

**RESOLUTION NO. 5 1 1 8**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, SUPPORTING PRODUCT STEWARDSHIP SYSTEMS FOR LEFTOVER PAINT TO PROVIDE STABLE FINANCING, INCREASED RECYCLING AND RESOURCE RECOVERY, AND REDUCED ENVIRONMENTAL AND HEALTH IMPACTS**

WHEREAS, paint is the second largest waste stream, behind used oil, collected at hazardous waste facilities in Washington State and only 38% of available leftover paint or 507,235 gallons of paint were collected in 2010; and

WHEREAS, the reduction and recycling of paint follow the state's waste management hierarchy; and

WHEREAS, oil-based paints are toxic, can harm fish and wildlife, can pollute groundwater if dumped, and contain volatile organic compounds (VOCs) that can irritate eyes, skin, and lungs, cause headaches and nausea, and can contribute to asthma or other respiratory problems, muscle weakness, and liver and kidney damage; and

WHEREAS, 10% of purchased paint becomes leftover waste paint, resulting in 1.34 million gallons of leftover paint in Washington in 2010; and

WHEREAS only 28 percent of leftover latex paint collected in Washington in 2011 was recycled, and 60 percent of state residents had no access to latex collection; and

WHEREAS, in 2009 King County stopped collecting latex paint but continues to collect oil-based paint at its Household Hazardous Waste facilities. Residents are asked to dry out their latex paint and dispose of it in the landfill. A

2013 King County Waste Characterization study estimated that 1,326 tons of latex paint was disposed of in the county's landfill at a time when we are trying to extend the life of the landfill; and

WHEREAS, leftover latex paint can be made into recycled-content paint, reducing the raw materials needed to produce virgin paints, and the energy required to extract those materials and manufacture new paint; and

WHEREAS, in 2013, King County collected 392,650 gallons of oil-based paint at a cost of \$152,164; and

WHEREAS, Product Stewardship, also known as Extended Producer Responsibility (EPR), is a policy approach that shifts financial and physical responsibility for end-of-life management of consumer products from local governments to those who benefit economically from the sale of the products they produce and to those who use the products; and

WHEREAS, when producers are responsible for ensuring their products are reused or recycled or disposed of responsibly and when health and environmental costs are included in the product price, there is an incentive to design products that are more durable, easier to repair and recycle, and less toxic; and

WHEREAS, local and state governments have been in negotiation with paint manufacturers of the American Coatings Association (ACA) to reach agreement on paint producer responsibility since 2002, which lead to a Memorandum of Understanding signed by the Washington Department of Ecology, Benton-Franklin Health Department, City of Walla Walla, City of

Spokane, Solid Waste Department, City of Vancouver, Solid Waste Division, Clark County, Cowlitz County Public Works, Grays Harbor County, King County Solid Waste Division, Kitsap County Solid Waste Division, Lincoln County Public Works, Pend Oreille County, Snohomish County Solid Waste Division, The Local Hazardous Waste Management Program in King County, Whatcom County Executive, Whitman County Solid Waste Department, Yakima County Solid Waste; and

WHEREAS, the American Coatings Association, representing both companies and professionals working in the paint and coatings industry, support stewardship legislation requiring the paint manufacturers to finance and manage a paint stewardship program to recycle unwanted architectural paint and industry supported legislation has been enacted in Oregon, California, Connecticut, Vermont and Rhode Island; and

WHEREAS, the American Coatings Association supports legislation in Washington so that similar a product stewardship system for paint can be implemented in Washington state; and

WHEREAS, it is beneficial to local government, our citizens and our state to support industry-driven initiatives that provide increased recycling and resource recovery, stable financing, and reduced environmental and health impacts;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, HEREBY RESOLVES as follows:

Section 1. That the City of Auburn supports policies and legislation that establish a convenient, safe, and environmentally sound paint stewardship program in Washington State that is financed by the paint manufacturers and covers the cost of collection, transportation, and recycling, and does not rely on state and local government funding.

Section 2. That the City of Auburn is authorized to send letters to the State Legislature and State associations, and to use other advocacy methods to urge support for paint product stewardship legislation.

Section 3. That the Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 4. That this Resolution shall take effect and be in full force upon passage and signatures hereon.

Dated and Signed this 5<sup>th</sup> day of January, 2015.

CITY OF AUBURN

Nancy Backus  
NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam  
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid  
Daniel B. Heid, City Attorney