



Fact Sheet for CUPA Inspectors

UPDATED — FEBRUARY 2018

Changes to the HMBP Rules for PaintCare sites make it easier for many stores to take back paint. Changes took effect in January 2015.

The California Paint Stewardship law requires paint manufacturers to set up and operate a paint stewardship program in California. The program is funded by a fee on each container of architectural paint sold in the state.

The program sets up drop-off sites at retail stores and other sites throughout the state where households and businesses are able to take most types of leftover paint, stain, and varnish for recycling, free of charge.

Paint Drop-Off Sites

Since the program's start in October 2012, PaintCare has established more than 800 paint drop-off sites across California. More than 630 are paint and hardware stores offering a new service to their community. The other sites are mostly household hazardous waste programs that already provided this service, as well as some solid waste transfer stations and landfills. Participation as a drop-off site is voluntary and PaintCare covers most of the associated costs.



Revised HMBP Requirements

Despite high participation by paint retail stores, more are needed to support California's large population. Recent changes to hazardous materials business plan (HMBP) requirements will make that possible. Previously, a number of small or independently owned stores who were interested in joining the program were reluctant to do so because the volume of leftover paint they would receive as a drop-off site would count toward their total hazardous materials storage volume. In most cases, this would trigger the requirement for them to file an HMBP and pay the associated fees to their local CUPA.

In 2014, PaintCare worked with the CUPA Forum Board, CalRecycle, and DTSC to pass AB 2748, repealing the requirement that paint drop-off locations have an HMBP in place to accept paint from the public, making it easier for sites to participate in the program.

Specifically, Section 25507(a)(4)(B) of the Health and Safety Code is amended to read as follows:

"If the hazardous material handled by the business is a paint that will be recycled or otherwise managed under an architectural paint recovery program approved by the Department of Resources Recovery and Recycling pursuant to Chapter 5 (commencing with Section 48700) of Part 7 of Division 30 of the Public Resources Code, the business is required to establish and implement a business plan only if the business handles at any one time during the reporting year a total weight of 10,000 pounds of solid hazardous materials or a total volume of 1,000 gallons of liquid hazardous materials."

Health and Safety Code Section 25217 specifies that PaintCare products accepted as recyclable at a collection

location be handled as a hazardous material, rather than as waste. The determination of whether the paint is recyclable is made at the consolidation location (typically this is the hauler's TSDF).

INFORMATION TO SHARE WITH BUSINESSES THAT GENERATE PAINT WASTE

Use of Retail Drop-Off Sites by Businesses

Retail drop-off sites provide a convenient and no cost recycling option for painting contractors and other businesses. Very Small Quantity Generators or VSQG businesses (those that generate less than 100 kilograms or 220 pounds of hazardous waste* per month) are allowed to use these sites to recycle all PaintCare products (both water and oil-based) with some restrictions on quantities per month.

Small Quantity Generators (SQGs) and Large Quantity Generators (LQGs) (those businesses that generate more than 100 kilograms or 220 pounds of hazardous waste* per month) may use the drop-off sites for their water-based program products only; they are not able to use the sites for oil-based paint or other solvent-based products.

**Latex or water-based paints are not counted towards hazardous waste generation volumes.*

Pick-Up Service for Large Volumes

Businesses, households, and others with at least 200 gallons of postconsumer paint to recycle may qualify to have their paint picked up by PaintCare at their site. This free service is particularly helpful for painting contractors and other businesses that have been accumulating paints for many years.

Fact Sheets

PaintCare has two fact sheets for contractors and other businesses describing PaintCare's services (drop-off sites and large volume pick-up). To request copies in English, Chinese, Korean, Vietnamese, or Spanish, please contact PaintCare.

WHAT PRODUCTS ARE COVERED?

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

PaintCare Products

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

Non-Paintcare Products

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