Columbia Paint Stewardship Program as of 4/1/2016

Zehrun
Zero Gloss Varnish
Zinsser
Zone Marking Paints

Appendix D



Defining Architectural Paint Products for the Purposes of the Assessment

Architectural paint is defined under the Paint Stewardship Program as:

Interior and exterior architectural coatings sold in containers of five gallons or less.

Architectural paint does not include:

Industrial maintenance (IM), original equipment manufacturer (OEM) or specialty coatings.

In order to distinguish between what is an architectural coating for the purpose of the assessment and what coatings should not be assessed the fee, we are using definitions and terminology from the U.S. Environmental Protection Agency, California Air Resources Board and other state and local Architectural and Industrial Maintenance (AIM) rules.

In order to determine the products on which the fee is assessed, and the products on which the fee is not assessed, a company should follow these steps:

- A. Start with the type of coating. If the coating is an architectural coating, go to B. If the coating is not an architectural coating, it is not assessed a fee.
- B. If the coating meets the definition of architectural coatings (see below), does not meet the definition of Industrial Coatings (also below), and is not specifically excluded, it is assessed a fee.

I. Architectural Coatings

Architectural coating means a coating recommended for application to stationary structures and their appurtenances, portable buildings, pavements, curbs, fields and lawns. This definition excludes adhesives, aerosols and coatings recommended by the manufacturer or importer solely for shop applications or solely for application to non-stationary structures, such as airplanes, ships, boats, and railcars.

II. Industrial Maintenance Coatings

Industrial Maintenance (IM) coating means a high performance architectural coating, including primers, sealers, undercoaters, intermediate coats, and topcoats formulated and recommended for application to substrates exposed to one or more of the following extreme environmental conditions in an industrial, commercial, or institutional setting:

- (1) Immersion in water, wastewater, or chemical solutions (aqueous and non-aqueous solutions), or chronic exposure of interior surfaces to moisture condensation;
- (2) Acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions;
- (3) Repeated exposure to temperatures above 120 °C (250 °F);
- (4) Repeated (frequent) heavy abrasion, including mechanical wear and repeated (frequent) scrubbing with industrial solvents, cleansers, or scouring agents; or
- (5) Exterior exposure of metal structures and structural components.

One of the primary ways AIM rules distinguish IM coatings from other architectural coatings is the manufacturer's recommendation for restricted usage. IM coatings must be labeled under the rules as:

- (1) "For industrial use only."
- (2) "For professional use only."
- (3) "Not for residential use" or "Not intended for residential use."

Thus, if the coating is intended and labeled as an industrial maintenance product, it is not a program product and will not be assessed the fee (see next page).

III. Original Equipment Manufacturer (OEM) Coatings

Shop application means that a coating is applied to a product or a component of a product in a factory, shop, or other structure as part of a manufacturing, production, finishing or repairing process (e.g., original equipment manufacturing coatings).

Under new Occupational Health and Safety Administration rules, OEM (shop application) coatings should have a Globally Harmonized System of Classification and Labelling of Chemicals (GHS) label since these products are generally intended for industrial or professional use, and may be sold in containers of 5 gallons or less. GHS labels are identifiable by the use of distinct GHS “pictograms,” or symbols plus other graphic elements contained in a square-on-point red border intended to convey specific information about the hazards of a chemical. There are eight pictograms used for hazard communication in the United States under the GHS. If the product includes a GHS label or if a company can clearly document that the coating was sold exclusively for OEM use, the fee should not be assessed.

IV. Specialty Coatings

Lastly, in order to identify Specialty or Special Purpose Coatings, we have used the definition from the Federated Society of Coating Technology’s Coatings Encyclopedic (since AIM rules don’t have a definition), which states that these coatings include arts and crafts, and automotive refinish coatings. These products should be easier to distinguish, however, as they are clearly called out as non-assessed products on the list below. The fee should not be assessed for these coatings.

Assessed Products (maximum container size of 5 gallons)

- Interior and exterior architectural paints: latex, acrylic, water-based, alkyd, oil-based, enamel (including textured coatings)
- Deck coatings, floor paints (including elastomeric)
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes (single component)
- Waterproofing concrete/masonry/wood sealers and repellents (not tar or bitumen-based)
- Metal coatings, rust preventatives
- Field and lawn paints

Non-Assessed Products (regardless of container size)

- Paint thinners, mineral spirits, solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Art and craft paints
- Caulking compounds, epoxies, glues, adhesives
- Paint additives, colorants, tints, resins
- Wood preservatives (containing pesticides)
- Roof patch and repair
- Asphalt, tar and bitumen-based products
- 2-component coatings
- Deck cleaners
- Traffic and road marking paints
- Industrial Maintenance (IM) coatings
- Original Equipment Manufacturer (OEM) (shop application) paints and finishes

MORE INFORMATION

(855) 724-6809 OR (855) PAINT09

www.paintcare.org or info@paintcare.org

PAINTCARE INC.

1500 RHODE ISLAND AVENUE NW.

WASHINGTON, DC 20005



Drywall Primer-Surfacers

June 2012

Purpose

The purpose of this notice is to clarify that “Drywall Primer-Surfacers” are included in the PaintCare Program. As part of the Program, manufacturers of these products must register with PaintCare and collect and remit the Assessment (“PaintCare Recovery Fee”) as with other architectural paints in states with active Paint Stewardship programs (Oregon is currently active, California is anticipated to start in Fall 2012, Connecticut is anticipated to start in 2013).

Background

In order to assist companies with determining what coatings were architectural coatings subject to the PaintCare Recovery Fee for the Oregon program and what coatings were not, PaintCare developed a factsheet detailing what factors should be taken into consideration when making these determinations. In addition, the factsheet listed examples of program products and examples of non-program products (products that should not be assessed the fee). PaintCare, however, relies on individual manufacturers to determine what products are part of the program and what products are not, depending on their specific product lines. In some cases, PaintCare helps with this determination based on individual calls with manufacturers. In the case of Drywall Primer-Surfacers, based on these calls, it has come to our attention that some manufacturers were assessing the fee believing they were program products and some were not assessing the fee believing that they were non-program products. It appears that confusion arose when trying to distinguish drywall primer from drywall compound.

In order to ensure that all manufacturers are on a level playing field and the PaintCare Recovery Fee is indeed placed on all program products subject to the assessment, PaintCare herein clarifies that Drywall Primer-Surfacer is considered a program product and the PaintCare Recovery Fee must be assessed and remitted by all manufacturers of Drywall Primer-Surfacers. The reason for including this category under the architectural coatings that are subject to the program is as follows:

- The Drywall Primer-Surfacer products are primers. Primers are considered architectural coatings.
- MSDS sheets, either in their title and or elsewhere in the product description, for these products indicate that they are paint or primers.
- MSDS sheets indicate that they contain some type of binder or resin.

- Marketing information published by manufacturers for their own products indicate that they are vapor barriers or coatings.
- Information published by manufacturers for their own products indicate that they are vinyl, acrylic, and/or latex-based.
- Competitors have reported that they make and sell equivalent products that are not excluded by PaintCare.
- Consumers with leftover/unwanted Drywall Primer-Surfacers may bring them to a PaintCare collection site for proper recycling/disposal.

Action

Starting August 1, 2012, manufacturers of “Drywall Primer-Surfacers” need to ensure that these products are registered with PaintCare and add the PaintCare Recovery Fee to the wholesale price of these products to all distributors and retailers. Manufacturers are not required to pay the fee on past sales because the fees were not charged to distributors, retailers, or consumers.

More Information

For more information about the PaintCare Program and the responsibilities of manufacturers, please visit PaintCare.org or contact:

Paul Fresina, State Programs Director
pfresina@paint.org
(415) 606-3211

Marjaneh Zarrehparvar, Executive Director
mzarrehparvar@paint.org
(855) 724-6809

PaintCare® Inc.
1500 Rhode Island Avenue NW
Washington, DC 20005
www.paintcare.org



Masonry and Concrete Sealers labeled “For Professional Use Only”

Purpose

The purpose of this notice is to clarify that masonry and concrete sealers that are labeled “for professional use” are excluded from the PaintCare Program. Manufacturers of these products are not required to register with PaintCare and they are not required to collect and remit the Assessment (“PaintCare Recovery Fee”) in California or Oregon, the two states with active Paint Stewardship programs implemented by PaintCare.

Background

In order to assist companies with determining what products are architectural coatings subject to the PaintCare Recovery Fee for the Oregon and California programs and what products are not, PaintCare developed a definition of architectural paint detailing what factors should be taken into consideration when making these determinations. In addition, the definition lists examples of program products and examples of non-program products (products that should not be assessed the fee). PaintCare relies on individual manufacturers to determine which, if any, of their products are part of the program. In some cases, PaintCare helps with this determination based on individual calls with manufacturers. In the case of products used as sealers for masonry and concrete — and based on inquiries from many industry representatives and manufacturers of these products — it has come to our attention that manufacturers of these sealers desire clarification on whether their products are considered architectural coatings for the purposes of active and future state PaintCare programs.

In order to ensure that all manufacturers are on a level playing field and the PaintCare Recovery Fee is placed on all program products subject to the assessment, PaintCare herein clarifies that masonry and concrete sealers labeled for professional use are not considered program products and the PaintCare Recovery Fee is not required to be assessed and remitted by manufacturers of these products. Excluding these products from the definition of architectural coatings is based on the following:

- Originally PaintCare’s definition excluded products that are both (1) Industrial Maintenance Coatings and (2) labeled “for professional use only.” [Other acceptable phrases are (a) for industrial use only, (b) not for residential use, and (c) not intended for residential use].
- The definition of an IM coating varies somewhat from one state to another and from one regulatory air district to another. Generally, determining if a coating meets the criteria for IM is

based on the manufacturers recommended use for the product and whether it meets any one of certain criteria (simply put these criteria are: regular exposure to heat, chemicals, moisture, or abrasion). Masonry sealers are intended to act as waterproofing agents and are applied where water exposure is anticipated. Thus as a category they can generally be considered by manufacturers to be IM coatings and therefore meet the first criteria.

- Some manufacturers label these products for professional use. Others do not label them for professional use. There is no prohibition on a manufacturer from labeling a product for professional use. Therefore if a manufacturer chooses to change the product label on a product that they consider IM in order to also comply with the second criteria above (in the first bullet), they may do so in order have these products excluded from the PaintCare Program. The manufacturer may change their regular container label or use an additional sticker.
- If PaintCare finds that manufacturers start to change their labels on other products that are clearly not for professional use or industrial maintenance coatings (e.g. house paint), the professional use labeling will not exclude such products.
- An important purpose of the paint stewardship programs is to collect and recycle unused paint, stains, and coatings that are normally managed through government-sponsored household hazardous waste (HHW) programs. Sealers for masonry and concrete are not known to be a problem at HHW programs.

Conclusion

Concrete and masonry sealers that are IM coatings and labeled for professional use using one of the phrases indicated above are categorically exempt from PaintCare.

More Information

For more information about the PaintCare Program and the responsibilities of manufacturers, please visit PaintCare.org or contact:

Paul Fresina
Senior Director of Communication and Operations
pfresina@paint.org
(415) 606-3211

Marjaneh Zarrehparvar
Executive Director
mzarrehparvar@paint.org
(202) 462-8549

PaintCare Inc.
1500 Rhode Island Avenue NW
Washington, DC 20005
info@paintcare.org
(855) 724-6809
www.paintcare.org



Furniture Polishes, Waxes and Oils

Purpose

The purpose of this notice is to clarify that furniture polishes, waxes, and oils, such as linseed, tung, and lemon oil, are excluded from the PaintCare program. Manufacturers of these products are not required to register them with PaintCare and are not required to collect and remit the Assessment ("PaintCare Recovery Fee") in states with active paint stewardship programs operated by PaintCare.

Background

Furniture polishes, waxes, and oils are used to clean, condition, and protect wood. They are primarily used on wood furniture. They are not considered architectural coatings; they are not covered by rules for Architectural and Industrial Maintenance (AIM) coatings. Instead they are covered by regulations for consumer products (the same regulations that cover cleaning products, toys, adhesives, etc.).

Furniture polishes, waxes, and oils, are either absorbed into unfinished wood or sit on the top layer of furniture that has been finished with a clear coating (e.g., lacquer). Furniture is not included in the AIM rules. The definition of architectural coating excludes coatings recommended solely for application to non-stationary structures; therefore, products intended for use only on furniture are excluded from the program.

Conclusion

Polishes, waxes, and oils, such as linseed, tung, and lemon oil that are primarily used on furniture are excluded from the PaintCare program and therefore fees should not be applied.

More Information

For more information about the PaintCare Program and the responsibilities of manufacturers, please visit PaintCare.org or contact:

Taujuana Davis
Registration Coordinator for Manufacturers
tdavis@paint.org
(202) 232-2733

1500 Rhode Island Avenue NW
Washington, DC 20005
info@paintcare.org
(855) 724-6809
www.paintcare.org

Appendix E



July 2015

RE: New District of Columbia Paint Stewardship Law

Dear Paint Retailer:

Enclosed are materials to inform you and your customers about a new law and program that will make it more convenient to recycle paint in the District of Columbia. PaintCare currently operates similar paint stewardship programs in seven states (California, Colorado, Connecticut, Minnesota, Oregon, Rhode Island, and Vermont) and plans to begin a program in Maine this August. The act was signed by Mayor Gray on December 8, 2014 and became law on March 11, 2015.

The exact start date of the District's PaintCare Program has not been determined. The program will begin within three months of approval of PaintCare's Program Plan that will be submitted to the District Department of the Environment (DDOE) in September. **At this time, we anticipate that the program will begin on January 1, 2016.** We will provide updates to the start date, as well as additional information for you and your customers, over the next six months.

Enclosed are the following items:

- **Fact Sheet for Retailers.** This fact sheet introduces you to how the PaintCare Program works and how it affects your business.
- **Paint Purchaser Fact Sheet.** This fact sheet provides an overview of the program and explains that the District's paint stewardship law requires a new stewardship fee ("PaintCare Fee") on the sale of architectural paint. A brief explanation of the fee is also provided below.
- **Fact Sheet for Painting Contractors.** This fact sheet also provides an overview of the program and answers common questions from professional painters. Some retailers hand these out at the counter; others insert them with monthly statements.
- **Covered Products Fact Sheet.** This fact sheet provides an overview of the types of products that are part of the program. Besides house paint, the program includes stains, varnishes and sealers. Also, note that it does not include all paints, such as aerosols or auto paint.

Stewardship Fees. You may receive questions about the PaintCare Fee which will be applied to the purchase price of each container of architectural paint when the District's paint stewardship program begins. The fee will fund all aspects of the program. The fee amounts will not be known until the DDOE approves PaintCare's Program Plan. It is likely that PaintCare will propose the same fee structure used in the seven states with active paint stewardship programs and that these fees will be approved for the District. Fees are based on container size as follows: 35 cents for pints and quarts, 75 cents for 1 gallon, and \$1.60 for larger than 1 gallon up to 5 gallons.

Although it would be better to inform your customers (and the general public) about both the fee amounts and how the program works at the same time, it is important for paint purchasers, and professional painters in particular, to learn about the program as soon as possible because they plan jobs well ahead of time. Therefore, while the fee structure is being calculated and reviewed in the coming months, we are starting outreach to painting contractors now. We suggest that painting contractors discuss the anticipated fees in advance with their customers to allow for an adjustment to any quotes or job bids for future projects.

If you would like additional copies of the enclosed painting contractor or paint purchaser fact sheets to share with customers, please send an e-mail to info@paintcare.org with your name, business name, mailing address, and quantity of each fact sheet. You are also welcome to call us at (855) 724-6809 to place an order. Once the fees are confirmed, updated copies of the fact sheet will be provided to you. You may also download the fact sheets from our website at www.paintcare.org/dc.

We look forward to working with you to establish a successful and convenient postconsumer paint management program for the District. Feel free to contact us at 855-PAINT-09 or visit our website at www.paintcare.org for more information.

Sincerely,



Ida Arabshahi
District of Columbia Program Manager



October 9, 2015

Dear DC Paint Retailer:

I am writing to inform you that the start date for the District of Columbia's PaintCare program has been moved from January 1, 2016 to September 1, 2016. DC legislation specifies that the program start by September 2016, and PaintCare was seeking to start the program earlier than required.

The District of Columbia Department of Energy and Environment (DOEE), the District's oversight agency, has recently informed PaintCare that it is necessary for the agency to pass new regulations regarding the program, and therefore the program cannot start in January, 2016. The regulatory process as projected by the DOEE is expected to be completed in March 2016. Following approval of the regulations, PaintCare will submit a Program Plan in April 2016 and – pending approval of the Plan – aim to start the program in September 2016.

Instructions for PaintCare Materials

Please remove and recycle any PaintCare materials with the January 1, 2016 date that you may have been distributing to the public. Specifically, please replace the 25 painting contractor fact sheets that we previously distributed with the updated ones (enclosed). The updated fact sheet indicates a September start date.

Additionally, please notify any regular customers, with whom you may have discussed the program, that the start date has been changed to September 2016.

We will keep paint retailers updated on the DC PaintCare program as new information is made available from the DOEE. You may also visit paintcare.org/dc for the most up-to-date information or contact me by e-mail (iarabshahi@paint.org) or phone (202-719-3696).

Thank you,

Ida Arabshahi
District of Columbia Program Manager
(202) 719-3696 | iarabshahi@paint.org



District of Columbia Paint Stewardship Program

How Will the District's Paint Stewardship Program Affect Paint Retailers?

A District of Columbia law adopted in March 2015 requires paint manufacturers to establish a Paint Stewardship Program in the District. Program funding comes from a fee on architectural paint starting on the first day of the program.

START DATE: SEPTEMBER 1, 2016

Paint Stewardship Program in the District of Columbia
PaintCare Inc. is a non-profit organization established by the American Coatings Association to implement paint stewardship programs on behalf of paint manufacturers in states and jurisdictions that adopt paint stewardship laws. The District's program is required by law, but it is designed and operated by the paint manufacturing industry through PaintCare.

Convenient Paint Recycling

PaintCare's primary effort is to set up paint drop-off sites to make it more convenient for residents and businesses to recycle paint. PaintCare works with retailers to do this. In addition to retailers, PaintCare sites may include municipal household hazardous waste facilities and drop-off events, solid waste transfer stations, and landfills. There are currently more than 1,500 paint drop-off sites across eight states (California, Colorado, Connecticut, Maine, Minnesota, Oregon, Rhode Island, and Vermont).

Participation as a Drop-Off Site is Voluntary

Paint retailers that would like to be drop-off sites can participate if they have space for paint storage bins and can provide minimal staff time to accept paint from the public. By doing so, retailers can increase foot traffic and sales, and provide a new service for their community. They make it convenient for their customers to recycle leftover paint and help provide relief to local government programs that currently manage leftover paint. PaintCare provides storage bins, supplies, and site training. PaintCare also pays for paint transportation and recycling and promotes the sites to the local community.

REQUIREMENTS OF RETAILERS

Check Registered Manufacturers and Brands

Once the program begins, retailers may only sell architectural paints that are registered. Paint manufacturers must register their company with PaintCare, and they must register all architectural paint brands they sell in the District of Columbia (these products will have the new fee). PaintCare will publish lists of registered manufacturers and brands so that retailers can check to see that the products they sell are registered. Please visit www.paintcare.org to view registration lists. (Note that not all companies have registered, yet, for the District.)



Pass on the Stewardship Fee

When the program begins, the law requires that a stewardship fee (“PaintCare Fee”) be added by manufacturers to the wholesale price of all architectural paint sold in the District. This fee pays for all aspects of running the program. The fee is paid by manufacturers to PaintCare and then passed to their dealers. Retailers should see the PaintCare Fee on invoices from suppliers when the program starts. The law also requires that retailers and distributors apply the fee to the price of architectural paint they sell. The fees paid by customers to retailers offset the fees charged to the retailers. This ensures a level playing field for all parties.

COMMON QUESTIONS ABOUT FEES

How much are the fees?

Although fees for the District have not been calculated, yet, they will be based on container size. Fees in other states with a PaintCare program are as follows:

- \$ 0.00 – Half pint or smaller
- \$ 0.35 – Larger than half pint to smaller than 1 gallon
- \$ 0.75 – 1 Gallon
- \$ 1.60 – Larger than 1 gallon up to 5 gallons

When will the fees for the District be known?

Fees will be proposed by PaintCare in its program plan that will be submitted to the District Department of the Environment (DDOE) in April 2016. DDOE must approve the fees and will do so after a public comment period. Retailers will be notified of the fee structure by PaintCare as soon as it is known.

How are the fees calculated?

Fees are set to cover the cost of a fully operating program in the District. PaintCare will estimate the annual sales of architectural paint in the District, divide the estimated annual expenses of the program by the estimated number of containers to be sold, adjust for container size, and determine a fee per size that provides the budget needed to fund the program. In future years, fees may be adjusted if they are set too high or too low to cover program expenses.

Is sales tax applied to the fee, itself?

Yes. The fee is part of the purchase price; therefore, sales tax is collected on the fee.

Must we show the fee on receipts?

No, but most stores show the fee in order to explain the price increase. PaintCare encourages retailers to show the fee to increase awareness of the program.

Is the fee a deposit to be returned to customers?

No, the fee is not a deposit. Fees are used entirely to cover the expenses of running the program. Fees are not given back as a deposit for the return of paint or empty paint cans – a common misunderstanding.

Do we refund the fee if a product is returned?

Yes, the fee should be refunded because it is part of the purchase price.

Do we apply the fee to sales on the first day of the program for inventory purchased before the first day of the program, even though we didn't pay a fee for the product to the distributor or manufacturer?

Yes, retailers must add the fee on all covered products sold on or after the first day of the program, regardless of when (before or after program launch) they were purchased from the distributor or manufacturer.

How will the public know about the fee?

PaintCare will provide materials for retailers to distribute to the public to help explain the purpose of the fee, how the program works, and how to find a paint drop-off location. Before the program starts, PaintCare provides a “starter pack” of brochures and other information to all paint retailers. Additional materials can be ordered as needed for no charge. In addition to retailer information, PaintCare will work with contractor associations to get information to professional painting contractors, and will conduct general outreach including newspaper, radio, television, and online advertising.

What products are covered?

Architectural paints include most house paints, stains, and clear coatings (e.g., varnish and shellac). For examples of program and non-program products, please contact PaintCare or visit www.paintcare.org.

MORE INFORMATION

(855) 724-6809 or (855) PAINT09
www.paintcare.org or info@paintcare.org

PAINTCARE INC.
1500 RHODE ISLAND AVENUE N.W.
WASHINGTON, DC 20005



District of Columbia Paint Stewardship Program

Information for Paint Purchasers

A convenient new paint recycling program will begin in the District in 2016. The program will be funded by a fee on new paint sales.

Anticipated Start Date: September 1, 2016

Paint Stewardship Programs

The American Coatings Association (ACA) worked with various stakeholders interested in the management of post-consumer paint to develop and implement an industry-led paint stewardship program in the United States.

PaintCare Inc. is a nonprofit organization established by the ACA to implement the program on behalf of paint manufacturers in states and jurisdictions that adopt paint stewardship laws. PaintCare operates programs in California, Colorado, Connecticut, Maine, Minnesota, Oregon, Rhode Island, and Vermont.

Convenient Paint Drop-Off Sites

In each of these states, PaintCare establishes convenient paint drop-off locations for households and businesses to bring their paint for recycling. PaintCare has set up more than 1,500 drop-off sites across seven states, mostly at paint retailers.

Assessment Fee and Funding

As required by the District of Columbia's paint stewardship law, a stewardship assessment or *PaintCare Fee* is added by manufacturers to the wholesale price of all architectural paint sold in the District. This fee funds the collection, transportation, recycling and proper disposal of architectural paint. It also pays for education and program administration. Paint retailers and distributors will see this fee on their invoices from paint manufacturers.

The law also requires each retailer and distributor to add the fee to the purchase price of architectural paint sold in the District. While showing the fee on consumer receipts is not mandatory, PaintCare encourages retailers and distributors to do so to ensure transparency and aid in consumer education. Most retailers choose to show the fee on receipts and invoices.

PaintCare Fees

The fees for the District have not been calculated, yet. PaintCare will propose a fee structure in its Program Plan that will be submitted to the District Department of the Environment (DDOE) for approval.

The fees for the District will be based on container size. Fees in current states are as follows:

- \$ 0.00 – Half pint or smaller
- \$ 0.35 – Larger than half pint to smaller than 1 gallon
- \$ 0.75 – 1 gallon
- \$ 1.60 – Larger than 1 gallon up to 5 gallons



Limits on Quantities at Drop-Off Sites

Drop-off sites may set their own limits on the quantity of paint they will accept from households and eligible businesses at one time. All sites will accept up to 5 gallons of paint, but some PaintCare sites may accept more. Once the program begins, consumers are advised to contact any site they intend to use before dropping off paint to find out whether the site can accept the amount and type of paint they would like to recycle.

Pick-Up Service for Large Volumes

For businesses or households with at least 300 gallons of paint to recycle, PaintCare offers a direct pick-up service at no additional cost. To learn more about this Large Volume Pickup (LVP) Service, consumers are advised to call PaintCare or visit our website after the program begins.

Municipal HHW Programs and Special Events

PaintCare also plans to partner with the District's household hazardous waste (HHW) facility to accept paint from the District's households.

In addition, in wards where no retailer or HHW program is available, PaintCare will hold special paint collection events where the public can drop-off paint on a Saturday or Sunday morning.

What Products Are Covered?

The products accepted at PaintCare drop-off sites are the same products that have a fee when they are sold. PaintCare Products include interior and exterior architectural coatings sold in containers of 5 gallons or less. However, they do not include aerosol products (spray cans), industrial maintenance (IM), original equipment manufacturer (OEM), or specialty coatings.

PAINTCARE PRODUCTS

- Interior and exterior architectural paints: latex, acrylic, water-based, alkyd, oil-based, enamel (all types of finishes and sheens, including textured coatings)
- Deck coatings, floor paints (including elastomeric)
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes (single component)
- Waterproofing concrete/masonry/wood sealers and repellents (not tar or bitumen-based)
- Metal coatings, rust preventatives
- Field and lawn paints

NON-PAINTCARE PRODUCTS

- Paint thinners, mineral spirits and solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Traffic and road marking paints
- Arts and crafts paints
- Caulking compounds, epoxies, glues and adhesives
- Paint additives, colorants, tints and resins
- Wood preservatives (containing pesticides)
- Roof patch and repair
- Asphalt, tar, and bitumen-based products
- 2-component coatings
- Deck cleaners
- Industrial Maintenance (IM) coatings
- Original Equipment Manufacturer (OEM) (shop application) paints and finishes

MORE INFORMATION

(855) 724-6809 or (855) PAINT09
www.paintcare.org or info@paintcare.org

PAINTCARE INC.
1500 RHODE ISLAND AVENUE N.W.
WASHINGTON, DC 20005



District of Columbia Paint Stewardship Program

Information for Painting Contractors

The District's paint stewardship law affects painting contractors.

START DATE: September 1, 2016

A District of Columbia law passed in 2015 requires manufacturers of paint to set up and operate a paint stewardship program in the District. The program will be funded by a fee on architectural paint sold in the District and will set up drop-off sites at retailers and other locations where households and businesses will be able to take most leftover paint, free of charge.

Paint Stewardship

The American Coatings Association (ACA) worked with various stakeholders interested in the management of postconsumer paint to develop a Paint Stewardship Program in the United States. PaintCare Inc. is a non-profit organization established by ACA to implement the program on behalf of paint manufacturers in states and jurisdictions that adopt paint stewardship laws. "PaintCare states" include California, Colorado, Connecticut, Maine, Minnesota, Oregon, Rhode Island, and Vermont.

The main goals of the program are to decrease paint waste and recycle more postconsumer paint by setting up convenient drop-off sites in the District and PaintCare states.



Fees and Funding

As required by District law, a paint stewardship assessment ("PaintCare Fee") must be added by manufacturers to the wholesale price of all architectural paint sold in the District. This fee is paid by manufacturers to PaintCare to fund setting up drop-off sites for leftover, postconsumer paint and for the transportation, recycling, and proper disposal of that paint. The fees also pay for consumer education and program administration.

The fees for the District will be based on container size. Fees in other PaintCare states are as follows:

\$ 0.00 – Half pint or smaller

\$ 0.35 – Larger than half pint to smaller than 1 gallon

\$ 0.75 – 1 Gallon

\$ 1.60 – Larger than 1 gallon up to 5 gallons

The fees in the District of Columbia are yet to be determined and require approval by the Department of Energy and Environment.

The law also requires that each distributor and retailer include the PaintCare Fee with their sale price of architectural paint sold in the District. Displaying the fee on invoices and receipts is not mandatory for distributors or retailers; however, PaintCare encourages them to show the fee and list it as "PaintCare Fee" to aid in customer and dealer education.

Notice for Painting Contractors

It is expected that contractors will pass the fees on to their customers in order to recoup the fees they pay on the product.

When estimating jobs, contractors should take these fees into account by checking with your suppliers to make sure the quotes for paint products include the fees. You should also let your customers know that you will be including these fees in your quotes.

New Paint Drop-Off Sites

PaintCare will establish paint drop-off sites across the District of Columbia. Drop-off sites will be at paint stores. Also, PaintCare will likely partner with the District's household hazardous waste program. Participation as a drop-off site is voluntary.

Use of Retail Drop-Off Sites by Businesses

Retail sites will provide a convenient and no cost recycling option for painting contractors and other businesses. Businesses that generate less than 220 pounds of hazardous waste* per month will be able to use these sites to recycle all program products (both water and oil-based) with some restrictions on quantities per month.

Larger businesses (those that generate more than 220 pounds of hazardous waste per month) will be able to use the drop-off sites for their water-based program products only; they are not able to use the sites for oil-based paint or other solvent-based products.

**220 pounds is about 20-30 gallons of paint. When counting how much hazardous waste you generate in a month, oil-based paint counts (because by law it is a hazardous waste), but latex and other water-based paint does not count toward the 220 pound monthly total.*

Pick-Up Service for Large Volumes

Businesses with at least 300 gallons of postconsumer paint to recycle may qualify to have their paint picked up by PaintCare at no additional cost. To learn more or to request this service after the program begins, call (855) 724-6809.

Contact

Ida Arabshahi
District of Columbia Program Manager
(202) 719-3696
iarabshahi@paint.org

What Products Are Covered?

Architectural paints ("PaintCare Products") are defined as interior and exterior architectural coatings sold in containers of 5 gallons or less. However, they do not include aerosol products (spray cans), industrial maintenance (IM), original equipment manufacturer (OEM), or specialty coatings.

PAINTCARE PRODUCTS

- Interior and exterior architectural paints: latex, acrylic, water-based, alkyd, oil-based, enamel (including textured coatings)
- Deck coatings, floor paints (including elastomeric)
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes (single component)
- Waterproofing concrete/masonry/wood sealers and repellents (not tar or bitumen-based)
- Metal coatings, rust preventatives
- Field and lawn paints

NON-PAINTCARE PRODUCTS

- Paint thinners, mineral spirits, solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Art and craft paints
- Caulking compounds, epoxies, glues, adhesives
- Paint additives, colorants, tints, resins
- Wood preservatives (containing pesticides)
- Roof patch and repair
- Asphalt, tar, and bitumen-based products
- 2-component coatings
- Deck cleaners
- Traffic and road marking paints
- Industrial Maintenance (IM) coatings
- Original Equipment Manufacturer (OEM) (shop application) paints and finishes

MORE INFORMATION

(855) 724-6809 or (855) PAINT09
www.paintcare.org or info@paintcare.org

PAINTCARE INC.
1500 RHODE ISLAND AVENUE NW
WASHINGTON, DC 20005



What Products are Covered?

Architectural paints (or *PaintCare Products*) are defined as interior and exterior architectural coatings sold in containers of 5 gallons or smaller. However, they do not include aerosol products (spray cans), industrial maintenance (IM), original equipment manufacturer (OEM) or specialty coatings.



PaintCare Products

These products have fees when purchased and are accepted for free at drop-off sites:

- Interior and exterior architectural paints: latex, acrylic, water-based, alkyd, oil-based, enamel (including textured coatings)
- Deck coatings, floor paints (including elastomeric)
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes (single component)
- Waterproofing concrete/masonry/wood sealers and repellents (not tar or bitumen-based)
- Metal coatings, rust preventatives
- Field and lawn paints



Non-PaintCare Products

These products do not have fees when purchased and are not accepted at drop-off sites:

- Paint thinners, mineral spirits, solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Art and craft paints
- Caulking compounds, epoxies, glues, adhesives
- Paint additives, colorants, tints, resins
- Wood preservatives (containing pesticides)
- Roof patch and repair
- Asphalt, tar and bitumen-based products
- 2-component coatings
- Deck cleaners
- Traffic and road marking paints
- Industrial Maintenance (IM) coatings
- Original Equipment Manufacturer (OEM) (shop application) paints and finishes

Note: Leaking, unlabeled and empty containers are not accepted at drop-off sites.

MORE INFORMATION

(855) 724-6809 or (855) PAINT09
www.paintcare.org or info@paintcare.org

PAINTCARE INC.
1500 RHODE ISLAND AVENUE N.W.
WASHINGTON, DC 20005



District of Columbia Paint Stewardship Program

Become a Retail Drop-Off Site for Paint

PaintCare makes it easy for paint retailers to provide a convenient and valuable service for their community.

A District of Columbia law passed in 2015 requires paint manufacturers to set up and operate a paint stewardship program in the District. The new law requires paint retailers to add a stewardship assessment (fee) to architectural paint products and to make sure they are not selling unregistered brands of architectural paint. Retailers may also volunteer to be paint drop-off sites. Retailers that would like to learn more about what it takes to join the program and be drop-off sites are encouraged to contact PaintCare for details.

Paint Stewardship Program in the District of Columbia

PaintCare Inc. is a non-profit organization established by the American Coatings Association to implement this program on behalf of paint manufacturers in PaintCare states and jurisdictions (those that adopt paint stewardship laws). PaintCare operates programs in California, Colorado, Connecticut, Maine, Minnesota, Oregon, Rhode Island, and Vermont.

Convenient Paint Recycling

PaintCare's primary effort is to establish paint drop-off sites throughout each PaintCare state and jurisdiction to provide convenient recycling options for the public. The program allows residents and businesses to return unused architectural paint to PaintCare drop-off locations.

PaintCare has established more than 1,500 paint drop-off sites in the active states. Most drop-off sites are at paint stores. Other sites include solid waste transfer stations and government-sponsored household hazardous waste programs. Participation as a drop-off site is voluntary.



Benefits to Retailers

There are many benefits to becoming a drop-off site.

As a participating retailer, you will:

- Make recycling of leftover paint more convenient for your customers
- Increase customer foot traffic and sales
- Promote your store as environmentally responsible
- Support the paint industry's effort to lead the way in being responsible for end-of-life management of its own products
- Help relieve local government of their cost of managing leftover paint
- Help prevent the improper disposal of paint in your community

Retailers that would like to become a drop-off site can fill out the Interest Form available in the Retailers Section of www.paintcare.org/DC.

PaintCare Provides

- Listing of your store as a drop-off site on our website, and in advertisements and promotional materials
- Paint storage bins
- Transportation and recycling services for the collected paint
- Training materials and staff training at your site
- Program brochures, signage and customer education materials
- Spill kits



Drop-Off Site Responsibilities

- Provide secure storage area for paint storage bins
- Accept all brands of leftover program products from the public during operating hours
- Place unopened program products in storage bins
- Keep storage bins neat and properly packed
- Complete minimal paperwork related to tracking outgoing paint shipments
- Ensure staff are trained in PaintCare program guidelines and operating procedures
- Display “drop-off site” signs in store window and display consumer education materials
- May need to check District proof of residency

WHAT PRODUCTS ARE COVERED?

The products accepted at PaintCare drop-off sites are the same products that have a fee when they are sold. PaintCare products include interior and exterior architectural coatings sold in containers of 5 gallons or less. However, they do not include aerosol products (spray cans), industrial maintenance (IM), original equipment manufacturer (OEM), or specialty coatings.

PaintCare Products

- Interior and exterior architectural paints: latex, acrylic, water-based, alkyd, oil-based, enamel (including textured coatings)
- Deck coatings, floor paints (including elastomeric)
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes (single component)
- Waterproofing concrete/masonry/wood sealers and repellents (not tar or bitumen-based)
- Metal coatings, rust preventatives
- Field and lawn paints

Non-PaintCare Products

- Paint thinners, mineral spirits, solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Art and craft paints
- Caulking compounds, epoxies, glues, adhesives
- Paint additives, colorants, tints, resins
- Wood preservatives (containing pesticides)
- Roof patch and repair
- Asphalt, tar and bitumen-based products
- 2-component coatings
- Deck cleaners
- Traffic and road marking paints
- Industrial Maintenance (IM) coatings
- Original Equipment Manufacturer (OEM) (shop application) paints and finishes

MORE INFORMATION

(855) 724-6809 or (855) PAINT09
www.paintcare.org or info@paintcare.org

PAINTCARE INC.
1500 RHODE ISLAND AVENUE NW
WASHINGTON, DC 20005



Retailer Interest Form

To Be a PaintCare Drop-Off Location

Use this form to let us know that your store is interested in becoming a PaintCare drop-off site. PaintCare has published fact sheets for each state where we have a paint stewardship program to explain details about working with PaintCare to become a paint drop-off site. Please visit www.paintcare.org or call **(855) 724-6809** to request a state-specific fact sheet.

Note: This form is designed in Word using tables. If you are using the electronic version, just start typing. The boxes will expand to fit.

SPONSOR

Store Name	<input type="text"/>
Street Address	<input type="text"/>
City/State/Zip	<input type="text"/>
Mail Address	<input type="text"/>
Business Hours	<input type="text"/>

CONTACT 1

Name	<input type="text"/>
Title	<input type="text"/>
Phone	<input type="text"/>
Email	<input type="text"/>

CONTACT 2

Name	<input type="text"/>
Title	<input type="text"/>
Phone	<input type="text"/>
Email	<input type="text"/>

STORE TYPE

Independent Franchise Chain Co-op Big Box

PARENT COMPANY

Fill this out if your participation is managed by a parent company:

Company Name	<input type="text"/>
Contact Person	<input type="text"/>
Phone	<input type="text"/>
Email	<input type="text"/>

STORAGE SPACE

How many cubic yard bins do you have space to store?

Each bin uses the floor space of a pallet, 3'x3'.

Normally, participating retailers are required to have at least two bins.

STORAGE LOCATION

Indoors Outdoors (secured away from public)

QUESTIONS / COMMENTS

Use this space to ask questions or provide additional information:

SEND COMPLETED FORM TO

info@paintcare.org

(855) 385-2020 Fax

PaintCare, 1500 Rhode Island Ave. NW, Washington DC 20005



DISTRICT OF COLUMBIA START DATE
SEPTEMBER 1, 2016

Paint Recycling Program

About the PaintCare Program

PAINTCARE

Paint manufacturers created PaintCare, a non-profit organization, to set up convenient places for households and businesses to recycle leftover paint. PaintCare sets up paint drop-off sites throughout the District of Columbia and states that adopt paint stewardship laws.

PAINTCARE PRODUCTS

These products have fees when purchased and will be accepted for free at PaintCare drop-off sites:

- Latex paints (acrylic, water-based)
- Oil-based paints (alkyd)
- Stains
- Primers and undercoaters
- Shellacs, lacquers, varnishes, urethanes
- Deck and floor paints
- Sealers and waterproofing coatings for wood, concrete and masonry

NON-PAINTCARE PRODUCTS

- Paint thinners and solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Paint additives, colorants, tints, resins
- Wood preservatives (containing pesticides)
- Asphalt, tar and bitumen-based products
- 2-component coatings
- Coatings used for Original Equipment Manufacturing or shop application
- Any non-coatings (caulk, spackle, cleaners, etc.)

FEES

PaintCare fees are applied to the purchase price of architectural paint sold in the District as required by law. Fees are applied to each container and vary by the size of the container as follows:

Half pint or smaller	\$ 0.00
More than half pint to smaller than 1 gallon	\$ 0.45
1 gallon	\$ 0.95
More than 1 gallon up to 5 gallons	\$ 1.95

For more information or to find a place to take your unwanted paint for recycling, please ask for the PaintCare brochure, visit www.paintcare.org or call (855) 724-6809.



Recycle with PaintCare



District of Columbia Paint Stewardship Program

Each year about 650 million gallons of architectural paint is sold in the United States. Did you know that about 10 percent goes unused and is available for recycling?

The District's Paint Stewardship Law requires the paint manufacturing industry to develop a financially sustainable and environmentally responsible program to manage postconsumer architectural paint.

The program includes education about buying the right amount of paint, tips for using up remaining paint and setting up convenient recycling locations throughout the state.

Paint manufacturers established PaintCare, a nonprofit organization, to run paint stewardship programs in states with applicable laws.

PaintCare Products

These products have fees when you buy them and are accepted for free at drop-off sites:

- Interior and exterior architectural paints: latex, acrylic, water-based, alkyd, oil-based, enamel (including textured coatings)
- Deck coatings, floor paints (including elastomeric)
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes (single component)
- Waterproofing concrete/masonry/wood sealers and repellents (not tar or bitumen-based)
- Metal coatings, rust preventatives
- Field and lawn paints

Leaking, unlabeled and empty containers are not accepted at drop-off sites.

⊘ Non-PaintCare Products

- Paint thinners, mineral spirits, solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Art and craft paints
- Caulk, epoxies, glues, adhesives
- Paint additives, colorants, tints, resins
- Wood preservatives (containing pesticides)
- Roof patch and repair
- Asphalt, tar and bitumen-based products
- 2-component coatings
- Deck cleaners
- Traffic and road marking paints
- Industrial Maintenance (IM) coatings
- Original Equipment Manufacturer (OEM) (shop application) paints and finishes

For information about recycling and proper disposal of non-PaintCare products, please contact your garbage hauler, local environmental health agency, household hazardous waste program or public works department.



Recycle with PaintCare



Places to Take Old Paint

Paint recycling is more convenient with PaintCare. We set up paint drop-off sites throughout the District. To find your nearest drop-off site, use PaintCare's search tool at www.paintcare.org or call our hotline at (855) 724-6809.

How to Recycle

PaintCare sites accept all brands of old house paint, stain and varnish – even if they are 20 years old! Containers must be five gallons or smaller, and a few types of paint are not accepted. See back panel for a list of what you can recycle.

All PaintCare drop-off sites accept up to five gallons of paint per visit. Some sites accept more. Please call the site in advance to make sure they can accept the amount of paint you would like to recycle.

Make sure all containers of paint have lids and original labels, and load them securely in your vehicle. Take them to a drop-off site during their regular business hours. We'll take it from there.



What Happens to the Paint?

PaintCare will make sure that your leftover paint is remixed into recycled paint, used as a fuel, made into other products or properly disposed.

Who Can Use the Program?

People bringing paint from their homes can bring as much latex or oil-based paint as the site is willing to accept.

Businesses (painting contractors and others) can use this program with one restriction: If your business produces more than 220 pounds (about 20-30 gallons) of hazardous waste per month, you may use the drop-off sites for your latex paint only but not for your oil-based paint. Contact PaintCare to learn more about this restriction.

Large Volume Pick-Up

If you have at least 300 gallons of paint to recycle at your business or home, ask about our free pick-up service. Please call for more details or to request an appointment.

PaintCare Fee

PaintCare is funded by a fee paid by paint manufacturers for each can of paint they sell in the state. Manufacturers pass the fee to retailers, who then apply it to the price of paint. Stores can choose whether or not to show the fee on their receipts. Fees are based on the size of the container as follows:

- \$ 0.00 Half pint or smaller
- \$ 0.45 Larger than half pint to smaller than 1 gallon
- \$ 0.95 1 Gallon
- \$ 1.95 Larger than 1 gallon up to 5 gallons

Not a Deposit

The fee is not a deposit – it is part of the purchase price. The fees are used to pay the costs of running the program: recycling, public education, staffing and other expenses.

Contact Us

To learn more or find a drop-off site, please visit www.paintcare.org or call (855) 724-6809.



It's easy to recycle
your leftover paint,
stain and varnish.

Recycle with PaintCare

Find a drop-off site near you:

(855) 724-6809 • www.paintcare.org

Buy right.
Use it up.
Recycle the rest.

Manufacturers of paint created PaintCare, a nonprofit organization, to set up convenient places for you to recycle leftover paint. We're working to provide environmentally sound and cost-effective recycling programs in your state and others with paint stewardship laws.

LEARN MORE

Visit www.paintcare.org or follow us on Facebook for tips on how to buy the right amount of paint, store paint properly, use up leftover paint, and find a drop-off site. We also have a free pick-up service for businesses or households with at least 300 gallons of paint to recycle.



PRINT MATERIALS ORDER FORM

For free PaintCare brochures, factsheets, posters and other items

DISTRICT OF COLUMBIA

Please complete this form and send to PaintCare. Indicate the quantities you would like below.

Store Name	
Street Address	
City/State/Zip	
Contact Person	
Phone	
Email	

PROGRAM BROCHURE

General information about the PaintCare Program



Quantity	
	English
	Spanish
	French (EU)
	Amharic
	Chinese
	Vietnamese

PROGRAM POSTER

General PaintCare information on 1 page (8.5 x 11)



Quantity	
	English

MINI-CARD

Quick reference to help customers find drop-off sites



Quantity	
	English
	Spanish

PAINTING CONTRACTOR FACT SHEET

General information for painting contractors



Quantity	
	English
	Spanish
	French (EU)
	Amharic
	Chinese
	Vietnamese

BROCHURE HOLDER

Keep the brochures neat and in one place.
Would you like a brochure holder for the counter?



Yes
 No

LARGE VOLUME PICK-UP FACT SHEET

How to request a pickup for 300 gallons or more



Quantity	
	English
	Spanish

SEND COMPLETED FORM TO:

Email: retail@paintcare.org
Fax: (855) 385-2020

Mail: PaintCare, 1500 Rhode Island Ave. NW, Washington DC 20005
Phone: (855) 724-6809

Appendix F



Questions: Contact the DC Program Manager. This information can be found at www.paintcare.org

Retailer Drop-Off Site Guidelines

March 28, 2016

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Contact Information

Site Name:	<input type="text"/>
Site Address:	<input type="text"/>
Mailing Address (if different):	<input type="text"/>
Site Contact 1. Name/Phone:	<input type="text"/>
Site Contact 2. Name/Phone:	<input type="text"/>
PaintCare Contact Name:	<input type="text"/>
PaintCare Contact Phone/Email:	<input type="text"/>
Hauler Company and Contact Name:	<input type="text"/>
Hauler Contact Phone/Email:	<input type="text"/>

Section 1. PaintCare Drop-Off Sites

PaintCare Provides

- Paint Collection Bins
- Labels for paint Collection Bins
- Spill kit
- Recordkeeping forms and/or log book
- Signage identifying your site as a PaintCare Drop-Off Site
- Educational print materials for your customers

General Guidelines for Drop-Off Sites

Each PaintCare Drop-Off Site has unique logistical and operational considerations, meaning that each Drop-Off Site must make its own decisions and use its best judgment to operate in the safest manner possible in accordance with applicable Law. To ensure the highest standards of safety for you and your staff, Drop-Off Sites must:

- Accept Program Products from customers during your regular advertised or posted operating hours
- Have appropriate signage that informs customers of the hours of operation
- Participants must be assisted and supervised when they come to drop off Program Products. Drop-Off Site staff should greet participants and verify eligibility of the participant and their leftover paint products as Program Products
- When you are unable to accept a product from a consumer, please explain why the product cannot be accepted (e.g., not part of Program, leaking, oil-based paint from SQG/LQG, etc.)
- **IMPORTANT:** Never open or allow a customer to open a Program Product container
- Display PaintCare signage to identify your store as a Drop-Off Site – signage should be posted in a highly visible area, at the entrance of your store
- Have adequate space, staffing and training to collect and store Program Products
- Place all Program Products immediately in Collection Bins approved for use by PaintCare and provided by its contractors.
- Provide a secure space for empty and full Collection Bins
- Pack only Program Products into Collection Bins (see Section 3 for a description of Program Products)
- Schedule shipments of Program Products from your Drop-Off Site
- Maintain all records relating to the Program
- Train staff to be familiar with the requirements and practices of this guide

Paint Collection Bin Area

Establish a dedicated area for paint Collection Bins and Program Products.

Collection Bins include secondary containment to contain liquids in the event a can leaks while in storage. They must also be placed on an impermeable surface (e.g., concrete, asphalt, sealed wood floor) at all times.

Collection Bins must be structurally sound. If you see any evidence of damage that may cause a leak or spill, notify PaintCare immediately.

Place Collection Bins away from ignition sources.

Place Collection Bins away from storm drains and floor drains.

Mark the Collection Bin with the date the first Program Product is placed in it to help the Program track how quickly your Collection Bins are filled.

Collection Bins must be protected from precipitation and temperature extremes. If stored outdoors, Collection Bins must be kept under cover (to prevent exposure to precipitation) and may need to be moved indoors at times to protect against temperature extremes. If you store Collection Bins outdoors, you may need approval from your local fire or hazardous materials oversight agency.

Please make sure to comply with any local fire codes or other regulations that might pertain to your storage of Collection Bins at your site.

Security

The Drop-Off Site and Collection Bin storage area should be secured and locked when they are closed or not attended.

Only Drop-Off Site staff should have access to the Collection Bins and storage area.

Packing and Maintaining Collection Bins

Bins must be labelled with the words "Paint Stewardship – Used Paint." If a bin is not labelled or PaintCare's hauler does not provide labels, notify PaintCare immediately. Keep Collection Bins closed except when adding Program Products.

Maintain enough space around Collection Bins to inspect for leakage and emergency access.

Please do not overfill Collection Bins.

Pack 5-gallon buckets on the bottom layer of the Collection Bins for stability.

Pack all Program Products (cans, buckets) upright and as tight as possible in the Collection Bins to protect contents from shifting and leaking in transit.

Use good housekeeping standards; keep paint storage areas clean and orderly.

Section 2. Accepting Program Products

What Is Architectural Paint

PaintCare Drop-Off Sites should accept only Program Products for management under the PaintCare Program.

Section 4 includes the primary examples of architectural paint products accepted by the PaintCare Program (“Program Products”) and paint or paint-related products not accepted by the PaintCare Program (“Non-Program Products”).

Any Drop-Off Site that accepts containers that are clearly identifiable as Non-Program Products may be responsible for managing those Non-Program Products at the Drop-Off Site’s expense.

Generally, architectural paints include latex and oil-based house paint, stains, and clear coatings (varnish, shellac, etc.). The Program excludes anything that is:

- in an aerosol spray can;
- intended and labeled “for industrial use only”;
- mostly used in the manufacture of equipment; and
- on the list of specifically excluded products for some other reason.

Architectural paint is classified as either latex (water-based) or oil-based (alkyd) and the classification is important in order to decide how the product should be handled and recycled. Being able to tell the difference between latex and oil-based products is also important in determining which types of businesses can use the PaintCare Program.

Who Can Drop Off Program Products

The Program accepts paint from the following:

Households. Residents may drop off any Program Product.

Non-Households. (Businesses and other organizations)

CESQG Businesses. Among other criteria, businesses that qualify as “Conditionally Exempt Small Quantity Generators” under federal rules must generate less than 100 kilograms (about 20-30 gallons) of hazardous wastes per month (and not store more than 1,000 kilograms of hazardous waste at any time). Small painting contractors or commercial property owners often qualify as CESQGs. Businesses that qualify as CESQGs may drop off any type of Program Product.

SQG and LQG Businesses. Businesses that generate more than 100 kilograms of hazardous waste per month are classified as either “Small Quantity Generators” or “Large Quantity Generators” under federal rules. Larger painting contractors or big manufacturing businesses typically are classified as SQGs or LQGs. These businesses are more heavily regulated and must use a hazardous waste management company to manage their hazardous waste, including oil-based paint. They may, however, drop off latex-based Program Product at PaintCare Drop-Off Sites.

How to Know If a Business Qualifies

Each business is responsible for determining its own generator status under the applicable Law.

When a business has oil-based paint to drop off, it must sign a Paint Drop-Off Log (sample included in Appendix A) to verify that it qualifies as a CESQG and is therefore qualified to use the Program for oil-based paint. The Log includes an explanation of what types of businesses qualify to use the Program. (If a business has only latex paint, it does not need to sign anything.)

Once a business signs the Paint Drop-Off Log, you may accept up to 100 kilograms (about 20-30 gallons) of oil-based paint from that CESQG.

Paint Drop-Off Logs may be reviewed by PaintCare or government agencies and compared with a list of registered hazardous waste generators to see that only CESQG businesses are using the Program for their oil-based paint.

Section 3. Container Condition and Approved Product Types

Before accepting products from participants for management under the PaintCare program, Drop-Off Site staff must (1) check the product label to verify that it contains a Program Product, and (2) check the condition of the container for acceptance in the Program.

Acceptable Containers vs. Unacceptable Containers

Acceptable

- The Program Product must be in its original container
- The container is labeled as containing one of the designated Program Products listed below
- The container must be in good condition and not leaking
- The container must be 5 gallons in size or smaller

Not Acceptable

- The container is not original (e.g., paint was transferred into a jar)
- The container does not have an original label
- The container is leaking or has no lid
- The container is larger than 5 gallons
- The container is empty

Program Products and Non-Program Products

Acceptable Products (Program Products)

- Interior and exterior paints: latex, acrylic, water-based, alkyd, oil-based, enamel (including textured coatings)
- Deck coatings and floor paints (including elastomeric)
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes (single component)
- Waterproofing concrete/masonry/wood sealers and repellents (not tar or bitumen-based)
- Metal coatings, rust preventatives
- Field and lawn paints

Unacceptable Products (Non-Program Products)

- Paint thinner, mineral spirits, solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Art and craft paints
- Caulking compounds, epoxies, glues, adhesives
- Paint additives, colorants, tints, resins
- Wood preservatives (containing pesticides)
- Roof patch and repair
- Asphalt, tar and bitumen-based products
- 2-component coatings
- Deck cleaners
- Traffic and road marking paints
- Industrial Maintenance (IM) coatings
- Original Equipment Manufacturer (OEM) (shop application) paints and finishes

Refusing an Unacceptable Product

When you are unable to accept a product from a consumer, please explain why the product cannot be accepted (e.g., not part of Program, leaking, oil-based paint from SQG/LQG, etc.).

Section 4. Drop-Off Site Limits

While the PaintCare Program intends to collect as much Program Product as is available, we recognize that your Drop-Off Site may have storage limitations. PaintCare Drop-Off Sites, in agreement with PaintCare, may limit the amount of Program Products they accept from a customer.

If your Collection Bins are completely full, inform the participant that you are temporarily unable to accept Program Products and redirect them to the nearest alternative PaintCare Drop-Off Site (see: www.paintcare.org) or ask them to come back at a later date. Contact the PaintCare Hauler immediately to have your Collection Bins picked up and replaced.

If you have a participant with a significant amount of Program Products that your location cannot manage, contact PaintCare directly for additional assistance. We may direct the participant to another PaintCare Drop-Off Site that can manage the large load or offer a direct pickup.

Section 5. Working with Haulers

PaintCare contracts with transportation providers (“Haulers”) for the delivery of supplies, delivery of empty Collection Bins, and pick-up of full Collection Bins.

Scheduling the Hauler to Pick Up Collection Bins

When half of your Collection Bins are full or you anticipate that your Collection Bins will be full within your sites pick-up timeframe [generally five (5) business days], call your Hauler to schedule a pickup, or use the online order system if available. The name and contact information of your Hauler is provided at the front of your training binder and should also be filled in on the cover of these guidelines.

When establishing an appointment for pick-up, please indicate:

- That your facility is a PaintCare Drop-Off Site
- Name of Drop-Off Site and address
- Your name
- Your phone number
- Number of full Collection Bins to be picked up and the number of empty Collection Bins needed for replacement

Preparing Collection Bins for Removal

On the scheduled pickup day, Collection Bins should be readily accessible to the Hauler for quick and efficient loading. The Hauler will bring shipping documents and Collection Bins labels. The Hauler is responsible for loading and off-loading Collection Bins, and will provide a copy of the shipping documents to the Drop-Off Site. Keep a copy of the shipping documents for your records.

Section 6. Inspections and Records

Inspections and Record Keeping

Drop-Off Site staff are responsible for regularly inspecting Collection Bins and spill kits to ensure that such materials are in proper working order, include any necessary labeling, etc. Please report any damaged materials or other problems to PaintCare immediately so that PaintCare may arrange for prompt replacement or repair.

The following records are to be maintained for a minimum of 3 years:

- Inspection records
- Paint Drop-Off Log (see: Appendix A)
- Employee training records (see: Appendix B)
- Bills of lading and/or other documentation required by applicable Law for outgoing shipments of Program Products

Section 7. Training and Safety

Training

For the safety of the Program and your staff, all employees handling Program Products must receive training in product identification, acceptance, handling, packaging, inspection and emergency response procedures before collecting Program Products or engaging in any PaintCare Program activities.

Training ensures that employees conduct Program Products collection activities in a safe manner that protects workers and the environment.

Program Products collection activities need to follow general safety practices, including proper lifting techniques.

Ensure Drop-Off Site employees are equipped for and understand hazards associated with Program Products.

Maintain training plans and records for each employee. A form for recording staff training is included in Appendix B.

Safety

Store personal protective equipment (PPE) and spill response equipment in an accessible location adjacent to the Collection Bins. Ensure that the materials are protected from the weather.

The Drop-Off Site needs to be equipped with appropriate emergency response equipment including a fire extinguisher, spill kit and PPE. Monthly inspections of equipment are recommended.

Emergency procedures and emergency contact numbers including police, fire department and emergency services should be posted by phone near the Drop-Off Site area.

If applicable, develop and maintain emergency action plan as required by OSHA.

If required by federal, state or local law, familiarize police, fire departments and emergency response teams with the layout of your facility, properties of Program Product handled at your facility and evacuation routes.

For your convenience, a form for recording emergency contacts is included in Appendix C.

Section 8. Spill Response

Spills

The information in this section will assist with spills from damaged or leaking Program containers. It is important that all Drop-Off Site staff understand corrective actions to minimize exposure to people or the environment.

Collection Bins should be kept in a clean, accessible area. Clean up any spill or release of Program Product immediately and place spill residue in a sealed container (you may use the PaintCare-provided spill kit container for this), label it and place sealed container in a Collection Bin. Contact the Hauler or PaintCare to replenish spill kit materials as needed.

Reporting

Any discharge of Program Product that enters or may enter District of Columbia waters must be immediately reported to the appropriate governmental authority, including the District of Columbia's Homeland Security and Emergency Management Agency at (202) 535-2270 – see emergency contact list in Appendix C for spill contact numbers. Contact PaintCare within 24 hours of making such a report.

Post emergency contact numbers including police, fire department, and emergency services.

Spill Kits

PaintCare provides each Drop-Off Site with a spill kit containing:

- Latex gloves
- Safety glasses
- Absorbent
- Plastic bags

Any material used should be replaced immediately after it is used. Contact the assigned Hauler for replacement items.

Spill Response Procedures

If a spill is small enough to be managed by Drop-Off Site staff, follow these steps:

- Isolate the area and restrict access to the spill
- Ensure personal safety, put on protective gear (glasses and gloves) provided in the spill kit
- Stop the movement of paint by placing the leaking container upright or in a position where the least amount will spill, and place leaking container in plastic bags provided in spill kit, or into the spill kit container
- Contain the spill by placing absorbent pads or granular absorbent around and on the spill – if outdoors, place barriers around storm drains to prevent a release to the environment
- Collect the contaminated absorbent material and place it in plastic bag(s) or spill kit container, along with the leaking container and contaminated PPE, seal the bag(s) and place in the Collection Bin

- Remove any clothing that may be contaminated, wash thoroughly to remove spilled material from your hands or body
- Replace any used spill control supplies by contacting the assigned hauler for replacement items
- Document the date, location and amount and type of material spilled
- If required, report the spill to the appropriate governmental authority

Appendix A. Paint Drop-Off Log

Qualification: As a business or organization, you may drop off oil-based paint at a PaintCare drop-off site only if you provide the information below and certify that you comply with DC-specific and federal (40 CFR 261.5) hazardous waste generator rules for exempt generators that, among other criteria, require that the businesses/organizations (1) generate no more than 100 kilograms (about 25 gallons or 220 pounds) of hazardous waste per calendar month, (2) generate no more than 1 kilogram of acute hazardous waste per calendar month, and (3) accumulate no more than 1,000 kilograms of hazardous waste or 1 kilogram of acute hazardous waste at any given time.

Certification Statement: By signing this document, I certify that my business or organization currently meets the requirement in the preceding Qualification and met those requirements at the time that it generated all hazardous waste to be dropped off at this site. I also understand that the drop-off site accepting this waste and PaintCare Inc., its sole member, and their agents, employees, member companies, officers, directors, and assigns do not assume liability for my waste and that liability remains with my organization. By signing above, I waive, release, and hold harmless those entities and persons from any liability, claim, injury, losses or damages arising from my dropping off waste materials at this site.

[This log sheet may be provided to DC agencies upon their request.]

Date	Oil-Based Paint Gallons	Name of Business/Organization	Address of Business/ Organization	Name of Person Dropping-Off Paint	Signature	Phone Number

Appendix C. Emergency Contact Information

This form is to be completed prior to the first day of collection.

Basic Local Emergency Contacts

Facility Emergency Coordinator
(name/phone):

Alternate Emergency Coordinator
(name/phone):

Fire Department Phone Number

911

Police Phone Number

911

Hospital Phone Number

For Spills of Program Product

Report any discharge of Program Product which enters or may enter the waters of the District of Columbia. Any such spill or release must be reported to the appropriate local enforcement agencies immediately, and to PaintCare within 24 hours.

Local enforcement agency (name/phone):

DC agency (name/phone):

**District's Homeland Security and Emergency
Management Agency at (202) 535-2270**

PaintCare:

1-855-PAINT09

Other (name/phone):

Other (name/phone):



PaintCare Retail Training

2016



Recycle with PaintCare

About the PaintCare Program

What to do with leftover Paint?

Today there is approximately 65 million gallons of leftover paint in the U.S.

Before PaintCare...

- District of Columbia consumers could only dispose of oil-based paint through limited government-run household hazardous waste programs or private hazardous waste haulers
- In 2003, stakeholders including government agencies, paint recyclers, environmental groups, the American Coatings Association and others began a dialogue to develop a better solution for managing postconsumer paint
- The collaborative process led to drafting model, state-level, industry-supported law



Model Paint Stewardship Law

Currently, 8 states and the District of Columbia have passed the industry–supported paint stewardship law.

Oregon (2009) program started 2010

California (2010) program started 2012

Connecticut (2011) program started 2013

Rhode Island (2012) program started 2014

Minnesota (2013) program started 2014

Vermont (2013) program started 2014

Colorado (2014) program started 2015

Maine (2013) program started 2015

Washington DC (2015) program starts 2016

What the Law Requires

Manufacturers selling paint in the District must operate a program to manage leftover paint by:

- Reducing the generation of postconsumer paint through “buying right” education
- Promoting using up / donating unused paint
- Providing a system for collection and recycling of paint that includes convenient paint drop-off sites and environmentally responsible paint management

About PaintCare

- Created by the American Coatings Association in 2009
- Non-profit stewardship organization that sets up the paint recycling program on behalf of paint manufacturers
- Governed by Board of architectural paint manufacturers
- District Department of Energy & Environment reviews and approves PaintCare's Program Plan and Annual Reports



AmericanCoatings
ASSOCIATION

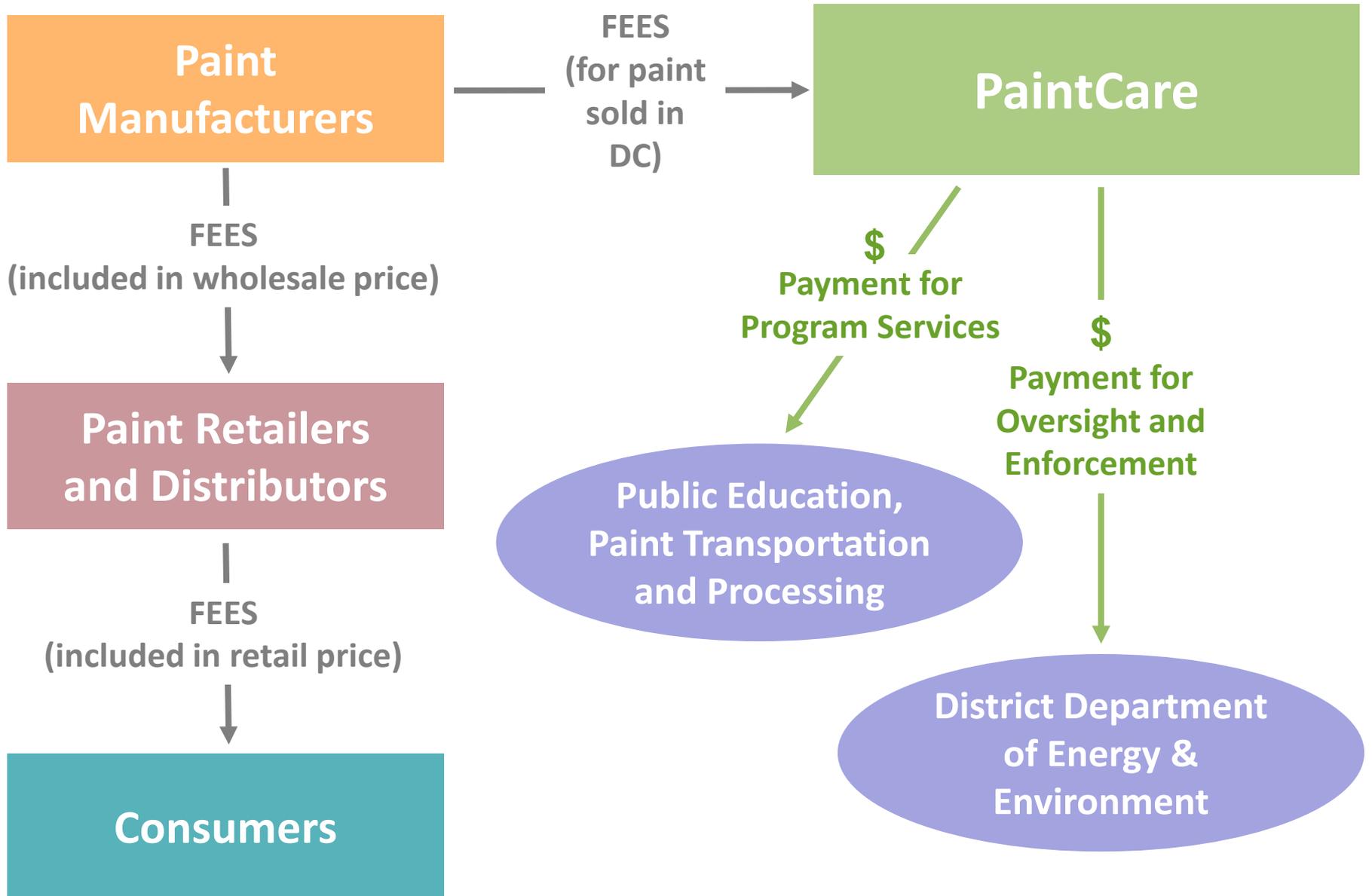
Sustainable Funding

PaintCare Fee

Half pint or smaller	\$ 0.00
Larger than half pint to smaller than 1 gallon	\$ 0.45
1 gallon	\$ 0.95
Larger than 1 gallon up to 5 gallons	\$ 1.95

PaintCare Fee must be added to the wholesale price of paint and passed down through retailers to consumers

Funding pays for paint management (collection, transportation, processing), outreach and management



Who Can Be a Drop-Off Site

- Municipal household hazardous waste collection programs (facilities and events)
- Paint retailers: paint, hardware, home improvement, lumber yards, and reuse stores
- Waste transfer stations, landfills, public works yards, and other appropriate publicly accessible facilities

Potential Uses for Collected Paint

- Reused or donated (latex and oil-based)
- Blended into recycled-content paint (latex) – sold domestically and exported
- Cement/asphalt blends (latex)
- Landscaping material (latex)
- Blended into fuel for cement kilns and hazardous waste incinerators (latex and oil-based)

Drop-Off Site Guidelines

Employee Training

- Any employee accepting paint from the public, placing it in the bins, or ordering pick-ups should be trained on the PaintCare Guidelines
- Maintain a record showing that all staff handling PaintCare materials have received this training, and are re-trained annually

Onsite Materials Needed

- Operations binder with record-keeping forms
- Storage bins and labels
- Spill kit
- Program product poster
- Drop-off site poster
- Customer education materials



Posters

 paintcare®

Recycle your paint here.

[DURING BUSINESS HOURS ONLY]

ACCEPTABLE

- Latex house paint
- Oil based house paint
- Primer
- Stains and sealers
- Varnish & shellac
- All brands

NOT ACCEPTABLE

- Paint thinner
- Two-component paints
- Aerosols
- Other chemicals

PLEASE DON'T BRING CONTAINERS THAT ARE

- Leaking
- Unlabeled
- Empty



Recycle with PaintCare

For a complete list of acceptable products, please ask for the PaintCare brochure, call (855) 724-6809 or visit www.paintcare.org.

NO DUMPING

STOP!

**IT'S ILLEGAL
to dump or abandon
Paint, Oil, or other
Hazardous Waste**



**THIS AREA MAY BE UNDER
VIDEO SURVEILLANCE**

Violators Will Be Prosecuted

Consumer Materials (translations available)



Recycle with PaintCare



DISTRICT OF COLUMBIA

Places to Take Old Paint

Paint recycling is more convenient with PaintCare. We set up paint drop-off sites throughout the District. To find your nearest drop-off site, use PaintCare's search tool at www.paintcare.org or call our hotline at (855) 724-6809.

How to Recycle

PaintCare sites accept all brands of old house paint, stain and varnish – even if they are 20 years old! Containers must be five gallons or smaller, and a few types of paint are not accepted. See back panel for a list of what you can recycle.

All PaintCare drop-off sites accept up to five gallons of paint per visit. Some sites accept more. Please call the site in advance to make sure they can accept the amount of paint you would like to recycle.

Make sure all containers of paint have lids and original labels, and load them securely in your vehicle. Take them to a drop-off site during their regular business hours. We'll take it from there.

PaintCare Fee

PaintCare is funded by a fee paid by paint manufacturers for each can of paint they sell in the state. Manufacturers pass the fee to retailers, who then apply it to the price of paint. Stores can choose whether or not to show the fee on their receipts. Fees are based on the size of the container as follows:

- \$ 0.00 Half pint or smaller
- \$ 0.45 Larger than half pint to smaller than 1 gallon
- \$ 0.95 1 Gallon
- \$ 1.95 Larger than 1 gallon up to 5 gallons

Not a Deposit

The fee is not a deposit – it is part of the purchase price. The fees are used to pay the costs of running the program: recycling, public education, staffing and other expenses.

Contact Us

To learn more or find a drop-off site, please visit www.paintcare.org or call (855) 724-6809.



Find a paint drop-off site near you by visiting paintcare.org



Recycle with PaintCare

Mini Card

Consumer Brochure

Bins and Labels

- Make sure bins are not damaged and have liners if needed
- Keep paint storage area clean and orderly
- Bins must have identification labels
- Add the date when the first can is placed in the bin
- Bin must be labeled “Paint Stewardship - Used Paint”



Where to Put Your Bins

- Cubic yard area on impermeable surface (concrete, asphalt, sealed wood)
- Secure from the public – no self-serve
- Away from ignition sources and drains
- Protected from temperature extremes
- Indoor area (with adequate ventilation)
- If outdoors, reusable, weather-tight bins, stored under a covered area and secured
- Maintain enough space around bins for emergency access and inspecting for leaks

Program Products

*Collect the following architectural coatings in 5 gallon containers or less, **in original container:***

- Interior and exterior architectural paints: latex, acrylic, water-based, alkyd, oil-based, enamel (including textured coatings)
- Deck coatings, floor paints (including elastomeric)
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes (single component)
- Waterproofing concrete/masonry/wood sealers and repellents (not tar or bitumen-based)
- Metal coatings, rust preventatives
- Field and lawn paints

Non-Program Products

- Paint thinners, mineral spirits, solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Art and craft paints
- Caulking compounds, epoxies, glues, adhesives
- Paint additives, colorants, tints, resins
- Wood preservatives (containing pesticides)
- Roof patch and repair
- Asphalt, tar and bitumen-based products
- 2-component coatings
- Deck cleaners
- Traffic and road marking paints
- Industrial Maintenance (IM) coatings
- Original Equipment Manufacturer (OEM) (shop application) paints and finishes

Paint Can Condition

- Original container
- Original label that can be read
- Sealed/not leaking
- 5 gallons or less in size
- No empty cans, but cans with dried latex is ok
- **Never open containers**



Storing and Packing Collection Bins

- Immediately place paint containers in the bin
- Pack paint containers upright and tightly
- When possible, pack 5 gallon buckets on bottom, then 1 gallons on top, etc.
- Never toss paint containers into bins
- Do not overfill bins
- Keep collection bins closed except when adding Products



Limits on Volume Accepted

- Website map lists the customer volume your site chooses to advertise
- PaintCare outreach materials state limit of “5 gallons per customer per visit”
- Don’t take more than can fit in your bins:
 - Ask them to come back
 - Refer to www.paintcare.org to find another site
 - Refer to PaintCare hotline (855) Paint09 to schedule a large volume pick-up for customers

PaintCare.org Site Locator

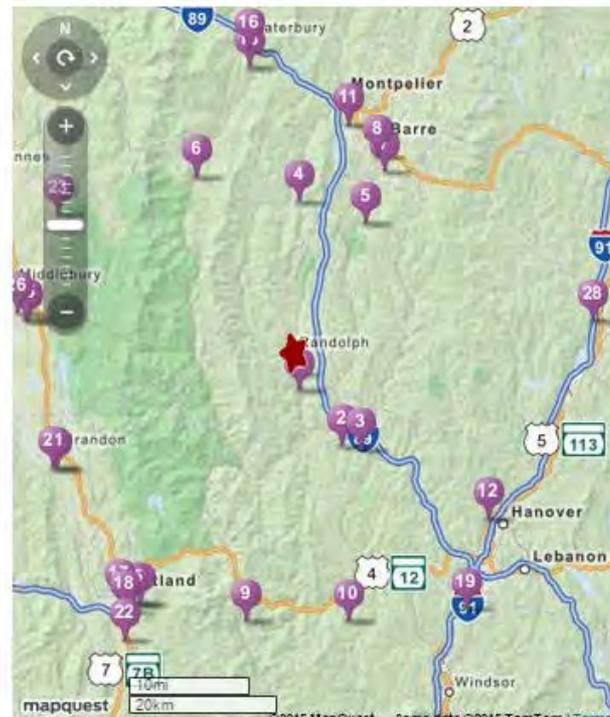
Find a Drop-Off Site

About the Site Locator

Products We Accept

How to Recycle

Location:
ENTER: Zip Code OR City, State OR Street Address



- 1 [Central Supplies](#)
Randolph, VT, 1.64 Mi.
- 2 [Bethel Road Transfer Station](#)
South Royalton, VT, 9.07 Mi.
- 3 [Welchs True Value](#)
South Royalton, VT, 10.95 Mi.
- 4 [Kenyons True Value](#)
Northfield, VT, 15.53 Mi.
- 5 [Poulin Lumber](#)
Williamstown, VT, 16.27 Mi.
- 6 [Bisbees Ace Hardware](#)
Waitsfield, VT, 21.46 Mi.
- 7 [Sherwin-Williams](#)
Barre, VT, 21.56 Mi.
- 8 [Central Vermont Solid Waste Management District Additional Recyclables Collection Center](#)
Barre, VT, 22.12 Mi.
- 9 [Britton's Lumber and Hardware](#)
Taftsville, VT, 23.14 Mi.
- 10 [Welchs Woodstock True Value](#)

Acceptance Rules

Latex Program Products

- From residents (any volume*)
- From businesses (any volume*)

Oil/Solvent-Based Program Products

- From residents (any volume*)
- From businesses
 - 25 gallons maximum per month
 - Must be willing to sign Paint Drop-Off Log (and meet the qualifications) each time they drop-off paint

**Volume limit set by retailer (5 gallon minimum)*

Where Should Customers Take Non-Program Products?

- Refer customers to the Fort Totten household hazardous waste disposal program
- Refer customers to their local garbage hauler, environmental health agency, or public works department
- Refer customers to PaintCare for assistance

What if Non-Program Products End up in the Bin?

- If you find a non-program product in the bin prior to a pick-up, store must manage it as waste generated by your store
- Mislabeled products and other mistakes will not be returned to you – they will be managed downstream by the PaintCare's hauler
- Haulers will identify any sites with contamination so we can check in to determine if additional training is needed

Ordering Bin Pick-Ups and Supplies

- **Transporter provides bins, labels, and spill kits**
- **Request pick-up in advance of filling your bins**
 - **Pick ups generally occur within 5 days**
 - **Pick-ups are ordered by phone (see phone number on front page of training binder)**

On the Day of Pick-Up

- Identify which bins are full and ready for pick to the hauler
- Make sure the path between your bins and the hauler's vehicle is clear and at least 4 feet wide to accommodate movement of bins
- Sign and keep copies of bills-of-lading (provided by hauler at the time of pick-up)

Spill Preparedness

- **Store the following emergency response equipment in an easily accessible area:**
 - **Personal protective equipment (PPE)**
 - **Fire extinguisher**
 - **Spill kit containing safety goggles, gloves, absorbent, plastic bags**
- **Inspect all equipment and storage area regularly**
- **Post emergency procedures and contact information including police, fire department, and emergency services by a phone near the paint storage area**

Spill Clean-Up

Clean up any spill or release of program products immediately:

1. Isolate the area
2. Use protective gear
3. Place leaking container upright in the spill kit bucket or plastic bag
4. Place absorbent around the spill, then fill in towards source
5. Place barriers around any storm drains
6. Place contaminated absorbent material and protective gear in bag or bucket with leaky container
7. Seal bag or bucket and place in bin
8. Contact your hauler to replenish spill kit materials

Spill Reporting

- Document the date, location, amount, and type of program product spilled
- Report any spill or release of paint to the environment to:
 - District's Homeland Security and Emergency Management Agency **(202) 535-2270**
 - PaintCare within 24 hours of any report

Record Keeping

- Employee training sheets
- Paint Drop-Off Log
- Bills-of-lading

Keep all records on site for a minimum of three years

FAQs

- How many cans does the standard PaintCare bin hold? **Approximately 100-125 one-gallon cans, depending on bin type.**
- Do we only accept brands sold in our store? **No, all brands are included, even ones you don't sell.**
- Can we turn contractors away? **No, this program is for households and businesses. You may limit your per-customer drop-off volume to 5 gallons.**

FAQs

- Can store waste be placed in the PaintCare bins? **Mistints and returned program products are accepted, but obsolete products should be managed by the system your store currently has in place.**
- Can we charge a fee for consumers to drop their program products at our store? **No; the customer has already paid for the service through the fee.**
- How do we get more brochures? **Contact PaintCare for additional brochures, posters, signs.**

Appendix G

Postconsumer Paint Volume Studies and Key Findings

Postconsumer Paint Studies

1. “A Background Report for the National Dialogue on Paint Product Stewardship” prepared by Greiner Environmental Inc. and the Product Stewardship Institute for the Product Stewardship Institute (PSI);
2. Documents prepared for the Paint Product Stewardship Initiative (PPSI), including “Quantifying the Disposal of Post-Consumer Architectural Coatings” conducted by Abt Associates Inc. for the U.S. Environmental Protection Agency (EPA);
3. “Paint Product Stewardship Initiative Infrastructure Report” prepared by SCS Engineers for the Washington State Department of Ecology; and
4. “Consumer Architectural Coatings Disposal Study” conducted by NFO Research Inc. for the National Paint and Coatings Association (ACA’s former name).

Links to the above studies can be found on the paint project page of the Product Stewardship Institute’s website at www.productstewardship.us.

Key Findings

In the Background Report, PSI estimated that 2.5% to 5.5% of paint sold remains as leftover paint. EPA’s study estimated that 6% to 16% of paint sold remains as leftover paint.

The Infrastructure Report considered scenarios of 5%, 10%, and 15% of paint sales resulting in leftover paint, consistent with both the PSI and EPA studies. The report stated that “even with high levels of promotion, few paint collection programs are likely to capture more than 75 percent of the leftover paint in a region.”

The NFO study found that the average amount of leftover paint per household was 0.375 gallons. Consistent with the NFO study, the Infrastructure Report found that using the 5%, 10%, and 15% scenarios, the quantity of paint expected to be collected per household would be in the range of 0.15 to 0.60 gallons (low and extra high), with 0.30 and 0.45 gallons being the middle range. These values corresponded with data from existing HHW programs (that accept latex paint in addition to oil-based paint), with newer programs operating in the low ranges and more mature programs operating in the middle ranges.