



Connecticut Architectural Paint Stewardship Program Plan

Revised April 25, 2013

Submitted by:

Marjaneh Zarrehparvar
Executive Director
PaintCare Inc.
1500 Rhode Island Avenue NW
Washington, DC 20005
mzarrehparvar@paint.org
www.paintcare.org

Submitted to:

Daniel C. Esty
Commissioner
Department of Energy and Environmental Protection
State of Connecticut
79 Elm Street
Hartford, CT 06106



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1. Introduction

In June 2011, Governor Malloy signed Public Act 11-24, creating the Connecticut Paint Stewardship Program (“Program”), which is codified in Sections 22a-904 and 22a-904a of the Connecticut General Statutes. The new law requires producers (referred to in this plan as “manufacturers”) of architectural paint to establish a program to reduce the generation of postconsumer paint, promote using up leftover paint, and recycle and properly dispose of unwanted postconsumer paint, in order to reduce the costs and environmental impacts of their disposal in Connecticut.

The Program will significantly increase convenience for Connecticut consumers to recycle and properly manage their unwanted postconsumer paint; increase the volume of postconsumer paint collected from residents, businesses and other entities; provide cost savings to municipal household hazardous waste (HHW) collection programs in the state; and exemplify the principles of product stewardship.

Paint Stewardship

The Connecticut Department of Energy and Environmental Protection (“Department”) and the American Coatings Association, along with paint manufacturers, paint recyclers, Federal EPA, and local and state governments across the United States participated in a national dialogue – facilitated by the Product Stewardship Institute – that began in 2003. The goal of the dialogue was to develop an economically and environmentally-sustainable, industry designed and implemented postconsumer paint waste reduction and management system.

The dialogue resulted in the development of a model paint stewardship law. Oregon was the first state to pass this industry-supported architectural paint stewardship law in 2009. Similar laws were passed in California in 2010, Connecticut in 2011, and Rhode Island in 2012.

Connecticut Paint Stewardship Law

The Connecticut Paint Stewardship Law (“Law”) requires, by March 1, 2013, that manufacturers of architectural coatings – through a representative organization – submit a postconsumer paint management program plan (“Plan”) to the Department. The Plan must demonstrate how the Program will:

- Minimize public sector involvement in the management of postconsumer paint through the Program’s efforts to reduce the generation of postconsumer paint, promote using up leftover paint, and recycling and proper management of the collected postconsumer paint.
- Negotiate and execute agreements to collect, transport, and properly manage postconsumer paint through environmentally-sound management practices.
- Offer a convenient, statewide collection infrastructure, which at a minimum, provides for collection rates and user convenience equal to, or greater than, the collection programs available to consumers prior to the implementation of the Program.
- Establish a sustainable funding mechanism through a paint stewardship assessment (“PaintCare Recovery Fee”) on architectural coatings sold in the state of Connecticut. The fee must be paid by manufacturers to PaintCare to fund implementation of the Program.
- Address the coordination of the Program with existing household hazardous waste programs.

As required by statute, PaintCare submitted a Connecticut Architectural Paint Stewardship Program Plan to the Department on March 1, 2013. Following a public comment period, the Department provided Program Plan feedback and edits to PaintCare. In coordination with the Department, amendments were made to the Plan and this revised version was submitted to the Department on April 25, 2013.

The statute requires that within two months of the original Plan submission, the Commissioner of the Department make a determination whether or not to approve the Plan. Within two months of Plan approval, the Program must begin implementation. The Connecticut Paint Stewardship Program is expected to begin implementation on July 1, 2013.

Citations

To provide context, each section of this Plan begins with citation(s) of the relevant sections of the Law that apply to it.

Authorized Signature

PaintCare Inc.



Marjaneh Zarrehparvar
Executive Director

April 25, 2013

2. Stewardship Organization

Statutory Citation

Sec. 22a-904a(13) "Representative organization" means the non-profit organization created by producers to implement the paint stewardship program described in section 2 of this act.

Sec. 22a-904a(a)(1) On or before March 1, 2013, each producer shall join the representative organization and such representative organization shall submit a plan for the establishment of a paint stewardship program described in this subdivision to the commissioner for approval.

PaintCare Inc.

PaintCare Inc. ("PaintCare") is an IRS Code 501(c)(3) non-profit organization incorporated under the laws of Delaware. PaintCare was created by the American Coatings Association (ACA), a voluntary, non-profit organization working to advance the needs of the paint and coatings industry.

PaintCare was formed in 2009 to serve as the representative product stewardship organization for architectural paint manufacturers. PaintCare representation is open to all architectural paint manufacturers, and they may register with PaintCare at any time. PaintCare currently represents more than 150 paint manufacturers in its programs in Connecticut, California and Oregon.

PaintCare's corporate office is located in Washington, DC. State-specific staff are located in and/or work in states in which PaintCare programs operate, including Connecticut.

PaintCare's Board of Directors consists of ten non-paid representatives of architectural paint manufacturing companies. Appendix A provides the names and companies of PaintCare's Board of Directors at the time this Plan was submitted (note: one seat is vacant at this time).

3. Program Products

Statutory Citation

Sec. 22a-904a(1) “Architectural paint” means interior and exterior architectural coatings sold in containers of five gallons or less. Architectural paint does not include industrial, original equipment or specialty coatings.

Section Overview

This section discusses:

- The definition of architectural paint
- How manufacturers identify Program Products for the purpose of adding the required PaintCare Recovery Fee
- How collection sites identify Program Products for the purpose of collecting them under the Program

Program Products

Architectural paints are referred to as “Program Products” or “paint” in this Plan. For simple communication, this plan uses the common terms “latex paint” to mean non-combustible or water-based Program Products, and “oil-based paint” to mean combustible or petroleum solvent-based Program Products.

In order to determine which products are to be assessed the PaintCare Recovery Fee and collected for proper management under the Program, PaintCare uses definitions and terminology from the US EPA, state, and local architectural and industrial maintenance (AIM) rules. These definitions, along with a decision table, a list of Program Products, and examples of Non-Program Products are included in Appendix B.

To be a Program Product, five questions about a product must be answered as follows:

- | | |
|---|-----|
| • Is it a coating? | Yes |
| • Is it an architectural coating? | Yes |
| • Is it for Industrial Maintenance? | No |
| • Is it for Original Equipment Manufacturing? | No |
| • Is it a Specialty Coating? | No |

As needed, PaintCare reviews products and publishes notices to clarify whether or not certain products should be covered by the Program. Such reviews of an individual product or type of product are conducted by PaintCare operations staff who gather information from manufacturers about the chemistry and use of the products, then consult with technical staff and legal counsel who are familiar with the chemistry, use, and regulations of Program Products. Two examples of such notices are included in Appendix B.

The result of applying the definition to coatings products is that Program Products include water-based and oil-based house paints, primers, stains, sealers, elastomeric roof and deck coatings, varnishes, shellacs, lacquers, and single component polyurethanes. These are the products to which the PaintCare Recovery Fee will be applied by manufacturers, and they are the same products that are accepted at drop-off sites for recycling and proper end-of-life management.

If a coating product is added that is not covered by the AIM rules but is determined to be an architectural paint coating, using the above methodology, PaintCare will determine whether or not the product should be a covered product for the purposes of the Program. In addition, PaintCare will reach out to all manufacturers of the subject product to affirm its determination and will analyze how bringing the product into the Program will affect the Program budget and assessment rate. If a new product affects the budget and assessment rate, PaintCare will submit an amended Program budget for the Department's approval reflecting that change before adding the product to the Program.

Non-Program Products

Non-Program Products, whether they are coatings (e.g., automotive paints are excluded because they are not for architectural use) or non-coatings (e.g., paint thinners), are not assessed the PaintCare Recovery Fee and are not accepted in the Program because they introduce unfunded costs and safety hazards.

4. Registered Manufacturers and Brands

Statutory Citation

Sec. 22a-904a(a)(1) On or before March 1, 2013, each producer shall join the representative organization...

Sec. 22a-904a(7) "Producer" means a manufacturer of architectural paint who sells, offers for sale, distributes or contracts to distribute architectural paint in this state.

Sec. 22a-904a(a)(2) The plan submitted pursuant to subdivision (1) of this subsection shall: (A) Identify each producer participating in the paint stewardship program and the brands of architectural paint sold in this state covered by the program.

Sec. 22a-904a(e) Not later than the implementation date of the paint stewardship program, the department shall list the names of participating producers and the brands of architectural paint covered by such paint stewardship program on its website.

Sec. 22a-904a(f)(1) On and after the implementation date of the paint stewardship program, no producer, distributor or retailer shall sell or offer for sale architectural paint to any person in this state if the producer of such architectural paint is not a member of the representative organization.

Section Overview

This section discusses:

- How PaintCare identified and contacted architectural paint manufacturers
- Obligations of manufacturers under the Law and Program
- Private label agreements
- Purpose of registered manufacturer and brand lists
- Posting of lists by PaintCare and providing lists to the Department

Manufacturer Registration

Representation by PaintCare is open to all architectural paint manufacturers who are obligated to take part in the Connecticut Paint Stewardship Program. To identify potential participants, PaintCare obtained manufacturer information through a variety of sources, including:

- Oregon and California PaintCare programs
- The American Coatings Association and other paint trade associations
- Internet research

Manufacturers were notified by email of the Connecticut Law and Program and invited to join the PaintCare Program. Appendix C includes the notification and registration form sent to manufacturers asking for company and brand registration information. Appendix C also contains the lists of Registered Manufacturers and Registered Brands as of April 22, 2013. Due to a recent

transition in the method and technology used to manage this information, PaintCare was delayed in notifying manufacturers of the Connecticut registration process. As a result, the current list of registered manufacturers does not represent the full list of manufacturers (and brands) that will be participating in the Connecticut Program.

In addition, 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 Law. Therefore, the identification and notification of potential manufacturers is an on-going process, and the list of registered manufacturers (and brands) is expected to change as additional manufacturers become aware of the Program.

Prior to the Program launch date of July 1, 2013, PaintCare will provide the Department with an updated and current list of registered manufacturers and brands. Following that submission, PaintCare will provide an updated list within 30 days of any update or change.

Private Label Agreement

Private label agreements (or services) are products manufactured or distributed by one company for use under another company's label. They are also referred to as store brands, generic brands, and 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 two separate lists, thereby assuring the confidentiality of private labeling and other brand agreements.

Posting Manufacturer and Brand Lists

PaintCare will post the lists of registered manufacturers and brands on the PaintCare website and will provide the list to the Department at the same time. The purpose of posting the lists is to make them available for retailers and distributors. Retailers and distributors will use the information to learn which brands may be legally sold in Connecticut.

5. Collection Infrastructure and Goals

Statutory Citation

Sec. 22a-904a(a)(1) ... Such paint stewardship program shall: (B) provide for convenient and available state-wide 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 prior to such paint stewardship program.

Sec. 22a-904a(a)(2) The plan... shall: (B) address the coordination of the paint stewardship program with existing household hazardous waste collection infrastructure, as much as is reasonably feasible and mutually agreeable.

Sec. 22a-904a(c) Any retailer may participate, on a voluntary basis, as a paint collection point pursuant to such paint stewardship program and in accordance with any applicable provision of law or regulation.

Section Overview

This section discusses:

- Pre and post-Program collection infrastructure, including municipal HHW programs, paint-only collection events, paint retailers, transfer stations, and a large volume pick up service
- Collection site recruitment, operations, and oversight
- State-required permitting

Introduction

For many years, residents of Connecticut have been instructed to “dry and dispose” of their leftover, unwanted latex paint in the trash. As a result, there are very few programs that currently accept latex paint for recycling. Oil-based paints have always been collected through HHW programs and at a few transfer stations. The PaintCare Program will strive to partner with all existing paint collection programs, and these programs will be given the option to add latex paint to the Program Products they currently accept, but this will not be a requirement. New sites established for the Program (retail stores and transfer stations) will be expected to accept all Program Products – both latex and oil-based paints.

Given their limited resources and budgets, and in order to improve user convenience, PaintCare will not rely solely on partnering with existing collection programs to serve the public under the new Program. Instead, the Program will offer partnerships to all existing paint collection programs, while increasing recycling opportunities significantly for Connecticut residents through the addition of many new sites and services.

The Program anticipates the paint collection infrastructure and services to include:

- Existing municipal HHW collection programs (permanent facilities and temporary events)
- Existing municipal transfer station paint drop-off programs
- New retail paint drop-off sites (paint and hardware stores)
- New transfer station paint drop-off sites (public and private)
- Temporary (one-day) paint drop-off events
- Direct pick-up service for large volumes of paint

Before the Program's start date, PaintCare will provide the Department with a list of drop-off sites, planned events, and services, and PaintCare will continue to provide the Department with periodic updates.

Audience

The Program will serve Connecticut residents, businesses, and other entities that have unwanted, postconsumer paint, subject to programmatic limitations described here:

Residential Generators/Homeowners. The Program will accept any quantity of latex or oil-based paint from this group.

Conditionally Exempt Small Quantity Generators (CESQGs). Trade painters, contractors, small businesses, and other small to medium-sized organizations are typical CESQGs. The Program will accept any quantity of latex paint from CESQGs. The Program will only accept quantities of oil-based paint at or below regulatory limits for CESQGs.

Small Quantity Generators (SQGs) and Large Quantity Generators (LQGs). The Program will accept any quantity of latex paint from SQGs and LQGs. The Program does not provide for collection of oil-based paint from SQGs or LQGs.

Collection Infrastructure

Existing Paint Collection Programs

With invaluable assistance from staff at the Department, PaintCare identified and met with representatives from the majority of existing HHW and transfer station paint collection programs. The following table summarizes the number and type of existing Connecticut paint collection programs known to PaintCare.

Existing Infrastructure

Type	No.
Temporary HHW Collection Events ¹	56
Permanent HHW Collection Facilities	4
Transfer Stations	4

¹ Estimated annual number for 2013; the exact number of temporary HHW collection events varies from year to year.

Through these meetings, PaintCare had the opportunity to present the benefits to municipalities of partnering with the Program. These benefits include cost savings, offering new services to their community, reducing waste, and increasing recycling. PaintCare anticipates that the majority of existing paint collection programs will take advantage of the opportunity to partner with PaintCare and participate in the Program.

In addition to individual meetings, the Department hosted a series of stakeholder between 2011 and 2013 where information about the PaintCare partnership was offered and input was received from municipalities about their programs and needs. Also, in January 2013, PaintCare hosted a workgroup to focus specifically on changes to operations at HHW and transfer station facilities under a PaintCare partnership.

Notifying Household Hazardous Waste Programs

In addition to the individual and stakeholder meetings noted above, all HHW programs received a direct Program notification and partnership “Interest Form” in January 2013. The factsheet and interest form portion of the notification are available in Appendix D. Following receipt of a completed interest form, PaintCare contacts program staff to obtain program details and begins the process to establish a formal agreement between PaintCare and the HHW program.

A list of existing HHW paint collection programs is presented on the next page.



Haz Waste Central, New Haven



Photos courtesy of Regional Water Authority

Household Hazardous Waste Programs in Connecticut

Groups - Permanent Facilities

Capitol Region East Operating Committee (CREOC)*	Glastonbury, Hebron, Manchester, Marlborough, Somers, Stafford, Vernon
Midnortheast Recycling Operating Committee (MidNEROC)*	Andover, Ashford, Bolton, Chaplin, Columbia, Coventry, Eastford, Ellington, Hampton, Mansfield, Scotland, Tolland, Union, Willington, Windham
Regional Water Authority (RWA)*	Bethany, Branford, Cheshire, East Haven, Fairfield, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Wallingford, West Haven, Woodbridge
River Council of Governments (RiverCOG)* – formerly CRERPA & midstate regional planning agency	Chester, Clinton, Deep River, Essex, Haddam, Killingworth, Lyme, Old Lyme, Old Saybrook, Westbrook

Groups - One Day Events

Central Naugatuck Valley Council of Governments (COGCNV)*	Beacon Falls, Bethlehem, Middlebury, Naugatuck, Oxford, Southbury, Thomaston, Waterbury, Watertown, Woodbury
Housatonic Resources Recovery Authority (HRRRA)*	Group 1: Brookfield, New Milford, Sherman, Washington, Warren. Group 2: Bridgewater, Roxbury Group 3: Bethel, Danbury, Newtown, New Fairfield, Redding, Ridgefield
Litchfield Hills Council of Elected Officials and Northwest Connecticut Council of Governments (NWCCOG)*	Canaan, Colebrook, Cornwall, Goshen, Hartland, Harwinton, Kent, Litchfield, Morris, Norfolk, North Canaan, Salisbury, Sharon, Torrington
Metropolitan District Commission (MDC)*	Bloomfield, East Granby, East Hartford, Farmington, Hartford, Newington, Rocky Hill, West Hartford, Wethersfield, Windsor, Windsor Locks
Southeastern Connecticut Regional Resources Recovery Authority (SCRRA)*	Bozrah, Colchester, East Haddam, East Lyme, Franklin, Griswold, Groton, Lebanon, Ledyard, Montville, New London, North Stonington, Norwich, Preston, Salem, Sprague, Stonington, Waterford
Tunxis Recycling Operating Committee (TROC)*	Berlin, Bristol, Burlington, Meriden, New Britain, Plainville, Plymouth, Prospect, Southington, Wolcott

Continued

Household Hazardous Waste Programs in Connecticut (cont.)

Unofficial Groups - One Day Events

"Ansonia" Group (towns that left MDC, 2013)	Ansonia, Derby, Seymour
"East Windsor" Group (former MDC towns that may work together)*	East Windsor, Ellington, South Windsor
"Avon" Group (working together)*	Avon, Canton, Granby, Simsbury
"Barkhamsted" Group*	Barkhamsted, New Hartford, Winchester
"Cromwell" Group (may join RiverCog)*	Cromwell, Durham, East Hampton, Middlefield, Middletown, Portland
"Southwest" Group	Darien, Greenwich, New Canaan, Norwalk, Stamford, Weston, Westport, Wilton
"Trumbull" Group*	Trumbull, Monroe, Easton

Independent Towns and Cities - One Day Events

Bridgeport	Killingly	Putnam	Suffield*
Brooklyn*	Lisbon*	Shelton*	Thompson*
Canterbury*	Plainfield*	Sterling*	Voluntown*
Enfield*	Pomfret*	Stratford	Woodstock*

*PaintCare has communicated directly with this group or town.

Notifying Paint Retailers

PaintCare has identified approximately 450 paint retailers in Connecticut, including paint, hardware, and home improvement stores. Retail stores include independent, cooperative, chain and corporate stores – both small and large. In addition to paint retailers, seven "reuse" stores were identified.

In January 2013, PaintCare sent a notification of the Program and a partnership "Interest Form" to all known paint retailers in Connecticut either directly or via their corporate office. The factsheet and interest form portion of the notification are in Appendix D. The notification also invited retailers to participate in four retailer-focused webinars held in late January. The webinars provided an overview of the Program, reviewed the responsibility of retailers under the new Law, and discussed the benefits of partnering as a paint drop-off site for their community. Additional retailer webinars will be held in June prior to Program launch.

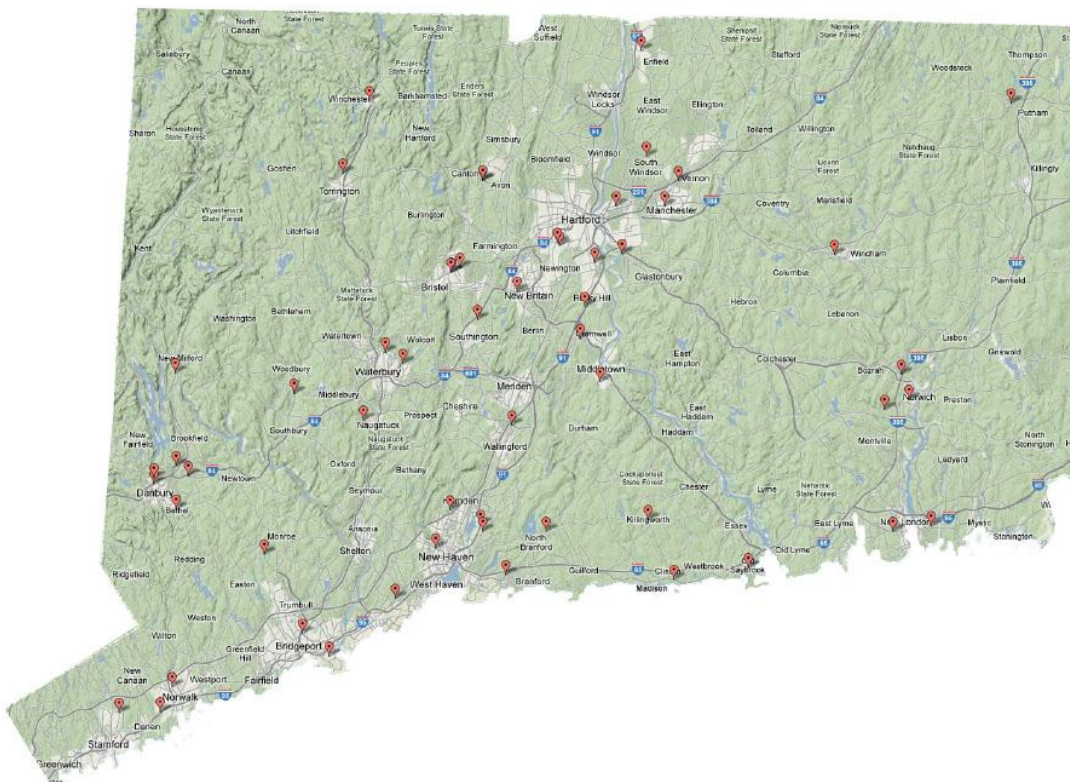
All paint retailers are invited to participate as a PaintCare drop-off site provided they meet PaintCare's requirements and applicable laws and regulations, including, but not limited to the following:

- Ability to provide enough space to hold a minimum number of collection containers as determined by PaintCare's needs in their specific geographic location

- Willingness to accept both latex and oil-based paints
- Willingness to accept Program Products from any qualifying generator
- Reasonable access by the public and by PaintCare’s transporter
- Compliance with PaintCare operational guidelines and applicable state and local regulating agency requirements
- Willingness to have their site promoted on PaintCare’s website and through other outreach methods
- Willingness to post and distribute PaintCare point-of-sale outreach materials including a window poster advertising their store as a drop-off site

Although retail participation is entirely voluntary and collection sites are not compensated, more than 55 retailers had expressed interest in becoming drop-off sites at the time this Plan was submitted to the Department. The following map shows the location of sites that have submitted an interest form. Based on continued dialogue and engagement, PaintCare is confident that additional stores will join the Program as drop-off sites.

Following receipt of a completed interest form, PaintCare contacts the retail store to obtain site details and begin the process to establish a formal agreement between PaintCare and the retailer.



“Reuse” Stores

Habitat for Humanity ReStores and other salvage stores and yards – sites that accept and redistribute excess or reusable building materials – have been identified as a unique group of retailers to invite to become PaintCare drop-off sites. Although there are only a few of these stores in Connecticut and some have limited days and hours, they can play an important role in the Program because they contribute to “reuse.”

Reuse stores that currently accept donations of paint for resale either turn away unsellable paint or are left with a disposal problem. Reuse stores that sign up with PaintCare will be able to accept more paint, screen out the best paint for resale, and have the unsellable paint picked up by PaintCare at no charge. In addition to receiving the retailer notification and recruitment packet, these sites were also contacted individually to ensure they understand the unique benefit to them of partnering with PaintCare.

Transfer Stations

Transfer stations can provide a convenient opportunity and familiar location for their community to recycle unwanted paint. Transfer stations have some unique characteristics and requirements when compared to retailers and HHW programs.

- Use of transfer stations is usually limited by the operator to local residents and businesses. Although PaintCare allows anyone to drop off paint at any PaintCare site, transfer stations will be allowed to limit participation to their customers or community if they wish to do so.
- Transfer stations are often used by town departments (e.g., public works) for waste generated by the municipality itself. Such departments may drop off paint at transfer stations to save on the municipality’s own paint managements costs.
- Transfer stations are convenient for people who use them to dispose of other waste and recyclables. Adding paint to the items handled at transfer stations is a logical next step.

In February 2013, PaintCare sent notifications of the Program and a partnership “Interest Form” to all known Connecticut transfer stations (approximately 185). Most transfer stations in Connecticut are operated by municipalities, others are privately run – both groups were invited to join the Program. The factsheet and interest form portion of the notification are available in Appendix D. Following receipt of a completed interest form, PaintCare contacts the transfer station to obtain site details and begin the process to establish a formal agreement between PaintCare and the transfer station.

There are four transfer stations in Connecticut that already accept latex paint: Avon, Barkhamsted, Essex, and Sharon/Salisbury. PaintCare has communicated directly with all of them.

One-Day Paint Collection Events

Formal surveys conducted by the Department and informal surveys conducted by PaintCare indicate that many Connecticut homes and businesses may have large accumulations of latex paint in their garages, basements and storage areas. Although some HHW programs accept latex paint when residents bring it to their events and facilities, most programs advertise that they do not accept latex paint and that it can be dried out and disposed of in the trash. Despite this advice, most of

those surveyed stated that they have been storing their unwanted latex paint because the process to dry and dispose is too messy and/or inconvenient.

PaintCare and the Department are concerned about the possibility of overwhelming retail drop-off sites with this “legacy” paint, particularly at the start of the Program. To address this concern, PaintCare will hold a series of one-day paint collection events (minimum of 10) in various regions of the State in the first two years of the Program, with more of them likely to take place in the first year. The objective of the paint-only collection events is to capture stockpiled legacy paint. PaintCare will hold the first events in the summer and early fall of 2013, and will make every effort to coordinate with HHW programs so that PaintCare’s paint collection events do not conflict with scheduled HHW collection events.

With assistance from the Department, HHW programs, and other partners, PaintCare is identifying the best locations to hold these events. Several HHW programs have already volunteered to assist with hosting an event. Through its marketing firm, along with input from municipalities and HHW programs, PaintCare will utilize local media outlets to bring the targeted number of participants to each event. However, unlike HHW events, participation in a PaintCare paint-only collection event will not be restricted by town or other boundaries.

Large Volume Pick-Up Service

The Large Volume Pick-Up Service (“LVP Service”) will be offered to trade painters, contractors and other entities with large volumes of paint – generally more than 300 gallons. The Service will begin within the first six months of the start of the Program. Approval for use of the LVP Service will be determined by PaintCare. Potential 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 a site is approved for an LVP, they will be put in direct contact with PaintCare’s transportation service provider to schedule a pick-up appointment.

Convenience Criteria

To ensure adequate paint collection infrastructure in Connecticut, PaintCare used Geographic Information System (GIS) modeling to determine the appropriate minimum number and distribution of collection sites based on the following baseline criteria:

- **Distribution:** PaintCare’s statewide goal is to establish one site within 15 miles of 95% of Connecticut residents. PaintCare recognizes that not all sites are available to all residents within 15 miles of a site (e.g. town transfer stations). For those sites, only eligible users will be counted towards the percentage-served calculation. It is expected that in areas with no opportunities for permanent collection sites (i.e., no available retail stores or interested transfer stations), participants will have to drive a distance greater than 15 miles to reach a collection site.
- **Density:** In addition to collection sites selected to meet the statewide distribution criteria, one additional site will be added for every 50,000 residents of a population center (as defined in Appendix E). This criteria addresses population density.

Appendix E provides a discussion of the GIS methodology and analysis conducted by Golder Associates, an engineering firm with expertise in geographic mapping and analysis.

Application of these criteria results in approximately 93 permanent collection sites, which PaintCare considers its baseline service level goal. PaintCare aims to meet the baseline goal within 18 months of Program implementation, and expects the goal to be met primarily through new retail collection sites, supplemented by transfer stations and existing HHW facilities. Once the baseline is satisfied, PaintCare may recruit additional drop-off sites in an effort to maximize convenience for Connecticut residents.

Site Operations

All PaintCare drop-off sites must have an agreement (directly or indirectly) in place with PaintCare, accept Program Products from all eligible audiences, be staffed during operating hours, store collected Program Products in a secure location, and follow all procedures in PaintCare's operational guidelines. All PaintCare drop-off sites will operate in accordance with applicable state and local environmental permits and if any discrepancies arise between guidelines and permit conditions, the permit conditions must be followed.

Collection Volumes

Drop-off sites may voluntarily limit the amount of paint accepted from a customer at any one time as long as the limit is no lower than 5 gallons. PaintCare will advertise a limit of 5 gallons per customer per visit, particularly for retail sites with limited storage space. However, the actual limits will be determined by individual sites.

Collection Containers

Drop-off sites will be equipped with one or more collection containers to store postconsumer paint received through the Program. Collection containers will be US DOT approved or exempted single-use or reusable cubic yard boxes, 55-gallon drums, or other appropriate containers. Drop-off sites will be required to keep collection containers in a secure location that does not have public access. For the purpose of operational efficiency, priority will be given to setting up sites that can house more than one collection container.

Site Training

Before sites begin collecting postconsumer paint, PaintCare staff will provide an in-person, on-site training regarding Program operations. Topics covered in the training include:

- Program Product identification
- Safe handling and storage
- Spill clean-up and reporting
- Procedure for scheduling a paint pick-up
- Record keeping

Non-Program Products

Minimization of Non-Program Products entering the Program will be achieved through public education, signage at drop-off sites, and drop-off site training on operational procedures. PaintCare

will arrange for its transportation and disposal/recycling contractors to properly manage any incidental Non-Program Products that enter the system.

Site Visits and Monitoring

Following the initial training, PaintCare representatives will visit collection sites routinely to ensure compliance with Program requirements, to address any needs or concerns they may have, and to check their supplies of outreach materials.

Site Permits

Retail Permit. The Department is in the process of developing a new “General Permit for the Collection and Storage of Postconsumer Paint at Retail Locations.” Retailers will be required to sign the completed permit registration form prior to accepting paint from public, but PaintCare will be authorized to file the registration form on their behalf and pay for the associated administrative fees. Retail partners will be required to keep a copy of the Department-approved registration on site.

Transfer Station Permit. The Department’s “General Permit for a Municipal Transfer Station” authorizes the collection and storage of postconsumer paint at transfer stations.

HHW One-Day Event Permit. The “General Permit to Perform One Day Collections of Certain Wastes and Household Hazardous Waste” authorizes the collection and storage of postconsumer paint at HHW events. This permit is held by the on-site hazardous waste service provider.

In addition to the permits above, the Department issues individual permits and a variety of other general permits that may be applicable to paint management.

Accommodations for Household Hazardous Waste Programs and Transfer Stations

PaintCare endeavors to partner with sites that can accept Program Products free of charge from Connecticut residents, business and institutions. However, in recognition of restrictions on publicly operated HHW and transfer station paint collection programs, some exceptions may be made. These include, but are not limited to the following:

- Programs not currently permitted to accept CESQG waste will not be required to accept Program Products from non-residential participants.
- Programs with funding tied to a specific service area (e.g., local tax or utility-based funding source) will not be required to accept Program Products from participants outside of their service area.
- Existing paint collection programs not currently accepting latex paint will not be required to change their operations to include latex paint.
- Subject to PaintCare approval, programs already charging an administrative fee for HHW or paint collection may continue this practice as long as they are clearly not charging customers for the elements of their program that PaintCare is funding (collection containers, transportation and paint processing). No other collection sites may charge consumers an administrative fee for the handling of Program Products.

6. Paint Sales and Projected Collection Volumes

Statutory Citation

Sec. 22a-904a(a)(1) ... Such paint stewardship program shall: (B) provide for convenient and available state-wide 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 prior to such paint stewardship program;

Section Overview

This section discusses:

- Architectural paint sales in the United States and Connecticut
- Studies and data regarding available collection volumes of unwanted, postconsumer architectural paint
- Connecticut baseline collection data
- Projected collection volumes under the PaintCare Program

Architectural Paint Sales

Due to complex distribution chains that may involve layers of distributors between the manufacturer and final point of sale, sales volume of paint on a state-by-state basis is not known by most manufacturers. To address this, PaintCare commissioned a study in the fall of 2012 by Decision Metrics, Inc., a research firm that specializes in coatings industry analysis and economic forecasting. Decision Metrics 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 Decision Metrics study projected sales of 670 million gallons of architectural paint in the United States in 2013, 6 million gallons of which will be sold in Connecticut. This represents 0.9% of national sales. Connecticut represents 1.14% of the national population.

While the volume of paint sold in Connecticut is based on estimates, assumptions about the mix (relative percentage) of container sizes comes from actual PaintCare data for Oregon and California sales from July 2010 through December 2012. Using combined data from Oregon and California, Connecticut's projected container mix is 64% 1-gallon containers, 19% quart containers, and 17% 5-gallon containers. Container size mix is used to establish the PaintCare Recovery Fee structure presented in Section 7 (Budget and PaintCare Recovery Fee) of this Plan.

Following implementation, the Program will have actual sales and container mix data from manufacturers participating in the Connecticut PaintCare Program. If actual data differs significantly from estimates, then projections of revenue, postconsumer paint collection, and related costs may need to be revised.

Volume Available for Collection

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, it is very difficult to determine the precise quantity of postconsumer paint that is left unused and available for collection. The lag time between the purchase of paint and the decision that the unused product is unwanted, and the additional time taken to return it to a drop-off site 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.

Studies on Leftover Paint Quantity

PaintCare considered the following data and studies to project the total amount of postconsumer paint available for collection, and the percentage of that amount to be received by the PaintCare Program:

1. Data from Canadian paint collection programs and the Oregon and California PaintCare programs
2. “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)
3. 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)
4. “Paint Product Stewardship Initiative Infrastructure Report” prepared by SCS Engineers for the Washington State Department of Ecology
5. “Consumer Architectural Coatings Disposal Study” conducted by NFO Research Inc. for the National Paint and Coatings Association (ACA’s former name)

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

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 among all returning households (749 out of 1,000 surveyed), the average amount of leftover paint per household was 0.375 gallons. Consistent with the NFO study, the Infrastructure Report found that using these 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.

Baseline Collection Volumes

After a few years of operations, the relative mix of latex and oil-based paint collected in the Connecticut Program is expected to resemble other programs that accept latex paint including those operating in Oregon, California and British Columbia. In these programs, latex paint makes up 70-80% of postconsumer paint collected, while oil-based paint makes up 20-30%.

As noted previously, few programs collect latex paint in Connecticut at this time. As a result, there isn't an appropriate baseline volume with which to compare future latex paint collection volumes. Some data is available for historical volumes of oil-based paint collected, but the data may not reflect the full amount collected in recent years. As a result, PaintCare is unable to utilize pre-Program baseline data to establish or compare future collection volumes. The Department may, however, choose to conduct analysis of pre- and post-Program oil-based paint collection volumes once complete data is available for past collection. PaintCare will gladly provide assistance to conduct such analysis.

Projected Collection Volumes

PaintCare considered the studies and data discussed above, as well the possibility of receiving large volumes of legacy (very old) paint, to estimate the amount of Program Product anticipated for collection in Connecticut in the first two year of the Program. The assumptions are discussed here and summarized in the table below.

- Sales volume will remain nearly the same for the first two years of the Program at approximately 6 million gallons annually.
- 10% of architectural paint sold remains leftover and is available for recycling, equaling approximately 600,000 gallons per year. Note that the typical time frame for disposing of leftover paint is several years after its purchase.
- Mature paint collection programs tend to collect around 70% of leftover paint annually. This can also be stated as 7% of annual sales.
- In each of its first two years of operations, PaintCare anticipates capturing 60% of leftover paint. This value can also be stated as the equivalent of 6% of sales, referred to as a "recovery rate." Recovery rate is defined as the volume of paint collected divided by the volume of paint sold in the same year. A 6% recovery rate in Connecticut represents approximately 360,000 gallons. The 6% recovery rate includes both newly available unwanted paint and the legacy paint that has been accumulating in garages and basements awaiting a convenient recycling or disposal option.

A 6% recovery rate is a very high collection rate for a new program. However, because Connecticut has not previously had a large scale, statewide latex paint collection program (as many states do through their HHW programs), we anticipate a large initial return of legacy latex paint and are thus preparing for a high recovery rate from the start of the program. The same recovery rate is anticipated for the second year of the program, but with a smaller percentage of the paint being legacy, and a larger percentage coming from "newer" leftover paint. With each successive year, we anticipate the percentage of legacy paint to decrease (as old stockpiles in basements and garages get cleaned out) and the percentage of more recent leftover paint to increase. The following table summarizes the values described above.

Projected Collection Volumes

	Gallons
Volume sold annually	6,000,000
Volume leftover (10% of annual sales)	600,000
Volume collected in mature programs (70% of leftover / 7% of sales)	420,000
Projected recovery rate in first two years (60% of leftover / 6% of sales)	360,000
Volume equivalent per household¹	0.26

¹Based on 1.36 million households in Connecticut. Source: U.S. Census Bureau

It should be noted that there are several factors that make recovery rate goals and calculations problematic. They include the following:

- As noted previously, the time at which a consumer decides his/her unused paint is “unwanted” can vary greatly. As a result, paint brought to a drop-off site may have been purchased very recently or purchased many years ago (legacy paint). Meanwhile, the amount available for collection (thought to be 10% of sales) is derived from a current and fixed time period (e.g., 2013 projected sales). As a result, the variables used to calculate recovery rates are poorly correlated.
- A wide swing in sales due to positive or negative economic conditions can change the recovery rates even if there is no actual change in collection volumes. Negative economic conditions can lead to lower paint sales. This will translate into a smaller denominator in the recovery rates calculation, which results in a higher recovery rates, even if real collection volumes did not increase. Likewise, positive economic condition can artificially decrease the recovery rates.
- The most important factor not considered when setting recovery rates goals is the impact of source reduction on the volume available for collection. “Buy Right” is an important component of the PaintCare Program and source reduction is an important goal of paint stewardship mandates. The more successful PaintCare is at providing consumers with information and tools to purchase the correct amount of paint and/or to use up what they have leftover, the less postconsumer architectural paint will be available for collection. This is the most desirable outcome of the Program, but cannot be recognized if Program success is measured by increased collection volumes.

Given these factors, along with limited baseline data and the lack of past latex paint collection activities, PaintCare is not setting volume-based collection goals, but rather examining and providing recovery rates data for planning and budgeting purposes only. As noted previously, the projected volume of paint to be collected in the first two years is expected to include both newly leftover paint plus a significant portion of the 5 million containers estimated by the Department through surveys of the public to be stored prior to the start of the PaintCare program (legacy paint). PaintCare will track the data points discussed above and report the results in its annual reports to the Department. The metric used in annual reports will identify that the total volume collected includes both newly leftover paint and legacy paint

7. Budget and PaintCare Recovery Fee

Statutory Citation

22a-904a(5) “Paint stewardship assessment” means the amount added to the purchase price of architectural paint sold in this state that is necessary to cover the cost of collecting, transporting and processing postconsumer paint by the representative organization pursuant to the paint stewardship program.

Sec. 22a-904a(b)(1) On or before March 1, 2013, and every two years thereafter, the representative organization shall propose a uniform paint stewardship assessment for all architectural paint sold in this state. Such proposed paint stewardship assessment shall be reviewed by an independent auditor to assure that such assessment does not exceed the costs of the paint stewardship program described in subsection (a) of this section and such independent auditor shall recommend an amount for such paint stewardship assessment to the department. The department shall be responsible for the approval of such paint stewardship assessment. Such independent auditor shall be selected by the department and the department shall be responsible for the review of the work product of such independent auditor, including, but not limited to, the review of such auditor's assessment of the bid and purchase procedures utilized by the representative organization to implement such program. ... The cost of any work performed by such independent auditor pursuant to the provisions of this subdivision and subdivision (4) of subsection (h) of this section shall be funded by the paint stewardship assessment.

Section Overview

This section discusses:

- PaintCare’s funding mechanism
- Projected cost of the Connecticut PaintCare Program
- PaintCare Recovery Fee structure
- PaintCare Recovery Fee audit

Introduction

Key to the success of the Connecticut Paint Stewardship Program is the development of a sustainable funding mechanism. Architectural paint manufacturers – through representation by PaintCare – must establish a funding system to cover the full cost of implementing the Connecticut Paint Stewardship Program.

The PaintCare Program works by placing a paint stewardship assessment (“PaintCare Recovery Fee”) on containers of architectural paint sold in Connecticut beginning on the Program start date. The fee must be set at a rate to cover, but not exceed, the cost of implementing the Program.

Funding Mechanism

As the representative organization, PaintCare will implement and direct all aspects of the Connecticut Paint Stewardship Program for participating manufacturers. Funding for Program

implementation will come directly from registered manufacturers (see Section 4 of this Plan) to PaintCare in the form of the PaintCare Recovery Fee. The following steps describe the application of the PaintCare Recovery Fee:

1. Manufacturers add the PaintCare Recovery Fee to containers of architectural paint sold in Connecticut directly or through dealers (distributors and retailers).
2. Retailers and distributors pass the PaintCare Recovery Fee to their customers by including it in the price of architectural paint they sell in Connecticut.
3. When consumers buy architectural paint, the PaintCare Recovery Fee is included in the purchase price. As a result, retailers (and distributors) recoup the PaintCare Recovery Fee they paid when purchasing architectural paint from their suppliers.
4. Within a designated timeframe (e.g., monthly, quarterly, etc.), manufacturers report sales and remit to PaintCare the PaintCare Recovery Fee for architectural paint they sold in Connecticut in the preceding reporting period. Manufacturers have already recouped the PaintCare Recovery Fee because they were included in the price of their architectural paint when they sold it to their dealers.

Budget Discussion

The Program has developed a Program budget and proposed PaintCare Recovery Fee structure that sustains the Program. The budget is based on the assumptions covered in Section 6 of this Plan (Paint Sales and Projected Collection Volumes) that resulted in a projected recovery rate of 6% in each of the first two years of the Program. The following describes the primary elements of the budget:

Revenue

- The volume of paint sold in Connecticut is based on industry estimates while the mix of containers by size sold is based on actual combined sales data from the Oregon and California PaintCare programs.

Operational Costs

- PaintCare estimates that with the addition of latex paint to the Connecticut paint collection Program, increased drop-off sites, significant outreach efforts, and large volumes of legacy paint in the State, the Program should prepare for a 6% recovery rate in each of the first two years of operations.
- In combination, paint transportation and processing costs are the most significant expense to the Program. Transportation costs include per-collection container transportation cost and/or minimum stop charges. Processing costs are assessed by the pound. Transportation accounts for approximately 22% of total Program costs, while processing accounts for 54% of the total Program costs.
- Reusable collection containers that can be cycled back through the Program for years are preferred over single-use cardboard collection containers because they are more environmentally beneficial and cost less in the long run. There is a large upfront cost associated

with purchasing reusable collection containers – an option PaintCare is budgeting as a pre-program cost.

- Because Connecticut has little existing latex paint collection activity, PaintCare anticipates a high initial demand for recycling of latex paint. To capture some of this legacy paint, PaintCare will implement a series of one-day paint collection events in the first two years of the program. These costs include labor and setup costs by the transporter.
- Communications expenses include advertising and promotional materials to increase Program visibility through education and outreach, and represent approximately 10% of planned expenses.
- Personnel, professional fees & other expenses include the proportional cost of one full-time employee of PaintCare (managing both Connecticut and Rhode Island's programs), plus legal costs for developing and negotiating contracts. Also included in this category is the fee for the audit of the PaintCare Recovery Fee as required by the Law, as well as other logistical and professional support and miscellaneous office items.
- State administrative and permitting fees will be paid by PaintCare to the Department annually. The initial fee covers the cost of pre-Program planning and permit development. In year 1, PaintCare will pay for both year 1 and year 2 expenses. During year 2, PaintCare will pay for year 3 expenses.

Administrative Costs

- Administrative expenses (also called indirect costs) are costs that do not directly benefit the Connecticut Program, but rather are *indirectly* beneficial to the Connecticut Program. Administrative costs include corporate staffing, construction of data management systems, auditing fees, legal fees, and general communications. Administrative costs are allocated among all active PaintCare programs (states where legislation has passed). Connecticut's current allocation, based on relative population size, is approximately \$175,000 per year. Connecticut's share of the administrative expenses is less than 6% of the Connecticut budget.

Program Surplus/Deficit

- PaintCare has adopted a policy to maintain reserves in each state program equivalent to between two and three months of operating expenses, with a target of three months, or 25% of the annual expenses (estimated at \$750,000 for Connecticut). Reserves are defined as "net assets" and represent the accumulated surplus (or deficit) of the Program from the inception. Maintaining a modest reserve of 25% of the annual expenses provides the Program with the flexibility to absorb fluctuations in sales volume while still maintaining expected Program services. PaintCare is budgeting annual surpluses of 4% and 7% in years 1 and 2, respectively, for the Connecticut Program. However, these surpluses are not sufficient to fully recoup the pre-Program costs by the end of year two. It is anticipated that the Program will fully recoup the pre-Program costs during year three and at that point will begin to build the net asset reserve towards the target of \$750,000.

Program Budget

Connecticut pre-Program, year 1 (July 1, 2013 - June 30, 2014) and year 2 (July 1, 2014 - June 30, 2015) budget is summarize here.

	Pre-Program	Year 1	Year 2
Revenue:			
Containers greater than 1/2 pint to 1 quart		\$ 255,284	\$ 260,389
Containers greater than 1 quart to 1 gallon		1,869,040	1,906,421
Containers greater than 1 gallon to 5 gallons		1,089,210	1,110,994
Total revenue:	-	3,213,534	3,277,804
Expenses:			
Paint processing		1,635,638	1,658,351
Paint transportation		662,522	675,772
Collection containers/collection support	150,000		
One-day event set-up fees		54,400	54,400
Communications	30,000	300,000	300,000
Personnel, professional fees & other	120,000	211,949	170,500
State administrative/permit fees	20,000	40,000	20,000
Total direct expenses:	320,000	2,904,509	2,879,023
Allocation of corporate activity	250,000	178,533	175,000
Total expenses:	570,000	3,083,042	3,054,023
Change in net assets:	\$ (570,000)	\$ 130,492	\$ 223,781
Net assets:	\$ (570,000)	\$ (439,508)	\$ (215,727)

PaintCare Recovery Fee

The result of anticipated Program costs, combined with projected sales and container size mix, is the following proposed PaintCare Recovery Fee structure. As the next section describes, an independent audit conducted on behalf of the Department supports the proposed PaintCare Recovery Fee structure.

Container Size	Fee
Half pint or less	\$ 0.00
More than half pint to less than 1 gallon	\$ 0.35
1 gallon	\$ 0.75
Greater than 1 gallon to 5 gallon	\$ 1.60

Audit of the PaintCare Recovery Fee

As required by the Law, every two years, PaintCare shall propose a uniform paint stewardship assessment (PaintCare Recovery Fee) and such assessment shall be reviewed by an independent auditor to assure that it does not exceed the total costs of implementing the Program.

PaintCare conducts a competitive selection process, hires, and identifies the auditor to the Department for its approval for use to conduct an independent review of the paint stewardship assessment. PaintCare is responsible for the work product of the selected independent auditor. PaintCare can terminate this contract for cause, including if directed by the Department. PaintCare shall select a different independent auditor to perform the duties of such assessment fee audit at least once every five years. The cost of any work performed by such independent auditor is paid by the paint stewardship assessment.

For the proposed PaintCare Recovery Fee, PaintCare identified potential (Connecticut-based) firms capable of evaluating Programs costs and bid procedures to meet the requirement of the independent audit. There appeared to be five major firms offering the required service. PaintCare viewed the website of each firm to find out more information about the company and their specialized industries. In addition, a phone call was placed with each firm to inquire about their consulting services. From the pool, HRP Associates Inc. was selected and recommended to the Department. The Department approved the use of HRP Associates Inc. to review the proposed paint stewardship assessment to assure that such assessment does not exceed the costs of the paint stewardship program and to recommend an assessment to the Department. The Department's approval letter is available in Appendix F.

Following Department approval, PaintCare provided HRP Associates the requested documentation to conduct the audit, including:

- PaintCare's Request for Proposal and resulting bids for paint processing (recycling) services
- PaintCare's Request for Proposal and resulting bids for paint transportation and one-day events services
- PaintCare's Request for Qualifications and resulting bids for public outreach activities
- PaintCare's proposed budget with details of costs based on bids submitted for paint collection, transportation, processing, and outreach and education, as well as personnel, legal fees, corporate costs and other budget elements
- PaintCare's proposed PaintCare Recovery Fee structure

HRP Associates' audit results are available in Appendix F and concludes with: "HRP independently reviewed the calculations performed by PaintCare for accuracy and the calculations were deemed sufficient. Based on our review, we find the Paint Stewardship Assessment, determined by PaintCare, to be reasonable and not to exceed the actual operational costs to administer the Paint Stewardship Program."

8. Education and Outreach

Statutory Citation

Sec. 22a-904a(g) Producers or the representative organization shall provide consumers with educational materials regarding the paint stewardship assessment and paint stewardship program. Such materials shall include, but not be limited to, information regarding available end-of-life management options for architectural paint offered through the paint stewardship program and information that notifies consumers that a charge for the operation of such paint stewardship program is included in the purchase price of all architectural paint sold in this state.

Section Overview

This section discusses:

- Outreach methods, messaging, and target audiences
- Lessons learned from the Oregon and California PaintCare Programs

Introduction

PaintCare is committed to providing robust and successful education and outreach for the Connecticut Paint Stewardship Program using a variety of communication tools, including:

- Earned media (e.g., press releases/coverage)
- Traditional media (e.g., television, billboards, newspaper)
- Print materials (e.g., brochures, factsheets)
- Online and social media
- Direct, face-to-face communications (e.g., retail site visits, presentations)
- Outreach in non-English languages spoken in Connecticut

Messaging

Reduce, Reuse, Recycle

PaintCare knows that the “Reduce, Reuse, Recycle” messages have been used by environmental organizations and waste management programs for more than 20 years to reduce the amount of postconsumer paint and to inform consumers how and where to recycle their unwanted paint. This type of messaging – and more – will be necessary to have a successful Paint Stewardship Program in Connecticut. PaintCare intends to promote the concept behind the “3Rs,” however, instead of “reduce, reuse, recycle,” the PaintCare campaign will use more instructive and paint-specific messaging such as “Buy Right, Use It Up, Recycle the Rest.”

Program Awareness

Another critical messaging component involves building awareness of the PaintCare Program. Key messages for this element include:

- What PaintCare is and why it exists
- Why the Law was passed (e.g. product stewardship, cost savings to municipalities)
- PaintCare Recovery Fee – the purpose and amounts
- Which products are accepted in the Program and which products are not

Examples of PaintCare outreach materials are included at the end of this section.

Target Audiences

PaintCare’s outreach and education plan will focus appropriate messages to each of the following audiences:

- Households (residents)
- Businesses (professional painters, contractors, property managers, etc.)
- Paint retailers
- Non-English speakers (At the suggestion of stakeholders, PaintCare has translated outreach materials into Spanish, Polish, and Portuguese, and will continue to solicit suggestions for opportunities to reach other non-English speakers in Connecticut.)

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

- Householders. Emphasize finding a drop-off site to recycle paint – change the prior instructions to the public in Connecticut from “dry and dispose” to “find a place to take latex paint along with other Program Products for recycling.”
- Trade Painters. Emphasize “Use It Up” to minimize the amount of paint becoming waste and “Recycling the Rest” since recycling opportunities may not have existed in the past for the businesses. Deemphasize “Buy Right” because they buy paint so often that they know how much to buy.
- Retailers. Emphasize “Understanding PaintCare” so they can properly explain the Program to their customers.

PaintCare Recovery Fee Compliance

While the primary objectives of the Program are source reduction and recycling, another key component of education and outreach involves informing and assisting paint manufacturers, distributors, and retailers with PaintCare Recovery Fee compliance. In general, this element of the Program will not be visible to the public, but it is critical to the success of the Program. Examples of communication materials used for this purpose are included in Appendix C and D. Additional materials are available on PaintCare’s website under the sections for manufacturers and retailers.

Written Materials

PaintCare will develop the following written materials for use by paint retailers, drop-off sites and/or the general public:

- Window Poster/Cling: To promote a site as a paint drop-off location

- Signage: Geared at creating general awareness of the Paint Stewardship Program, such signage communicates the PaintCare Recovery Fee, how to find a drop-off site, and how to obtain more information about the Program
- Brochures/Counter Cards: Designed to help the public find drop-off sites and explain PaintCare Program
- Fact Sheets: Formatted for easy printing and available from the PaintCare website, fact sheets are designed for a variety of audiences and cover a variety of subjects (e.g., general information, how to become a paint drop-off site, benefits to municipal program, etc.)

PaintCare sent a “starter pack” of consumer point of sale (POS) outreach materials to all paint retailers in March 2013. Additional supplies of POS materials may be ordered, in all available languages, at any time.

Lessons Learned from PaintCare in Other States

Connecticut’s PaintCare Program will benefit from lessons learned – programmatically and financially – from the Oregon and California Programs. These key lessons are discussed below.

PaintCare has learned the importance of balancing the need to tell the public about the Program (that there is a new fee on paint and that there are new drop off sites) with the need to allow the drop off sites time to become familiar with operations.

Prior to PaintCare, infrequent local municipal HHW collection events were the only option for the public to get rid of paint. Those who have used these events know that they need to act in a timely manner and that the number of days is very limited. At the start of PaintCare Programs in other states, some sites were deluged with large numbers of people hurrying to use the retail drop-off sites as soon as they learned about them. However, with PaintCare there is no immediacy to using the retail drop off sites; they are permanent and open whenever the retailer is open.

When a site is overwhelmed by participation, it leads to frustration, especially at small retailers who are only able to provide space for one or two collection containers. When bins become full, the sites cannot accept more paint until the full bins are replaced with empty bins. The public is frustrated if they are turned away, the retailers are frustrated turning people away, and local government is concerned that this may lead to illegal dumping.

To address these concerns, PaintCare’s approach will be to limit the initial outreach to press releases that announce that there is a new Program – with a new fee on new paint – and stress that drop-off sites are permanent, open during regular business hours, and open year round. As sites become more comfortable with the operations, PaintCare will gradually start media campaigns in phases to create more awareness about the Program and how to find drop off sites.

This initial strategy lacks an important element, that of informing those people who may not see any news stories that the Paint Recovery Fee is being added to their new paint purchases. PaintCare knows that trade painters and other people who purchase paint daily will notice the fee and are more concerned and vocal than those who buy paint infrequently. To address these key consumers of paint, PaintCare is working with trade painters through local trade painter associations and providing factsheets to retailers to insert in their monthly bills or make available in the stores so that they will not be surprised by the fees.

A preliminary outreach strategy was developed with PaintCare's Connecticut-based outreach contractor and presented to local stakeholders in February 2013. This plan recommends that the most effective way to reach the Connecticut populations is through television (broadcast television for most of the state and cable television in the southwest), outdoor advertising (billboards), and geo-targeted on-line advertising. The outreach firm suggests that radio and newspaper only be used on a limited basis and that local governments be asked to help by recommending specific strategies in their communities.

Stakeholder Meetings with Retailers

As already discussed, PaintCare makes outreach materials available to retailers. However, displaying and distributing PaintCare's materials is voluntary on the part of retailers.

Experience in Oregon demonstrated that it is difficult to get retailers to make space for promotional and written materials about the PaintCare Program, despite offering and delivering these materials free of charge. PaintCare has 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 Paint Stewardship Program.

PaintCare held a Paint Retailer Stakeholders Meeting in June 2012 and will have another one in April 2013. At these meetings, PaintCare reviews POS materials (posters, rack cards, etc.), and solicits feedback about messaging, design, size, adaptability, co-branding and other elements that may factor into a retailers willingness (or ability) to use these materials. Feedback from the June 2012 meeting included the following:

- Message should be simplified to "Recycle with PaintCare."
- Retailers requested a new item, called a "mini-card" to hand customers to help them contact PaintCare by phone or 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. Instead, retailers suggested that consumers be told to seek advice about buying the right amount of paint from store staff.
- Retailers needed to provide advanced notice to their commercial customers (mostly trade painters) to give them plenty of time to prepare for the new fees and incorporate the fees into their bids/estimates prior to the launch of the Program.

Site Locator Tool

PaintCare is committed to providing accurate, up-to-date information regarding paint recycling options available to the public and has taken on the significant task of developing its own nationwide database of paint collection programs. This site locator tool will be completed before the start of the Connecticut Program and will provide a unique, paint-specific, easy-to-use search tool for locating the nearest drop-off site to take leftover paint for reuse, recycling or proper disposal. Site-specific information will be provided including who is eligible to use a specific site and what limitations apply to the site (e.g. municipal transfer stations that serve only that municipality's residents). This tool will be available from PaintCare's website and through a mobile phone application.

Selection Process for Outreach Contractor

PaintCare circulated a Request for Qualifications (RFQ) for an Outreach Contractor via email in November 2012. The RFQ indicated that PaintCare was seeking an outreach firm that had prior experience working with government, paint companies, environmental groups, or non-profits on projects involving environmental issues, recycling, product stewardship, conservation, public health or non-commercial topics. The email was distributed to 30 firms that were identified from online research to have a presence in Connecticut. It was also distributed to the Department and other Connecticut local government stakeholders who were asked to forward the RFQ to any firms they knew of who would be qualified and interested. In December 2012, three firms responded; each was interviewed by a three person committee comprised of PaintCare staff. The committee selected Mascola Group of New Haven and signed a contract with them in January 2013.

Examples of Outreach Materials

Trifold Brochure and Mini-Card



Poster for Drop-Off Sites



Newspaper Ad



Mobile App



9. Materials Management

Statutory Citation

Sec. 22a-904a(a)(1) ... Such paint stewardship program shall minimize public sector involvement in the management of postconsumer paint by... (A)(iii) negotiating and executing agreements to collect, transport, reuse, recycle, burn for energy recovery and dispose of postconsumer paint using environmentally sound management practices;

Sec. 22a-904a(3) "Environmentally sound management practices" means procedures for the collection, storage, transportation, reuse, recycling and disposal of architectural paint, to be implemented by the representative organization or such representative organization's contracted partners to ensure compliance with all applicable federal, state and local laws, regulations and ordinances and the protection of human health and the environment. "Environmentally sound management practices" include, but are not limited to, record keeping, the tracking and documenting of the fate of postconsumer paint in and outside of this state, and environmental liability coverage for professional services and for the operations of the contractors working on behalf of the representative organization.

Sec. 22a-904a(4) "Energy recovery" means the process by which all or a portion of solid waste materials are processed or combusted in order to utilize the heat content or other forms of energy derived from such solid waste materials.

Sec. 22a-904a(8) "Recycling" means any 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. "Recycling" does not include energy recovery.

Sec. 22a-904a(10) "Reuse" means the return of a product into the economic stream for use in the same kind of application as the product was originally intended to be used, without a change in the product's identity.

Section Overview

This section discusses:

- Paint transportation and processing procedures
- Vendor solicitation and selection process
- Processing and disposal of Program Products, including reuse, recycling and energy recovery

Paint Transportation and Processing

Paint Transportation

An effective transportation system is required to ensure that the paint collection infrastructure operates efficiently. PaintCare will contract for transportation of all Program Products. Transporters are likely to be private entities, but may include public entities as well. Transporters must meet all applicable State and Federal DOT rules and regulations, and must track Program Products from the collection sites to their final destination. Transporters, subsequent processors, and their records, will be subject to audits by PaintCare. Transporters will drop off empty collection containers and Program supplies (e.g., spill kits) at PaintCare drop-off sites and events, and pick up full collection containers as needed, in a timely manner. 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 fits best for the individual drop-off site.

Paint Transportation RFP

In January 2013, PaintCare released its Request for Proposals for Paint Transportation Services for the Connecticut (and Rhode Island) Paint Stewardship Program. Service bids were requested to (1) pick up postconsumer architectural paint from PaintCare drop-off sites and events and transport the products to designated processing centers, and (2) set up and manage one-day (temporary) paint-only collection events of various sizes. Bid responses were evaluated based on several factors including: pricing, demonstrated understanding of the proposed objectives, relevant past experience and qualifications, infrastructure and financial resources to support the Program, completeness and organization of bid response, environmental audit history, and other factors. PaintCare selected two service providers and was finalizing contracts with them at the time of this Program Plan submission.

Paint Processing

Either directly, or through transportation service providers, PaintCare will contract for processing and proper end-of-life management of all Program Products. The following summarizes the management options PaintCare intends to use for Program Products, subject to availability and economic feasibility, prioritized by highest, best use:

Latex Paint

- Paint exchange / reuse
- Reprocessed back into paint or into another product
- Beneficial use
- Appropriate disposal

Oil-Based Paint

- Paint exchange / reuse
- Energy recovery through fuel blending or fuel incineration

Paint Containers

- Recycling

- Appropriate disposal

Incidental Non-Program Products

- Varies according to material type – managed according to local, state and federal regulations

Paint Processing RFP

In December 2012, PaintCare released its Request for Proposals (RFP) for Paint Processing Services for the Connecticut (and Rhode Island) Paint Stewardship Program. Service bids were requested for: (1) operating center(s) for the temporary storage and sorting of Program Products for proper end-of-life management, and (2) performing the proper end-of-life activity (reuse, remanufacturing, recycling, energy recovery, disposal, etc.). Bid responses were evaluated based on similar factors as those in the Paint Transportation RFP.

Paint Management

Latex Paint

The condition in which postconsumer latex paint is received by the Program may limit the available management options. If containers are not properly sealed during storage, latex paint can harden due to evaporation and may no longer be useable or recyclable. If latex paint is frozen a number of times, it may not be as suitable for reuse or recycling. Ultimately, the method of storage and the timing of the decision to recycle/dispose of the paint are determined by the consumer. The Program's education and outreach component will encourage the return of unwanted postconsumer paint in an effort to reduce the age and improve the condition of collected paint.

The following provides a more detailed description of the latex paint management options listed in the previous subsection:

Reuse. The Program will implement and support latex paint reuse where possible. Paint reuse programs can return excellent quality paint to the local community without moving the paint through a complicated 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" paint will be notified that the suitability of the product cannot be guaranteed, and they will be required to sign a waiver form before taking paint away for reuse from a PaintCare-partnering drop-off site.

Recycling Paint-to-Paint. Latex paint may be used for recycled-content paint. Once reprocessed, recycled-content paint is sold through domestic and international markets. The quality of the paint varies from high quality color-segregated and filtered paint, to low grade, gray paint, most commonly used for graffiti abatement.

Recycling Paint to Alternative Products. Latex paint may be used as a raw material for other products such as primers and landscaping material.

Beneficial Use. Latex paint may go to beneficial use – as permissible by state and local authority – including use in alternative daily cover (ADC), road base, fuel substitute, and landfill biodegradation (an experimental technology).

Appropriate Disposal. Latex paint may be solidified for proper disposal. In this process, liquid paint is combined with drying agents and turned to a solid suitable for landfill. Solidification represents the least desirable management method for postconsumer latex paint.

Oil-Based Paint

The majority of PaintCare collection sites will loosepack oil-based paint into collection container (some HHW sites or events may bulk it). While it is possible to recycle oil-based paint back into paint, no processor offers this option at this time. With the exception of a small amount of reuse, all oil-based paint will be managed by fuel blending or fuel incineration.

Fuel Blending. A number of cement kilns in United States are permitted to use industrial by-products as an alternative fuel source. These kilns are fully permitted for hazardous waste management and monitor air emissions and kiln ash for permit compliance. Cement kilns not burning industrial by-products purchase natural gas, coal, wood or other fuel sources to provide the BTUs (British Thermal Units) required in the production of cement.

Fuel Incineration. Permitted hazardous waste incinerators commonly use oil-based paint, flammable liquids and other industrial by-products as a substitute fuel source because it is less expensive than natural gas. Oil-based paint has a petroleum distillate base which provides the necessary BTUs to aid in thermal destruction of other hazardous waste and validates its use in this capacity. These kilns are fully permitted for hazardous waste management and monitor air emissions and ash for permit compliance.

Empty Paint Containers

Once empty, metal and plastic paint containers will be recycled whenever possible. PaintCare will work with its service providers to identify and utilize opportunities as markets permit.

10. Annual Report and Financial Audit

Statutory Citation

Sec. 22a-904a(h) On or before August 15, 2014, and annually thereafter, the representative organization shall submit a report to the Commissioner of Energy and Environmental Protection that details the paint stewardship program. Such report shall include, but not be limited to: (1) A description of the methods used to collect, transport and process postconsumer paint in this state; (2) the volume of postconsumer paint collected in this state; (3) the volume and type of postconsumer paint collected in this state by method of disposition, including reuse, recycling and other methods of processing; (4) the total cost of implementing the program, as determined by an independent financial audit, as performed by the independent auditor described in subdivision (1) of subsection (b) of this section and funded by the paint stewardship assessment; (5) an evaluation of the operation of the program's funding mechanism; and (6) samples of educational materials provided to consumers of architectural paint and an evaluation of the methods used to disseminate such materials

Section Overview

This section discusses:

- The content of the required annual report
- Content and process for the required annual financial audit

Annual Report

PaintCare will submit an Annual Reports on the Program on October 15th of each year. The reporting period will cover the previous July 1st – June 30th time period.

The Annual Report will include, at a minimum:

- Data and discussion on the quantity of architectural paint sold in Connecticut during the reporting period
- Description of how postconsumer architectural paint was collected, transported and processed
- Method of disposition by type (latex or oil-based), identifying the total volume and weight of paint processed and indicating reuse, recycling, or other methods of disposition
- Weight of metal and/or plastic containers recycled
- The total cost of Program implementation
- Evaluation of how PaintCare's funding mechanism operated
- An independent financial audit of the Program
- Examples and discussion of education and outreach efforts and materials used in reporting year and planned for the following year
- Any implementation issues or challenges

Financial Audit

PaintCare undergoes an annual, independent financial audit of the organization as a whole. PaintCare conducts a competitive selection for the auditing firm, hires the auditor, and identifies the auditor to the Department for the Department's approval of the use of the auditor to conduct an independent audit. The cost of the audit is shared by all PaintCare states, and is paid by the paint stewardship assessment.

While the audit is conducted of the organization as a whole, it also serves as the annual audit, conducted by an independent auditor, of the total cost of implementing the Connecticut Paint Stewardship Program. To demonstrate consistency with Connecticut law, PaintCare will hire/contract with this auditing firm for no more than five years for the portion of the audit related to the review of the total cost of implementing the Paint Stewardship Program. PaintCare can terminate this contract for cause, including if directed by the Department.

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 submission to the Department.

Appendices

- Appendix A. PaintCare Board of Directors
- Appendix B. Definition of Program Products
Sample Product Notices
- Appendix C. Manufacturer Notification
Registered Manufacturers
Registered Brands
- Appendix D. Partnership Notifications: HHW, Retailers, Transfer Stations
- Appendix E. GIS Methodology, Results and Map
- Appendix F. Department Approval of Paint Stewardship Audit
Audit Results

Appendix A

PaintCare Board of Directors

Karl Altergott, Chairman, Dunn-Edwards Corporation

Barry Chadwick, Vice Chairman and Treasurer, Benjamin Moore and Co.

Gene Brickhouse, True Value Hardware

Harris Cloutier, Akzo Nobel Corporation

Steve Devoe, Kelly-Moore Paint Company

Aaron Erter, Valspar Corporation

Paul Hoogenboom, RPM

Thomas W. Seitz, The Sherwin-Williams Company

Scott Sinetar, PPG Industries

Appendix B

Definition of Program Products

Sample Product Notices

Drywall Primer-Surfacers

Masonry and Concrete Sealers Labeled “For Professional Use Only”

IDENTIFYING ARCHITECTURAL PAINT PRODUCTS UNDER PAINTCARE For Manufacturers and Collection Sites

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 identify what is an architectural coating under the Paintcare Program, definitions and terminology from the U.S. Environmental Protection Agency, California Air Resources Board and other state and local Architectural and Industrial Maintenance (AIM) and other coatings rules were used to develop the following list. To generate this list, five questions are asked and answered using the decision table on page 2 and the definitions on page 3.

Program Products (maximum container size of 5 gallons):

1. Water-based paint (Interior and exterior): latex, acrylic
2. Oil-Based paint (Interior and exterior): alkyd, enamel
3. Clear Coatings: Shellac, Lacquer, Varnish, Urethane
4. Deck coatings and floor paints (including elastomeric)
5. Field and lawn marking coatings
6. Melamine/metal coatings and rust preventative
7. Primers and undercoaters
8. Sealers
9. Stains
10. Water repellents (not-tar-based or bitumen-based)
11. Waterproofing sealers for concrete, masonry, and wood

Non-Program Products (regardless of container size):

1. Empty, leaking or unlabeled containers
2. Industrial Maintenance (IM) coatings labeled as:
(a) For Industrial Use Only, (b) For Professional Use Only, (c) Not for Residential Use
3. Original Equipment Manufacturer (OEM) (shop application) paints and finishes
4. Aerosol paint (spray cans)
5. Automotive paints
6. Marine paints
7. Arts and Crafts paints
8. Caulking compounds, epoxies, glues or adhesives
9. Drywall / joint compounds
10. Semi-solid products: spackle, patching compounds for roofing, stucco, wood, etc.
11. Paint additives, colorants and tints
12. Resins
13. Paint thinner, solvents, mineral spirits
14. Wood preservatives containing pesticides
15. Tar, asphalt or bitumen based products
16. Two-component coatings
17. Deck cleaners
18. Other non-coating products (motor oil, pesticides, cleaning solutions)

Decision Table for Identifying Architectural Paint Products for Manufacturers and Collection Sites

1. Is it a coating?

If YES, go to 2.	If NO, it is not in the program.		Manufacturers: Non-coatings are not assessed. Collection Sites: Non-coatings are not acceptable.
	<u>These non-coatings are excluded:</u>		
	Paint thinner	Solvents	
	Wood preservatives	Mineral spirits	
	Wood treatment oils	Deck cleaners	
	Drywall compounds	Epoxies, glues	
	Roof patch, stucco patch	Wood patch	
	Caulking compounds	Adhesives	

2. Is it an architectural coating?

If YES, go to 3.	If NO, it is not in the program.	Manufacturers: Coatings that are not architectural are not assessed a fee. Collection Sites: Coatings that are not architectural are not acceptable.
	These non-architectural paints are excluded: Auto paint Marine paint	

3. Is it an industrial maintenance (IM) coating?

If NO, go to 4	If YES, it is not in the program.	Manufacturers: IM coatings are not assessed.
	<u>Products with these labels are excluded:</u>	
	Professional use only Not for residential use For industrial use only	Collection Sites: IM coatings are not acceptable.

4. Is it for Original Equipment Manufacturing (OEM)?

If NO, go to 5	<p>If YES, it is not in the program.</p> <p>Manufacturers: If a company can clearly document that the coating was sold exclusively for OEM use, the fee should not be assessed. However, if this coating can be sold to a consumer or contractor for other than shop application and/or the use cannot be distinguished by the method of sale, the fee should be assessed.</p>	<p>Collection Sites: A collection site may not always be able to distinguish these products from non-OEM products. This determination will be made by asking the business customer what the intended use of the paint was. If the intention was shop application, it is not a program product. However, if the coating was sold to a consumer or contractor for other than shop application and/or the use cannot be distinguished by the method of sale, it may be accepted as a program product.</p>
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5. Is it a specialty coating or specifically excluded?

If NO, it is in the program	<p>If YES, it is not in the program.</p> <p><u>These are excluded:</u></p> <ul style="list-style-type: none"> Products in containers larger than 5 gallons Aerosol (spray) cans Craft paints Two component coatings (epoxy) Tar, asphalt, bitumen-based coatings Resins Paint tints, colorants, additives Wood preservatives containing pesticides 	<p>Manufacturers: Specialty or “specifically excluded” products are not assessed.</p> <p>Collection Sites: These products are not acceptable at collection sites.</p>
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DEFINITIONS

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 product is not intended for and not labeled as an IM coating, it should be deemed a

covered architectural coating and the fee should be assessed, unless it is specifically excluded (see below).

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).

Since OEM (shop application) coatings may be intended but not labeled for industrial or professional use, and may be sold in containers of 5 gallons or less, then...

For manufacturers:

...if a company can clearly document that the coating was sold exclusively for OEM use, the fee should not be assessed. However, if this coating can be sold to a consumer or contractor for other than shop application and/or the use cannot be distinguished via the method of sale, the fee should be assessed.

For collection sites:

...a collection site may not always be able to distinguish these products from non-OEM products. This determination will be made by asking the business customer what the intended use of the paint was. If the intention was shop application, it is not a program product. However, if the coating was sold to a consumer or contractor for other than shop application and/or the use cannot be distinguished via the method of sale, it may be accepted as a program product.

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 crafts paints.



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

Appendix C

Manufacturer Notification

Cover Letter

Connecticut Paint Stewardship Law

Definition of Program Products

Pre-Registration Form

Factsheet for Dealers

Registered Manufacturers as of April 22, 2013

Registered Brands as of April 22, 2013



February 14, 2013

Re: Connecticut Paint Stewardship Law

Dear Paint Manufacturer,

This letter is to inform you about the Connecticut Paint Stewardship Law which will begin implementation this summer. If your company sells architectural paints in the State of Connecticut, you must comply with this new law by (1) registering with PaintCare, (2) adding the PaintCare Recovery Fee to your program products, and (3) reporting and remitting fees to PaintCare monthly.

Connecticut Paint Stewardship Law

Beginning July 1, 2013, manufacturers that sell qualifying architectural paints (“program products”) into Connecticut are required to fund, develop and implement a convenient, statewide program for the collection, recycling and proper disposal of post-consumer architectural paint. The program will be funded through the addition of a “PaintCare Recovery Fee” that must be added by manufacturers to program product sold in Connecticut beginning July 1, 2013.

PaintCare is developing a Program Plan for submission to the Connecticut Department of Energy and Environmental Protection as required under the law. As part of the Program Plan, PaintCare must identify each manufacturer participating in the Program and the brands of architectural paint sold by those manufacturers. The Program Plan will also describe the Program budget and resulting PaintCare Recovery Fees.

PaintCare Inc.

Per the Connecticut law, the program must be operated by a “representative organization” on behalf of architectural paint manufacturers (producers). The American Coatings Association has formed the non-profit, PaintCare Inc., as the industry-run representative organization for the program. Besides planning the program for Connecticut, PaintCare currently runs similar programs in Oregon and California, and is planning a program to start next year in Rhode Island.

Program Registration

If your company’s program products are sold in Connecticut, you need to do two things: (1) register for the Connecticut PaintCare Program by completing the PaintCare Pre-Registration Form, and (2) provide PaintCare with a list of your brands sold in Connecticut. As an alternative to providing a list of only the program products sold in Connecticut, you may provide a list of all the program products that you manufacture, regardless of where they are sold. The benefit of this approach is that as more states join the PaintCare program, you will not

need to provide separate program product lists for each state. The Pre-Registration Form included with this letter provides additional details. (Although we will contact you later to register for the Rhode Island Program, we are also allowing and encouraging manufacturers to register Rhode Island Program early - at the same time as Connecticut – if you wish to do so.)

Private Brand Confidentiality

The Connecticut law requires lists of registered manufacturers and brands to be posted by the Connecticut Department of Energy and Environment (DEEP) on its website by program launch. We will also post this information on PaintCare's website. This information is posted for the purpose of retail and distributor compliance. Retailers and distributors will use this information to confirm that the brands they sell in Connecticut have been registered for the Program. If a manufacturer or its brands are not registered for the program, their program products may not be sold in Connecticut after July 1, 2013.

The information posted on the DEEP and PaintCare websites will not identify which manufacturers produce which brands unless this is obvious from the brand name. Manufacturer and brand information will be listed independent of each other (as two separate lists) in order to protect confidentiality of private labeling and other brand agreements.

PaintCare Recovery Fees

The PaintCare Recovery Fees for Connecticut will be determined in the next two weeks and submitted to the Connecticut Department of Energy and Environment on March 1, 2013. You will be notified of the fee amounts soon after, and the information will also be posted on PaintCare's website in the first week of March.

Fees will be set on program products sizes greater than half pint and up to 5 gallons, and will be broken down by the following three size ranges: (a) more than half pint to less than 1 gallon, (b) 1 gallon, and (c) more than 1 gallon and up to 5 gallons.

Reporting and Fee Remittance

On a monthly basis (or less frequently upon approval), manufacturers will report to PaintCare the number of units of program products sold into Connecticut, and remit the PaintCare Recovery Fees collected on those products. Reporting will be divided into two product categories: (1) water/latex-based program products, and (2) oil/solvent-based program products, and reported in four size ranges: (a) half a pint and less, (b) more than half pint to less than 1 gallon, (c) 1 gallon, and (d) more than 1 gallon and up to 5 gallons.

Remitter Agreements

Although manufacturers are legally obligated to track sales and pay the PaintCare Recovery Fee, because of complex distribution chains, you may need assistance from your dealers to obtain your sales data for Connecticut. Distributors and retailers can assist you in two ways: (1) Report your sales data back to you, and (2) Enter into a Remitter Agreement. Remitter Agreements move the reporting and fee remittance responsibility downstream to your dealer(s) – either distributor or retailer. Remitter Agreements can be used for all or part of your sales.

To learn more about Remitter Agreements, see the Remitter Agreement Factsheet at www.paintcare.org/connecticut. Remitter Agreement templates will be available in March and posted at the same location.

We look forward to representing your company in implementing the Connecticut Paint Stewardship Program. If you have any questions about this notification, please do not hesitate to contact me. I can be reached at pfresina@paint.org or at (415) 606-3211.

Thank you for your attention to this important matter.

Sincerely,



Paul Fresina
Director of Operations and Communication

Attachments (see below)

- Attachment A. Connecticut Paint Stewardship Law
- Attachment B. Definition of Architectural Paint Products

Separate Files (sent along with this letter via email)

- Pre-Registration Form for Manufacturers (Producers)
- Factsheet for Dealers (Distributors and Retailers)

Attachment A

Senate Bill No. 828

Public Act No. 11-24

AN ACT ESTABLISHING A PAINT STEWARDSHIP PROGRAM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective from passage*) For purposes of this section and section 2 of this act:

(1) "Architectural paint" means interior and exterior architectural coatings sold in containers of five gallons or less. Architectural paint does not include industrial, original equipment or specialty coatings.

(2) "Distributor" means a company that has a contractual relationship with one or more producers to market and sell architectural paint to retailers in this state.

(3) "Environmentally sound management practices" means procedures for the collection, storage, transportation, reuse, recycling and disposal of architectural paint, to be implemented by the representative organization or such representative organization's contracted partners to ensure compliance with all applicable federal, state and local laws, regulations and ordinances and the protection of human health and the environment. Environmentally sound management practices include, but are not limited to, record keeping, the tracking and documenting of the fate of postconsumer paint in and outside of this state, and environmental liability coverage for professional services and for the operations of the contractors working on behalf of the representative organization.

(4) "Energy recovery" means the process by which all or a portion of solid waste materials are processed or combusted in order to utilize the heat content or other forms of energy derived from such solid waste materials.

(5) "Paint stewardship assessment" means the amount added to the purchase price of architectural paint sold in this state that is necessary to cover the cost of collecting, transporting and processing postconsumer paint by the representative organization pursuant to the paint stewardship program.

(6) "Postconsumer paint" means architectural paint that is not used and that is no longer wanted by a purchaser of architectural paint.

(7) "Producer" means a manufacturer of architectural paint who sells, offers for sale, distributes or contracts to distribute architectural paint in this state.

(8) "Recycling" means any 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. "Recycling" does not include energy recovery.

(9) "Retailer" means any person who offers architectural paint for sale at retail in this state.

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

(11) "Commissioner" means the Commissioner of Environmental Protection.

(12) "Sell" or "sale" means any transfer of title for consideration including, but not limited to, remote sales conducted through sales outlets, catalogues, the Internet or any other similar electronic means.

(13) "Representative organization" means the nonprofit organization created by producers to implement the paint stewardship program described in section 2 of this act.

(14) "Department" means the Department of Environmental Protection.

Sec. 2. (NEW) (*Effective from passage*) (a) (1) On or before March 1, 2013, each producer shall join the representative organization and such representative organization shall submit a plan for the establishment of a paint stewardship program described in this subdivision to the commissioner for approval. Such paint stewardship program shall: (A) Minimize public sector involvement in the management of postconsumer paint by: (i) Reducing the generation of postconsumer paint, (ii) promoting the reuse and recycling of postconsumer paint, and (iii) negotiating and executing agreements to collect, transport, reuse, recycle, burn for energy recovery and dispose of postconsumer paint using environmentally sound management practices; (B) provide for convenient and available state-wide 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 prior to such paint stewardship program; (C) propose a paint stewardship assessment; and (D) include a funding mechanism that requires each producer who participates in the representative organization to remit to the representative organization payment of the paint stewardship assessment for each container of architectural paint such producer sells in this state.

(2) The plan submitted pursuant to subdivision (1) of this subsection shall: (A) Identify each producer participating in the paint stewardship program and the brands of architectural paint sold in this state covered by the program; and (B) address the coordination of the paint stewardship program with existing household hazardous waste collection infrastructure, as much as is reasonably feasible and mutually agreeable.

(3) The commissioner may approve the plan for the establishment of a paint stewardship program that meets the requirements of subdivisions (1) and (2) of this subsection. Not later

than two months after submission of the plan pursuant to this subsection, the commissioner shall make a determination whether or not to approve the plan.

(4) Not later than two months after the date the plan is approved pursuant to subdivision (3) of this subsection, the representative organization shall implement the paint stewardship program.

(b) (1) On or before March 1, 2013, and every two years thereafter, the representative organization shall propose a uniform paint stewardship assessment for all architectural paint sold in this state. Such proposed paint stewardship assessment shall be reviewed by an independent auditor to assure that such assessment does not exceed the costs of the paint stewardship program described in subsection (a) of this section and such independent auditor shall recommend an amount for such paint stewardship assessment to the department. The department shall be responsible for the approval of such paint stewardship assessment. Such independent auditor shall be selected by the department and the department shall be responsible for the review of the work product of such independent auditor, including, but not limited to, the review of such auditor's assessment of the bid and purchase procedures utilized by the representative organization to implement such program. The department may terminate the services of any such independent auditor. Not less than once every five years, the department shall select a different independent auditor to perform the duties described in this subdivision and subdivision (4) of subsection (h) of this section. The cost of any work performed by such independent auditor pursuant to the provisions of this subdivision and subdivision (4) of subsection (h) of this section shall be funded by the paint stewardship assessment.

(2) On and after the date of implementation of the paint stewardship program pursuant to subdivision (4) of subsection (a) of this section, the paint stewardship assessment, as established pursuant to subdivision (1) of this subsection, shall be added to the cost of all architectural paint sold to retailers and distributors in this state by each producer. On and after such implementation date, each retailer or distributor, as applicable, shall add the amount of such paint stewardship assessment to the purchase price of all architectural paint sold in this state.

(c) Any retailer may participate, on a voluntary basis, as a paint collection point pursuant to such paint stewardship program and in accordance with any applicable provision of law or regulation.

(d) Each producer and the representative organization shall be immune from liability for any claim of a violation of antitrust law or unfair trade practice if such conduct is a violation of antitrust law, to the extent such producer or representative organization is exercising authority pursuant to the provisions of this section.

(e) Not later than the implementation date of the paint stewardship program, the department shall list the names of participating producers and the brands of architectural paint covered by such paint stewardship program on its web site.

(f) (1) On and after the implementation date of the paint stewardship program, no producer, distributor or retailer shall sell or offer for sale architectural paint to any person in this state if the producer of such architectural paint is not a member of the representative organization.

(2) No retailer or distributor shall be found to be in violation of the provisions of subdivision (1) of this subsection if, on the date the architectural paint was ordered from the producer or its agent, the producer or the subject brand of architectural paint was listed on the department's web site in accordance with the provisions of subsection (e) of this section.

(3) The commissioner may seek civil enforcement of the provisions of this subsection pursuant to chapter 439 of the general statutes.

(g) Producers or the representative organization shall provide consumers with educational materials regarding the paint stewardship assessment and paint stewardship program. Such materials shall include, but not be limited to, information regarding available end-of-life management options for architectural paint offered through the paint stewardship program and information that notifies consumers that a charge for the operation of such paint stewardship program is included in the purchase price of all architectural paint sold in this state.

(h) On or before August 15, 2014, and annually thereafter, the representative organization shall submit a report to the Commissioner of Environmental Protection that details the paint stewardship program. Such report shall include, but not be limited to: (1) A description of the methods used to collect, transport and process postconsumer paint in this state; (2) the volume of postconsumer paint collected in this state; (3) the volume and type of postconsumer paint collected in this state by method of disposition, including reuse, recycling and other methods of processing; (4) the total cost of implementing the program, as determined by an independent financial audit, as performed by the independent auditor described in subdivision (1) of subsection (b) of this section and funded by the paint stewardship assessment; (5) an evaluation of the operation of the program's funding mechanism; and (6) samples of educational materials provided to consumers of architectural paint and an evaluation of the methods used to disseminate such materials.

(i) Not later than January 15, 2015, and biennially thereafter, the Commissioner of Environmental Protection shall submit, in accordance with section 11-4a of the general statutes, a report to the joint standing committee of the General Assembly having cognizance of matters relating to the environment that describes the results of the paint stewardship program and recommends modifications to improve the functioning and efficiency of such program, as necessary.

Approved June 3, 2011

Attachment B

Defining Architectural Paint Products for 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 Maintenance 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 product is not intended for and not labeled as an IM coating, it should be deemed a covered architectural coating and the fee should be assessed, unless it is specifically excluded (see below).

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).

Since OEM (shop application) coatings may be intended but not labeled for industrial or professional use, and may be sold in containers of 5 gallons or less, if a company can clearly document that the coating was sold exclusively for OEM use, the fee should not be assessed. However, if this coating can be sold to a consumer or contractor for other than shop application and/or the use cannot be distinguished via the method of sale, the fee should 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
- Arts and crafts paints
- Caulking compounds, epoxies, glues, adhesives
- Paint additives, colorants, tints and resins
- Wood preservatives (containing pesticides)
- Roof patch and repair
- 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



Pre-Registration Form For Manufacturers (Producers)

Please fill out the form below to initiate the registration process for PaintCare in each state where your program products are sold. Following receipt of this form, we will send you instructions on how to set up an on-line profile and sign a formal Participant Agreement. Registration is complete when the on-line profile is done.

Which state(s) are you already registered for? ☐ Oregon ☐ California

Which state(s) are you registering for now? ☐ Oregon started 2010 ☐ California started 2012 ☐ Connecticut starts 2013 ☐ Rhode Island starts 2014

Manufacturer (legal name)	
Operating as (if different from legal name)	
Address	
Phone	
Fax	

CONTACTS	Primary	Secondary, if any
Name		
Phone		
Fax		
Email		

BRAND LIST

See next page for instructions. A form for listing brands follows the instructions. If you have registered previously for Oregon and/or California and your brand list is the same, you do not need to send a new list.

Please check appropriate box: ☐ Use previous list. ☐ We are submitting a list now.

WHERE TO SEND

Please email or fax this form and brand list to Paul Fresina, Director of Operations and Communication
Email: pfresina@paint.org. Fax: (855) 385-2020. Phone: (415) 606-3211

MORE INFORMATION

PHONE (855) 724-6809

www.paintcare.org or info@paintcare.org

PAINTCARE INC.

1500 RHODE ISLAND AVENUE N.W.

WASHINGTON, DC 20005

INSTRUCTIONS FOR PROVIDING BRAND LISTS

Purpose: The Brand Lists are used by paint dealers and state oversight agencies to check that manufacturers have registered their program products so that their program products may be sold in the states where they are registered. The lists are made public at PaintCare.org and on each state oversight agency's website.

Please provide either (1) a list of program product Brands that you sell in the state(s) being registered or (2) a comprehensive list of all program product Brands that you manufacture, regardless of which states you sell them in. The Brands may be listed as follows:

- (a) **Brand Name Only.** If all of the products under a brand name are PaintCare program products, list only the brand name. For example, if the brand name is BEST, please list it like this:

BEST (all products)

- (b) **Brand and Product Name.** If some products marketed under a brand name are PaintCare program products and some are not, then the product name or description should be included. For example, if BEST X-100 Enamel and BEST Acme Varnish are program products, but BEST Johnny's Thinner is a non-program product, please list the products like this:

BEST X-100 Enamel

BEST Acme Varnish

DESCRIPTION

Please help us understand your products better by providing a short description for program products that are not paint. PaintCare will contact you with questions if you list a product that is not a PaintCare program product and does not need to be registered.

<i>Brand/Product</i>	<i>Paint?</i>	<i>Description (if not Paint)</i>
Beta's Best House Paint	Y	
ABC-X56	N	concrete and masonry sealer
Shiny Stuff	N	lacquer

BRAND/PRODUCT LIST

For longer lists, please attach additional pages. (You may also attach an Excel spreadsheet.)

[illegible]



Connecticut Paint Stewardship Program

Information for Paint Dealers

A new Connecticut law affecting paint manufacturers, distributors and retailers takes effect July 1, 2013.

The new law requires paint manufacturers to add a paint recovery fee to architectural paint products, and pass the fee to paint dealers (distributors and retailers). Dealers must include the fee in their sales price in Connecticut and may not sell brands from manufacturers not complying with the law.

Paint Stewardship Led by Industry

The American Coatings Association (ACA) worked for ten years 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 non-profit 501(c)(3) organization established by the ACA to implement paint stewardship programs on behalf of paint manufacturers in each state that adopts a paint stewardship law. PaintCare currently operates programs in California and Oregon and is planning programs for Connecticut (to start in July 2013) and Rhode Island (to start in 2014).

What Products Are Covered?

Architectural paints ("Program Products") are 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), or specialty coatings.

A comprehensive definition of program products is available at www.paintcare.org/connecticut. A simplified version is on page two of this factsheet.

PaintCare Recovery Fee and Program Funding

As required by the law, on July 1, 2013, a fee ("PaintCare Recovery Fee") must be added by manufacturers to the wholesale price of all architectural paint sold in Connecticut. This fee is paid by manufacturers to PaintCare to fund setting up drop-off sites for leftover, post-consumer architectural paint, and for the transportation, recycling, and proper disposal of that paint. It also pays for consumer education and program administrative costs.

In the first two years of the Oregon Program, PaintCare established 100 drop-off sites and collected more than 1 million gallons of post-consumer paint. In California, more than 400 drop-off sites were established since the program started in October 2012.

Paint distributors and retailers will see the PaintCare Recovery Fee on their invoices from paint manufacturers. The law also requires that each distributor and retailer include the PaintCare Recovery Fee with their sale price of architectural paint sold in Connecticut.

While displaying the fee on invoices and receipts is not mandatory for distributors or retailers, PaintCare encourages this action to aid in customer and dealer education and ensure transparency.

The PaintCare Recovery Fee structure (fees vary by container size) is approved by the Connecticut Department of Energy and Environment (DEEP), and will be posted the first week of March at www.paintcare.org/connecticut.

Verifying Registered Manufacturers and Brands

Architectural paint may not be sold in Connecticut unless the manufacturer and brands are registered with PaintCare. Dealers are required to make sure that the manufacturers and brands of any architectural paint sold by them in Connecticut are registered. Beginning March 1, 2013, PaintCare will publish the lists of registered manufacturers and brands on its website at paintcare.org/connecticut. Lists will be updated as new registrations are received.

Role of Dealers in Tracking Sales

Although manufacturers are legally obligated to track sales and pay the PaintCare Recovery Fee, because of complex distribution chains, they may not always know the quantity of their products sold in each state. Distributors and retailers can assist with this in two ways.

One way for the manufacturer to know its sales in a state is for their dealers to report this information back to them. The second way is for a manufacturer and its dealer(s) to enter into a *Remitter Agreement*.

Remitter Agreements

Remitter Agreements move the reporting and fee remittance responsibility downstream to the dealer. Remitter Agreements are most commonly used between manufacturers and their distributors, but can also be used between (a) manufacturers and retailers and (b) distributors and retailers. Agreements can be used for all or part of a manufacturer's sales.

To learn more, see the Remitter Agreements Factsheet at www.paintcare.org/connecticut.

Program Contact

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

What Products are Covered?

Architectural paints ("Program Products") are 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), or specialty coatings. Examples are below.

Program 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-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
- 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
www.paintcare.org or info@paintcare.org

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

Registered Manufacturers

1. Advanced Protective Products, Inc.
2. Akzo Nobel Paints LLC
3. Ames Research Laboratories Inc.
4. Anvil Paints & Coatings Inc
5. Behr Process Corporation
6. Benjamin Moore & Co.
7. Bond Distributing Ltd -dba One Time
8. California Paint Recycling Inc
9. Deft, Inc.
10. Duckback Products a division of Duckback Acquisition Corp.
11. EnviroCare Corp
12. Farrow & Ball Inc.
13. Forrest Paint Co
14. Gardner-Gibson
15. Gemini Coatings, Inc. (Gemini Industries, Inc.)
16. Henry Company LLC
17. Homax Group Inc, The
18. Imperial Paints LLC
19. Lauzon Ltd
20. Masterchem Industries LLC
21. Modern Masters, Inc.
22. PPG Architectural Finishes, Inc.
23. ProCoat Products, Inc.
24. Rust-Oleum Corporation
25. Seymour of Sycamore
26. Sherwin-Williams
27. Skybryte Company
28. Southern Diversified Products
29. Sunnyside Corporation
30. True Value Manufacturing Company
31. Valspar Corporation, The

Registered Brands

A-100	Benjamin Moore Grand Entrance
Accent Color Base	Benjamin Moore Imagine
Accolade®	Benjamin Moore Impervex
Acri-Pro® 100	Benjamin Moore Impervo
Acri-Shield® Paint and Stains	Benjamin Moore Ironclad
Advantage™ 900 (Gloss & Semi-Gloss)	Benjamin Moore Moorcraft Super Craft
American Accents	Benjamin Moore Moorcraft Super Hide
American Pride Paint	Benjamin Moore MoorePro
America's Finest	Benjamin Moore Moore's Floor and Patio
Ames Block & Wall, acrylic	Benjamin Moore Moore's Kitchen and Bath
Ames Block & Wall, rubber	Benjamin Moore Moore's Masonry Sealer
Ames Blue Max	Benjamin Moore Moore's Muresco
Ames Clear Seal	Benjamin Moore Moore's Porch and Floor
Ames Liquid Granite	Benjamin Moore Moore's Swimming Pool Paint
Ames Paint & Prime	Benjamin Moore Moorgard
Ames Reflective Paint	Benjamin Moore Moorglo
Ames Safe-T-Deck Granulated	Benjamin Moore Moorlastic Elastomeric
Ames SafeT-Deck Smooth	Benjamin Moore Moorlife
Ames Super Primer	Benjamin Moore Multi-Purpose Primer/Finish
Ames upser Elasto Barrier	Benjamin Moore Natura
Ames Vapor Barrier	Benjamin Moore Premium Exterior Stain
Andersons	Benjamin Moore Pro Finish
Apoc	Benjamin Moore Regal
AutoBody Master	Benjamin Moore Regal Select
Bakor	Benjamin Moore Satin Impervo
Bar OX 340 Devoe EPC	Benjamin Moore Solid Color Stain
Bar OXDevoe EPC	Benjamin Moore Studio Finishes
Barn & Fence Paints	Benjamin Moore Super Craft
Behr	Benjamin Moore Super Spec (does not include Super Spec HP)
Behr Premium Plus	Benjamin Moore Super Spec 100% Acrylic Exterior Flat
Behr Premium Plus Ultra	Benjamin Moore Super Spec 100% Acrylic Exterior Satin
Behr Premium Select	Benjamin Moore Super Spec HP 220 Latex Flat Fire Retardant Coating
Behr Pro-X	Benjamin Moore Super Spec HP Alkyd Metal Primer
Bellezza	Benjamin Moore Super Spec HP Clear Acrylic Sealer
Benjamin Moore Advance	Benjamin Moore Super Spec HP DTM Acrylic Gloss
Benjamin Moore Alkyd Dulamel	Benjamin Moore Super Spec HP DTM Acrylic Low Lustre
Benjamin Moore Anti-Slip Coating	Benjamin Moore Super Spec HP DTM Acrylic Semi-Gloss
Benjamin Moore Arborcoat	Benjamin Moore Super Spec HP DTM Alkyd Gloss Enamel
Benjamin Moore Aura	Benjamin Moore Super Spec HP DTM Alkyd Low Lustre
Benjamin Moore Ben	
Benjamin Moore Benwood Finishes	
Benjamin Moore Chalkboard Paint	
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 Super Spec HP DTM Alkyd Semi-Gloss Enamel
 Benjamin Moore Super Spec HP Rust Converter
 Benjamin Moore Super Spec HP Shop-Coat Alkyd Metal Primer
 Benjamin Moore Super Spec HP Universal Metal Primer
 Benjamin Moore Super Spec HP Urethane Alkyd Gloss Enamel
 Benjamin Moore Super Spec Sweep Up
 Benjamin Moore Ultra Spec
 Benjamin Moore Vinyl Latex Flat
 Benjamin Moore Waterborne Ceiling Paint
 Benjamin Moore Waterborne Satin Impervo
 Benjamin Moore Weatherproof Aluminum Paint
 Best Look®
 Better Homes And Garden
 BIN
 Black Jack
 Blacknight
 BlankIt® Acrylic Primer
 Blok-Tite™
 Blue Athletic Field Marker
 Blue Seal
 Break-Through
 Bright Life
 Builder's Spec® Pro
 Builders Masterpiece
 Builders Solution Int.
 Bulls Eye
 C&M Coatings
 Cabot
 Cabot "The Finish"
 Cabot Australian Timber Oil
 Cabot Cabothane
 Cabot Clear solutions
 Cabot OVT
 Cabot Problem Solver
 Cabot PROVT
 Cadalac
 Carquest
 Cashmere Interior
 Casual Spaces
 Ceiling White
 Classic 99 Int
 Classic Cote
 Clinical Paints
 Color Decor
 Color Extra
 Color Solutions®
 ColorAccents Interior Alkyd
 Colorfast
 Colorplace

ColorPlace®
 ConFlex XL
 Controlz Primers
 DeckScapes Ext
 Decorative Painter's Products
 Decra-Flex
 Deft Clear Wood Finish Brushing Lacquer
 Deft Deftane Polyurethane
 Deft Deftoil Danish Oil Finish
 Deft Interior Polyurethane
 Deft Lacquer Sanding Sealer
 Deft Step Saver Stain and Finish
 Deft Water Based Polyurethane
 Deft Water Borne Clear Wood Finish Acrylic
 Deft Wood Stain Oil Based
 Deft Wood Stain Water Based
 Design Accents
 Design Accents
 Design Basics Interior
 Devoe Fog
 Devoe Paint
 Devoe Paint All Weather
 Devoe Paint Demo Color Tester
 Diamond 350
 Diamond 450
 Dimensions
 Dirt Fighter Exterior
 Dirt Fighter Interior
 Do it Best
 Do-It Best Waterproofer
 Do-It-Best
 Duckback - All Purpose Waterproofer
 Duckback - Composite Deck Sealer
 Duckback - Premium Translucent Finish
 Dura Clad
 DuraCraft Acrylic Latex
 Duraseal
 Duration
 Duron
 DutchBoy
 Dynamite
 Easy Care
 Easy Color
 EasyLiving®
 Economy
 ECOS Paints
 EcoSelect® Zero VOC
 Emerald
 Endurance
 Endurance Stains
 Enrich
 Enviropure
 Epoxy Shield

EverLast
 E-Z Kare
 Fabulon
 Farrow & Ball Dead Flat
 Farrow & Ball Estate Eggshell
 Farrow & Ball Estate Emulsion
 Farrow & Ball Exterior Eggshell
 Farrow & Ball Floor Paint
 Farrow & Ball Full Gloss
 Farrow & Ball Interior /Exterior Wood Primer &
 Undercoat
 Farrow & Ball Interior Wood Primer & Undercoat
 Farrow & Ball Masonry &Plaster Stabilising Primer
 Farrow & Ball Masonry Paint
 Farrow & Ball Metal Primer & Undercoat
 Farrow & Ball Modern Emulsion
 Farrow & Ball Wall Ceiling Primer & Undercoat
 Farrow & Ball Wood Floor Primer &Undercoat
 Farrow & Ball Wood Knot & Resin Blocking Primer
 Faux Impressions®
 FLEX BON
 Flood CWF
 Flood EB Emulsa Bond
 Flood Floetrol
 Flood Penetrol
 Flood Spa-N-Deck
 Flood SWF
 Flood TWF
 Floor & Porch (Acrylic & WB Alkyd -New Tech.)
 Fluorescent Orange Field Marker
 Forrest Paint
 Forsite Protective Coating
 Fortis 350
 Fortis 450
 Fred Myers
 Fresh Kote
 Gardner
 Gem Clear
 Gem Coat
 Gem Cryl
 Gem Dye
 Gem Glo
 Gem Prime
 Gem Pro
 Gem Pur
 Gem Tone
 Gem Var
 Gemini
 Gemini Coatings
 Gemini Tone Stain
 Glidden
 Glidden Brilliance
 Glidden Ceiling

Glidden Ceiling Paint EZ Track
 Glidden Color
 Glidden Colorplace
 Glidden Cover Plus
 Glidden Duo
 Glidden Homeshades
 Glidden Porch & Floor
 Glidden Porch & Floor
 Glidden Prime Coat
 Glidden Professional
 Glidden Professional Alkyd
 Glidden Professional Concrete Coatings
 Glidden Professional Dryfall
 Glidden Professional Primers
 Glidden Professional Promaster
 Glidden Professional Roof Coatings
 Glidden Professional Textured Coatings
 Glidden Proffessional Gripper
 Glidden Promaster
 Glidden Spred
 Glidden Spred Complete
 Glidden Stucco & Masonry
 Global Green 3090 Primer
 Global Green Acrylic Elastomeric Blend
 Global Green Course Texture Coating
 Global Green Elastomeric
 Global Green EX/Int Stn Blk Primer
 Global Green Exterior Flat, Satin, Semi Gloss
 Global Green Interior Flat, Satin, Semi Gloss
 Global Green Medium Texture Coating
 Global Green Prep Coat
 Global Green Smooth Texture Coating
 Global Green Thermal Elastomeric
 Glyptex™ WB Alkyd (New Tech.)
 Grass Green Athletic Marker
 Gripper
 Guardian Contractor Grade
 Guardian Professional Quality
 H&C
 Hammerite
 Harmony
 HD® DESIGNS
 Hemp Shield
 Henry
 Henry RTC Coat
 Henry/Bakor
 HGTV Home
 Hi-Hide®
 Homax
 Homestead
 HomeVantage™ Plus
 Hydroshur
 Impressions

Infinity®
 Insl-X Aqua Lock
 Insl-X Cabinet Coat
 Insl-X Concrete Stain Waterproofing Selaer
 Insl-X One Prep
 Insl-X Ordorless Alkyd Primer
 Insl-X Prime Lock
 Insl-X Rubber Based Pool Paint
 Insl-X Seal Lock
 Insl-X Stix
 Insl-X Sure Step
 Insl-X Waterblock
 Insl-X Waterborne Pool Paint
 Kilz
 Kilz Casual Colors
 Kilz Color Place
 Kilz Pro-X
 Kilz True Tone
 Kool Seal
 Krylon
 Krylon Commercial
 Laura Ashley
 Lauzon wood Clear Finish
 Lauzon wood stain
 Lifemaster Accents
 Lifemaster No VOC
 Lifemaster Oil
 Lok-Tite
 Loxon
 Lucite
 Lullaby Paints
 Luxury Living
 Magic
 Maintenance One
 Maintenance Pro
 Manor Hall®
 Manor Hall® Exterior
 Manor Hall® Timeless®
 Manor Hall® Timeless® Exterior
 Manor Hall® WB Alkyd (New Tech.)
 Martha Stewart Living
 Martin Senour Paints
 Marvins
 Mason's Select - Concrete Clear Sealers
 Mason's Select - Epoxacryl Solid Color Concrete
 Stain
 Mason's Select - Transparent Concrete Stain
 Master Painters
 Master Touch
 Master's Magic
 Masterchem
 MasterClear Supreme
 Masterline

Maxbond®
 Maxflex™
 Maxum
 Maxwood®
 MBP Flat
 McCloskey
 McCloskey Man-O-War
 McCloskey Multi-Use
 McCloskey Special Effects
 McCloskey Stains
 McCoy's
 Metallic Paint Collection
 Minwax
 Mirrolac Devoe EPC
 Mirrolac Speed Devoe EPC
 Modac
 Moldex Deck Protector
 Mothers Touch Paint
 Multiplex
 Multi-Pro™
 Multispec
 Mythic Paint
 Odds N Ends
 OKON
 Olympic 15 Year
 Olympic Clear Wood Preservative
 Olympic Deck Fence and Siding Stain & Primer
 Olympic Fasthide
 Olympic ICON
 Olympic Maximum
 Olympic Oil Stain
 Olympic One
 Olympic Premium Acrylic
 Olympic Premium Paint
 Olympic Rescue-IT
 Olympic Stains (interior/exterior)
 Olympic Waterguard
 Olympic Weathering Stain
 Olympic WoodProtector
 One Time Wood Preservative (various colors)
 Orgill
 Other Devoe Paint
 Painters Edge
 Painter's Select
 Painter's Touch
 Painters' Friend®
 PalGard®
 Penchrome Devoe/Fuller
 Perma White
 Perma-Crete® Masonry Coatings
 Perma-Crete® Primer
 Permanizer®
 Permax

Pitt-Cryl®
 Pitt-Cryl® Plus
 Pitt-Glaze® Epoxy Coating
 Pittsburgh Paints Grand Distinction
 Pittsburgh Paints Ultra
 Pittsburgh Paints Ultra Advanced Stain
 Pittsburgh Paints Weatherscreen Paint
 Plastic Kote
 Plasti-Kote
 Platinum
 Platinum Products
 Platinum Series Metallic Plaster
 Ply-Mastic
 Ply-Thane
 Ply-Tile
 Porcelain®
 Porch & Floor Devoe
 Portersept®
 Pratt & Lambert®
 Premier
 Premium
 Premium Ceiling White
 Premium Decor
 PrepRite
 Prestige
 Primatite
 Primz220
 Pro Finishes
 Pro Flat
 Pro Grade
 Pro Kote
 Pro Maintenance
 Pro Shopper
 Pro Siding PlusTM
 Pro SupremeTM
 Pro Var
 ProBond
 ProClassic
 ProCoustic
 Professional Coatings
 Professional Finishes
 ProGreen 200
 Pro-Hide® Gold
 Pro-Hide® Green
 Pro-Hide® Silver
 ProLine Supreme
 ProMar 200
 ProMar 400
 ProMar 700
 Pro-MasterTM 2000 Latex (Including Primer)
 Property Solution
 ProVantageTM Sundries
 Pure Performance®

Quik Hide
 Quikrete
 Ralph Lauren Paints
 Ready to Spray Athletic White
 Red Athletic Field Marker
 Red Devil
 RedSeal®
 RedSeal® Zero VOC
 Refresh
 Regency
 Resilience
 Restore-X
 Rich Lux
 Roofers Choice
 RUST DESTROYER
 RUST DESTROYER FAST DRY
 RUST DESTROYER HIGH HEAT
 RUST KNOCKOUT
 Rust Oleum
 Rust-O-Lastic
 Sea Shore
 Seal Grip® Primers (Acrylic & Oil)
 Sears
 Severe Weather Contractor Finish
 Sher-Crete
 SherStripe
 Shimmer Stone
 Shizen
 Shur- Stik
 Signature Select
 Sikkens Cetol
 Sikkens Rubbol
 Silken Touch®
 Silken Touch® Ceiling White
 Simply Glaze
 Skim Stone
 Skylight®
 Snow Roof
 Solar Guard
 Solastic
 Solo 100% Acrylic
 Speed Cote
 Speed Cryl
 Speedcote
 Speedhide®
 Speedhide® Latex Block Filler
 Speedhide® MaxBuildTM
 Speedhide® WB Alkyd (New Tech.)
 SpeedLine Lacquers
 Speedpro®
 Speedwall
 Stainless Steel Coating
 STAINShield®

Sta-Kool
 Start Right
 Stone Care International
 Stone Mason
 Stop Rust
 Storm Shield
 Sun Proof® Paint
 Sun Proof® Stains
 Sunnyside Waterproofers
 Sunnyside Wood Protectant
 SuperBond
 Superdeck - Clear Wood Finish
 Superdeck - Deck & Dock Elastomeric
 Superdeck - Exotic Hardwood Stain
 Superdeck - Log Home Oil Finish
 Superdeck - Pressure Treated Stain
 Superdeck - Semi Transparent Stain
 Superdeck - Solid Color Stain
 Superdeck - Transparent Stain
 Superdeck - Waterborne Stain
 SuperPaint
 Surmax
 Synteko Best
 Synteko Classic
 Synteko Extra
 Synteko Natural
 Synteko Pro
 Synteko Sealmaster
 Synteko Sealmaster
 Terminator™
 Texture Effects
 The Freshaire Choice
 Theme Paint
 Thompsons
 Tile Guard
 Titanium Series
 Top Choice
 Total Wood Preservative
 Total-Pro™
 Tribuilt Roof X Tender
 Trim Paint - Glidden
 Tru Seal
 Twist & Try
 TWP
 Ultra Color Devco Paint
 Ultra Deluxe
 Ultra Guard
 Ultra Hide 150 Exterior
 Ultra Hide 150 High-Build
 Ultra Hide 150 Interior
 Ultra Hide 150 Masonry
 Ultra Hide 250
 UltraCrete

Ultra-Fill
 Ultra-Hide
 Valspar
 Valspar Anti-Rust
 Valspar Climate Zone
 Valspar Color Style
 Valspar Decorator
 Valspar Duramax
 Valspar Elan
 Valspar Integrity
 Valspar Medallion
 Valspar Medallion Primers
 Valspar Prep-Step Primers
 Valspar Pro 2000 Interior Contractor Finish
 Valspar Professional Bonding Primer
 Valspar Professional Exterior
 Valspar Professional Exterior Primer
 Valspar Professional Interior
 Valspar Professional New Construction Primer
 Valspar Professional PVA Primer
 Valspar Restoration Series
 Valspar Signature Colors
 Valspar Tractor & Implement
 Valspar Ultra Premium
 Valspar Weathercoat
 Value
 Varathane
 Velour Devco Paint
 Venetian Plaster
 Vinyl Flat™
 Wall Supreme™
 WallHide®
 Walmart
 Watco
 Weather All
 Weatherking
 Weatherking Primer
 Weathershield
 WFS
 White Athletic Field Marker
 WithSTAND®
 Wolman
 Wonder Guard
 Wonder Hide
 Wonder Pure
 Wonder Shield
 Wonder Tones
 Wonder-Pro
 Wood Classics
 Wood Finishers Supply
 WoodScapes
 Woodsman
 X-O Rust

Yellow Athletic Field Marker
ZAP Primers
Zehrung
Zinsser
ZoneLine™ Zone Marking Paint
ZoneMark™ Athletic Field Marking Paint

Appendix D

Partnership Notifications

Household Hazardous Waste Program: Fact Sheet and Interest Form

Paint Retailer: Fact Sheets (2) and Interest Form

Transfer Stations: Fact Sheet and Interest Form



Connecticut Paint Stewardship Program

Information for HHW Programs

New law benefiting Household Hazardous Waste Programs in Connecticut takes effect July 2013.

A new law passed in 2011 requires paint manufacturers to establish a Paint Stewardship Program in Connecticut. Municipal Household Hazardous Waste Programs that participate can save money on paint management costs. Program funding comes from an assessment fee on the sale of architectural paint sold in Connecticut starting in July 2013.

New Paint Stewardship Program in Connecticut

PaintCare Inc. is a non-profit 501(c)(3) organization established by the American Coatings Association to implement state-mandated paint stewardship programs on behalf of paint manufacturers in each state that adopts a paint stewardship law.

Connecticut is the third state to pass such a law. PaintCare currently operates programs in Oregon and California, and a fourth program is being planned for Rhode Island. Although the program is required by state law, it is designed and operated by the paint manufacturing industry.

The Program starts 60 days after the Connecticut Department of Energy and Environmental Protection (DEEP) approves a Stewardship Plan. The Plan will be submitted by PaintCare on behalf of paint manufacturers by March 1, 2013. Connecticut's program is expected to begin in July 2013.

Making Paint Recycling More Convenient

PaintCare will establish drop-off sites statewide for residents and businesses to take leftover architectural



paint. Although most drop-off sites will be at paint retailers, municipal household hazardous waste (HHW) programs and waste transfer stations may also volunteer to be PaintCare drop-off sites and have their paint transportation and recycling/disposal costs paid by PaintCare.

Benefits to Household Hazardous Waste Programs

- Make recycling of leftover paint more convenient
- Savings on transportation and recycling/disposal
- Conserve resources and keep paint out of the solid waste stream
- Allow residents to bring paint with other HHW in one trip to one site

PaintCare Partners Receive

- Collection bins
- Transportation and recycling/disposal services
- Staff training at your site
- Program guidelines
- Free publicity of HHW site or event (optional)

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

Drop-off Site Responsibilities

- Provide secure storage area for collection bins (cubic yard boxes or drums)
- Accept program products from the public during normal operating hours
- Properly pack program products in collection bins
- Assist with loading and unloading of full and empty storage bins
- Complete minimal paperwork related to tracking outgoing paint shipments
- Ensure staff are trained in PaintCare program guidelines and operating procedures



Will PaintCare Require Operational Changes?

- If your program does not currently accept latex paint, PaintCare will not require you to do so. If you wish to start accepting latex paint, PaintCare will cover the transportation and disposal costs.
- If your program does not currently accept paint from businesses, PaintCare will not require you to do so. If you wish to start accepting paint from businesses, PaintCare will cover the transportation and disposal costs.
- PaintCare may choose to only contract with one transporter to pick up paint from all PaintCare sites in Connecticut, whether retail or HHW. If your current hazardous waste transporter is not the same company, a second hauler will transport paint from your event or facility.

Water-Based (Latex) Paint is a Resource

An important goal of the PaintCare Program is to conserve resources and increase the volume of paint that is recycled. Many HHW programs in Connecticut do not accept water-based paint because it is expensive to manage and is not classified as hazardous. Residents and businesses are often instructed to let water-based paint dry out and then dispose of the dry paint in the trash. Through the PaintCare program, all paint including latex will be treated as a resource and recycled to the maximum extent possible.

What Products are Covered?

Architectural paints ("Program 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. Here are examples:

PROGRAM 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-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
- 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

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



HHW Program Interest Form

To Be a PaintCare Partner for Paint Collection in Connecticut

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

Use this form to let us know that you are interested in becoming a PaintCare Partner for paint collection. For a copy of our two-page fact sheet "Information for HHW Programs" please visit www.paintcare.org/connecticut.

SPONSOR Municipality or Organization: _____
Street Address: _____
City / State / Zip: _____
Mail Address, if different: _____

FIRST CONTACT

Name: _____
Title: _____
Phone: _____
Email: _____

SECOND CONTACT

Name: _____
Title: _____
Phone: _____
Email: _____

TYPE OF SITE

☐ HHW Facility ☐ HHW Events
If events, how many per year? _____

STORAGE SPACE

Each bin uses the floor space of a pallet (3' x 3')

How many cubic yard bins do you have space to store?
☐ 1 ☐ 2 ☐ 3 If more than 3, how many? _____

PROGRAM DESCRIPTION

Please provide additional information about your program such as the months/days/hours that your HHW facility is open, the towns that may utilize your program, when and where you hold temporary HHW event, etc.

PROGRAM OPERATIONS

Do you currently service CESQGs? ☐ YES ☐ NO Are you interested in servicing CESQGs? ☐ YES ☐ NO
Do you currently accept latex paint? ☐ YES ☐ NO Are you interested in accepting latex? ☐ YES ☐ NO
How do you currently manage paint? ☐ bulk paint ☐ loose pack paint
Who is your current transportation service provider? _____

SEND COMPLETED FORM TO:

Email: lpancier@paint.org
Fax: 855-385-2020
Mail: PaintCare, 1500 Rhode Island Avenue N.W., Washington DC 20005

For more information, please call Laura Panciera: 203-747-4494



Connecticut Paint Stewardship Program

Information for Paint Retailers

A new Connecticut law affecting paint retailers takes effect July 2013.

The new law requires paint retailers to add a stewardship assessment fee to architectural paint products and make sure they are not selling unregistered brands of architectural paint. Retailers may also volunteer to be paint collection sites for residents and certain businesses in their community.

New Paint Stewardship Program in Connecticut

The American Coatings Association (ACA) worked for ten years 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., a non-profit 501(c)(3) organization, was established by the ACA to implement state-mandated paint stewardship programs on behalf of paint manufacturers in each state that adopts a paint stewardship law.

Oregon passed the first industry-supported paint stewardship law in 2009. California, Connecticut, and Rhode Island have since passed similar laws. More than 80 retail stores serve as drop-off sites in the Oregon program, and

in its first two years, the program collected more than 1 million gallons of post-consumer paint. The California program began October 2012 with more than 350 paint retailers participating as drop-off sites.

Assessment Fee and Funding

As required by the law, at the program start date, a paint stewardship assessment fee ("PaintCare Recovery Fee") must be added by manufacturers to the wholesale price of all architectural paint sold in Connecticut. This fee will fund the collection, transportation, recycling, and proper disposal of architectural paint. It will also pay for consumer education and administrative costs. Paint retailers and distributors will see this fee on their invoices from paint manufacturers.

The law also requires that each retailer and distributor add the PaintCare Recovery Fee to the purchase price of architectural paint sold in Connecticut. While displaying the fee on consumer receipts is not mandatory, PaintCare encourages retailers to do so to ensure transparency and aid in consumer education.

The fee paid by the consumer to the retailer offsets the fee charged by the manufacturer or distributor to the retailer. All manufacturers, distributors, and retailers selling architectural paint in Connecticut must pay and pass down the PaintCare Recovery Fee to their customers, ensuring a level playing field for all affected parties.

The assessment fees in Connecticut will be proposed in PaintCare's Program Plan to be submitted to the Connecticut Department of Energy and Environmental Protection (DEEP) by March 1, 2013. Once the Program Plan is approved, the fees will be known. (Fees vary by container size.) Fee assessment will take effect at the start of the program on July 1, 2013.



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

Registered Manufacturers and Brands

In addition to adding the PaintCare Recovery Fee to architectural paint sold in the State, retailers in Connecticut will be required to ensure that the manufacturers and brands of any architectural paint sold in their store are registered with PaintCare. Retailers may not sell architectural paints that are not registered with PaintCare. The Connecticut Department of Energy and Environmental Protection will list the registered manufacturers and brands on its website.

Paint Drop-off Sites

PaintCare will establish paint drop-off sites across Connecticut. Most drop-off sites will be paint retail stores. Others sites may include solid waste transfer stations, recycling centers, and government-sponsored household hazardous waste programs. Participation as a drop-off site is voluntary and subject to meeting PaintCare's requirements for adequate storage space, willingness to collect both latex and oil-based paints from both households and certain businesses, and willingness to have the site advertised to the public (i.e., newspaper ads, websites, etc.).

There is no fee to participate as a drop-off site. PaintCare will provide paint storage bins, arrange for transportation of bins from sites, and pay for recycling and proper end of life management of the paint.

Retail Education and Outreach Materials

PaintCare has worked with retailers to develop public education and point of sale materials about the program. These materials will be available to all retailers to help communicate the purpose of the PaintCare Recovery Fee and the benefits of the paint stewardship program. PaintCare will send a starter packet of materials to all Connecticut paint retailers prior to the program start date, either directly or through a retailer's corporate office. Following the initial mailing, materials will be replenished upon request at no cost. Materials will be available in English and other languages useful for Connecticut consumers.

Samples of materials developed for the California program can be viewed at www.paintcare.org/retailer.



What Products are Covered?

Architectural paints ("Program 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.

PROGRAM PRODUCTS

These products have fees and are accepted 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-PROGRAM PRODUCTS

These products have no fees 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
- 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



Connecticut Paint Stewardship Program

How to Become a Retail Drop-off Site

A new Connecticut law affecting paint retailers takes effect July 2013.

The new law requires paint retailers to add a stewardship assessment fee to architectural paint products and make sure they are not selling unregistered brands of architectural paint. Retailers may also volunteer to be paint drop-off sites.

This factsheet explains how to partner with PaintCare as a retail drop-off site.

New Paint Stewardship Program in Connecticut

PaintCare Inc., a non-profit 501(c)(3) organization, was established by the American Coatings Association to implement state-mandated paint stewardship programs on behalf of paint manufacturers in each state that adopts a paint stewardship law.

Oregon passed the first industry-supported paint stewardship law in 2009. California, Connecticut, and Rhode Island have since passed similar laws. More than 80 retail stores serve as drop-off sites in the Oregon program, and in its first two years, the program collected more than 1 million gallons of post-consumer paint. The California program began October 2012 with more than 350 paint retailers participating as drop-off sites.

Making Paint Recycling More Convenient

The Connecticut program will allow residents and businesses to return unused architectural paint to drop-off locations throughout the State. Although household hazardous waste programs in Connecticut may continue to accept paint from residents and some businesses, these programs are not open year round, generally do not accept latex paint, and may not be as conveniently located as retail stores. With the addition of retail drop-off sites, paint recycling will become much more convenient.



Benefits to Retailers

There are many benefits to becoming a drop-off site. Participating retailers will:

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

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

PaintCare Provides

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



Drop-off Site Responsibilities

- Provide secure storage area for collection bins
- Accept unused program products from the public during operating hours
- Place unopened program products in collection bins [cubic yard boxes (see image above) or drums]
- Keep storage bins neat and properly packed
- Assist transportation service provider with loading and unloading of full and empty storage bins
- Complete minimal paperwork related to tracking outgoing paint shipments
- Ensure staff are trained in PaintCare program guidelines and operating procedures
- Post “drop-off site” signs in store window and display consumer education materials

Contact

Laura Panciera
Program Coordinator
lpanciera@paint.org
(203) 747-4494



What Products are Covered?

Architectural paints (“Program 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.

PROGRAM PRODUCTS

These products have fees and are accepted 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-PROGRAM PRODUCTS

These products have no fees 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
- 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



Retailer Interest Form

To Be a PaintCare Drop-off Site in Connecticut

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

Use this form to let us know that you are interested in becoming a drop-off site. For a copy of our two-page fact sheet "How to Become a Retail Drop-Off Site," please visit www.paintcare.org/connecticut.

RETAILER

Store Name: _____

Street Address: _____

City / State / Zip: _____

Mail Address, if different: _____

FIRST CONTACT

Name: _____

Phone: _____

Email: _____

SECOND CONTACT

Name: _____

Phone: _____

Email: _____

TYPE OF STORE

☐ INDEPENDENT

☐ FRANCHISE

☐ CHAIN

☐ CO-OP

☐ BIG BOX

PARENT COMPANY *(Fill this out if your participation is managed by a parent company.)*

Company Name: _____

Contact Person: _____

Phone: _____

Email: _____

STORAGE SPACE *Each bin uses the floor space of a pallet (3' x 3')*

Do you have space to store 1, 2, 3 or more cubic yard bins?

☐ YES

☐ NO

If yes, please indicate how many:

☐ 1

☐ 2

☐ 3

☐ MORE THAN 3

Where is your storage space?

☐ INDOORS

☐ OUTDOORS

SEND COMPLETED FORM TO:

Email: lpancier@paint.org

Fax: 855-385-2020

Mail: PaintCare, 1500 Rhode Island Avenue N.W., Washington DC 20005

For more information, please call Laura Panciera: 203-747-4494



Connecticut Paint Stewardship Program

Information for Transfer Stations

Connecticut's new paint stewardship law supports paint collection activities at waste transfer stations.

Paint Stewardship Program in Connecticut

A law passed in 2011 goes into effect this summer. The new law requires manufacturers of paint to establish a Paint Stewardship Program in Connecticut. Municipal and private waste transfer stations can participate by offering paint recycling to their customers and municipal agencies. The cost of transportation and recycling of program products will be paid by the Program. Funding for the Program comes from an assessment fee on the sale of architectural paint sold in Connecticut starting in July 2013.

PaintCare Inc. is a non-profit 501(c)(3) organization established by the American Coatings Association to implement state-mandated paint stewardship programs on behalf of paint manufacturers in each state that adopts a paint stewardship law.

Connecticut is the third state to pass such a law. PaintCare currently operates programs in Oregon and California, and a fourth program is being planned for Rhode Island.

Making Paint Recycling More Convenient

PaintCare will establish drop-off sites statewide for residents and businesses to take leftover architectural paint. Although most drop-off sites will be at paint retailers, municipal and private transfer stations, and household hazardous waste (HHW) programs may also volunteer to be PaintCare drop-off sites.

Benefits to Transfer Stations

- Make recycling of leftover paint more convenient for your community
- Help Connecticut conserve resources and keep paint out of the solid waste stream
- Save money on municipally generated leftover paint

PaintCare Partners Receive

- Storage bins
- Transportation and recycling services for the collected paint
- On-site staff training and training materials
- Program brochures and signage
- Free publicity (optional) if your site allows the public to drop off program products



Water-Based (Latex) Paint is a Resource

An important goal of the PaintCare Program is to conserve resources and increase the volume of paint that is recycled. Residents and businesses in Connecticut are currently instructed to let water-based paint dry out and then dispose of the dry paint in the trash. Few transfer stations in Connecticut recycle latex paint because it is expensive to manage. Through the PaintCare program, latex paint will be treated as a resource and recycled to the maximum extent possible.



Drop-Off Site Responsibilities

- Provide secure storage area for storage bins (drums or cubic yard boxes shown above)
- Accept program products from your customers during normal operating hours
- Properly pack program products in storage bins
- Assist transporter with loading and unloading of full and empty storage bins
- Complete minimal paperwork related to tracking outgoing paint shipments
- Ensure staff are trained in PaintCare program guidelines and operating procedures

What Products are Covered?

Architectural paints ("Program 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), or specialty coatings. Examples are provided below.

Program 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-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
- 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

PHONE (855) 724-6809 or FAX (855) 385-2020
www.paintcare.org or info@paintcare.org

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



Transfer Station Interest Form

To Be a PaintCare Partner for Paint Collection in Connecticut

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

Use this form to let us know that you are interested in becoming a PaintCare partner for paint collection. For a copy of our two-page fact sheet "Information for Transfer Stations" please visit www.paintcare.org/connecticut.

SPONSOR

Municipality or Organization: _____

Street Address: _____

City / State / Zip: _____

Mail Address, if different: _____

FIRST CONTACT

Name: _____

Title: _____

Phone: _____

Email: _____

SECOND CONTACT

Name: _____

Title: _____

Phone: _____

Email: _____

OPERATED BY:

☐ Town or City

☐ Private Company: _____

STORAGE SPACE

Each bin uses the floor space of a pallet (3' x 3')

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

☐ 1 ☐ 2 ☐ 3 If more than 3, how many? _____

Would you like to: ☐ accept paint from public
☐ manage paint from municipal departments
☐ both public and municipal

PROGRAM DESCRIPTION

Please provide additional information about your program such as the months/days/hours that your HHW facility is open, the towns that may utilize your program, when and where you hold temporary HHW event, etc.

SEND COMPLETED FORM TO:

Email: lpancier@paint.org

Fax: 855-385-2020

Mail: PaintCare, 1500 Rhode Island Avenue N.W., Washington DC 20005

For more information, please call Laura Panciera: 203-747-4494

Appendix E

Convenience Criteria: GIS Methodology, Results and Map (Golder Associates)



Modeling Optimal PaintCare Program Service Locations for Connecticut: A GIS Approach

The intent of the GIS analysis was to identify both the number and location of potential paint collection sites that would adequately provide a convenient level of service to the residential population of the State of Connecticut. This effort was completed through a GIS analysis that optimized the distribution of sites throughout the State to satisfy two broad requirements: (1) Level of convenience; and (2) Level of service.

Level of convenience refers to how easy it is to access a potential site. For the purposes of this analysis, a level of convenience was established such that 95% of the State's population was within a 15 mile radius of a potential collection location. Level of service refers to the number of sites per populace serviced. This criterion is used to allow for a reasonably sized program that would be cost effective to the administer, but still provide adequate service to the State's population.

For this analysis, one site per 50,000 persons was examined. The resulting analysis allowed for 93 sites at the 1:50,000 level (Figure 1). The methods used to achieve these results are discussed below.

For the purpose of this analysis, service areas were defined as 15 mile radius from a paint collection site. Once all sites were located and service areas were established, the distance criteria was evaluated based on the coverage of all combined service areas and a population distribution layer. While researching approaches to conduct the service area analysis, the authors evaluated a common approach that uses county borders as a population distribution layer. This approach, however, was discarded due to the following reasons:

- Service areas, such as the populated area surrounding New York City from which Fairfield County is demographically and statistically indistinguishable, ignore county and state lines; and
- Population counts at the county scale are not fine grained enough, in some instances, to account for varied settlement patterns and urban population ranges.

Therefore, it was decided that a more fine-grained population distribution layer with urban population ranges was required.

Accordingly, population analysis was completed using Census population blocks, which are the smallest unit of analysis available. Population blocks range in size from less than 0.1 acre to 27,000 acres with a mean area of 52 acres. Additionally, population within each block ranges from 0 to 2,404 persons with a mean of 53 persons per Census block. Therefore, population density in the state of Connecticut is almost exactly one person per gross acre.

To arrive at the final potential paint collection sites, an initial list of 456 potential retailers was generated to provide a basis for the optimized locations. The next step was to reduce the number of potential retailers down to a reasonable number.

The reasoning behind this was simple; if the entire list of potential locations were to be used; the resulting service level would be approximately one site per 6,660 persons, which would result in redundant service provision.

To further reduce the list down to the 1:50,000 level, a recursive algorithm was developed to iteratively remove clustered sites to ensure adequate coverage while reducing service area overlap:



PAINTCARE – CONNECTICUT PLANNING – GIS METHODOLOGY

- Each site was compared to all other sites within a 30 mile radius. If a site was assessed to be non-isolated (clustered), it received an increased probability to be removed from the dataset.
- If a site was assessed to be highly clustered (within ¼ mile of another site) it received an additional 10% probability to be removed from the dataset. Consequently, in each run of the iterative model, up to 35% of clustered sites could be randomly removed from the dataset.
- At the end of each model run, metrics were rerun to establish both convenience: at least 95% of the population within a radius of a site, and the service level: service level is better than one site per 50,000 population. If either the 95% minimum convenience level or the 50,000 persons per site thresholds were exceeded, the model would end its loop and the results would be analyzed accordingly.

As Connecticut is such a dense State, the level of convenience was not a great factor in this analysis. As such, it should be noted that at that service level, 99% of the population was within a 15 mile radius of a potential paint collection site. Accordingly, the final result of the analysis allowed for 93 sites at the 1:50,000 level (Figure 1).

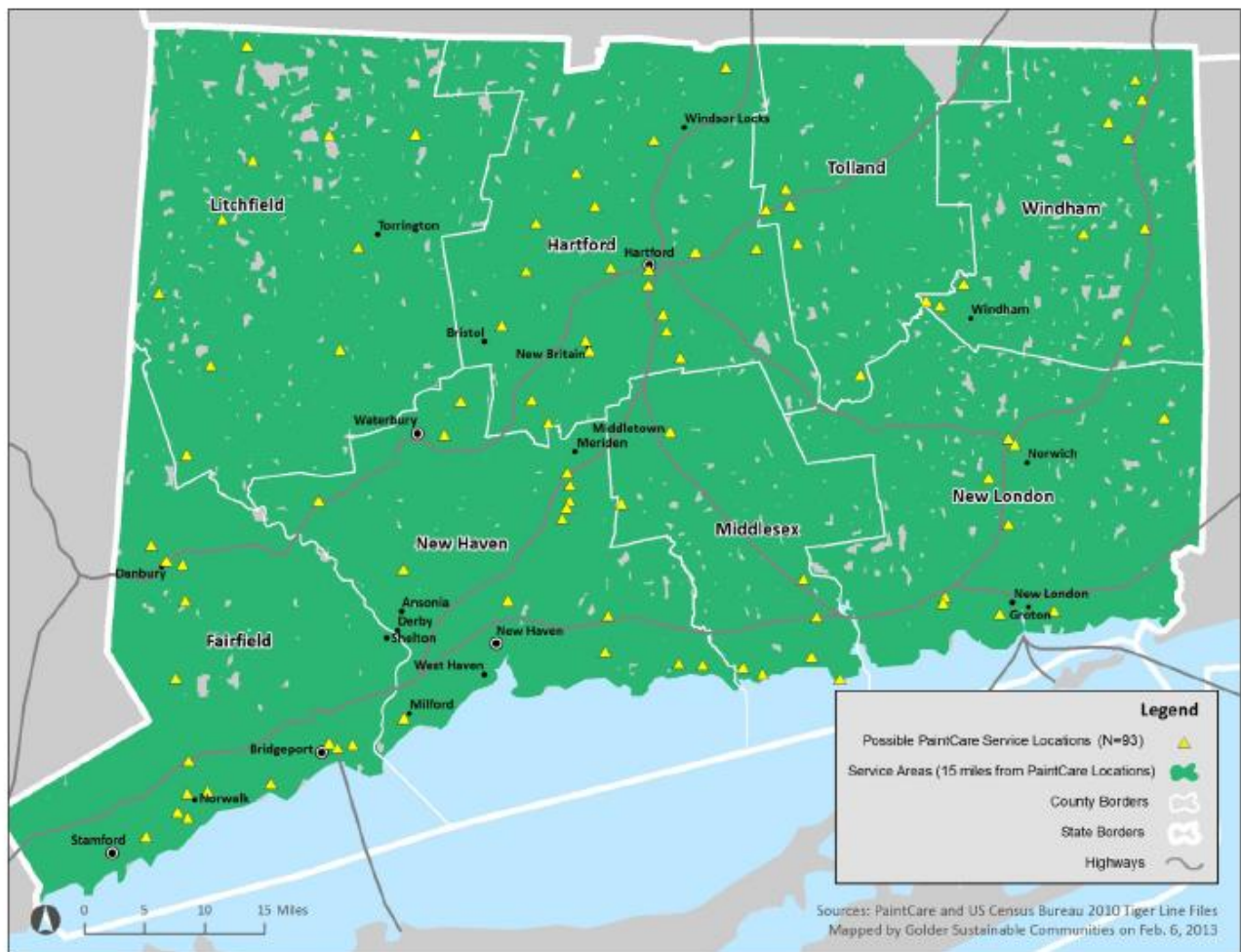


Figure1: 1:50,000 Service Level (N=93)

Appendix F

Department Approval of Paint Stewardship Audit
Audit Results (HRP Associates, Inc.)



79 Elm Street • Hartford, CT 06106-5127

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

Ms. Marjaneh Zarrehparvar, Executive Director
PaintCare, Inc.
1500 Rhode Island Avenue, NW
Washington DC 20005

February 26, 2013

Subject: Approval of Paint Stewardship Auditor

Dear Ms. Zarrehparvar:

Connecticut's Paint Stewardship law, Public Act 11-24, requires that a non-profit representative organization be established by the paint and coatings industry to implement a paint stewardship program in Connecticut. Additionally, such organization shall recommend a uniform paint stewardship assessment for all architectural paint sold in Connecticut to cover the costs of properly recycling architectural paint. We recognize that PaintCare Inc. ("PaintCare") is that non-profit representative organization established by the paint and coatings industry to implement the paint stewardship program in Connecticut and in other states that adopt industry-supported paint stewardship laws. Further, we have received your electronic mail notice on February 15, 2013 that PaintCare has identified HRP Associates, Inc. as the organization's independent auditor.

In accordance with Connecticut General Statutes section 22a-904a(b)(1), HRP Associates Inc. is hereby approved as the independent auditor for the paint stewardship program in Connecticut. As you have discussed with my staff members, we will appreciate the inclusion of information describing the independent auditor process in the *Paint Stewardship Program Plan* that PaintCare will submit to the Department.

The approved independent auditor shall be responsible for reviewing PaintCare's proposed uniform paint stewardship assessment to ensure that the assessment does not exceed the costs of the paint stewardship program and shall recommend an amount for such paint stewardship assessment for the Department's approval.

We note that, in accordance with Connecticut General Statutes 22a-904a(b)(1), the cost of any work performed by such independent auditor shall be funded by the paint stewardship assessment.

If you have any questions, please contact Tom Metzner at (860) 424-3242 or at tom.metzner@ct.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Macky McCleary". The signature is fluid and stylized, with a large loop at the end.

Macky McCleary, Deputy Commissioner

HRP Associates, Inc.

Creating the Right Solutions Together

March 1, 2013

Ms. Valerie Bernardo, CPA
PaintCare
1500 Rhode Island Avenue, NW
Washington, DC 20005

RE: INDEPENDENT AUDIT, PAINT STEWARDSHIP PROGRAM, CONNECTICUT
(HRP #PAI2000.RC)

Dear Ms. Bernardo:

HRP Associates, Inc. (HRP) has completed an Independent Audit of PaintCare's calculations of the Paint Stewardship Assessment to be placed on the sale of each container of architectural paint sold in the State of Connecticut to administer a Paint Stewardship Program. A summary of the Audit Findings are provided below.

Paint Processing Services Bids

To accomplish the goals of the Paint Stewardship Program, PaintCare developed three (3) Requests for Proposals/Qualifications. There were RFPs for Paint Processing and Paint Transportation Services and a RFQ for Public Outreach. Each RFP/RFQ process was administered consistent with industry practices. The number of responses for each bid was sufficient to develop a competitive bid for each service and is summarized below:

<u>RFP/RFQ</u>	<u>Number of Respondents</u>
Paint Processing	11
Paint Transportation	5
Public Outreach	3

HRP reviewed the bids that were received for the Request for Proposal for Paint Processing Services issued on January 7, 2013. A total of eleven bids were received from the solicitation. The bids ranged from facilities that currently process paint to companies who would propose to build and permit a new processing facility within the State of Connecticut.

The Lowest Responsible Bidder was chosen based upon their qualifications, relevant past experience, and technical understanding. In addition, the Lowest Responsible Bidder was capable of handling all three (3) elements of the Paint Processing Bid. This allows for less administrative and operational costs to be assessed during the program. Of the bidders, the Lowest Responsible is also the only company with infrastructure in place in Connecticut which will minimize

CONNECTICUT

Corporate Headquarters
197 Scott Swamp Road
Farmington, CT 06032
800-246-9021
860-674-9570
FAX 860-674-9624

999 Oronoque Lane
Second Floor
Stratford, CT 06614
203-380-1395
FAX 203-380-1438

FLORIDA

1817 Cypress Brook Drive
Suite 103
New Port Richey, FL 34655
888-341-7244
727-375-2323
FAX 727-375-2311

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FAX 508-407-0012

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FAX 518-877-8561

PENNSYLVANIA

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FAX 717-945-6125

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Greenville, SC 29607
800-752-3922
864-289-0311
FAX 864-281-9846

TEXAS

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Dallas, TX 75219
800-752-3922
FAX 864-281-9846

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the risk of starting a new program, on time, this calendar year. The existing infrastructure will reduce operating costs for the start-up and permitting of a new facility to accept these collected materials. In order to accommodate a state-wide program, more than one qualified company may be contracted to implement the Stewardship Program.

The Lowest Responsible Bidder proposed pricing was selected based upon a combined retail pick-up and one-day collection event pricing. The pricing structure was used in PaintCare's calculations of the Paint Stewardship Assessment, discussed below.

Program Costs

The calculations and assumptions made to determine the program costs were reviewed and found to be reasonable. HRP reviewed the calculations for both Year 1 (7/1/2013 - 6/30/2014) and Year 2 (7/1/2014 - 6/30/2015).

PaintCare's anticipated expenses took into account the costs for processing, transportation, collection, collection containers, one-day event setup fees, communications, personnel & professional fees, state permitting, and travel, in addition to corporate budget expenses. The expenses and assumptions made are acceptable and within industry standards.

Paint Assessment

The anticipated volume of containers expected to be collected in Connecticut and the number of each type of container sold were based off of market research. The amount of actual paint collected was derived from Paint Stewardship Programs that have already been implemented in California, Oregon and other established programs. A conservative estimate of the percent of containers to be recycled was developed based upon this experience. The Lowest Responsible Bidder prices were then used to analyze the actual operating costs as well as the Program Administrative Costs.

HRP independently reviewed the calculations performed by PaintCare for accuracy and the calculations were deemed sufficient. Based on our review, we find the Paint Stewardship Assessment, determined by PaintCare, to be reasonable and not to exceed the actual operational costs to administer the Paint Stewardship Program.

If you have any questions or require additional information, please feel free to contact HRP at (860) 674-9570.

Sincerely,
HRP ASSOCIATES, INC.



Adam G. Fox, P.E.
Project Manager

DT/AGF