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New Paint Product Stewardship Pilot Program in Oregon

The American Coatings Association (ACA) has worked over the last number of years with various stakeholders interested in the management of post-consumer paint to develop and implement an industry led Paint Stewardship Pilot Program in the US. With the successful passage of legislation in Oregon this year enabling such a pilot, ACA, and its new non-profit stewardship organization – PaintCare – is now in the process of implementing the Program.

As a Manufacturer – What do I need to know?

As of the start date of the program if you are not participating in PaintCare, or implementing your own paint stewardship program as approved by the Oregon Department of Environmental Quality, you will not be permitted to sell architectural paint in the state of Oregon. If you are participating in the PaintCare program, you will fulfill your obligations by remitting payment of a PaintCare Recovery Fee on all architectural paint you offer for sale in Oregon. The Recovery Fee will fund the collection, transportation, recycling and proper disposal of architectural paint in the state as well as education and outreach activities. The Recovery Fee must be added to your invoices for architectural paint to your distributors and retailers and those distributors and retailers must add it to the final purchase price of architectural paint sold to Oregon consumers.

What Products are covered by the Program?

Architectural paint is defined under the Program as interior and exterior architectural coatings sold in containers of five gallons or less. It does not include industrial, original equipment or specialty coatings. Examples of Program Products versus Non-Program Products are provided below:

Program Products (maximum container size of 5 gallons):

- Interior and Exterior Architectural Paints: Latex, acrylic, water-based, alkyd, oil-based, enamel (all types of finishes and sheens, including textured coatings)
- Deck coatings and floor paints (including elastomeric)
- Waterproofing concrete/masonry/wood sealers and repellents (not-tar-based or bitumen-based)
- Melamine, metal and rust preventative
- Primers, undercoaters and sealers
- Stains and Shellacs
- Swimming Pool Paints (single component)
- Varnishes and urethanes (single component)
- Lacquers, Lacquer Sanding Sealers, and Lacquer Stains
- Wood Coatings (containing no pesticides)

Non-Program Products (regardless of container size):

- Industrial Maintenance Coatings
- OEM and Industrial surface coating (shop application) paints and finishes
- Aerosol Paints
- Automotive Paints
- Marine Paints
- Craft Paints
- Caulking Compounds, epoxies, glues or adhesives
- Colorants and tints
- Resins
- Paint Thinners, mineral spirits or solvents
- Paint Additives
- Pesticide containing products
- Roof patch or repair
- Tar-based or bitumen based products
- 2-Component Coatings
- Deck Cleaners
- Traffic Paints

How much is the PaintCare Recovery Fee?

The Recovery Fee is based on container size as follows:

<i>1/2 pint container or less</i>	No Charge
<i>more than 1/2 pint to 1 gallon</i>	\$ 0.35
<i>1 gallon container</i>	\$ 0.75
<i>more than 1 gallon to 5 gallon</i>	\$ 1.60

How do I become a Participant in PaintCare?

Please contact us using the contact information below. You must register with PaintCare and provide the Program with a point of contact and a list of brands of Program Products you offer for sale in Oregon. Participants will report quantities sold of Program Products and pay the PaintCare Recovery Fee on a monthly basis. Participants will report the number or units of Program Products in each container size range and the type of paint – alkyd or latex. PaintCare will undertake all other obligations on behalf of participants including education and outreach for the program, management of the Program Products from collection through end-of-life disposition and reporting requirements.

Is this a Government program?

No – the Program is mandated by law, but it is being implemented by PaintCare, which is an industry association run by architectural paint manufacturers. The Program is entirely funded by the PaintCare Recovery Fee, which is paid to PaintCare by the manufacturers based on their architectural paint sales in Oregon. PaintCare engages and manages all contracts for collection, transportation, recycling, and proper disposal of the Program Products. PaintCare submitted a Program Plan for approved by the DEQ and will submit reports on the Program on an annual basis.

Who is Product Care?

PaintCare has engaged Product Care to develop, implement and manage the Oregon paint stewardship pilot program including contracts for collection, transportation, recycling, and proper disposal of the Program Products. Product Care has incorporated an Oregon non-profit called PCA Paint Stewardship Inc. for this purpose. Product Care is a not-for-profit industry sponsored association that manages product stewardship programs for paint and for other household hazardous and special waste on behalf of its members across Canada.

FOR FURTHER INFORMATION – PLEASE CONTACT:

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