

The 2012 Washington Paint Stewardship Bill

SSB 6145: Information for Washington Local Governments

A paint product stewardship bill was introduced in the 2012 legislative session that would authorize paint manufacturers selling paint in Washington to finance and provide a take back and recycling program for unwanted architectural paint that would be overseen by the Department of Ecology.



The legislation was initiated by the American Coatings Association (ACA), which is working to establish paint recycling programs across the country. Similar legislation passed in Oregon (the pilot program), California and Connecticut, and bills have been introduced in four other states.

SB 6145 (prime sponsor-Senator Chase) passed out of the Senate Environment Committee, but did not come up for a vote in the Senate Ways and Means Committee.

HB 2540 (prime sponsor -Representative Goodman), a companion bill, was introduced in the House but did not receive a hearing. Similar bills are likely to be introduced in the 2013 legislative session.

Summary of SSB 6145

Complete bill language can be found at: apps.leg.wa.gov/documents/billdocs/2011-12/Pdf/Bills/Senate%20Bills/6145-S.pdf.

Types of Paint Covered and Who Can Use the Program

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

Paint Stewardship Program Plan

A stewardship organization(s) must submit a plan to the Department of Ecology describing how the program will collect, transport, and process leftover paint. The plan must include:

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



Funding Mechanism

- No charge to users when they turn in unwanted paint.
- The program will be financed through an “architectural paint stewardship assessment” that will be reviewed/approved by Ecology. The assessment used in the pilot Oregon Paint Product Stewardship Program in 2011 was:

1/2 pint container or less	\$ 0.00
> 1/2 pint to 1 quart container	\$ 0.35
> 1 quart to 1 gallon container	\$ 0.75
1 gallon to 5 gallon container	\$ 1.60



- Paint producers must add the assessment to each container of paint sold to Washington retailers and distributors. Producers must pay the assessment to a stewardship organization.
- Washington retailers must add the assessment to the price of paint paid by consumers, but can choose whether to show the assessment amount on the sales receipt.
- The funds generated by the assessment cannot exceed the cost of providing the stewardship program.

Costs Covered by the Stewardship Organization

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

Convenience Standards for Number and Locations of Collection Sites

- The program must provide a reasonably convenient and available statewide collection system for unwanted paint.
- Service must be available to urban and rural areas, island and geographically isolated communities.
- There must be at least one permanent collection site within a 15 mile radius of all incorporated cities and “Census Designated Places”, with a minimum of one site for every 30,000 people in each county in the state, unless otherwise approved by Ecology. For the remaining population, the program must provide collection events in at least one area in the county or the closest population center.
- The program shall utilize existing government owned moderate risk waste infrastructure and existing paint retail stores where cost effective, reasonably feasible and mutually agreeable.

Prepared by the Northwest Product Stewardship Council Paint Subcommittee



For more information, contact the Northwest Product Stewardship Council
Email: info@productstewardship.net • Phone: (206) 723-0528