



# Colorado Architectural Paint Stewardship Program Plan

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**Submitted to:**

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# 1. Introduction

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## A. Introduction

On June 6, 2014, Governor John W. Hickenlooper signed into law Senate Bill 14-029 – the Colorado Architectural Paint Stewardship Program. This bill is codified in the Colorado Revised Statutes, Title 25 Health-Environmental Control, Article 17 Waste Diversion and Recycling, Part 4 Architectural Paint Stewardship Programs.

The broad goals of the Colorado Paint Stewardship Law (“Law”) are for paint manufacturers to establish a system of paint stewardship that:

- (a) Provides substantial cost savings to household hazardous waste collection programs;
- (b) Significantly increases the number of postconsumer paint collection sites and recycling opportunities for households, businesses and other generators of postconsumer architectural paint; and
- (c) Exemplifies the principles of a product-centered approach to environmental protection, also referred to as product stewardship.

The Colorado Paint Stewardship Program is anticipated to start on July 1, 2015.

## B. Paint Stewardship in the United States

At the urging of state environmental agencies and municipal household hazardous waste programs across the country, a formal effort began in 2002 to bring about an industry-managed paint stewardship system in the U.S. This effort, the Paint Product Stewardship Initiative (PPSI), led by the Product Stewardship Institute out of Massachusetts, involved several years of stakeholder dialogue and industry and public sector research on paint use habits and recycling opportunities. Participants included the American Coatings Association, paint manufacturers, paint recyclers, federal EPA, and state and local governments across the country.

The PPSI resulted in the development of a model state law to establish an economically and environmentally-sustainable, industry-designed and implemented postconsumer paint management system. Oregon passed the model legislation in 2009, followed by California in 2010; Connecticut in 2011; Rhode Island in 2012; Maine, Minnesota, and Vermont in 2013; Colorado in 2014; and the District of Columbia in 2015.

## C. Paint Stewardship Program Plan

The Colorado Paint Stewardship Law requires a stewardship organization (or individual producers) to submit to the Colorado Department of Public Health and Environment (CDPHE), on or before January 1, 2015, a Paint Stewardship Program Plan (“Plan”) that includes the following:

1. Contact information for the stewardship organization implementing the program.
2. Lists of producers participating in the program and all their registered brands.
3. Description of the manner in which the program will collect, transport, reuse, recycle, and process postconsumer architectural paint, including energy recovery and disposal, and standards to ensure the use of environmentally sound management practices, including collection standards.
4. Description of the manner in which the program will collect postconsumer architectural paint, including practices that provide convenient collection sites throughout the state. To ensure adequate collection coverage, the program must use demographic and geographic information modeling to determine the number and distribution of collection sites based on the following criteria: (a) at least 90% of Colorado residents must have a permanent collection site within a 15 mile radius of their homes; (b) an additional permanent sites must be provided for every thirty thousand residents of an urbanized area, as defined by the United State Census Bureau, and distributed in a manner that provides convenient and reasonably equitable access for residents within each urbanized area; and (c) for the portion of Colorado residents who will not have a permanent site within a 15 mile radius of their home, the program must provide paint collection events at least once per year. The Plan must also include information on how to serve geographically isolated populations and how the program will measure and report service to those populations. Finally, the information must include a description of how the program will work with existing recyclers and governments that wish to continue to be involved with recycling and collection.
5. Description of how the program will incorporate and fairly compensate service providers for activities that may include: (a) the coverage of costs for collecting postconsumer architectural paint and containers; (b) paint reuse or processing of postconsumer paint at a drop-of site; and (c) transportation, recycling, and proper disposal of postconsumer architectural paint.
6. Provide a list of names, locations, and hours of operation for facilities accepting postconsumer architectural paint for recycling under the program.
7. Identify one or more designated persons responsible for ensuring the program’s compliance with the Paint Stewardship Law and rules promulgated under it, and serving as a contact person for the CDPHE for the program.
8. Describe the manner in which the program will achieve goals for: (a) reducing the generation of postconsumer architectural paint; (b) promoting the reuse of postconsumer architectural paint; and (c) using best practices that are both environmentally and economically sound to manage postconsumer architectural paint. The practices should follow a waste handling hierarchy, which provides a preference for source reduction, then reuse, followed by recycling, energy recovery, and finally waste disposal.

9. Include an education and outreach program that: (a) targets consumers, painting contractors, and paint retailers; (b) reaches all architectural paint markets served by the participating producers; and (c) includes a methodology for evaluating the effectiveness of the education and outreach program on an annual basis, including methods for determining the percentage of consumers, painting contractors, and retailers who are aware of ways to reduce the generation of postconsumer architectural paint opportunities available for the reuse and recycling of postconsumer architectural paint.
10. Demonstrate sufficient funding for the postconsumer architectural paint program described in the Plan through the imposition of a paint stewardship assessment that each producer shall charge retailers and distributors for each container of the producer's architectural paint sold in Colorado. Each producer shall remit the paint stewardship assessment collected to the Program. Each retailer and distributor shall add the amount of the paint stewardship assessment to the purchase price of a container of the producer's architectural paint sold in Colorado. The Program must not impose any fees on customers for the collection of postconsumer architectural paint. To ensure that the Program's funding mechanism is equitable and sustainable, the funding mechanism must provide a uniform paint stewardship assessment that does not exceed the amount necessary to recover program costs and require that any funds generated by the aggregate amount of fees charged to consumers be placed back into the program.
11. Include a proposed budget and description of the process used to determine the Program's paint stewardship assessment.

## **D. Citations**

To provide context, each section of this Plan begins with citations of the relevant sections of the Law that apply to it. A full copy of the Colorado Paint Stewardship Law is included Appendix A.

## 2. Stewardship Organization & Program Contacts

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### Statutory Citation

#### Colorado Revised Statute, Title 25. Article 17. Part 4. Architectural Paint Stewardship Program

Section 25-17-404 (2) One or more producers, or a stewardship organization contracted by one or more producers, shall submit for approval a paint stewardship program plan to the executive director by January 1, 2015. To be approved, a paint stewardship program plan must:

(a) Identify the following: (II) The contact information for the producer or stewardship organization implementing the program.

(g) Identify one or more designated persons responsible for: (I) Ensuring the program's compliance with this part 4 and the rules promulgated under this part 4; and (II) Serving as a contact person for the department with respect to the paint stewardship program.

### A. PaintCare Inc.

On behalf of participating paint manufacturers, PaintCare Colorado LLC is pleased to submit to the Colorado Department of Public Health and Environment the Colorado Paint Stewardship Program Plan.

PaintCare Inc. was formed in 2009 by the American Coatings Association, the primary trade association for the paint and coatings industry. PaintCare Inc. now establishes a separate single-member limited liability company (LLC) as a subsidiary to serve as the representative stewardship organization for architectural paint manufacturers (also referred to as producers) in each state that passes a paint stewardship law. PaintCare Colorado LLC was formed in 2018. Both organizations are 501(c)(3) non-profit entities.

PaintCare representation is open to all architectural paint manufacturers, and they may register with PaintCare at any time. PaintCare currently represents 191 paint manufacturers in its active state paint stewardship programs and will represent participating manufacturers in the Colorado program.

PaintCare's corporate office is in Washington, D.C. State program staff work in the states in which PaintCare programs operate.

PaintCare Inc. and its subsidiaries are overseen by an 11-member unpaid Board of Directors representing architectural paint manufacturing companies.

### B. Program Contacts

The following staff are responsible for ensuring compliance with the Colorado Architectural Paint Stewardship Act and rules promulgated under it:

#### Primary Contact

Kevin Lynch  
Colorado Program Manager  
(720) 481-8858  
klynch@paint.org

#### Secondary Contact

Marjaneh Zarrehparvar  
President & COO  
(202) 719-3683  
mzarrehparvar@paint.org

# 3. Registered Manufacturers and Brands

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## Statutory Citation

### Colorado Revised Statute, Title 25. Article 17. Part 4. Architectural Paint Stewardship Program

Section 25-17-404 (2) One or more producers, or a stewardship organization contracted by one or more producers, shall submit for approval a paint stewardship program plan to the executive director by January 1, 2015. To be approved, a paint stewardship program plan must:

(a) Identify the following: (I) A list of each producer participating in the program; and (III) A list of all brands covered by the program.

## Section Overview

This section discusses:

- Manufacturer and brand registration
- Private label agreements
- Posting and purpose of registration lists
- Program products

### A. Manufacturer and Brand Registration

Representation by PaintCare is open to all architectural paint manufacturers who are obligated to take part in the Colorado Paint Stewardship Program.

To identify potential participants, PaintCare obtained manufacturer information through a variety of sources, including:

- Prior registrations with PaintCare for other states
- The American Coatings Association
- Internet research

Manufacturers were notified about the Colorado Law and program through email and a notice on PaintCare’s website for reporting sales for other states.

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, PaintCare will provide the CDPHE with a current list of registered manufacturers and brands. PaintCare will provide an updated list within 30 days of any change after that.

## **B. Private Label Agreements**

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

## **C. Posting and Purpose of Registration Lists**

PaintCare posts the lists of registered manufacturers and brands on the PaintCare website. The purpose of posting the lists is to make them available for retailers, distributors and the CDPHE. Retailers and distributors will use the brand lists to learn which brands may be legally sold in Colorado upon implementation of the program. The CDPHE will use the manufacturer list to ensure that any manufacturer selling paint into Colorado is participating in a paint stewardship program, and use the brand list to verify that only registered brands are being sold in the state. The CDPHE can call PaintCare at any time to find out if a manufacturer or brand was recently registered for compliance.

The current lists of registered manufacturers and brands are included in Appendix C and available on PaintCare's website. The lists will be updated and reposted within 30 days of any changes.

## **D. Program Products**

The terms program products, PaintCare products, architectural paint, and paint are used interchangeably in this Plan. In addition, this Plan uses the common term latex paint to mean non-combustible or water-based program products, and oil-based paint to mean combustible or petroleum solvent-based program products.

Program products are architectural paints in containers no larger than 5 gallons in size. They do not include Industrial Maintenance (IM) coatings, Original Equipment Manufacturing (OEM) coatings, and other specialty coatings. Appendix D provides the full definition and examples of both program and non-program products. This definition is used to determine the products on which manufacturers are to apply the paint stewardship assessment ("PaintCare Fee"), as well as to determine which postconsumer products are accepted by the program's paint drop-off sites.

As needed, PaintCare issues product notices to explain or clarify whether and why certain types of products are a part of the program or not. Examples of these notices are also included in Appendix D.

## 4. Collection Infrastructure

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### Statutory Citation

#### Colorado Revised Statute, Title 25. Article 17. Part 4. Architectural Paint Stewardship Program

Section 25-17-404 (2) One or more producers, or a stewardship organization contracted by one or more producers, shall submit for approval a paint stewardship program plan to the executive director by January 1, 2015. To be approved, a paint stewardship program plan must:

(b) Describe the manner in which the program will collect ... postconsumer architectural paint, including a description of the following: (I) Standards to ensure the use of environmentally sound management practices, including collection standards.

(c) Describe the manner in which the program will collect postconsumer architectural paint. At a minimum, a program plan must establish collection practices that: (I) Provide convenient collection sites throughout the state; (II) To ensure adequate collection coverage, use demographic and geographic information modeling to determine the number and distribution of collection sites based on the following criteria: (A) At least ninety percent of Colorado residents must have a permanent collection site within a fifteen-mile radius of their homes; (B) An additional permanent site must be provided for every thirty thousand residents of an urbanized area, as defined by the United States census bureau, and distributed in a manner that provides convenient and reasonably equitable access for residents within each urbanized area, unless the executive director approves otherwise; and (C) For the portion of Colorado residents who will not have a permanent collection site within a fifteen-mile radius of their homes, the plan must provide collection events at least once per year; and (III) Include specific information on how to serve geographically isolated populations and a proposal for how to measure and report service to those populations. This information must include a description of how the program will work with existing ... local governments that wish to continue to be involved in paint recycling and collection.

(e) Describe how the paint stewardship program will incorporate and fairly compensate service providers for activities that may include: (I) For services such as permanent collection sites, collection events, or curbside services, the coverage of costs for collecting postconsumer architectural paint and architectural paint containers; (II) The reuse or processing of postconsumer architectural paint at a permanent collection site; and (III) The transportation, recycling, and proper disposal of postconsumer architectural paint.

(f) Provide a list of the names, locations, and hours of operation for facilities accepting postconsumer architectural paint for recycling under the program.

(h) Describe the manner in which the program will achieve the following goals: (III) Using best practices that are both environmentally and economically sound to manage postconsumer architectural paint. These practices should follow a waste handling hierarchy, which provides a preference for source reduction, then reuse, followed by recycling, energy recovery, and finally waste disposal.

### Section Overview

This section discusses:

- Who can use the Colorado Paint Stewardship Program
- Paint collection sites and services
- Convenience criteria
- Drop-off site operations

## A. Program Audience

The Colorado PaintCare program will serve the state’s residents, businesses, schools, government agencies and other entities that have leftover, unwanted paint, subject to programmatic limitations.

### Residential Generators/Renters and Homeowners

The program will accept any quantity of postconsumer latex or oil-based paint from this group.

### Conditionally Exempt Small Quantity Generators (CESQGs)<sup>1</sup>

Painting contractors, small businesses, and other small to medium-sized organizations are typical CESQGs. The program will accept any quantity of postconsumer latex paint from CESQGs and will accept postconsumer oil-based paint at or below the limits applied to hazardous waste generation for CESQGs. To qualify as a CESQGs, among other requirements, a business must generate less than 220 pounds (about 25 gallons) of total hazardous waste per month.

### Small Quantity Generators (SQGs) and Large Quantity Generators (LQGs)

The program will accept any quantity of postconsumer latex paint from SQGs and LQGs. The program does not provide for acceptance of postconsumer oil-based paint from SQGs or LQGs at this time. PaintCare is currently evaluating the feasibility of including it in the future in all PaintCare states.

## B. Collection Infrastructure

Colorado has a fairly developed household hazardous waste (HHW) collection system that includes permanent HHW facilities and temporary collection events; however, not all areas of the state are provided service at this time. PaintCare welcomes partnership with all Colorado HHW programs to support and utilize their existing programs for paint collection and will increase paint recycling opportunities in Colorado through the addition of new paint collection sites and services. PaintCare’s collection infrastructure will include:

- Household hazardous waste collection facilities and events
- Retail paint drop-off sites (paint, hardware and building supply stores) and “reuse” stores
- Solid waste transfer stations, recycling centers and landfills (public and private)
- Direct pick-up service for large volumes of paint
- Paint-only collection events

All suitable locations are invited to participate as PaintCare drop-off sites provided they have adequate space for paint collection bins; the space must be secure, inaccessible to the public, large enough to hold at least two paint collection bins, have an impermeable surface, and be out of direct sunlight and rain/snow.

Sites must also comply with PaintCare’s operational requirements, including accepting all program products (latex and oil-based products), having staff available during operating hours, serving both

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<sup>1</sup>CESQG is defined under the federal rules at 40 CFR 261.5

residential and commercial users, and not charging a fee to participants who drop off paint. In addition, sites must be willing to be promoted on PaintCare’s website and through other outreach, and to post and distribute PaintCare point-of-sale outreach materials including a window or site poster advertising their site as a PaintCare paint drop-off site. Some exceptions to these operational requirements may be allowed for HHW programs and other sites and are discussed later in this section.

For all sites, PaintCare provides and covers the cost for paint collection bins, paint transportation and paint processing (end of life management). In addition, sites are provided spill kits, signage, training and training materials.

As discussed in the next sections, many paint retail stores and HHW programs have already expressed interest in partnering with PaintCare to be public drop-off sites. The names and locations of the sites that are in process of being set up by program launch are listed in Appendix E. Prior to program launch, PaintCare will provide the CDPHE with a current list of drop-off sites and provide ongoing updates within 30 days or another timeframe requested by the CDPHE.

Some potential sites may still be unfamiliar with the program and may need to be contacted several times to become aware of the opportunity to act as a collection site and/or will want to wait until after program launch to assess their participation. Therefore, the identification and notification of potential collection sites is an on-going process, and the list is expected to change as additional potential collection sites become aware of the program.

### **C. Household Hazardous Waste Programs**

HHW facilities and events are excellent program partners because they provide their customers the convenience of recycling/disposing of other products at the same time as paint, and they often have regular customers that have used their programs for many years.

With assistance from the Colorado Association for Recycling (CAFR) and the Colorado Product Stewardship Council (CO PSC), PaintCare identified and met with most of the state’s HHW programs over the last year. Most of these meetings have taken place at the HHW facilities or at the offices of the municipal agency. Through these meetings, PaintCare has had the opportunity to learn about Colorado’s HHW programs, discuss the steps to becoming a PaintCare partner, and highlight the benefits to their program. These benefits include cost savings, offering expanded services to their community, reducing waste, and increasing paint recycling.

In addition to individual meetings, with the assistance of the CDPHE, CAFR and CO PSC, PaintCare has reached out to Colorado’s municipal waste programs through the following efforts:

- Held municipal stakeholder meetings about the PaintCare program around the state in Alamosa, Denver, Durango, Fort Collins, Glenwood Springs, Grand Junction and Pueblo.
- Presented and participated in a number of conferences and recycling meetings including the CAFR Annual Conference, the CAFR Annual Membership Meeting, the Solid Waste Association of America’s Colorado Rocky Mountain Chapter Annual Conference, meeting of the North American Hazardous Materials Management Agency’s Colorado Rocky Mountain Chapter, and meetings of the Colorado Product Stewardship Council.

An HHW-tailored PaintCare program fact sheet and interest form was developed and distributed at these meetings and during HHW program visits, and are available on the Colorado page of PaintCare’s website at [www.paintcare.org](http://www.paintcare.org). Current copies of these materials are included in Appendix F.

In February 2015, PaintCare’s HHW contract template was released and PaintCare asked HHW programs to submit their questions about the contract in writing. The questions and PaintCare’s responses were placed in a presentation and distributed to HHW programs and also reviewed in a joint stakeholder meeting with the CDPHE and through a PaintCare-sponsored webinar.

These efforts have resulted in the following jurisdiction with HHW programs – made up of permanent collection facilities, collection events, and door-to-door collection – initiating contract negotiations with PaintCare:

- Aurora, City of
- Boulder County
- Fort Collins, City of
- Clear Creek County
- Denver, City and County
- El Paso County
- Jefferson County
- Larimer County
- Pitkin County
- Southern Ute Indian Reservation
- Summit County
- Weld County

PaintCare will continue its efforts to meet with the remaining HHW programs and to complete the contracting process with all interested HHW programs in an effort to have them set up as a PaintCare partner in time for the start of the Colorado program.

### **Value Added Services**

HHW facilities that become PaintCare drop off sites can also be paid for providing a few additional “value added” services to the PaintCare program. These services include operating a reuse or “swap shop” program, reprocessing latex paint, bulking oil-based paint, and providing local transportation services.

#### Reuse

Several Colorado HHW programs operate reuse or “swap shop” areas where they place good quality leftover paint brought into their facility. This paint is then made available to their customers and local community, as is. This paint management method represent the highest, best use of paint both environmentally and financially. Using paint locally eliminates the need for PaintCare to transport and process it downstream, reducing both program costs and environmental impacts of transportation. To support existing paint reuse programs and to provide incentives for reuse, PaintCare provides (negotiated) compensation to HHW programs, based on the number of containers or gallons given away.

#### Latex Paint Reprocessing

Latex paint reprocessing involves color sorting, combining, and mixing leftover latex paint together to make recycled-content paint. The paint is usually mixed in 30-50 gallons batches, poured off into 5-gallon containers, and given away or sold to HHW customers and the local community. Similar to reuse

programs, local processing is both environmentally and financially preferable to transporting paint from an HHW facility to downstream processing. To support existing paint reprocessing programs and to provide incentives for new recycling activities, PaintCare provides (negotiated) compensation to HHW programs, based on the number of gallons given away (or sold).

#### Oil-Based Paint Bulking

While PaintCare makes paint management simple for HHW programs by only requiring that they loose-pack program products, if an HHW chooses to bulk oil-based paint, it results in lower transportation costs for PaintCare. For HHW programs that provide bulking services for oil-based paint, PaintCare provides (negotiated) compensation based on a per-drum labor rate.

#### Internal Transportation

While PaintCare's transporter(s) must be available to service all PaintCare drop-off sites and collection events, there may be times when it is more cost-effective for a municipal program to transport paint from two or more of their own sites (usually in remote areas) to one of their other locations, or to transport paint from their HHW events back to their permanent facility. In these cases, PaintCare will contract with the municipality for "internal transportation" and provide (negotiated) compensation for the service based on a per-occurrence or per-mile basis.

#### **Exceptions for Household Hazardous Waste Programs**

PaintCare endeavors to partner with sites that can accept all program products, free of charge, from all participants. However, in recognition of restrictions on municipally-operated HHW facilities and other sites, some exceptions may be made. These include, but are not limited to the following:

- Programs with funding tied to a specific service area (e.g., local tax or utility-based funding source) will not be required to accept paint from participants outside of their service area.
- Programs not accepting waste from businesses will not be required to do so.
- Programs already charging an administrative fee to CESQGs for paint collection may continue this practice as long as it is clear to the customers that the fees do not relate to services funded by the PaintCare program. Other drop-off sites, such as retailers, may not charge program participants any fees for the handling of PaintCare products.

## **D. Paint Retailers**

Paint retailers provide the ideal drop-off site because they are located throughout the state, are often centrally located in cities and towns, are open five or more days per week, and have staff familiar with paint products and their safe handling. In addition, their customers are likely to have some leftover paint and often ask store staff for advice on what to do with it.

PaintCare has identified approximately 530 paint retailers in Colorado including paint, hardware, and home improvement stores. Retail stores include independent, co-op, chain and corporate stores – both small and large. Of these stores, approximately 350 were identified as potential partners based on PaintCare's experience in other states.

Although retail participation is entirely voluntary and sites are not compensated, more than 150 paint retailers across Colorado have already expressed interest in participating in the program and close to

130 will be set up to accept paint beginning on the first day of the program. Since January, PaintCare staff have been visiting as many retailers as possible to inform them of the program and new fees that will be applied to architectural paint, answer questions, and recruit them as paint drop-off sites. The following additional efforts were directed at retailers:

### **Retail Mailings and Webinars**

Broad outreach to retailers began in December 2014 through a mailing to all retailers – either as hard copy or electronically to their corporate office. Along with a cover letter, the mailing included a retail-focused fact sheet (“How Will the Colorado Paint Stewardship Program Affect Paint Retailers”) and a copy of a fact sheet for professional painters (“Information for Painting Contractors”) that is made available to retailers for distribution to their painting contractor customers.

A second notification was sent to retailers in January 2015 and included:

- “How Will the Colorado Paint Stewardship Program Affect Paint Retailers” fact sheet (sent in December as well)
- “Information for Painting Contractors” fact sheet (25 copies) to distribute to professional painters and other customers (sent in December as well)
- “How to Become a Drop-Off Site” fact sheet and interest form
- Program poster which includes the (proposed) fee structure and list of program products, to post in their stores for informing customers about the upcoming program
- Information regarding three CDPHE stakeholder meetings (held January, February and March 2015)
- Invitation to three retailer-focused PaintCare webinars (held in February 2015)

A final “starter pack” of program brochures and other point-of-sale education materials was mailed to all paint retailers at the end of May and included:

- General program poster (2 copies) which include the (proposed) fee structure and list of program products, to post in their stores for informing customers about the upcoming program – sent in January as well
- General program brochure (50 copies) to distribute to customers that include the goals of the program, the (proposed) fee structure, list of program products, and other program information
- Mini-card (50 copies) with information about finding a paint drop-off site when the program starts
- “How Will the Colorado Paint Stewardship Program Affect Paint Retailers” fact sheet – sent in December and January as well
- “Information for Painting Contractors” fact sheets – sent in December and January as well
- Order form for additional printed materials (retail stores and other stakeholder may order any of the printed materials, free of charge, at any time)
- Invitation to two additional retailer-focused PaintCare webinars (schedule for June 23 and 25)

Current versions of all of these materials are included in Appendix G. The retail webinars noted above covered the responsibilities and opportunities for retailers under the new Law and provided an opportunity for participants to ask questions.

## **E. “Reuse” Stores**

Habitat for Humanity ReStores and other used building material stores or salvage yards are a unique group of retailers that may be interested in being PaintCare sites. Besides serving as drop-off sites, these stores can operate paint reuse programs by donating or selling good quality leftover paint back to the local community to use, rather than sending it downstream through PaintCare for processing.

PaintCare has learned from its experience in other states that, prior to a PaintCare program, reuse stores that accept donations of paint for resale often turn away unsellable paint or are left with a disposal problem. Reuse stores that sign up with PaintCare are able to accept (more) paint, screen out the best paint for resale, and have the unsellable paint picked up by PaintCare at no charge. PaintCare has identified 22 reuse stores in Colorado. These sites have been notified of the opportunity to become a PaintCare partner.

## **F. Transfer Stations, Recycling Facilities, Landfills**

A fact sheet (and interest form) tailored for solid waste transfer stations, recycling facilities, and landfills was developed and distributed at the municipal meetings and conferences that PaintCare attended over the past year, and is available on PaintCare’s website. Current copies of these materials are included in Appendix H. Additional efforts continue to identify, inform and recruit these sites – both municipal and private. Like HHW sites and reuse stores, these facilities are also encouraged to operate paint reuse programs and are offered compensation.

### **Exceptions for Transfer Stations, Recycling Facilities and Landfills**

Similar to HHW programs, PaintCare recognizes that transfer stations, recycling centers and landfills may have some operational or funding restrictions, and exceptions may be made to accommodate them. The use of these facilities is sometimes limited to local residents and businesses. Although PaintCare allows anyone to drop off paint at any PaintCare site, these sites will be allowed to limit participation and only service their own customers or community if needed.

## **G. One-Day Paint Collection Events**

Paint collection events will be held annually or as needed in “unserved” areas of the state – those that do not have access to a site within 15 miles or in “underserved” areas – those that have some convenient drop-off sites, but too few for the population in the area. PaintCare’s paint-only collection events will not be restricted by county or other boundaries; participants from any place in Colorado will be allowed to use the events.

## **H. Large Volume Pick-Up Service**

The Large Volume Pick-Up Service (“LVP Service”) will be offered to painting contractors, other businesses, and households with large volumes of paint – generally more than 300 gallons. Under this service, approved users will receive a direct pick-up at their business or home. Approval for use of the

LVP Service is determined by PaintCare. 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 an entity is approved for pick-up, they will be put in direct contact with PaintCare’s transporter to schedule an appointment.

## I. Convenience Criteria

To ensure that the program provides adequate and convenient paint collection opportunities throughout the state, the Colorado Paint Stewardship Law requires PaintCare to use demographic and geographic information modeling to determine the number and distribution of paint drop-off sites based on the following criteria:

**Distance.** At least 90% of Colorado residents must have a permanent collection site within a 15-mile radius of their homes.

**Density.** An additional permanent site must be provided for every 30,000 residents of an Urbanized Area, as defined by the United States census bureau, and distributed in a manner that provides convenient and reasonably equitable access for residents within each Urbanized Area.

**Unserved Populations.** For the portion of Colorado residents who will not have a permanent collection site within a 15-mile radius of their homes, the program must provide a paint collection event at least once per year.

Geographic Information System (GIS) modeling was used to determine the appropriate minimum number and best distribution of paint drop-off sites to meet the Colorado convenience criteria. Appendix I contains a description of the methodology used and analysis conducted by PaintCare’s consultant, Golder Associates, an engineering firm with expertise in geographic mapping and analysis, to conduct the GIS analysis.

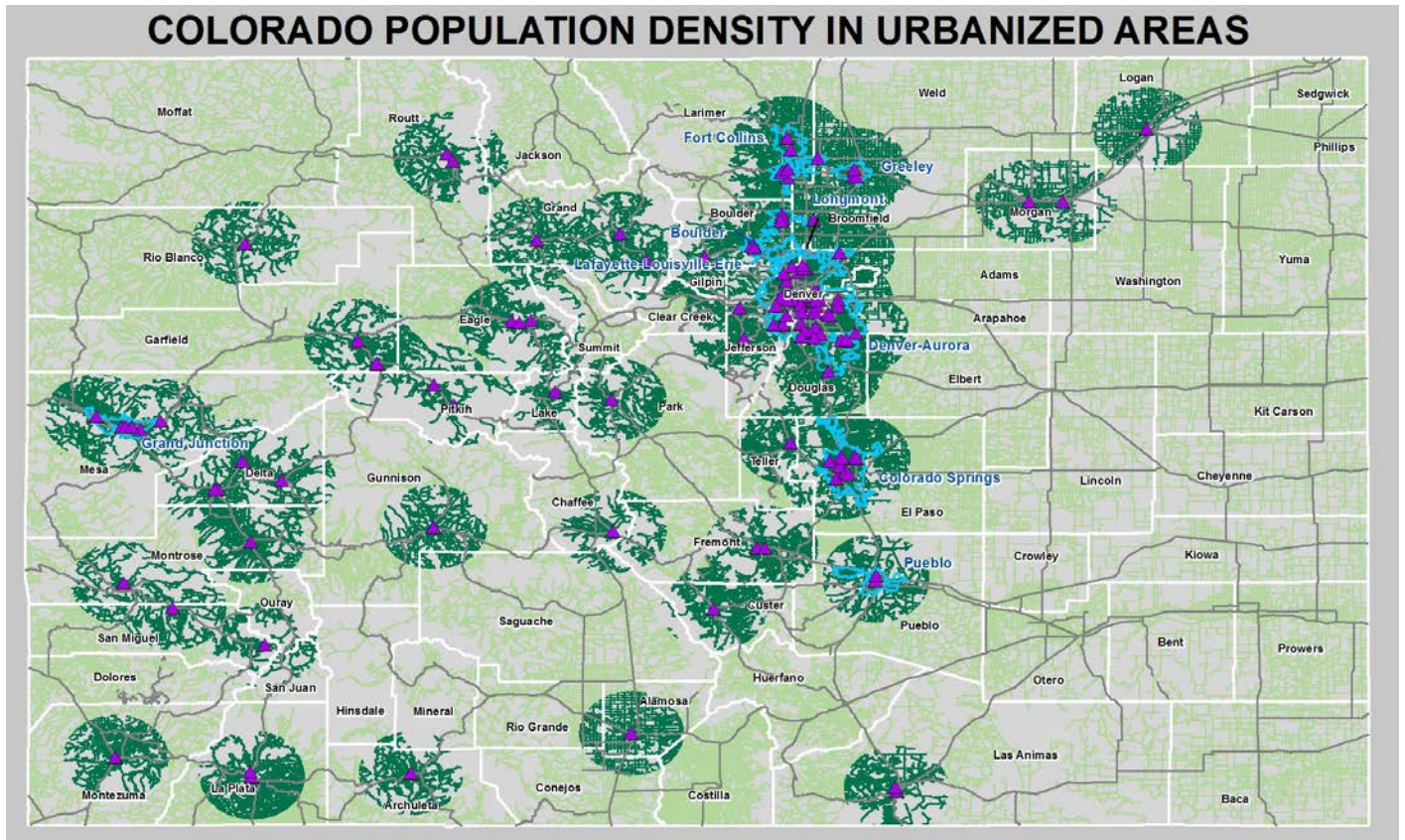
Application of the distance and density criteria results in approximately 172 optimally located permanent drop-off sites (see map in Appendix I)<sup>2</sup>. PaintCare recognizes that non-retail sites (e.g., HHW facilities and municipal transfer stations) are not always available to all residents within 15 miles of the site and therefore builds its convenience models using only retail stores because they are available to all participants.

The following map on the following page shows the locations of the 130 retail stores that are in process of being set up for paint collection by program launch. Preliminary GIS analysis of these sites indicates that 93.5% of the state’s population will have a site within 15 miles of their residence – satisfying the program’s convenience criterion for distance. To meet the program’s density criterion, additional sites will be needed in several areas of the state including Denver and Colorado Springs.








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<sup>2</sup>The map in Appendix I illustrates the optimal 172 locations (based on addresses of actual, potential, retail partners) needed to meet the distribution and density criteria. The map is for illustrative purposes to provide an approximation of what a statewide convenient distribution of sites may look like. It does not represent the actual type, number or distribution of sites that may end up serving as drop-off, but rather the best combination of sites if PaintCare hand-selected retail sites to meet the minimum service needs of the program. Using this set of sites is not the only way to satisfy the convenience requirement – it can be achieved through many other configurations of sites throughout the state, but it is unlikely to be accomplished with fewer than 172 sites.

## PaintCare Retail Drop-Off Sites



### Reading the Map

-  Purple triangles represent the location of retail drop-off sites.
-  Dark green areas surrounding sites represent populated areas within a 15 mile radius of a site.
-  Light green represent populated areas outside a 15 mile radius of sites.
-  Grey areas represent unpopulated areas.
-  Blue borders indicates Urbanized Areas.
-  White lines indicates county borders.
-  Grey lines indicates highways.

### Baseline Goal

PaintCare aims to meet the baseline goal of 172 sites within six months of the start of the program and expects the goal to be met primarily through new retail drop-off sites, supplemented by existing HHW facilities and transfer stations. Once the baseline is satisfied, PaintCare will continue to recruit additional drop-off sites in an effort to maximize convenience for Colorado residents.

PaintCare’s GIS consultant also identified areas of the state where few or no retail stores are available and made recommendations for areas where paint collection events may need to be held. PaintCare will work with the CDPHE and local municipal representatives in these communities to confirm the need for an event, locate an appropriate site, and promote the event. After the program starts, PaintCare will continually monitor and evaluate its collection infrastructure to locate unserved and underserved areas in need of paint collection events and additional services.

PaintCare will include a GIS analysis and discussion of the convenience level offered by the current drop-off sites in each Annual Report. If PaintCare has not met or maintained its goals, the Annual Report will also discuss the efforts that will be undertaken to meet them.

## J. Site Visits and Monitoring

Retail and transfer station sites will receive site visits a minimum of twice per year. HHWs will be visited once per year. The purpose of these visits is to ensure compliance with program requirements, address any needs or concerns the sites may have, check their supplies of outreach materials, and solicit their feedback on how to improve the program.

## K. Drop-Off Site Operations

All PaintCare drop-off sites must have an agreement in place with PaintCare, follow all procedures in PaintCare’s operational guidelines, and operate in accordance with applicable federal, state and local environmental laws, regulations and permits.

### Drop-Off Site Training

All drop-off sites receive an in-person, on-site training regarding PaintCare program operations and is provided a training binder that is reviewed during the training and that includes a training log to be signed by all employees at the site who handle paint for the program. Training topics include:

- History and goals of paint stewardship programs
- Identification of program products
- Safe handling and storage of program products
- Spill clean-up and reporting
- Procedures for scheduling a paint pick-up
- Screening for generator status to determine if a business qualifies to use the program for oil-based paint
- Record keeping



Additional details about site requirements and site training can be read in the retail Drop-Off Site Guidelines and training slides in Appendix J. Both of these documents are included in the training binder left with sites following their training.

### Collection Volumes

Drop-off sites may set their own limit for the amount of paint they will accept, as long as the limit is no less than five gallons per customer per day.

### Paint Storage Bins

Drop-off sites will be provided with paint storage bins to place postconsumer paint received through the program. These bins will be US DOT approved reusable boxes (below left) or single-use cubic yard boxes (below right), 55-gallon drums, or other appropriate containers. Drop-off sites will be required to keep bins in a secure location that does not have public access.



### Non-Program Products

Minimization of non-program products entering the program is critical and will be achieved through public education, signage at drop-off sites, and drop-off site training on product identifications.

PaintCare's transporters and downstream processors will manage any incidental non-program products that they receive. They will notify PaintCare of any incident and identify the specific drop-off site from where the non-program products originated and the quantity and type that were found. Depending on the severity of the contamination, PaintCare may do one or more of the following: (1) contact the site to let them know about the incident, (2) provide additional/refresher site training on identification of program and non-program products, or (3) in extreme cases, remove the site from the program.

## 5. Materials Management

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### Statutory Citations

#### Colorado Revised Statute, Title 25. Article 17. Part 4. Architectural Paint Stewardship Program

Section 25-17-404 (2) One or more producers, or a stewardship organization contracted by one or more producers, shall submit for approval a paint stewardship program plan to the executive director by January 1, 2015. To be approved, a paint stewardship program plan must:

(b) Describe the manner in which the program will ... transport, reuse, recycle, and process postconsumer architectural paint, including a description of the following: (I) Energy recovery and disposal; and (II) Standards to ensure the use of environmentally sound management practices, including collection standards.

(c) Describe the manner in which the program will collect postconsumer architectural paint. (III) ... This information must include a description of how the program will work with existing recyclers ... that wish to continue to be involved in paint recycling and collection.

Describe how the paint stewardship program will incorporate and fairly compensate service providers for activities that may include: (III) The transportation, recycling, and proper disposal of postconsumer architectural paint.

(h) Describe the manner in which the program will achieve the following goals: (III) Using best practices that are both environmentally and economically sound to manage postconsumer architectural paint. These practices should follow a waste handling hierarchy, which provides a preference for source reduction, then reuse, followed by recycling, energy recovery, and finally waste disposal.

### Section Overview

This section discusses:

- Paint transportation
- Paint processing
- Insurance and financial assurance

#### A. Paint Transportation

An effective transportation system is required to ensure that the paint collection infrastructure operates efficiently. PaintCare will contract for all paint transportation services. Transporters may include both private and public entities. Transporters must meet all applicable state and federal DOT rules and regulations and must track postconsumer paint from the point of collection (at drop-off sites or event) to its final destination. Transporters must have experience in scheduling pick-ups and routing to maximize efficiency, taking into account the number of stops, location, volume of paint to be collected, and projected weight of loads. Transporters, subsequent processors, and both of their records, will be subject to audits by PaintCare.

Following a formal bid process that began in February 2015, PaintCare selected and is negotiating agreements with Clean Harbors and Veolia to service retail and other new paint drop-off sites. In addition, in an effort to minimize operational changes to existing HHW and other paint collection systems, PaintCare is negotiating agreements with the following service providers to continue their

current paint collection and transportation services: GreenSheen Paint, Southern Colorado Services and Recycling, and Waste Management. As the program grows, additional transporters may be added if needed.

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 is best for each drop-off site. Transporters will deliver empty paint storage bins and other supplies (e.g., spill kits) to PaintCare drop-off sites and events and pick up full bins in a timely manner –five days in urban areas and ten days in rural areas. The longer time period in the rural areas is to maximize the efficiency of the route and pick up from multiple locations, yet still serve the location in a reasonable amount of time.

All sites (both rural and urban) will be asked if they can accommodate more than the minimum number of paint collection bins. It is less expensive and more efficient to pick up several bins from one location than to serve the same location several times and pick up only one bin each time. However, many sites have limited storage space, and with these sites, long-term or large volume storage is not an option.

## B. Paint Processing

Either through its transporters or directly, PaintCare will contract for processing and proper end-of-life management of postconsumer paint collected in the program. Prior to releasing the transportation and processing RFP, PaintCare met with all existing paint recyclers in Colorado and some out of state recyclers, informed them of the RFP and contracting process, and offered to connect them to interested transporters to become subcontractors. The following processors are currently under consideration:

**Oil-based paint processors.** Clean Harbors and Veolia

**Latex paint processors.** Amazon Environmental, GreenSheen Paint, Old Western Paint, Southern Colorado Services and Recycling, and Waste Management

As the program grows, additional processors may be added if needed.

The following summarizes the management options PaintCare intends to use for postconsumer paint collected in the program. These options are prioritized by highest, best use:

### Latex Paint

1. Reuse
2. Recycling back into paint or into another product
3. Beneficial use
4. Appropriate disposal

### Oil-Based Paint<sup>3</sup>

1. Paint reuse
2. Energy recovery through fuel blending or fuel incineration

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<sup>3</sup> While it is possible to recycle oil-based paint back into paint, no processor offers this option at this time.

The condition of paint when it is received by the program will determine how it will be managed. If containers are not sealed well and stored properly (indoors, out of rain or freezing temperatures), latex and oil-based paint can harden or dry out or otherwise be spoiled by mold, rusting cans, or multiple freeze/thaw cycles making some or all of the contents of an individual container of the paint unusable or not recyclable. Ultimately, the method of storage and the timing of the decision to recycle leftover paint are determined by the consumer. The program encourages the return of unwanted postconsumer paint in a timely manner in an effort to reduce the age and improve the condition of the paint.

The following provides a more detailed description of the latex and oil-based paint management options listed above.

### **Latex Paint Management**

**Reuse.** As discussed previously, the program will implement and support latex paint reuse programs where possible and provide monetary compensation to sites that give away (or sell) reusable paint to the public. Paint reuse programs return good quality paint to the local community without moving the paint through a costly 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” latex paint will be notified that the suitability of the product cannot be guaranteed. Drop-off sites will seek to obtain participant acknowledgement through a waiver or logbook entry before the paint is taken for reuse.

**Recycling Paint Back into Paint.** Latex paint may be used to make recycled-content latex 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 often used for graffiti abatement.

**Recycling Paint into Non-Paint Products.** Though options are limited at this time, latex paint may be used as a raw material for other products.

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

**Disposal.** Latex paint may be solidified for proper disposal. In this process, liquid paint is combined with drying agents and turned into a solid suitable for landfill. Solidification represents the least desirable management method for post-consumer latex paint and will only be utilized for latex paint that is not suitable to be managed for recycling or beneficial use.

### **Oil-Based Paint Management**

**Reuse.** As with latex paint, the Program will support oil-based paint reuse where possible. Reuse programs benefit the community and reduce the lifecycle impact of the postconsumer paint. Users of “previously owned” oil-based paint will be notified that the suitability of the product cannot be guaranteed. Drop-off sites will seek to obtain participant acknowledgement through a waiver or logbook entry before the paint is taken away for reuse.

**Fuel Blending.** Some cement kilns use high BTU value industrial by-products and hazardous wastes, including oil-based paint, as an alternative fuel source. These kilns are fully permitted for the necessary federal, state, and local requirements for hazardous waste management and monitor air emissions and

kiln ash for permit compliance. Burning hazardous waste offsets the amount of other fuel sources required by the kilns to manufacture cement.

**Fuel Incineration.** Permitted hazardous waste incinerators commonly use oil-based paint, flammable liquids, and other hazardous wastes and 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 aids in thermal destruction of other hazardous waste and validates its use in this capacity. These incinerators are fully permitted for the necessary federal, state, and local requirement for hazardous waste management and monitor air emissions and ash for permit compliance.

### C. Non-Program Products and Empty Containers

**Non-Program Products.** Although drop-off sites will be trained and instructed to screen out non-program products, it is likely that a small number of containers of non-program products may enter the program and be screened out during the sorting process by PaintCare’s transporters and processors. Non-program products will be recycled or disposed of as hazardous waste by PaintCare’s service providers rather than returned to a drop-off site.

**Empty Paint Containers.** Whenever possible, empty metal and plastic paint containers will be recycled. PaintCare will work with its service providers to identify and utilize opportunities as markets permit.

### D. Insurance and Financial Assurance

PaintCare requires all contractors – drop-off sites, transporters, processors, etc. – to carry insurance appropriate to the services provided for the PaintCare program. While the specific amount and terms may vary from contractor to contractor, they may include:

- Commercial General Liability Insurance
- Commercial Automobile Liability Insurance
- Workers' Compensation Insurance
- Environmental Pollution Liability Insurance
- Endorsements to name PaintCare as an additional insured on the required insurance coverage (other than Workers’ Compensation)

Because contractors have widely different insurance policies (e.g., commercial insurance vs. self-insurance, etc.), PaintCare evaluates (often with the assistance of outside legal counsel) the insurance terms in each contract on a case-by-case basis to ensure that the contractor maintains insurance of the types and in the amounts appropriate for the services the contractor provides to the PaintCare program. PaintCare itself also carries Pollution Liability, Commercial General Liability and Excess Umbrella Coverage to cover any liability PaintCare may incur.

PaintCare also requires all contractors to comply with all federal, state and local laws. If financial assurance requirements are applicable to a PaintCare contractor, then they must be in compliance with those laws.

## 6. Education and Outreach

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### Statutory Citation

#### Colorado Revised Statute, Title 25. Article 17. Part 4. Architectural Paint Stewardship Program

Section 25-17-404 (2) One or more producers, or a stewardship organization contracted by one or more producers, shall submit for approval a paint stewardship program plan to the executive director by January 1, 2015. To be approved, a paint stewardship program plan must:

(h) Describe the manner in which the program will achieve the following goals: (I) Reducing the generation of postconsumer architectural paint; (II) Promoting the reuse of postconsumer architectural paint.

(i) Include an education and outreach program that must: (I) Target consumers, painting contractors, and paint retailers; (II) Reach all architectural paint markets served by the participating producers; and (III) Include a methodology for evaluating the effectiveness of the education and outreach program on an annual basis, including methods for determining the percentage of consumers, painting contractors, and retailers who are aware of: (A) Ways to reduce the generation of postconsumer architectural paint; and (B) Opportunities available for the reuse and recycling of postconsumer architectural paint.

Section 25-17-405 (4) As part of the education and outreach program set forth in section 25-17-404 (2)(i), a producer shall distribute paint stewardship program information to all retailers offering the producer's architectural paint for sale. The information may include the following:

(a) Signage that is prominently displayed and easily visible to the consumer;

(b) Written materials that may be provided to the consumer at the time of purchase or delivery or both and templates of those materials for reproduction by the retailer; and

(c) Promotional materials including advertising materials that reference the architectural paint stewardship program.

### Section Overview

This section discusses:

- Outreach methods, messages, and target audiences
- Phased outreach approach and lessons learned from PaintCare programs in other states
- Input and lessons learned from paint retailers
- Supporting outreach efforts of municipal programs
- Site locator tool
- PaintCare hotline
- Evaluation process
- Promotion of “Buy Right” and “Use it Up”
- Examples of outreach materials

## A. Methods

PaintCare is committed to providing robust and effective education and outreach for the Colorado Paint Stewardship program using a variety of communication methods, including:

- Earned media (e.g., press releases/coverage)
- Traditional media (e.g., newspaper, radio, television)
- Print materials (e.g., brochures, fact sheets)
- Online and social media (e.g., webpage, banner ads, Facebook)
- Direct, face-to-face communications (e.g., home shows, retail site visits, presentations)

## B. Messages

### Reduce, Reuse, Recycle

The “Reduce, Reuse, Recycle” messages have been used by environmental organizations and waste management programs for many years. To reduce the amount of postconsumer paint and to inform consumers how and where to recycle their unwanted paint, PaintCare uses a more instructive and paint-specific version of the 3Rs. PaintCare’s message is “Buy Right, Use It Up, Recycle the Rest” to say (1) purchase the right amount of paint for a job, (2) try to use up leftover paint when you can, and (3) if you still have unwanted paint, bring it to a PaintCare site for recycling.

### Program Awareness

Additional messages are used to create awareness of the program and answer these questions:

- What is PaintCare is and why does the program exist?
- Why was the Law passed (e.g., product stewardship, cost savings to municipalities)?
- How much is the PaintCare Fee and what is it for?
- Which products are accepted in the program and which products are not?

## C. Target Audiences

PaintCare’s outreach and education strategy will focus appropriate messages to the following audiences:

- Households (residents)
- Businesses that generate paint (e.g., professional painters, contractors, property managers)
- Trade associations (e.g., contractors associations, realtor associations)
- Paint retailers
- HHW programs, waste transfer stations, recycling centers and landfills
- Non-English speakers

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

### **Households**

- Emphasize how to find a drop-off site to recycle paint – this is the information most requested.
- Promote using up leftover paint to do-it-yourselfers as a primer or for small or creative projects.
- Educate consumers on how to buy the right amount of paint by describing factors that determine the correct amount of paint needed in addition to calculating square footage of the walls, such as the texture of the surface to be painted, quality and coverage rate of the paint, changing colors, and whether the surfaces have been previously painted or primed. PaintCare will promote that consumers consult with paint store staff rather than relying on simple square footage calculations.

### **Businesses that Generate Paint**

- Emphasize “Recycle the Rest” as more recycling opportunities will be available than previously and also available statewide.
- Promote using up leftover paint.
- Promote the Large Volume Pick-Up Service to businesses with large volumes of leftover paint so they can request a direct pick-up of all of their leftover paint rather than transport their paint to drop-off sites a little at a time.

### **Real Estate Agents**

Many new home buyers find paint left behind by previous owners. To help those either buying or selling a home, PaintCare will reach out to real estate agents. Although real estate agents usually don't generate leftover paint themselves, they are in an excellent position to help educate home buyers, sellers, as well as the professional painters who help get the homes ready to sell.

### **HHW Programs, Transfer Stations, Recycling Facilities and Landfills**

PaintCare has developed fact sheets and interest forms to explain how these facilities can become PaintCare drop-off sites and the benefits of participating in the program.

### **Paint Retailers**

PaintCare has developed print materials for use by all paint retailers to educate store staff and the general public (regardless of whether or not they are drop-off sites) about the program. Retailers are provided PaintCare materials at no charge. Examples include:

- Brochures and mini-cards that help the public find drop-off sites and explain the program.
- Signage that promotes general awareness of the program, explains the PaintCare Fee, and how to find a paint drop-off site.
- Fact sheets (available from PaintCare's website or as printed copies) and designed for a variety of audiences and subjects (e.g., general information, how to become a paint drop-off site, how to request a large volume pick-up).

It is the responsibility of PaintCare to provide outreach and education materials to retailers of paint. Year-round, retailers may order printed materials using PaintCare’s order form or by phone. Drop-off sites also receive materials from PaintCare staff during site visits. Finally, electronic files of materials are always available from PaintCare’s website for retailers who wish to print them.

As discussed previously, retailers will receive several notification from PaintCare before the start of the program, as well as a starter pack of printed materials. In addition, PaintCare will contact paint retailers in Colorado annually by mail or email, as elected by the retailer. The annual mailer will include:

- Reminder of statutory obligations to provide information on the program to customers.
- Reminder of how to request additional print materials, and how to access them online.
- Updates and samples of new print materials.

PaintCare will also remind retailers annually that PaintCare’s outreach messaging about buying the right amount of paint for a job recommends to customers that they consult with retail store staff.

### **Translated Materials**

PaintCare has identified the need to translate the program brochure and various fact sheets into Spanish. Translated materials are also available at any time to retailers and electronic copies will be posted on PaintCare’s website. PaintCare will consider translating materials to other languages upon request.

## **D. Phasing in Outreach**

PaintCare has learned through launching 6 other state programs that at the start of a new state program, it is important to balance the need to inform the public about the new program (that there is a new fee on paint and that there are new paint drop-off sites) with the need to allow the drop-off sites time to become familiar and comfortable with program operations.

For Colorado residents with municipal HHW programs (facilities and events), using the HHW program often requires acting in a timely manner as the number of operating days and hours are 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 the program because they assumed that the program would be limited in some way. However, with PaintCare there is no immediacy to using the retail drop-off sites as they are permanent and available year-round.

PaintCare will conduct a statewide outreach to all areas of the state (reaching all architectural paint markets served by the participating producers as required by the Law) about the program and options, but the outreach will be phased in gradually in order to avoid overwhelming sites and frustrating customers and retailers. For safety reasons, when paint storage bins become full, sites cannot accept more paint until the full bins are replaced with empty ones. If customers are then turned away, they becomes unhappy with the program and with the retailer, the retailer also becomes frustrated turning customers away, and local governments become concerned that this may lead to illegal dumping.

To address these concerns, PaintCare’s approach will be to limit outreach at the start of the program to press releases that announce that there is a new program – with a fee on new paint – and explain that drop-off sites are permanent and open year-round during regular business hours. As sites become more comfortable with the operations, PaintCare will gradually start placing media buys in phases to create

more awareness about the program and inform people how to find drop-off sites. Once the retailers that are serving as drop-off sites are more comfortable with the program, outreach will expand through a combination of local newsprint, television, radio, and geo-targeted on-line advertising.

This initial strategy lacks an important element – informing those people who may not see any news stories that the PaintCare Fee is being added to their new paint purchases. PaintCare knows that professional painters and other consumers who purchase paint frequently will notice the new fee and be more concerned and vocal than those who buy paint infrequently. To address this group, PaintCare will work with painting contractors and their associations to inform them in advance of the program and fees, and has already started to provide fact sheets to retailers to insert in their monthly bills to regular customers and make available in the stores so that customers will not be surprised by the fees.

## **E. Stakeholder Meetings with Retailers**

Experience in other PaintCare states demonstrated that it is difficult to get retailers to use written materials about the PaintCare program, despite offering and delivering them free of charge. To address this, PaintCare 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 program.

PaintCare held two meetings with retailers: In California in June 2012, several months prior to the start of that program (PaintCare’s second program), and in Oregon in 2013, almost three years after the start of that program. At these meetings, retailers reviewed PaintCare point-of-sale materials (posters, brochures, etc.) and provided feedback about messaging, design, size, adaptability, co-branding and other elements that may factor into a retailers willingness or ability to use these materials. Key feedback from these meetings included:

- Messages should be simple and not abstract in any way, e.g., “Recycle with PaintCare” was recommended to replace “From Basement to Beautiful, from Garage to Glorious.”
- Retailers requested a simple and small card to hand to customers to help them contact PaintCare by phone or via the 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 because it oversimplified the purchasing process and was likely to result in incorrect estimates. Instead, retailers suggested PaintCare educate consumers to seek advice about buying the right amount of paint from store staff.
- Retailers need to provide advance notice to their commercial customers (mostly professional painters) to provide them ample time to prepare for the new fees and incorporate the fees into their bids/estimates prior to the start of the program.
- After the first year of the program, there are not many complaints about fees and the focus should be shifted more to information about drop-off site and other recycling services, and less on the fees.
- Drop-off sites like being listed in newspaper ads and seeing their name in print.

Much of the input received from retailers has been incorporated into PaintCare outreach materials and strategy and PaintCare continues to solicit and encourage feedback from paint retailers about the program's print materials and other promotional efforts.

## **F. Joint Outreach with Municipal Programs**

PaintCare promotes HHW and other municipal PaintCare drop-off sites through its outreach efforts if they wish to be promoted. PaintCare's has also established a process for municipalities to coordinate joint outreach projects, through which PaintCare assists local municipalities with funding, scriptwriting, graphic design for print, radio and other media. To initiate a project, the municipality completes a form describing the project and budget for approval. PaintCare will consider a reimbursement proportional to the message about PaintCare. For example, in San Luis Obispo County in California, PaintCare reimbursed the county for half of its costs to run a radio campaign that included a message about their household hazardous waste facilities and PaintCare. In Tillamook County in Oregon, PaintCare provided artwork and reimbursement for monthly newspaper ads about their HHW facility and paint collection. Municipalities may propose any project that includes a PaintCare message using any medium. The "Joint Outreach Project" fact sheet and proposal form are included in Appendix K.

## **G. Site Locator Tool**

PaintCare is committed to providing accurate, up-to-date information regarding paint recycling options available to the public and has developed its own nationwide database of paint collection programs, referred to as the *site locator tool*. This tool provides a unique, paint-specific, easy-to-use way to search for the nearest PaintCare drop-off site. Site-specific information will explain who is eligible to use a site and what limitations apply. This tool is available from PaintCare's website and through a mobile phone application. In non-PaintCare States the tool lists HHW programs as locations where the public can bring leftover paint. In PaintCare States, it lists only PaintCare drop-off sites, including HHW programs that partner with PaintCare.

## **H. PaintCare Hotline**

PaintCare operates a weekday hotline to assist the public with finding the nearest drop-off site and to answer questions about the program. The primary hotline staff person speaks English and Spanish.

## **I. Evaluation of Outreach**

PaintCare will conduct a consumer awareness survey each year to evaluate the effectiveness of the education and outreach efforts. The surveys will target the consumers (general public), painting contractors, and retailers. The survey may be conducted on one, two or all three of these populations each year. The results of each survey will be reported in the Annual Reports. At a minimum the questions will ask if the target populations are aware of ways to reduce the generation of postconsumer paint, and opportunities for reuse and recycling of postconsumer paint. Other questions may vary from one survey to another.

## **J. Promotion of (Paint) Waste Reduction and Reuse**

PaintCare will develop print materials, webpage content and/or media campaigns for two specific goals. The results of the awareness surveys mentioned above will measure progress towards these goals:

- Encourage (paint) waste reduction by recommending that people buy the right amount of paint and suggesting tools to achieve this.
- In addition to supporting reuse programs at HHW facilities and reuse stores, encourage paint reuse by recommending to the public and painting contractors that they give their unwanted paint to others who can use it, such as schools, churches and non-profits, or bring it to a site with a reuse program.

## K. Examples of Outreach Materials

Top row: Program Brochure, Mini-card, General Program Poster, Drop-Off Site Poster  
 Middle row: Mobile App, Site Locator Tool on PaintCare Website  
 Bottom row: Newspaper Ads

**Recycle with PaintCare**  
 About the Oregon Program

Find a paint drop-off site near you by visiting [paintcare.org](http://paintcare.org)

Find a paint drop-off site near you by visiting [paintcare.org](http://paintcare.org)

**Oregon Paint Recycling Program**  
 About the PaintCare Program

**PAINTCARE®**  
 PaintCare® is a non-profit 501(c)(3) organization, established by the American Coatings Association to implement paint stewardship programs on behalf of paint manufacturers in states that adopt a paint stewardship law.

**PROGRAM PRODUCTS**  
 They produce base (not sold) or accept all finished (consumer) drop-off items:

- Latex paints (acrylic, water-based)
- Oil based paints (alkyd)
- Stains
- Primers and undercoaters
- Sealers, topcoats, finishes, varnishes
- Deck and floor paints
- Sealers and waterproofing coatings for wood, concrete and masonry

**NON PROGRAM PRODUCTS**

- Paint thinners and solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Paint additives, colorants, tints, tints
- Wood preservatives (containing pesticides)
- Tie, sealant, and silicone-based products
- 2-component coatings
- Coatings used for Original Equipment
- Manufacturing or shop applications
- Any non-sealings (sinks, spas, etc., cleaners, etc.)

**FEES**  
 The "PaintCare Recovery Fee" is applied to the purchase price of architectural paint sold in Oregon as required by the Oregon Paint Stewardship Law. Fees are based on container size as follows:

|   |         |
|---|---------|
| Half pint or less                         | \$ 0.00 |
| More than half pint to less than 1 gallon | \$ 0.35 |
| 1 gallon                                  | \$ 0.75 |
| More than 1 gallon to 5 gallons           | \$ 1.60 |

For more information, please call for the PaintCare brochures, visit [www.paintcare.org](http://www.paintcare.org) or call (855) 724-6809.

**Recycle your paint here.**  
 [DURING BUSINESS HOURS ONLY]

**ACCEPTABLE**

- Latex house paint
- Oil based house paint
- Primer
- Stains and sealers
- Varnish and shellac
- All brands

**NOT ACCEPTABLE**

- Paint thinner
- Two-component paints
- Aerosols
- Other chemicals

**PLEASE DON'T BRING CONTAINERS THAT ARE**

- Leaking
- Unlabeled
- Empty

Recycle with PaintCare

For a complete list of acceptable products, please ask for the PaintCare brochure, call (855) 724-6809 or visit [www.paintcare.org](http://www.paintcare.org).

**App Store Icon**

**Instructions**

- Make sure lids are on tightly and caps are secure to avoid spillage.
- Make sure the bases and containers are secure to the wall to avoid spillage.

**About PaintCare**

PaintCare is a non-profit 501(c)(3) organization, established by the American Coatings Association to implement paint stewardship programs on behalf of paint manufacturers in states that adopt a paint stewardship law.

**Drop-Off locations**

Find a Drop-Off Site

**PaintCare Site Locator**

Location: California

PaintCare has more than 100 new locations in Connecticut where you can bring your old paint, stain and varnish to be recycled. Learn more about PaintCare and find your local drop-off site at [www.paintcare.org](http://www.paintcare.org).

**PAINT RECYCLING MADE easy**

Do you know where to recycle your paint?

There are now hundreds of PaintCare sites in California where residents and businesses can recycle unwanted paint, stain and varnish all year round, including these local sites:

**SHERWIN-WILLIAMS**  
 2622 Delway Park Dr  
 Dana Point, CA 92624  
 (949) 961-0100

**VISTA PAINT**  
 2950 Alicia Hwy  
 Laguna Niguel, CA 92657  
 (949) 269-1855

**DUNN EDWARDS**  
 33501 Camino Capistrano  
 San Juan Capistrano, CA 92675  
 (949) 238-9225

**VISTA PAINT**  
 30894 Plaza Dr  
 San Juan Capistrano, CA 92675  
 (949) 409-0203

**TO FIND OTHER DROP-OFF SITES:**  
[www.paintcare.org](http://www.paintcare.org)  
 (855) 724-6809

All PaintCare sites accept up to five gallons per visit (some take more). Please call ahead to confirm business hours and ask if they can accept the type and amount of paint you would like to recycle. Leaking, unlabeled and empty containers are not accepted.

**We'll take your paint!**

Do you know what to do with leftover paint?

PaintCare has more than 100 new locations in Connecticut where you can bring your old paint, stain and varnish to be recycled. Learn more about PaintCare and find your local drop-off site at [www.paintcare.org](http://www.paintcare.org).

Recycle with PaintCare

Be sure containers are not leaking and have original labels. Most locations will accept up to five gallons per visit. For more information, call (855) 724-6809.

# 7. Program Budget & Paint Stewardship Assessment

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## Statutory Citation

### Colorado Revised Statute, Title 25. Article 17. Part 4. Architectural Paint Stewardship Program

Section 25-17-404 (2) One or more producers, or a stewardship organization contracted by one or more producers, shall submit for approval a paint stewardship program plan to the executive director by January 1, 2015. To be approved, a paint stewardship program plan must:

(j) (I) Demonstrate sufficient funding for the architectural paint stewardship program described in the plan through the imposition of a paint stewardship assessment that each producer shall charge retailers and distributors for each container of the producer's architectural paint sold in Colorado. Each producer shall remit the paint stewardship assessments collected to the paint stewardship program. Each retailer and distributor shall add the amount of the paint stewardship assessment to the purchase price of a container of the producer's architectural paint sold in Colorado. The paint stewardship program must not impose any fees on customers for the collection of post-consumer architectural paint. (II) To ensure that a paint stewardship program's funding mechanism is equitable and sustainable, the funding mechanism must: (A) Provide a uniform paint stewardship assessment that does not exceed the amount necessary to recover program costs; and (B) Require that any funds generated by the aggregate amount of fees charged to consumers be placed back into the program.

(k) Include a proposed budget and a description of the process used to determine the paint stewardship assessment required by paragraph (j) of this subsection (2).

## Section Overview

This section discusses:

- PaintCare's funding mechanism
- Projected paint sales and collection volumes
- Paint stewardship assessment and independent audit
- Annual budget

### A. Introduction

Architectural paint manufacturers – through representation by PaintCare – have established a sustainable funding system to cover the cost of implementing the Colorado Paint Stewardship Program.

The PaintCare program works by placing a paint stewardship assessment on qualifying containers of architectural paint sold in Colorado beginning on the program's start date. This assessment is referred to as the *PaintCare Fee*. The PaintCare Fee is set at a rate to cover, but not exceed, the cost of implementing the Colorado program. All revenue generated by fees on Colorado paint sales is spent on the Colorado program.

## **B. Funding Mechanism**

As the representative stewardship organization, PaintCare will implement and direct all aspects of the Colorado Paint Stewardship Program for participating manufacturers, including the financial components. Funding for program implementation will come from registered manufacturers (discussed in Section 3 of this Plan) to PaintCare in the form of the PaintCare Fee. The following steps describe the application of the PaintCare Fee:

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

## **C. Paint Sales**

Due to complex distribution chains that may involve layers of distributors between the manufacturer and final point of sale, most manufacturers do not know the volume of their paint sold into each individual state. To address this, PaintCare commissioned a study in 2012 with updates in 2014 by Decision Metrics, Inc., a research firm that specializes in coatings industry analysis and economic forecasting. Decision Metrics utilizes 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 2012 study estimated sales for 2010-2013. The 2014 study estimated sales for 2013-2016.

Studies and experience of HHW programs have shown that consumers typically wait several years before recycling or disposing of unwanted HHW products, including paints. For this reason, in developing assumptions about the volume of paint that will be returned in Colorado over the next few years, PaintCare used 2010 sales data as its baseline, rather than current projections. In contrast, to project revenue over the next few years, 2016 projected sales were used since revenue will be true to the year the paint is sold.

As noted, the volume used to project paint sales in Colorado in the past and future are estimates. Assumptions about the number of units sold in each container size are also estimates, but are derived from an average of actual Oregon and California paint sales since their programs began. PaintCare has observed that a state's geographic size is a predictor of container size purchase patterns, with a small state like Connecticut selling relatively fewer 5-gallon containers when compared to larger states like California and Oregon. Therefore, as a larger state, Colorado's projected container mix was modeled from Oregon and California. Container size mix can be important in the resulting revenue because the PaintCare Fee varies based on the container size.

Following implementation, the program will know the actual sales volume and container size mix in Colorado from manufacturer reporting and fee payments. If actual sales differ from the estimates used to develop the projected budget, then the estimated revenue, postconsumer paint collection volumes, and related costs may need to be revised. If this results in the need to change the fee structure, approval would be required from the CDPHE.

## **D. Paint Collection Volumes**

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, the actual quantity of postconsumer paint that is leftover, unwanted and available for collection at any one time is unknown. The lag time between the purchase of paint and the decision that the remaining volume is unwanted, and the additional time taken to recycle or dispose of it, 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. All of these factors make it difficult to determine how much postconsumer paint is available for collection.

### **Postconsumer Paint Volume Studies and Projections**

In preparing for paint stewardship programs in other states and in Colorado, PaintCare considered a number of studies that estimated postconsumer volumes (see Appendix L for a list of studies and their key findings). The summary of these studies is that approximately 10% of paint is leftover and of that 7% is available for collection. These numbers are consistent with data from mature programs in Canada and PaintCare’s Oregon Program which has been operating for almost 5 years old.

The following assumptions and data were used in deriving the anticipated revenue and volume of postconsumer paint to be collected annually in Colorado once the program is at a steady state or “mature.” This information is also summarized in the table on the next page.

- Sales volume will remain relatively stable in Colorado at approximately 14.2 million gallons annually (based on 2016 sales projections) – this volume is used to project revenue.
- 10% of architectural paint sold remains leftover and is available for recycling, equaling approximately 1.17 million gallons (based on 2010 sales estimates) – – this volume is used to project collection volumes.
- Mature paint stewardship programs collect about 7% of leftover paint annually. This value can also be stated as the equivalent of 7% of sales, referred to as the “recovery rate” (volume collected divided by volume sold). Note that once the program is active, PaintCare will use actual collection volumes for the numerator. Sales volume from a previous time period (2010 in this case) will be used for the denominator.

### Projected Collection Volumes and Recovery Rate

| Description  | Gallons    |
|--|------------|
| Annual sales volume for revenue projections<br>(2016 estimated sales)                                    | 14,200,000 |
| Annual sales volume for collection volume projections<br>(2010 estimated sales)                          | 11,700,000 |
| Annual volume leftover<br>(10% of 2010 estimated sales)  | 1,170,000  |
| Annual collection volume once the program is mature<br>(70% of 2010 leftover volume or 7% of 2010 sales) | 760,000    |

### E. Program Budget and Paint Stewardship Assessment

PaintCare has developed a budget and proposed a fee structure to sustain the Colorado program once it is mature. It is PaintCare’s experience from other states that it takes several years for a program to reach a steady state of paint collection and costs. As described in the Outreach and Education section of this Plan, because PaintCare is cautious in publicizing the program in the first year, outreach and resulting paint collection volumes increase gradually over the first few years of the program. Conversely, the program has already and will continue to build up pre-program expenses. These are expenses for activities that support the program from the time legislation passed to the time the program launches and funding becomes available. It includes personnel and travel expenses, legal costs, and state administrative fees. The reduced costs at the start of the program resulting from a soft launch will allow pre-program expenses to be paid off in the early years of the program.

The proposed budget that follows is based on the assumptions covered previously and that result in a projected recovery rate of 7% once the program is mature. The following describes the primary elements of the budget.

#### Revenue

The volume of paint sold in Colorado is based on estimates of 2016 sales, while the mix of containers sold, by size, is based on a combination of actual sales data from Oregon and California.

#### Operational (In-State) Expenses

- In combination, paint transportation and processing are the most significant expense of the program, and are estimated to be approximately 75% of Colorado’s total program costs. Transportation and processing costs for the Colorado program are based on vendor pricing provided through the RFP process discussed in Section 5.
- Collection support is another significant expense and includes the cost of paint storage bins, spill kits, set up fees for PaintCare paint collection events, labor to assist LVP service users pack their paint, payments for HHW value-added services, and other paint collection-related support. Collection support represents approximately 7% program costs.
- Communication expenses include advertising and promotional materials to increase awareness of the program. They represent approximately 9% of program costs.

- Personnel, professional fees and other expenses include the cost of two full-time, in-state employees of PaintCare Colorado, professional fees for GIS analysis, legal costs for developing contracts, and other logistical, professional support, and miscellaneous office expenses. These add up to approximately 3% of program costs.
- State administrative and oversight fees will be paid by PaintCare to the CDPHE annually. These fees are estimated to be \$120,000 annual – approximately 2% of program costs.

**Administrative (Corporate or Indirect) Expenses**

- Administrative expenses (also called indirect expenses) are those that that are not specific to Colorado, but rather indirectly support the Colorado program. Administrative costs include corporate staffing (e.g., PaintCare’s Executive Director and communications team), IT support, company-wide auditing fees, company-wide legal fees, and other general services that support all PaintCare states.

Administrative costs are allocated among all PaintCare states (states where paint stewardship legislation has passed) based on their relative populations. At the time of this Plan, Colorado represents 8.6% of the combined population of the nine PaintCare states. Total administrative costs are estimated to be \$3 million annually, or approximately \$258,000 annually for Colorado. Administrative expenses are approximately 4% of the program budget.

**Paint Stewardship Assessment**

The result of the anticipated program costs, combined with projected sales and container size mix, is the following proposed paint stewardship assessment (PaintCare Fee) structure.

| <b>Container Size</b>                          | <b>Initial Fee</b> | <b>April 1, 2026 Updated Fee</b> |
|--|--------------------|----------------------------------|
| Half pint or smaller                           | \$ 0.00            | \$ 0.00                          |
| Larger than half pint to smaller than 1 gallon | \$ 0.35            | \$ 0.50                          |
| 1-2gallon                                      | \$ 0.75            | \$ 1.15                          |
| Larger than 2 gallon up to 5 gallons           | \$ 1.60            | \$ 2.25                          |

The proposed fee structure for the Colorado PaintCare program is the same as the fee structure approved and currently used in all six PaintCare States with active programs – California, Connecticut, Oregon, Minnesota, Rhode Island and Vermont – and also proposed for Maine. (The budget and fee structure for the District of Columbia has not yet been developed.)

**Audit of the Stewardship Assessment**

As noted previously, to ensure that the Program’s funding mechanism is equitable and sustainable, the Colorado Paint Stewardship Law requires a uniform paint stewardship assessment that does not exceed the amount necessary to recover program costs. To evaluate and support the proposed fee structure, PaintCare commissioned an independent audit. Similar audits were required for PaintCare’s programs in Connecticut, Minnesota, Rhode Island and Vermont, and the same firm that conducted the audits in those states – HRP Associates Inc. – was used for the Colorado audit.

HRP reviewed (a) the transportation and processing RFP and bid results; the proposed budget and assumptions used to determine costs for paint collection, paint transportation, paint processing, outreach and education, personnel, legal fees, corporate costs and other budget elements; and assumption made about paint sales and the resulting revenue. HRP Associates’ audit results are available in Appendix M and conclude with:

*“PaintCare’s anticipated expenses took into account the costs for collection, transportation, processing, collection containers, one-day event setup fees, communications (education and outreach), personnel & professional fees, state oversight, and travel, in addition to corporate budget expenses. The expenses and assumptions made are acceptable and within industry standards.”*

**Program Budget**

**Revenue**

|  |            |
|--|------------|
| Container size: Larger than half pint to smaller than 1 gallon | \$ 795,200 |
| Container size: 1-2 gallon                                     | 4,047,000  |
| Container size: Larger than 2 gallon up to 5 gallons           | 2,635,520  |
| <hr/>  |            |
| Total revenue  | 7,477,720  |
| <hr/>  |            |

**Expenses**

|  |            |
|--|------------|
| Paint transportation and processing                  | 5,489,846  |
| Storage containers/collection support                | 497,256    |
| Communications                                       | 650,000    |
| Personnel, professional fees and other               | 249,670    |
| State administrative fees                            | 120,000    |
| Total direct expenses                                | 7,006,772  |
| <hr/>  |            |
| Allocation of corporate activity (indirect expenses) | 258,000    |
| <hr/>  |            |
| Total expenses                                       | 7,264,772  |
| Change in net assets                                 | \$ 212,948 |
| <hr/>  |            |

## 8. Annual Report and Financial Audit

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### Statutory Citation

#### Colorado Revised Statute, Title 25. Article 17. Part 4. Architectural Paint Stewardship Program

Section 25-17-405 (3) (a) On or after March 31 of the second year of a paint stewardship program's implementation, and annually thereafter, one or more participating producers, or a stewardship organization contracted by one or more producers, shall submit a report to the executive director describing the progress of the paint stewardship program. The paint stewardship program report must include the following information from the preceding calendar year:

- (I) A description of the method or methods used to reduce, reuse, collect, transport, recycle, and process postconsumer architectural paint.
- (II) The total volume, in gallons, and type of postconsumer architectural paint collected, with the data broken down by: (A) Collection site; and (B) Method of waste handling used to handle the collected postconsumer architectural paint, such as reuse, recycling, energy recovery, or waste disposal.
- (III) The total volume, in gallons, of postconsumer architectural paint sold in Colorado by the producer or producers participating in the paint stewardship program.
- (IV) For the education and outreach program implemented in compliance with section 25-17-404 (2)(i): (A) Samples of any materials distributed; and (B) A description of the methodology used and the results of the evaluation conducted pursuant to section 25-17-404 (2)(i)(III). The results must include the percentage of consumers, painting contractors, and retailers made aware of the ways to reduce the generation of postconsumer architectural paint, available opportunities for reuse of postconsumer architectural paint, and collection options for postconsumer architectural paint recycling.
- (V) The name, location, and hours of operation of each facility added or removed from the list developed in accordance with section 25-17-404 (2)(f).
- (VI) Any proposed changes to the paint stewardship program plan. The executive director shall review any proposed changes set forth in the annual report in accordance with the review procedures for a revised plan, as set forth in section 25-17-404 (3).
- (VII) A copy of an independent third party's report auditing the paint stewardship program. The audit must include a detailed list of the program's costs and revenues.

### Section Overview

This section discusses:

- Content of the Annual Report
- Content and process for the annual financial audit

## **A. Annual Report**

PaintCare will submit an Annual Report to the CDPHE by March 31 of each year covering the previous calendar year.

The Annual Report will include, at a minimum:

- A description of the methods used to reduce, reuse, collect, transport, recycle and process postconsumer architectural paint.
- The volume of architectural paint sold in Colorado in the reporting year.
- The name, location, and hours of operation of the program's paint drop-off sites.
- The volume of postconsumer architectural paint collected, broken down by site and disposition method.
- Samples of education and outreach materials distributed, and a description of the evaluation process and its results.
- A copy of the independent third party audit of the program, including details of the program's costs and revenues.

## **B. Financial Audit**

PaintCare undergoes an annual, independent financial audit of the organization as a whole. PaintCare conducts a competitive selection for the auditing firm and hires the auditor to conduct an independent audit. The cost of the audit is shared by all PaintCare states.

While the audit is conducted of the organization as a whole, it will also serve as the annual financial audit of the Colorado Paint Stewardship Program.

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.

# Appendix A

**NOTE: The governor signed this measure on 6/6/2014.**

# An Act

SENATE BILL 14-029

BY SENATOR(S) Newell, Guzman, Jones, Schwartz, Steadman, Ulibarri;  
also REPRESENTATIVE(S) Fischer, Becker, Court, Fields, Hamner,  
Hullinghorst, Labuda, Melton, Rosenthal, Schafer.

CONCERNING THE ESTABLISHMENT OF A PAINT STEWARDSHIP PROGRAM FOR  
THE ENVIRONMENTALLY SOUND DISPOSAL OF POSTCONSUMER  
ARCHITECTURAL PAINT, AND, IN CONNECTION THEREWITH, MAKING  
AN APPROPRIATION.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **add** part 4 to article 17  
of title 25 as follows:

## PART 4 ARCHITECTURAL PAINT STEWARDSHIP PROGRAMS

**25-17-401. Short title.** THIS PART 4 SHALL BE KNOWN AND MAY BE  
CITED AS THE "ARCHITECTURAL PAINT STEWARDSHIP ACT".

**25-17-402. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
HEREBY FINDS AND DECLARES THAT PAINT DISPOSAL CREATES  
ENVIRONMENTAL AND PUBLIC HEALTH PROBLEMS, AND THESE PROBLEMS

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

SHOULD BE ADDRESSED THROUGH THE IMPLEMENTATION OF ENVIRONMENTALLY SOUND MANAGEMENT PRACTICES FOR RECYCLING POSTCONSUMER ARCHITECTURAL PAINT.

(2) TO THAT END, IT IS THE GENERAL ASSEMBLY'S INTENT TO ESTABLISH A SYSTEM OF PAINT STEWARDSHIP PROGRAMS THAT:

(a) PROVIDES SUBSTANTIAL COST SAVINGS TO HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAMS;

(b) SIGNIFICANTLY INCREASES THE NUMBER OF:

(I) POSTCONSUMER ARCHITECTURAL PAINT COLLECTION SITES; AND

(II) RECYCLING OPPORTUNITIES FOR HOUSEHOLDS, BUSINESSES, AND OTHER GENERATORS OF POSTCONSUMER ARCHITECTURAL PAINT; AND

(c) EXEMPLIFIES THE PRINCIPLES OF A PRODUCT-CENTERED APPROACH TO ENVIRONMENTAL PROTECTION, OFTEN REFERRED TO AS "PRODUCT STEWARDSHIP".

**25-17-403. Definitions.** AS USED IN THIS PART 4, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) (a) "ARCHITECTURAL PAINT" MEANS AN INTERIOR OR EXTERIOR ARCHITECTURAL COATING SOLD IN A CONTAINER OF FIVE GALLONS OR LESS.

(b) "ARCHITECTURAL PAINT" DOES NOT INCLUDE INDUSTRIAL, ORIGINAL EQUIPMENT MANUFACTURER, OR SPECIALTY COATINGS AS THOSE TERMS ARE DEFINED BY THE COMMISSION BY RULE.

(2) "COMMISSION" MEANS THE SOLID AND HAZARDOUS WASTE COMMISSION CREATED IN SECTION 25-15-302.

(3) "CURBSIDE SERVICE" MEANS A WASTE COLLECTION, RECYCLING, AND DISPOSAL SERVICE THAT PROVIDES PICKUP OF COVERED ARCHITECTURAL PAINT FROM RESIDENCES, INCLUDING SINGLE- AND MULTI-FAMILY DWELLING UNITS, AND SMALL BUSINESSES IN QUANTITIES THAT A RESIDENCE OR SMALL BUSINESS WOULD REASONABLY GENERATE.

(4) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT CREATED IN SECTION 24-1-119, C.R.S.

(5) "DISTRIBUTOR" MEANS A PERSON WHO HAS A CONTRACTUAL RELATIONSHIP WITH ONE OR MORE PRODUCERS TO MARKET AND SELL ARCHITECTURAL PAINT TO RETAILERS.

(6) "ENERGY RECOVERY" MEANS A PROCESS BY WHICH ALL OR PART OF ARCHITECTURAL PAINT MATERIALS ARE PROCESSED IN ORDER TO USE THE HEAT CONTENT OR ANOTHER FORM OF ENERGY FROM THE MATERIALS.

(7) "ENVIRONMENTALLY SOUND MANAGEMENT PRACTICES" MEANS POLICIES THAT A PRODUCER OR A STEWARDSHIP ORGANIZATION IMPLEMENTS TO ENSURE COMPLIANCE WITH ALL APPLICABLE ENVIRONMENTAL LAWS, INCLUDING LAWS ADDRESSING:

(a) RECORD KEEPING;

(b) TRACKING AND DOCUMENTING THE DISPOSAL OF ARCHITECTURAL PAINT WITHIN AND OUTSIDE THE STATE; AND

(c) ENVIRONMENTAL LIABILITY COVERAGE FOR PROFESSIONAL SERVICES AND CONTRACTOR OPERATIONS.

(8) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE EXECUTIVE DIRECTOR'S DESIGNEE.

(9) "PAINT STEWARDSHIP ASSESSMENT" MEANS AN AMOUNT THAT A PRODUCER PARTICIPATING IN A PAINT STEWARDSHIP PROGRAM ADDS TO THE PURCHASE PRICE OF A CONTAINER OF ARCHITECTURAL PAINT SOLD IN COLORADO THAT COVERS THE COST OF COLLECTING, TRANSPORTING, AND PROCESSING POSTCONSUMER ARCHITECTURAL PAINT STATEWIDE.

(10) "PAINT STEWARDSHIP PROGRAM" MEANS A PROGRAM CREATED IN ACCORDANCE WITH SECTION 25-17-405.

(11) "POSTCONSUMER ARCHITECTURAL PAINT" MEANS UNUSED ARCHITECTURAL PAINT THAT THE PURCHASER OF THE PAINT NO LONGER WANTS.

(12) "PRODUCER" MEANS AN ORIGINAL PRODUCER OF ARCHITECTURAL PAINT THAT SELLS, OFFERS FOR SALE, OR DISTRIBUTES ARCHITECTURAL PAINT WITHIN OR INTO COLORADO UNDER EITHER THE PRODUCER'S OWN NAME OR A BRAND THAT THE PRODUCER MANUFACTURES.

(13) "RECYCLING" MEANS A PROCESS THAT TRANSFORMS DISCARDED PRODUCTS, COMPONENTS, OR BYPRODUCTS INTO NEW USABLE OR MARKETABLE MATERIALS THAT MAY INVOLVE A CHANGE IN THE PRODUCT'S IDENTITY. "RECYCLING" DOES NOT MEAN ENERGY RECOVERY OR ENERGY GENERATION BY MEANS OF COMBUSTING DISCARDED PRODUCTS, COMPONENTS, OR BYPRODUCTS WITH OR WITHOUT OTHER WASTE PRODUCTS.

(14) "RETAILER" MEANS A PERSON THAT SELLS OR OFFERS FOR SALE ARCHITECTURAL PAINT WITHIN OR INTO COLORADO.

(15) "REUSE" MEANS THE RETURN OF A PRODUCT THAT HAS ALREADY BEEN USED INTO THE MARKETPLACE FOR USE IN THE SAME MANNER AS ORIGINALLY INTENDED WITHOUT A CHANGE IN THE PRODUCT'S IDENTITY.

(16) "SELL" MEANS TO TRANSFER TITLE FOR CONSIDERATION, INCLUDING REMOTE SALES CONDUCTED THROUGH SALES OUTLETS, CATALOGS, OR ONLINE. "SELL" DOES NOT INCLUDE SALES OR DONATIONS OF ARCHITECTURAL PAINT IN THE ORIGINAL CONTAINER FOR REUSE.

(17) "STEWARDSHIP ORGANIZATION" MEANS A CORPORATION, NONPROFIT ORGANIZATION, OR OTHER LEGAL ENTITY CREATED OR CONTRACTED BY ONE OR MORE PRODUCERS TO IMPLEMENT A PAINT STEWARDSHIP PROGRAM.

**25-17-404. Paint stewardship program plan - assessment - rules - fees.** (1) EFFECTIVE JULY 1, 2015, NO PRODUCER SHALL SELL, OFFER FOR SALE, OR DISTRIBUTE ARCHITECTURAL PAINT IN COLORADO UNLESS THE PRODUCER IS IMPLEMENTING OR PARTICIPATING IN A PAINT STEWARDSHIP PROGRAM APPROVED BY THE EXECUTIVE DIRECTOR. THE EXECUTIVE DIRECTOR MAY APPROVE AN EARLIER START DATE AS PART OF HIS OR HER APPROVAL OF A PAINT STEWARDSHIP PROGRAM PLAN SUBMITTED IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION. A PAINT STEWARDSHIP PROGRAM MUST COMMENCE WITHIN NINETY DAYS AFTER THE

EXECUTIVE DIRECTOR'S APPROVAL OF THE PAINT STEWARDSHIP PROGRAM PLAN.

(2) ONE OR MORE PRODUCERS, OR A STEWARDSHIP ORGANIZATION CONTRACTED BY ONE OR MORE PRODUCERS, SHALL SUBMIT FOR APPROVAL A PAINT STEWARDSHIP PROGRAM PLAN TO THE EXECUTIVE DIRECTOR BY JANUARY 1, 2015. TO BE APPROVED, A PAINT STEWARDSHIP PROGRAM PLAN MUST:

(a) IDENTIFY THE FOLLOWING:

(I) A LIST OF EACH PRODUCER PARTICIPATING IN THE PROGRAM;

(II) THE CONTACT INFORMATION FOR THE PRODUCER OR STEWARDSHIP ORGANIZATION IMPLEMENTING THE PROGRAM; AND

(III) A LIST OF ALL BRANDS COVERED BY THE PROGRAM;

(b) DESCRIBE THE MANNER IN WHICH THE PROGRAM WILL COLLECT, TRANSPORT, REUSE, RECYCLE, AND PROCESS POSTCONSUMER ARCHITECTURAL PAINT, INCLUDING A DESCRIPTION OF THE FOLLOWING:

(I) ENERGY RECOVERY AND DISPOSAL; AND

(II) STANDARDS TO ENSURE THE USE OF ENVIRONMENTALLY SOUND MANAGEMENT PRACTICES, INCLUDING COLLECTION STANDARDS;

(c) DESCRIBE THE MANNER IN WHICH THE PROGRAM WILL COLLECT POSTCONSUMER ARCHITECTURAL PAINT. AT A MINIMUM, A PROGRAM PLAN MUST ESTABLISH COLLECTION PRACTICES THAT:

(I) PROVIDE CONVENIENT COLLECTION SITES THROUGHOUT THE STATE;

(II) TO ENSURE ADEQUATE COLLECTION COVERAGE, USE DEMOGRAPHIC AND GEOGRAPHIC INFORMATION MODELING TO DETERMINE THE NUMBER AND DISTRIBUTION OF COLLECTION SITES BASED ON THE FOLLOWING CRITERIA:

(A) AT LEAST NINETY PERCENT OF COLORADO RESIDENTS MUST

HAVE A PERMANENT COLLECTION SITE WITHIN A FIFTEEN-MILE RADIUS OF THEIR HOMES;

(B) AN ADDITIONAL PERMANENT SITE MUST BE PROVIDED FOR EVERY THIRTY THOUSAND RESIDENTS OF AN URBANIZED AREA, AS DEFINED BY THE UNITED STATES CENSUS BUREAU, AND DISTRIBUTED IN A MANNER THAT PROVIDES CONVENIENT AND REASONABLY EQUITABLE ACCESS FOR RESIDENTS WITHIN EACH URBANIZED AREA, UNLESS THE EXECUTIVE DIRECTOR APPROVES OTHERWISE; AND

(C) FOR THE PORTION OF COLORADO RESIDENTS WHO WILL NOT HAVE A PERMANENT COLLECTION SITE WITHIN A FIFTEEN-MILE RADIUS OF THEIR HOMES, THE PLAN MUST PROVIDE COLLECTION EVENTS AT LEAST ONCE PER YEAR; AND

(III) INCLUDE SPECIFIC INFORMATION ON HOW TO SERVE GEOGRAPHICALLY ISOLATED POPULATIONS AND A PROPOSAL FOR HOW TO MEASURE AND REPORT SERVICE TO THOSE POPULATIONS. THIS INFORMATION MUST INCLUDE A DESCRIPTION OF HOW THE PROGRAM WILL WORK WITH EXISTING RECYCLERS AND LOCAL GOVERNMENTS THAT WISH TO CONTINUE TO BE INVOLVED IN PAINT RECYCLING AND COLLECTION.

(d) NOTWITHSTANDING THE REQUIREMENTS OF SUBPARAGRAPHS (I) AND (II) OF PARAGRAPH (c) OF THIS SUBSECTION (2), THE PLAN MAY, IN LIEU OF PROVIDING COLLECTION SITES FOR A SPECIFIED GEOGRAPHIC AREA OR POPULATION, IDENTIFY AN AVAILABLE CURBSIDE SERVICE THAT PROVIDES ACCESS TO RESIDENTS THAT IS AT LEAST AS CONVENIENT AND EQUITABLY ACCESSIBLE AS A COLLECTION SITE;

(e) DESCRIBE HOW THE PAINT STEWARDSHIP PROGRAM WILL INCORPORATE AND FAIRLY COMPENSATE SERVICE PROVIDERS FOR ACTIVITIES THAT MAY INCLUDE:

(I) FOR SERVICES SUCH AS PERMANENT COLLECTION SITES, COLLECTION EVENTS, OR CURBSIDE SERVICES, THE COVERAGE OF COSTS FOR COLLECTING POSTCONSUMER ARCHITECTURAL PAINT AND ARCHITECTURAL PAINT CONTAINERS;

(II) THE REUSE OR PROCESSING OF POSTCONSUMER ARCHITECTURAL PAINT AT A PERMANENT COLLECTION SITE; AND

(III) THE TRANSPORTATION, RECYCLING, AND PROPER DISPOSAL OF POSTCONSUMER ARCHITECTURAL PAINT;

(f) PROVIDE A LIST OF THE NAMES, LOCATIONS, AND HOURS OF OPERATION FOR FACILITIES ACCEPTING POSTCONSUMER ARCHITECTURAL PAINT FOR RECYCLING UNDER THE PROGRAM;

(g) IDENTIFY ONE OR MORE DESIGNATED PERSONS RESPONSIBLE FOR:

(I) ENSURING THE PROGRAM'S COMPLIANCE WITH THIS PART 4 AND THE RULES PROMULGATED UNDER THIS PART 4; AND

(II) SERVING AS A CONTACT PERSON FOR THE DEPARTMENT WITH RESPECT TO THE PAINT STEWARDSHIP PROGRAM;

(h) DESCRIBE THE MANNER IN WHICH THE PROGRAM WILL ACHIEVE THE FOLLOWING GOALS:

(I) REDUCING THE GENERATION OF POSTCONSUMER ARCHITECTURAL PAINT;

(II) PROMOTING THE REUSE OF POSTCONSUMER ARCHITECTURAL PAINT; AND

(III) USING BEST PRACTICES THAT ARE BOTH ENVIRONMENTALLY AND ECONOMICALLY SOUND TO MANAGE POSTCONSUMER ARCHITECTURAL PAINT. THESE PRACTICES SHOULD FOLLOW A WASTE HANDLING HIERARCHY, WHICH PROVIDES A PREFERENCE FOR SOURCE REDUCTION, THEN REUSE, FOLLOWED BY RECYCLING, ENERGY RECOVERY, AND FINALLY WASTE DISPOSAL.

(i) INCLUDE AN EDUCATION AND OUTREACH PROGRAM THAT MUST:

(I) TARGET CONSUMERS, PAINTING CONTRACTORS, AND PAINT RETAILERS;

(II) REACH ALL ARCHITECTURAL PAINT MARKETS SERVED BY THE PARTICIPATING PRODUCERS; AND

(III) INCLUDE A METHODOLOGY FOR EVALUATING THE

EFFECTIVENESS OF THE EDUCATION AND OUTREACH PROGRAM ON AN ANNUAL BASIS, INCLUDING METHODS FOR DETERMINING THE PERCENTAGE OF CONSUMERS, PAINTING CONTRACTORS, AND RETAILERS WHO ARE AWARE OF:

(A) WAYS TO REDUCE THE GENERATION OF POSTCONSUMER ARCHITECTURAL PAINT; AND

(B) OPPORTUNITIES AVAILABLE FOR THE REUSE AND RECYCLING OF POSTCONSUMER ARCHITECTURAL PAINT;

(j) (I) DEMONSTRATE SUFFICIENT FUNDING FOR THE ARCHITECTURAL PAINT STEWARDSHIP PROGRAM DESCRIBED IN THE PLAN THROUGH THE IMPOSITION OF A PAINT STEWARDSHIP ASSESSMENT THAT EACH PRODUCER SHALL CHARGE RETAILERS AND DISTRIBUTORS FOR EACH CONTAINER OF THE PRODUCER'S ARCHITECTURAL PAINT SOLD IN COLORADO. EACH PRODUCER SHALL REMIT THE PAINT STEWARDSHIP ASSESSMENTS COLLECTED TO THE PAINT STEWARDSHIP PROGRAM. EACH RETAILER AND DISTRIBUTOR SHALL ADD THE AMOUNT OF THE PAINT STEWARDSHIP ASSESSMENT TO THE PURCHASE PRICE OF A CONTAINER OF THE PRODUCER'S ARCHITECTURAL PAINT SOLD IN COLORADO. THE PAINT STEWARDSHIP PROGRAM MUST NOT IMPOSE ANY FEES ON CUSTOMERS FOR THE COLLECTION OF POST-CONSUMER ARCHITECTURAL PAINT.

(II) TO ENSURE THAT A PAINT STEWARDSHIP PROGRAM'S FUNDING MECHANISM IS EQUITABLE AND SUSTAINABLE, THE FUNDING MECHANISM MUST:

(A) PROVIDE A UNIFORM PAINT STEWARDSHIP ASSESSMENT THAT DOES NOT EXCEED THE AMOUNT NECESSARY TO RECOVER PROGRAM COSTS; AND

(B) REQUIRE THAT ANY FUNDS GENERATED BY THE AGGREGATE AMOUNT OF FEES CHARGED TO CONSUMERS BE PLACED BACK INTO THE PROGRAM.

(k) INCLUDE A PROPOSED BUDGET AND A DESCRIPTION OF THE PROCESS USED TO DETERMINE THE PAINT STEWARDSHIP ASSESSMENT REQUIRED BY PARAGRAPH (j) OF THIS SUBSECTION (2).

(3) (a) THE EXECUTIVE DIRECTOR SHALL REVIEW A PAINT STEWARDSHIP PROGRAM PLAN SUBMITTED IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION FOR COMPLIANCE WITH THIS PART 4, INCLUDING A REVIEW OF THE PROPOSED PAINT STEWARDSHIP ASSESSMENT REQUIRED BY PARAGRAPH (j) OF SUBSECTION (2) OF THIS SECTION, TO ENSURE THAT THE PAINT STEWARDSHIP ASSESSMENT DOES NOT EXCEED AN AMOUNT NECESSARY TO RECOVER PROGRAM COSTS. THE EXECUTIVE DIRECTOR SHALL APPROVE OR REJECT A PLAN IN WRITING WITHIN NINETY DAYS AFTER RECEIPT OF THE PLAN. IF A PLAN MEETS THE CRITERIA OF SUBSECTION (2) OF THIS SECTION, THE EXECUTIVE DIRECTOR SHALL APPROVE THE PLAN. IF THE EXECUTIVE DIRECTOR REJECTS A PLAN, THE EXECUTIVE DIRECTOR SHALL INCLUDE IN THE WRITTEN REJECTION THE REASON OR REASONS FOR REJECTING THE PLAN.

(b) (I) IF THE EXECUTIVE DIRECTOR APPROVES A PAINT STEWARDSHIP PROGRAM PLAN, THE EXECUTIVE DIRECTOR SHALL ADD:

(A) THE PRODUCER OR GROUP OF PRODUCERS PARTICIPATING IN THE PAINT STEWARDSHIP PROGRAM PLAN TO A LIST OF PRODUCERS PARTICIPATING IN AN APPROVED PAINT STEWARDSHIP PROGRAM PLAN; AND

(B) THE BRANDS BEING SOLD BY THE PRODUCER OR GROUP OF PRODUCERS TO A LIST OF BRANDS INCLUDED IN AN APPROVED PAINT STEWARDSHIP PROGRAM PLAN.

(II) THE EXECUTIVE DIRECTOR SHALL PUBLISH THE LISTS ON THE DEPARTMENT'S WEB SITE, AND HE OR SHE SHALL UPDATE THE PUBLISHED LISTS AS NECESSARY.

(c) THE EXECUTIVE DIRECTOR'S REJECTION OF A PAINT STEWARDSHIP PROGRAM PLAN CONSTITUTES A FINAL AGENCY ACTION THAT MAY BE APPEALED IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN SECTION 24-4-106, C.R.S.

(d) IF THE EXECUTIVE DIRECTOR'S DECISION TO REJECT A PAINT STEWARDSHIP PROGRAM PLAN IS NOT APPEALED PURSUANT TO SECTION 24-4-106, C.R.S., OR THE EXECUTIVE DIRECTOR PREVAILS ON APPEAL, THE PRODUCER, GROUP OF PRODUCERS, OR STEWARDSHIP ORGANIZATION THAT SUBMITTED THE PAINT STEWARDSHIP PROGRAM PLAN MUST SUBMIT A REVISED PLAN WITHIN NINETY DAYS AFTER THE DATE ON WHICH THE

EXECUTIVE DIRECTOR'S DECISION WAS AFFIRMED OR, IF NO APPEAL WAS PURSUED, THE DATE ON WHICH THE TIME FOR APPEAL EXPIRED. THE REVISED PLAN MUST PROVIDE THE INFORMATION REQUIRED BY SUBSECTION (2) OF THIS SECTION. THE EXECUTIVE DIRECTOR SHALL APPROVE OR REJECT A REVISED PLAN UNDER THE PROCEDURE SET FORTH IN PARAGRAPH (a) OF THIS SUBSECTION (3). THE EXECUTIVE DIRECTOR'S REJECTION OF A REVISED PLAN MAY BE APPEALED IN ACCORDANCE WITH SECTION 24-4-106, C.R.S.

(4) WHEN SUBMITTING A PAINT STEWARDSHIP PROGRAM PLAN, A REVISED PLAN, OR AN ANNUAL REPORT, AS REQUIRED BY SECTION 25-17-405, ONE OR MORE PRODUCERS OR A STEWARDSHIP ORGANIZATION CONTRACTED BY ONE OR MORE PRODUCERS SHALL PAY A PAINT STEWARDSHIP PROGRAM PLAN FEE, REVISED PLAN FEE, OR ANNUAL REPORT FEE IN AN AMOUNT THAT THE COMMISSION HAS ESTABLISHED OR ADJUSTED BY RULE. IN ESTABLISHING OR ADJUSTING A FEE BY RULE, THE COMMISSION SHALL CONSULT WITH THE EXECUTIVE DIRECTOR AND, AS NEEDED, WITH AN ASSOCIATION OF PRODUCERS.

(5) THE AGGREGATE AMOUNT OF FEES CHARGED TO CONSUMERS PURSUANT TO THIS SECTION SHALL BE IN AN AMOUNT NOT TO EXCEED THE ACTUAL COST OF THE PROGRAM.

**25-17-405. Paint stewardship program requirements - annual reports - customer information.** (1) A PAINT STEWARDSHIP PROGRAM MUST BE FINANCED AND EITHER MANAGED OR CONTRACTED BY A PRODUCER OR GROUP OF PRODUCERS. THE PROGRAM MUST BE IMPLEMENTED STATEWIDE AND INCLUDE:

(a) THE COLLECTION, TRANSPORTATION, REUSE, RECYCLING, AND DISPOSAL OF POSTCONSUMER ARCHITECTURAL PAINT; AND

(b) INITIATIVES TO REDUCE THE GENERATION OF POSTCONSUMER ARCHITECTURAL PAINT.

(2) A PAINT STEWARDSHIP PROGRAM SHALL COMPLY WITH ANY FIRE, HAZARDOUS WASTE, OR OTHER RELEVANT ORDINANCES OR RESOLUTIONS ADOPTED BY A LOCAL GOVERNMENT.

(3) (a) ON OR AFTER MARCH 31 OF THE SECOND YEAR OF A PAINT STEWARDSHIP PROGRAM'S IMPLEMENTATION, AND ANNUALLY THEREAFTER,

ONE OR MORE PARTICIPATING PRODUCERS, OR A STEWARDSHIP ORGANIZATION CONTRACTED BY ONE OR MORE PRODUCERS, SHALL SUBMIT A REPORT TO THE EXECUTIVE DIRECTOR DESCRIBING THE PROGRESS OF THE PAINT STEWARDSHIP PROGRAM. THE PAINT STEWARDSHIP PROGRAM REPORT MUST INCLUDE THE FOLLOWING INFORMATION FROM THE PRECEDING CALENDAR YEAR:

(I) A DESCRIPTION OF THE METHOD OR METHODS USED TO REDUCE, REUSE, COLLECT, TRANSPORT, RECYCLE, AND PROCESS POSTCONSUMER ARCHITECTURAL PAINT;

(II) THE TOTAL VOLUME, IN GALLONS, AND TYPE OF POSTCONSUMER ARCHITECTURAL PAINT COLLECTED, WITH THE DATA BROKEN DOWN BY:

(A) COLLECTION SITE; AND

(B) METHOD OF WASTE HANDLING USED TO HANDLE THE COLLECTED POSTCONSUMER ARCHITECTURAL PAINT, SUCH AS REUSE, RECYCLING, ENERGY RECOVERY, OR WASTE DISPOSAL;

(III) THE TOTAL VOLUME, IN GALLONS, OF POSTCONSUMER ARCHITECTURAL PAINT SOLD IN COLORADO BY THE PRODUCER OR PRODUCERS PARTICIPATING IN THE PAINT STEWARDSHIP PROGRAM;

(IV) FOR THE EDUCATION AND OUTREACH PROGRAM IMPLEMENTED IN COMPLIANCE WITH SECTION 25-17-404 (2) (i):

(A) SAMPLES OF ANY MATERIALS DISTRIBUTED; AND

(B) A DESCRIPTION OF THE METHODOLOGY USED AND THE RESULTS OF THE EVALUATION CONDUCTED PURSUANT TO SECTION 25-17-404 (2) (i) (III). THE RESULTS MUST INCLUDE THE PERCENTAGE OF CONSUMERS, PAINTING CONTRACTORS, AND RETAILERS MADE AWARE OF THE WAYS TO REDUCE THE GENERATION OF POSTCONSUMER ARCHITECTURAL PAINT, AVAILABLE OPPORTUNITIES FOR REUSE OF POSTCONSUMER ARCHITECTURAL PAINT, AND COLLECTION OPTIONS FOR POSTCONSUMER ARCHITECTURAL PAINT RECYCLING.

(V) THE NAME, LOCATION, AND HOURS OF OPERATION OF EACH FACILITY ADDED OR REMOVED FROM THE LIST DEVELOPED IN ACCORDANCE

WITH SECTION 25-17-404 (2) (f);

(VI) ANY PROPOSED CHANGES TO THE PAINT STEWARDSHIP PROGRAM PLAN. THE EXECUTIVE DIRECTOR SHALL REVIEW ANY PROPOSED CHANGES SET FORTH IN THE ANNUAL REPORT IN ACCORDANCE WITH THE REVIEW PROCEDURES FOR A REVISED PLAN, AS SET FORTH IN SECTION 25-17-404 (3).

(VII) A COPY OF AN INDEPENDENT THIRD PARTY'S REPORT AUDITING THE PAINT STEWARDSHIP PROGRAM. THE AUDIT MUST INCLUDE A DETAILED LIST OF THE PROGRAM'S COSTS AND REVENUES.

(b) THE EXECUTIVE DIRECTOR SHALL ANNUALLY COMPILE THE RESULTS OF THE REPORTS RECEIVED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3) INTO A GENERAL REPORT DESCRIBING THE PROGRESS OF THE PAINT STEWARDSHIP PROGRAMS. THE EXECUTIVE DIRECTOR SHALL ANNUALLY PRESENT THE REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE PUBLIC HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES.

(4) AS PART OF THE EDUCATION AND OUTREACH PROGRAM SET FORTH IN SECTION 25-17-404 (2) (i), A PRODUCER SHALL DISTRIBUTE PAINT STEWARDSHIP PROGRAM INFORMATION TO ALL RETAILERS OFFERING THE PRODUCER'S ARCHITECTURAL PAINT FOR SALE. THE INFORMATION MAY INCLUDE THE FOLLOWING:

(a) SIGNAGE THAT IS PROMINENTLY DISPLAYED AND EASILY VISIBLE TO THE CONSUMER;

(b) WRITTEN MATERIALS THAT MAY BE PROVIDED TO THE CONSUMER AT THE TIME OF PURCHASE OR DELIVERY OR BOTH AND TEMPLATES OF THOSE MATERIALS FOR REPRODUCTION BY THE RETAILER; AND

(c) PROMOTIONAL MATERIALS INCLUDING ADVERTISING MATERIALS THAT REFERENCE THE ARCHITECTURAL PAINT STEWARDSHIP PROGRAM.

**25-17-406. Retail sales - requirements - paint stewardship assessment added to purchase price - customer information.** (1) THE

EXECUTIVE DIRECTOR, UPON THE EXECUTIVE DIRECTOR'S OWN MOTION, MAY, AND, UPON A PERSON'S WRITTEN COMPLAINT, SHALL, INVESTIGATE A PRODUCER TO DETERMINE WHETHER, ON THE DATE THAT THE PRODUCER'S ARCHITECTURAL PAINT WAS SOLD AT RETAIL, THE PRODUCER OR THE PRODUCER'S BRAND WAS LISTED ON THE DEPARTMENT'S WEB SITE AS PART OF AN APPROVED PAINT STEWARDSHIP PROGRAM. IF THE EXECUTIVE DIRECTOR DETERMINES THAT THE PRODUCER'S ARCHITECTURAL PAINT WAS SOLD IN VIOLATION OF THIS PART 4, THE EXECUTIVE DIRECTOR MAY ORDER THE PRODUCER TO CEASE AND DESIST FROM DISTRIBUTING THE ARCHITECTURAL PAINT UNTIL THE PRODUCER IS IN COMPLIANCE WITH THIS PART 4.

(2) FOR EACH CONTAINER OF ARCHITECTURAL PAINT SOLD IN COLORADO, A RETAILER SHALL ADD THE AMOUNT OF THE PRODUCER'S PAINT STEWARDSHIP ASSESSMENT, ESTABLISHED UNDER SECTION 25-17-404 (2) (j), TO THE PURCHASE PRICE OF THE CONTAINER OF ARCHITECTURAL PAINT.

(3) A RETAILER SELLING ARCHITECTURAL PAINT OR OFFERING ARCHITECTURAL PAINT FOR SALE SHALL, AT THE TIME OF SALE OF ANY OF A PRODUCER'S ARCHITECTURAL PAINT, PROVIDE CUSTOMERS WITH INFORMATION ABOUT THE PRODUCER'S PAINT STEWARDSHIP PROGRAM, AS PROVIDED BY THE PRODUCER PURSUANT TO SECTION 25-17-405 (4). IF A RETAILER FAILS TO DISSEMINATE INFORMATION ABOUT THE PRODUCER'S PAINT STEWARDSHIP PROGRAM PURSUANT TO THIS SUBSECTION (3), BUT THE RETAILER CAN DEMONSTRATE TO THE SATISFACTION OF THE EXECUTIVE DIRECTOR THAT THE PRODUCER FAILED TO PROVIDE THE REQUISITE EDUCATION AND OUTREACH PROGRAM INFORMATION TO THE RETAILER, THE RETAILER IS NEITHER LIABLE NOR PROHIBITED FROM SELLING THE PRODUCER'S ARCHITECTURAL PAINT.

**25-17-407. Violations - enforcement - administrative penalty.**

(1) IN ADDITION TO OTHER PENALTIES PRESCRIBED BY THIS PART 4 OR ANY OTHER LAW, A PRODUCER OR STEWARDSHIP ORGANIZATION THAT VIOLATES THIS PART 4 IS LIABLE FOR AN ADMINISTRATIVE PENALTY ASSESSMENT NOT TO EXCEED ONE THOUSAND DOLLARS PER DAY FOR THE FIRST VIOLATION AND FIVE THOUSAND DOLLARS PER DAY FOR A SECOND OR SUBSEQUENT VIOLATION.

(2) IF A PERSON IS LIABLE PURSUANT TO SUBSECTION (1) OF THIS

SECTION, THE EXECUTIVE DIRECTOR SHALL SERVE BY PERSONAL SERVICE OR BY CERTIFIED MAIL AN ORDER THAT IMPOSES AN ADMINISTRATIVE PENALTY ON THE PERSON WHO HAS BEEN DESIGNATED IN THE PAINT STEWARDSHIP PROGRAM PLAN AS THE CONTACT PERSON.

(3) THE CONTACT PERSON MAY SUBMIT A WRITTEN REQUEST TO THE EXECUTIVE DIRECTOR FOR A HEARING BY PERSONAL SERVICE OR BY CERTIFIED MAIL WITHIN THIRTY CALENDAR DAYS AFTER THE DATE OF THE ORDER. AN ADMINISTRATIVE LAW JUDGE FROM THE OFFICE OF ADMINISTRATIVE COURTS SHALL CONDUCT THE HEARING IN ACCORDANCE WITH SECTION 24-4-105, C.R.S.

(4) IF A REQUEST FOR A HEARING IS FILED, PAYMENT OF ANY MONETARY PENALTY IS STAYED PENDING A FINAL DECISION BY THE ADMINISTRATIVE LAW JUDGE AFTER THE HEARING ON THE MERITS. THE DEPARTMENT IS NOT PRECLUDED FROM IMPOSING AN ADMINISTRATIVE PENALTY AGAINST THE PRODUCER OR STEWARDSHIP PROGRAM FOR SUBSEQUENT VIOLATIONS OF THIS PART 4 COMMITTED DURING THE PENDENCY OF THE STAY.

(5) THE DEPARTMENT BEARS THE BURDEN OF PROOF BY A PREPONDERANCE OF THE EVIDENCE IN A HEARING HELD PURSUANT TO THIS SECTION.

(6) THE EXECUTIVE DIRECTOR MAY ENTER INTO A SETTLEMENT AGREEMENT WITH A PRODUCER OR STEWARDSHIP ORGANIZATION ASSESSED AN ADMINISTRATIVE PENALTY UNDER THIS SECTION.

(7) THE EXECUTIVE DIRECTOR SHALL TRANSFER ANY MONEYS COLLECTED UNDER THIS SECTION TO THE STATE TREASURER, WHO SHALL DEPOSIT THE MONEYS INTO THE GENERAL FUND.

**25-17-408. Fees - cash fund - creation.** THE EXECUTIVE DIRECTOR SHALL TRANSMIT ALL FEES COLLECTED UNDER SECTION 25-17-404 (4) TO THE STATE TREASURER, WHO SHALL CREDIT THEM TO THE PAINT STEWARDSHIP PROGRAM CASH FUND, HEREBY CREATED AND REFERRED TO IN THIS SECTION AS THE "FUND". THE MONEYS IN THE FUND ARE APPROPRIATED TO THE DEPARTMENT FOR THE PURPOSES SET FORTH IN THIS PART 4. ALL INTEREST EARNED FROM THE INVESTMENT OF MONEYS IN THE FUND IS CREDITED TO THE FUND. ANY MONEYS NOT EXPENDED AT THE END

OF THE FISCAL YEAR REMAIN IN THE FUND AND DO NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND.

**25-17-409. Certificate of designation not required.** IF A RETAILER OR OTHER FACILITY SERVING AS A POSTCONSUMER ARCHITECTURAL PAINT COLLECTION SITE WOULD NOT OTHERWISE BE REQUIRED TO OBTAIN A CERTIFICATE OF DESIGNATION AS A SOLID WASTES DISPOSAL SITE AND FACILITY PURSUANT TO SECTION 30-20-102, C.R.S., THEN THE RETAILER OR OTHER FACILITY NEED NOT OBTAIN A CERTIFICATE OF DESIGNATION.

**25-17-410. Limited exemption from antitrust, restraint of trade, and unfair trade practices provisions.** IF A PRODUCER OR GROUP OF PRODUCERS PARTICIPATING IN A PAINT STEWARDSHIP PROGRAM OR A STEWARDSHIP ORGANIZATION CONTRACTED BY ONE OR MORE PRODUCERS TO IMPLEMENT A PAINT STEWARDSHIP PROGRAM ENGAGES IN AN ACTIVITY PERFORMED SOLELY IN FURTHERANCE OF IMPLEMENTING THE PAINT STEWARDSHIP PROGRAM AND IN COMPLIANCE WITH THE PROVISIONS OF THIS PART 4, THE ACTIVITY IS NOT A VIOLATION OF THE ANTITRUST, RESTRAINT OF TRADE, AND UNFAIR TRADE PRACTICES PROVISIONS OF THE "UNFAIR PRACTICES ACT", ARTICLE 2 OF TITLE 6, C.R.S., OR THE "COLORADO ANTITRUST ACT OF 1992", ARTICLE 4 OF TITLE 6, C.R.S.

**SECTION 2. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the paint stewardship program cash fund created in section 25-17-408, Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2014, the sum of \$84,045 and 0.9 FTE, or so much thereof as may be necessary, to be allocated to the hazardous materials and waste management division for the implementation of this act as follows:

- (a) \$74,937 and 0.9 FTE for the solid waste control program; and
- (b) \$9,108 for the purchase of legal services.

(2) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2014, the sum of \$9,108, or so much thereof as may be necessary, for the provision of legal services for the department of public health and

environment related to the implementation of this act. Said sum is from reappropriated funds received from the department of public health and environment out of the appropriation made in paragraph (b) of subsection (1) of this section.

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Morgan Carroll  
PRESIDENT OF  
THE SENATE

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Mark Ferrandino  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

---

Cindi L. Markwell  
SECRETARY OF  
THE SENATE

---

Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO

## **Appendix B**

# PaintCare Board of Directors

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Barry Chadwick, Chairman, Benjamin Moore and Co.

Scott Sinetar, Vice Chairman and Treasurer, PPG Industries

Karl Altergott, Dunn-Edwards Corporation

Steve Devoe, Kelly-Moore Paint Company

John Gilbert, BEHR

Mike Kenny, Henry Company

Drew McCandless, Sherwin-Williams

Steve McMenam, California Products Corporation

Drew Vogel, Vogel Paint, Inc.

Mike Weber, Hirshfield's Paint

Tom White, UGL

## Appendix C



## Registered Manufacturers

Colorado Paint Stewardship Program as of 6/11/2015

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- 1 3 Painted Ladies, LLC
- 2 AFM Safecoat
- 3 Ace Hardware Paint Division
- 4 Amazon Environmental, Inc.
- 5 Amazon Paint
- 6 American Formulating & Manufacturing
- 7 Ames Research Laboratories, Inc.
- 8 Amteco, Inc.
- 9 Behr
- 10 Behr Process Corporation
- 11 Benjamin Moore & Co.
- 12 Bond Distributing, Ltd.
- 13 CRC Industries, Inc.
- 14 Calibre Environmental Ltd.
- 15 California Products Corporation
- 16 Clayton Corp
- 17 Colorado Paint Company II, LLC
- 18 Complementary Coatings Corp.
- 19 Conklin Company, Inc.
- 20 Convenience Products
- 21 Country Chic Paint Ltd.
- 22 Couture Collection, The
- 23 Custom Building Products, Inc.
- 24 Davis Paint Co.
- 25 Diamond Vogel Paint
- 26 Duckback Products / Division of Duckback Acquisition Corporation
- 27 Eagle IFP Company
- 28 Eco Safety Inc.
- 29 Eco Safety Products
- 30 Ecobond LBP, LLC
- 31 Emiron Corporation
- 32 EnviroCare Corporation
- 33 Forrest Paint Co.
- 34 Franklin Paint Company
- 35 Gaco Western LLC
- 36 Gemini Coatings, Inc.
- 37 Gemini Industries, Inc.
- 38 Great Walls Supply, Inc
- 39 GreenSheen Paint & Design Inc.



## Registered Manufacturers

Colorado Paint Stewardship Program as of 6/11/2015

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- 40 H. Behlen & Bro.
- 41 Harrison Paint Company
- 42 Heartwood Corp
- 43 Henry Company LLC
- 44 Homax Group Inc., The
- 45 Insl-X Products
- 46 Kelly Moore Paint Company, Inc
- 47 Kop-Coat, Inc.
- 48 Laticrete International, Inc.
- 49 Masterchem Industries LLC
- 50 Messmer's Inc.
- 51 Mikel and Company
- 52 Modern Masters, Inc.
- 53 NCH Corporation
- 54 Nox-Crete Manufacturing Inc.
- 55 Old Masters
- 56 Old Western Paint Co., Inc.
- 57 One Time
- 58 PPG Architectural Finishes, Inc.
- 59 Penofin
- 60 Performance Coatings, Inc.
- 61 Perma-Chink Systems, Inc.
- 62 Preserva Products, Ltd
- 63 Quikrete
- 64 RPM Wood Finishes Group, Inc.
- 65 Ready Seal, Inc.
- 66 Rudd Company, Inc.
- 67 Rust-Oleum Corporation
- 68 Sansin Corporation, The
- 69 Sashco, Inc
- 70 Seal-Krete
- 71 Sheffield Bronze Paint Corp.
- 72 Sherwin-Williams
- 73 Sika Corporation
- 74 Skybryte Company
- 75 Southern Diversified Products, LLC
- 76 Sto Corp.
- 77 Structures Wood Care, Inc.
- 78 Sunnyside Corporation



## Registered Manufacturers

*Colorado Paint Stewardship Program as of 6/11/2015*

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- 79 Textured Coatings of America, Inc.
- 80 Timber Pro Coatings
- 81 TriSealUSA, LLC
- 82 True Value Manufacturing Company
- 83 United Gilsonite Laboratories (UGL)
- 84 Valspar Corporation
- 85 Van Sickle Paint Mfg.
- 86 Vanex, Inc.
- 87 Vermont Natural Coatings, Inc.
- 88 Vogel Paint, Inc.
- 89 W. M. Barr & Company, Inc.
- 90 Ware Products LLC
- 91 Waterlox Coatings Corporation
- 92 Westpac Materials
- 93 Wood Iron Wood Finishes, Inc.
- 94 Yenkin-Majestic Paint Corp.
- 95 Yolo Colorhouse LLC



# Registered Brands

Colorado Paint Stewardship Program as of 6/11/2015

|  |   |  |
|--|---|--|
| 2010 (all products)                            | Aqua Mix Enrich-n-Seal                    | Benjamin Moore Moore's Porch and Floor                             |
| A-100  | Aqua Mix High Gloss Sealer                | Benjamin Moore Moore's Swimming Pool Paint                         |
| Accolade®                                      | Aqua Mix Penetrating Sealer               | Benjamin Moore MoorePro  |
| Ace Contractor Pro Paints and Primers          | Aqua Mix ProSolv                          | Benjamin Moore Moorgard  |
| Ace Essence Paints                             | Aqua Mix Seal & Finish Low Sheen          | Benjamin Moore Moorglo   |
| Ace Great Finishes Interior Stains & Varnishes | Aqua Mix Sealer's Choice Gold             | Benjamin Moore Moorlastic Elastomeric                              |
| Ace Interior Premium Enamels                   | Aqua Mix Stone Enhancer                   | Benjamin Moore Moorlife  |
| Ace Royal Finest Paint                         | Aqua Mix UltraSolv                        | Benjamin Moore Multi-Purpose Primer/Finish                         |
| Ace Royal Paints and Primers                   | Aqua Zar (All Gloss Levels)               | Benjamin Moore Natura  |
| Ace Rust Stop Enamels and Primers              | Architect Series                          | Benjamin Moore Premium Exterior Stain                              |
| Ace Sealtech Waterproofers                     | Artistic Finishes                         | Benjamin Moore Pro Finish  |
| Ace Sensations Paint                           | Aspire                                    | Benjamin Moore Regal   |
| Ace Simply Magic Ceiling Paint                 | AutoBody Master                           | Benjamin Moore Regal Select  |
| Ace Stain                                      | Bakor                                     | Benjamin Moore Satin Impervo                                       |
| Ace Stain Halt                                 | Barn & Fence Paints                       | Benjamin Moore Solid Color Stain                                   |
| Ace Wood Royal Exterior Stains                 | Behr                                      | Benjamin Moore Studio Finishes                                     |
| Acri-Soy Penetrating Clear Sealer              | Behr Premium Plus                         | Benjamin Moore Super Craft   |
| AFM Safecoat                                   | Behr Premium Plus Ultra                   | Benjamin Moore Super Spec (does not include Super Spec HP)         |
| Allfor (all products)                          | Behr Premium Select                       | Benjamin Moore Super Spec 100% Acrylic Exterior Flat               |
| Allpro Commercial Grade Waterproofing Sealer   | Behr Pro-X                                | Benjamin Moore Super Spec 100% Acrylic Exterior Satin              |
| Allpro Concrete Floor Sealer                   | Bellezza                                  | Benjamin Moore Super Spec HP 220 Latex Flat Fire Retardant Coating |
| Allpro Concrete Waterproofing Paint            | Benchmark                                 | Benjamin Moore Super Spec HP Alkyd Metal Primer                    |
| Allpro Masonry Waterproofing Sealer            | Benjamin Moore Advance                    | Benjamin Moore Super Spec HP Clear Acrylic Sealer                  |
| Allpro Multi-Surface Water Repellent Alumify   | Benjamin Moore Alkyd Dulamel              | Benjamin Moore Super Spec HP DTM Acrylic Gloss                     |
| Amazon Basic                                   | Benjamin Moore Anti-Slip Coating          | Benjamin Moore Super Spec HP DTM Acrylic Low Lustre                |
| Amazon Select Paint                            | Benjamin Moore Arborcoat                  | Benjamin Moore Super Spec HP DTM Acrylic Semi-Gloss                |
| American Accents                               | Benjamin Moore Aura                       | Benjamin Moore Super Spec HP DTM Alkyd Gloss Enamel                |
| American Pride Paint                           | Benjamin Moore Ben                        | Benjamin Moore Super Spec HP DTM Alkyd Low Lustre                  |
| Ames Block & Wall, acrylic                     | Benjamin Moore Benwood Finishes           | Benjamin Moore Super Spec HP DTM Alkyd Semi-Gloss Enamel           |
| Ames Block & Wall, rubber                      | Benjamin Moore Chalkboard Paint           | Benjamin Moore Super Spec HP Rust Converter                        |
| Ames Blue Max                                  | Benjamin Moore Color Samples              | Benjamin Moore Super Spec HP Shop-Coat Alkyd Metal Primer          |
| Ames Clear Seal                                | Benjamin Moore Concepts                   | Benjamin Moore Super Spec HP Universal Metal Primer                |
| Ames Liquid Granite                            | Benjamin Moore Concrete Stain             | Benjamin Moore Super Spec HP Urethane Alkyd Gloss Enamel           |
| Ames Paint & Prime                             | Benjamin Moore Concrete Waterproof Sealer |  |
| Ames Reflective Paint                          | Benjamin Moore Eco Spec                   |  |
| Ames Safe-T-Deck Granulated                    | Benjamin Moore Fresh Start                |  |
| Ames SafeT-Deck Smooth                         | Benjamin Moore Grand Entrance             |  |
| Ames Super Primer                              | Benjamin Moore Imagine                    |  |
| Ames upser Elasto Barrier                      | Benjamin Moore Impervex                   |  |
| Ames Vapor Barrier                             | Benjamin Moore Impervo                    |  |
| AMTECO 3200 SATIN VARN                         | Benjamin Moore Ironclad                   |  |
| AMTECO SILICONE (various colors)               | Benjamin Moore Moorcraft Super Craft      |  |
| AMTECO TWP (various colors)                    | Benjamin Moore Moorcraft Super Hide       |  |
| AMTECO WATER BASED STN VARN                    | Benjamin Moore Moore's Floor and Patio    |  |
| AMTECO WHITE SATN VARN                         | Benjamin Moore Moore's Kitchen and Bath   |  |
| Andersons                                      | Benjamin Moore Moore's Masonry Sealer     |  |
| Andy Sez (all products)                        | Benjamin Moore Moore's Muresco            |  |
| Annie Sloan® Chalk Paint®                      |   |  |
| Aqua Mix Aqua Stain                            |   |  |



# Registered Brands

Colorado Paint Stewardship Program as of 6/11/2015

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|--|--|---|
| Benjamin Moore Super Spec Sweep Up         | Colorado Paint Co - Colorado Premier   | Coronado Polyurethane 350 Voc Clear         |
| Benjamin Moore Ultra Spec                  | Colorado Paint Co - Colorado Pro 600   | Coronado Premium Gold Collection            |
| Benjamin Moore Vinyl Latex Flat            | Colorado Paint Co - Colorado Pro 700   | Coronado Quick Seal                         |
| Benjamin Moore Waterborne Ceiling Paint    | Colorado Paint Co - Elevation          | Coronado Rust Scat                          |
| Benjamin Moore Waterborne Satin Impervo    | Colorado Paint Co - Forest Service Oil | Coronado Sanding Sealer (Gloss And Acrylic) |
| Benjamin Moore Weatherproof Aluminum Paint | Colorado Paint Co - Majestic           | Coronado Seal & Finish                      |
| Best Look®                                 | Colorado Paint Co - QuiCover           | Coronado Seal-It                            |
| BIN  | Colorado Paint Co - Rock-Hard          | Coronado Step Safer                         |
| BIOCONTROL PRIME-N-SEAL                    | Colorado Paint Co - Timberline         | Coronado Stick It                           |
| Blacknight                                 | Color Decor                            | Coronado Stop-It                            |
| Block Filler                               | Color Extra                            | Coronado Super Kote 1000                    |
| Blok-Tite™                                 | Colorfast                              | Coronado Super Kote 3000                    |
| Blue Seal                                  | Color Made Simple                      | Coronado Super Kote 5000                    |
| Bright Life                                | Colorplace                             | Coronado Supreme                            |
| Builders Masterpiece                       | ColorPlace®                            | Coronado Texcrete                           |
| Builders Solution Int.                     | Color Solutions®                       | Coronado Texcrete Wb                        |
| Bulls Eye                                  | Color Wheel                            | Coronado Tough Shield                       |
| Bunker Hill DIKON Barn & Fence             | Colour Crete                           | Coronado Tough Tex                          |
| C&M Coatings                               | Comex Paint                            | Coronado Tough Walls                        |
| Cabinet, Door& Trim Paint                  | Conco                                  | Coronado Vivid Accents                      |
| Cabot                                      | ConFlex XL                             | Corotech Alkyd Urethane Gloss Aluminum      |
| Cabot "The Finish"                         | Contractor (all products)              | Corotech Electrostatic Enamel Semi-Gloss    |
| Cabot Australian Timber Oil                | Controlz Primers                       | Corotech Hammerstone Enamel                 |
| Cabot Cabothane                            | Cool-Tex                               | Corotech Organic Zinc Rich Primer           |
| Cabot Clear solutions                      | Coolwall                               | Corotech Pre-Cat Epoxy Eggshell             |
| Cabot OVT                                  | Core Essentials                        | Corotech Pre-Cat Epoxy Semi-Gloss           |
| Cabot Problem Solver                       | Coronado Acoustical Ceiling Dye        | Corotech Quick Dry Acrylic Spray Dtm        |
| Cabot PROVT                                | Coronado Air Care                      | Corotech Quick Dry Alkyd Primer             |
| Cadalac                                    | Coronado Aqua Plastic                  | Corotech Quick Dry Enamel Gloss             |
| California (all products)                  | Coronado Aqua Stop-It                  | Corotech Quick Dry Enamel Semi-Gloss        |
| CalPro 2000 (all products)                 | Coronado Blocklustre                   | Corotech Rust Arretor                       |
| Capture® Log Stain                         | Coronado Ceiling Paint                 | Corotech Shop Cote Primer                   |
| Carquest                                   | Coronado Ceramagard                    | Corotech Silicone Alkyd Gloss Enamel        |
| Cascade®                                   | Coronado Cover-It                      | Country Chic Paint                          |
| Cashmere Interior                          | Coronado Crylicote                     | Country Chic Paint - Tough Coat             |
| Casual Spaces                              | Coronado Crylicote Gold                | Cover & Go                                  |
| CEDARTONE WB PENETRATING STAIN             | Coronado Dual Seal                     | Crackle Lacquer Clear                       |
| Certified Laboratories - Quoro             | Coronado Elastite                      | CRC® Rust Converter                         |
| Certified Laboratories - Seal Brite Ultra  | Coronado Exterior Clear Wood Finish    | CRC® Zinc-It® Instant Cold Galvanize™       |
| Chalk Country Paint                        | Coronado Final Finish                  | DECKMASTER CLEAR SEALER                     |
| Chemsearch - Conquest                      | Coronado Final Finish Wb               | DeckScapes Ext                              |
| Chemsearch - Pro Seal Ultra                | Coronado Final Touch                   | Decorative Painter's Products               |
| Clark+Kensington Paints                    | Coronado Grip & Seal                   | Deft  |
| Classic 99 Int                             | Coronado Lead Block                    | Denethor sealer                             |
| Classic Cote                               | Coronado Liquid Plastic                | Design Accents                              |
| ColorAccents Interior Alkyd                | Coronado Marine Spar Varnish           | Design Basics Interior                      |
| Colorado Paint Co - Aspen                  | Coronado Optimum Hide                  |   |
| Colorado Paint Co - AthletiCoat            | Coronado Penetrating Oil Wood Stain    |   |



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|--|---|---|
| Designer Drylok (all colors)                     | Diamond Vogel Vantage Plus  | DuPont™ Saltillo Tile Sealer & Finish                           |
| Devine   | Diamond Vogel Vantage Primer  | DuPont™ Semi Gloss Sealer & Finish                              |
| Devoe Coatings Light Duty (Devflex and Devguard) | Diamond Vogel Vers-Acryl  | DuPont™ Stone Sealer  |
| Devoe Paint                                      | Diamond Vogel Vinyl Kote  | DuPont™ Stone Sealer & Enhancer                                 |
| Diamond Brite                                    | Diamond Vogel Weather Plate   | DuPont™ StoneTech® Professional Enhancer                        |
| Diamond Vogel Acryl Prime                        | Diamond Vogel Zero Plus   | DuPont™ StoneTech® Professional Enhancer Pro™ Sealer            |
| Diamond Vogel Apex                               | DIKON Barn & Fence (Bunker Hill)                                    | DuPont™ StoneTech® Professional Grout Release                   |
| Diamond Vogel Ascend                             | DIKON Dairy Enamel  | DuPont™ StoneTech® Professional Heavy Duty Exterior Sealer      |
| Diamond Vogel Assure                             | Dimensions  | DuPont™ StoneTech® Professional Heavy Duty Sealer               |
| Diamond Vogel Color Plus                         | Dirt Fighter Interior   | DuPont™ StoneTech® Professional High Gloss Finishing Sealer     |
| Diamond Vogel Diamond Prime                      | Do it Best  | DuPont™ StoneTech® Professional High Gloss Lacquer              |
| Diamond Vogel Dia-Pro                            | Do-It-Best  | DuPont™ StoneTech® Professional Impregnator Pro® Sealer         |
| Diamond Vogel Double Hide                        | Do-It Best Waterproofer   | DuPont™ StoneTech® Professional Maximum BulletProof® Sealer     |
| Diamond Vogel Elevate                            | Drylok Concrete Floor Paint (all colors)                            | DuPont™ StoneTech® Professional Natural Stone Countertop Sealer |
| Diamond Vogel Enamel Undercoat                   | Drylok Concrete Protector   | DuPont™ StoneTech® Professional Paver Sealer & Enhancer         |
| Diamond Vogel Evercryl                           | Drylok E1 Floor Paint (all colors)                                  | DuPont™ StoneTech® Professional Salt Water Resistant Sealer     |
| Diamond Vogel Fil-Kote                           | Drylok Extreme  | DuPont™ StoneTech® Professional Sealer                          |
| Diamond Vogel Filler Finish                      | Drylok Latex Base Masonry Waterproofer (all colors)                 | DuPont™ StoneTech® Professional Semi Gloss Finishing Sealer     |
| Diamond Vogel Finium                             | Drylok Latex Base Masonry Waterproofer (all colors)                 | Dura Clad   |
| Diamond Vogel Flor Cote                          | Drylok Natural Look Sealer  | DuraCraft Acrylic Latex   |
| Diamond Vogel Grain Stain                        | Drylok Oil Base Masonry Waterproofer (all colors)                   | Duraseal  |
| Diamond Vogel Health-Kote                        | Drylok Water Based 5% Silicone                                      | DuraSoy One Paint   |
| Diamond Vogel Hide Plus                          | Drylok Wet Look Sealer  | DuraSoy Pro Paint   |
| Diamond Vogel Mil Max                            | Duckback  | Duration  |
| Diamond Vogel Nu Cling                           | Duckback - All Purpose Waterproofer                                 | Duron   |
| Diamond Vogel OptiKote                           | Duckback - Composite Deck Sealer                                    | Dutch Boy   |
| Diamond Vogel Paramount                          | Duckback - Premium Translucent Finish                               | Dutch Standard (all products)                                   |
| Diamond Vogel Permacryl Exterior                 | DuPont™ Granite & Marble Countertop Sealer                          | Eagle Armor Seal  |
| Diamond Vogel Permafil                           | DuPont™ High Gloss Sealer & Finish                                  | Eagle Chattanooga Sealer  |
| Diamond Vogel Permaflex                          | DuPont™ Paver Armor Pro™ Premium High Gloss Color Enriching Sealer  | Eagle Concrete Polish   |
| Diamond Vogel Plastercyl                         | DuPont™ Paver Armor Pro™ Premium No Gloss Color Enriching Sealer    | Eagle Exterior Dye  |
| Diamond Vogel Posi-Prime                         | DuPont™ Paver Armor Pro™ Premium Penetrating Natural Look Sealer    | Eagle Gloss Coat  |
| Diamond Vogel Pre Tex                            | DuPont™ Paver Armor Pro™ Premium Salt Repelling Natural Look Sealer | Eagle Interior Dye  |
| Diamond Vogel Prime-O-Seal                       | DuPont™ Paver Armor Pro™ Premium Semi Gloss Color Enriching Sealer  | Eagle Natural Seal  |
| Diamond Vogel Pro Max                            | DuPont™ Paver Armor Pro™ Premium Waterproofing Natural Look Sealer  | Eagle Paver Sealer  |
| Diamond Vogel Pro Plate                          | DuPont™ Premium Stone Sealer  | Eagle Premium Coat  |
| Diamond Vogel Pro Plus                           | DuPont™ Premium Stone Sealer & Enhancer                             | Eagle Satin Seal  |
| Diamond Vogel Quick Dry                          |   | Eagle Solid Color Sealer  |
| Diamond Vogel Red Kote                           |   | Eagle Supreme Seal  |
| Diamond Vogel RTU                                |   |   |
| Diamond Vogel Rural Red                          |   |   |
| Diamond Vogel Rural White                        |   |   |
| Diamond Vogel Satinamel                          |   |   |
| Diamond Vogel Special Red                        |   |   |
| Diamond Vogel Super Build                        |   |   |
| Diamond Vogel Super Pro                          |   |   |
| Diamond Vogel Super Quick                        |   |   |
| Diamond Vogel Super Varnish                      |   |   |
| Diamond Vogel Sure-Block II                      |   |   |
| Diamond Vogel SureFlo                            |   |   |
| Diamond Vogel Sure Grip                          |   |   |
| Diamond Vogel Uni-Fill                           |   |   |



# Registered Brands

Colorado Paint Stewardship Program as of 6/11/2015

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|--|---|---|
| Eagle Top Coat                             | Gaco Deck                                   | Henry Aquaprime Primer  |
| Easy Care                                  | Gaco H22 Series                             | Henry Aquatac Primer  |
| Easy Color                                 | Gaco H25 Series                             | Henry Binder/Tack Emulsion                                    |
| EasyLiving®                                | Gaco H27 Series                             | Henry Grey Elastomeric Roof Coating                           |
| Eco Best Deck, Fence and Siding Wood Stain | Gaco Roof                                   | Henry Light Tan Roof Coating                                  |
| Eco Best Decorative Concrete Stain         | Gaco Shield                                 | Henry Metalshield Rubber Based Gray Roof Coating              |
| Eco Best Gloss Finish Sealer               | Galvanized & Aluminum Primer                | Henry Metalshield Waterbased Elastomeric Roof Coating         |
| Ecobond LBP                                | Gem Clear                                   | Henry Premium Elastomeric Base Coating                        |
| EcoFlor Decorative Floor Finish            | Gem Coat                                    | Henry Premium Non-Fibered Aluminum                            |
| Economy                                    | Gem Cryl                                    | Henry RTC Coat  |
| EcoSelect® Zero VOC                        | Gem Dye                                     | Henry Solorflx Tan Elastomeric                                |
| Eco-Tuff Coatings                          | Gem Glo                                     | Henry Special Color Elastomeric                               |
| Eco-Tuff Primers                           | Gemini                                      | HGTV Home   |
| Elements (all products)                    | Gemini Coatings                             | Homax   |
| Emerald                                    | Gemini Tone Stain                           | Home Armor- Waterproofing Sealer - MultiSurface               |
| Eminence®                                  | Gem Prime                                   | Home Armor- Waterproofing Sealer - Waterproofoer (all colors) |
| Enduradeck (all products)                  | Gem Pro                                     | Home Armor- Waterproofing Sealer - Waterproofoer Endurance    |
| Enrich                                     | Gem Pur                                     | Homestead   |
| Enviropure                                 | Gem Tone                                    | Impressions   |
| EnviroShield ES-100                        | Gem Var                                     | Infinity®   |
| EnviroShield ES-90                         | Geocel                                      | Insl-X Aqua Lock  |
| Envirotech (all products)                  | Glidden                                     | Insl-X Aqua Lock  |
| Epo-TEX                                    | Glidden Professional                        | Insl-X Bravo  |
| Epoxy Shield                               | Glitsa Gold Seal™ Finish                    | Insl-X Cabinet Coat   |
| Equinox                                    | Glitsa Gold Seal™ Lite Scent™ Finish        | Insl-X Cabinet Coat™  |
| EverLast                                   | Glitsa Gold Seal™ Stains (various colors)   | Insl-X Check Rust™  |
| Everlife (all products)                    | Glitsa High Performance Waterborne Finish   | Insl-X Chlorinated Rubber Pool Paint                          |
| Excesior Coatings (all products)           | Glitsa Infinity II LVOCTM Finish            | Insl-X Clear Through Acrylic Polyurethane                     |
| E-Z Kare                                   | GlitsaMax™ Finish                           | Insl-X Concrete Stain Waterproofing Sealer                    |
| Fabulon                                    | Glitsa Quality Seal™ Sealer                 | Insl-X Hot Trax™ Acrylic Garage Floor Paint                   |
| Faux Impressions®                          | Glitsa Wood Flour Cement™                   | Insl-X Insl-Cap™ Lead Encapsulating Compound                  |
| Field Marking Paints                       | Glitza TruSeal                              | Insl-X Multi-Surface Utility Enamel                           |
| Fixall (all products)                      | GPM   | Insl-X Naturescapes   |
| FLEX BON                                   | Grayseal (all products)                     | Insl-X Odor Less  |
| Flood                                      | GreenSheen® (all products)                  | Insl-X One Prep   |
| Floor-A-Thane (all products)               | Grid-Stripe (all products)                  | Insl-X One Prep   |
| Formby's                                   | Grip Coat (all products)                    | Insl-X Ordorless Alkyd Primer                                 |
| Forrest Paint                              | Grossman's Majic                            | Insl-X Prep-A-Wall  |
| Franklin Paint - Halftime                  | Guardian Contractor Grade                   | Insl-X Prime Lock   |
| Franklin Paint - Winning Streak            | Guardian Professional Quality               | Insl-X Prime Lock   |
| Frazee                                     | H&C   | Insl-X Pro-Line   |
| Fred Myers                                 | Hammerite                                   |   |
| French Lac                                 | Harmony                                     |   |
| Fres-coat (all products)                   | Harrison Paint (all products)               |   |
| Fresh Kote                                 | HD® DESIGNS                                 |   |
| Gaco A30 Series                            | Heavy Bodied Glazing Stain (Various colors) |   |
| Gaco A31 Series                            | Hemp Shield                                 |   |
| Gaco A326 Series                           | Henry/Bakor                                 |   |
| Gaco A32 Series                            | Henry Acryprime Recoat Primer               |   |
| Gaco A3734 Food Safe                       | Henry Air Bloc 31 Brush/Spray               |   |
| Gaco A38 Series                            |   |   |
| Gaco A41 Series                            |   |   |
| Gaco A56 Series                            |   |   |



# Registered Brands

Colorado Paint Stewardship Program as of 6/11/2015

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|---|--------------------------------|---|
| Insl-X Pro-Plate Enamel - Rust Preventative Coating | Kelly-Moore KM Commercial      | Majic Diamond Hard Enamel                             |
| Insl-X Rubber Based Pool Paint                      | Kelly-Moore KM Professional    | Majic Diamond Hard Paint                              |
| Insl-X Rubber Based Pool Paint                      | Kelly-Moore Mark Right         | Majic Easy Spread                                     |
| Insl-X Rust Arrestor                                | Kelly-Moore Mill White Dry Fog | Majic Exterior/Interior Paint                         |
| Insl-X Seal Lock                                    | Kelly-Moore Modern Wood Finish | Majic Fence Paint                                     |
| Insl-X Seal Lock                                    | Kelly-Moore Plasti-Namel       | Majic Field Marking Paint                             |
| Insl-X Silathane Ii Interior-Exterior Acrylic       | Kelly-Moore Pre-Cote           | Majic Floor Enamel                                    |
| Insl-X Silathane Interior-Exterior Alkyd            | Kelly-Moore Seasons            | Majic Floor Paint                                     |
| Insl-X Stix   | Kelly-Moore Silver Shield      | Majic House & Deck Stain                              |
| Insl-X Stix   | Kelly-Moore Stain Lock         | Majic Kitchen & Bath Paint                            |
| Insl-X Sure Step                                    | Kelly-Moore Stainz-Rite        | Majic Latex Enamel                                    |
| Insl-X Sure Step™                                   | Kelly-Moore Stripe & Zone      | Majic Lifestyle                                       |
| Insl-X Tru-Flex                                     | Kelly-Moore Stucco-Seal        | Majic Pride   |
| Insl-X Tuffcrete                                    | Kelly-Moore Tred-Cote          | Majic Primer & Paint                                  |
| Insl-X Waterblock                                   | Kelly-Moore Uni-Prime          | Majic Professional                                    |
| Insl-X Waterblock                                   | Kelly-Moore Vapor Shield       | Majic Rust Kill Coating                               |
| Insl-X Waterborne Pool Paint                        | Kelly-Moore Wall Prep          | Majic Stain Blocking Primer Sealer                    |
| Insl-X Waterborne Pool Paint                        | Kelly-Moore Weather Shield     | Majic Town & Country                                  |
| Kelly-Moore Acry-Lustre                             | Kelly-Moore Woodcraft          | Majic Waterproofing Sealer                            |
| Kelly-Moore Acry-Plex                               | Kilz                           | Majic Water Sealer                                    |
| Kelly-Moore Acry-Shield                             | Kilz Casual Colors             | Majic Wood Stain                                      |
| Kelly-Moore Acry-Shield Stain                       | Kilz Color Place               | Majic Wood Varnish                                    |
| Kelly-Moore Acry-Tred                               | Kilz Pro-X                     | Mantek - Crystolin Plus                               |
| Kelly-Moore Alkydex                                 | Kilz True Tone                 | Martha Stewart Living                                 |
| Kelly-Moore Color Max                               | Kitchen & Bath (all products)  | Martin Senour Paints                                  |
| Kelly-Moore Color Shield                            | Kolor Kote                     | Marvins   |
| Kelly-Moore Dry Fog II                              | Kool Seal                      | Mason's Select - Concrete Clear Sealers               |
| Kelly-Moore DTM High Performance                    | Krylon                         | Mason's Select - Epoxacryl Solid Color Concrete Stain |
| Kelly-Moore Dura-Poxy +                             | Krylon Commercial              | Mason's Select - Transparent Concrete Stain           |
| Kelly-Moore Dura-Poxy + Porch & Floor               | Kwal                           | Master's Magic  |
| Kelly-Moore Ecoat                                   | Lacquer Couture                | Masterchem  |
| Kelly-Moore Elastakote                              | Lacrylic                       | MasterClear Supreme                                   |
| Kelly-Moore Envira-Crete                            | Laura Ashley                   | Master Gel® Finish Clear                              |
| Kelly-Moore Envira Poxo                             | Lifeline Accents               | Master Guard Oil and Spot Primer                      |
| Kelly-Moore Enviro Coat                             | Lifeline Acrylic               | Master Guard Sealer                                   |
| Kelly-Moore Enviro Coat - Heat Reflective           | Lifeline Advance               | Master Guard Wood Sealer                              |
| Kelly-Moore EZ Sand                                 | Lifeline Endure                | Masterline  |
| Kelly-Moore Flo-Cote                                | LifeLine Exterior              | Master Painters                                       |
| Kelly-Moore Green Coat                              | Lifeline Interior              | Master Touch  |
| Kelly-Moore Industrial                              | Lifeline Ultra-2               | Maxbond®  |
| Kelly-Moore Kel-Aqua                                | Lifeline Ultra-7               | Maxflex™  |
| Kelly-Moore Kel-Bond                                | Lok-Tite                       | MAXLIFE   |
| Kelly-Moore Kel-Cote                                | Long End Seal                  | Maxum   |
| Kelly-Moore Kel-Guard                               | Loxon                          | Maxum   |
| Kelly-Moore Kel-Pro                                 | Luxury Living                  | Maxwood®  |
| Kelly-Moore Kel-Seal                                | Magic                          | MBP Flat  |
| Kelly-Moore Kel-Tex                                 | Maintenance One                | McCloskey   |
| Kelly-Moore Kel-Thane II                            | Maintenance Paint (Home Depot) | McCloskey Man-O-War                                   |
| Kelly-Moore Kel-Tone                                | Maintenance Pro                | McCloskey Multi-Use                                   |
|   | Majic Aluminum Paint           | McCloskey Special Effects                             |
|   | Majic Barn & Fence Paint       | McCloskey Stains                                      |
|   | Majic Barricade                |   |
|   | Majic Basement Paint           |   |
|   | Majic Concrete Sealer          |   |



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| McCoy's  | Old Western Paint Poly Faux                                | Pore-O-Pac™ Grain Filler (various colors) |
| MEG - Mini Earth Girl                          | Old Western Paint Poly Var                                 | Pore-O-Pac™ Grain Filler Reducer          |
| Messmer's Composite Deck Finish                | Old Western Paint Quality Where It Counts                  | PPG                                       |
| Messmer's Decking Stain                        | Old Western Paint Rocky Mountain Pure                      | PPG High Performance Coatings             |
| Metallic Finishes                              | Olympic Paint  | PPG Maintenance Paint                     |
| Metallic Paint Collection                      | Olympic Stain  | PPG Pittsburgh Paints                     |
| Metal Ready Universal                          | One Time Wood Preservative (various colors)                | PPG Porter Paints                         |
| Minwax   | Optima Formula 360   | PPI™ Waterborne Finish                    |
| ML Campbell                                    | Optimus  | Pratt & Lambert®                          |
| Modac  | Orgill   | Preference (all products)                 |
| Moldex Sealant                                 | Ospho (rust inhibitor)                                     | Prelude                                   |
| Mothers Touch Paint                            | Ox-O-Flow  | Premier Aluminum Roof Coating Fibered     |
| Multi-Mist Products - Pro Seal Ultra           | Pacific (all products)                                     | Premium                                   |
| Multi-Mist Products - Qurox                    | Paint Couture  | Premium Decor                             |
| Multiplex                                      | Painter's Select   | PrepRite                                  |
| Multispec                                      | Painter's Touch  | Preserva Wood                             |
| Mythic Paint                                   | Painters Edge  | Pre-Stain Clear Wood Stain                |
| Nature Friendly Earth Girl Paint               | PalGard®   | Prestige                                  |
| NatureSecret                                   | Pantone  | Primatite                                 |
| Nextech (all products)                         | Penofin Concrete & Masonry Stain                           | Prime Choice (all products)               |
| Novus (all products)                           | Penofin Wood Finishes                                      | PRIME-N-SEAL                              |
| Odds N Ends                                    | Perma White  | Prime Time                                |
| OKON   | Permax 108 Acrylic Coating                                 | Prime Time Plus                           |
| Old Masters Brushing Lacquer                   | Permax 115 Acrylic Coating                                 | Prime Touch (all products)                |
| Old Masters Exterior Water-based Spar Urethane | Permax 120 Acrylic Coating                                 | Pro Best                                  |
| Old Masters Fast Dry Stain                     | Pittsburgh Paints and Stains                               | ProClassic                                |
| Old Masters Gel Stain                          | Plastic Kote   | Professional Coatings                     |
| Old Masters Graining Base                      | Plasti-Kote  | Professional Finishes                     |
| Old Masters H2O Wood Stain                     | Platinum   | Pro Finishes                              |
| Old Masters Oil Based Gel Polyurethane         | Platinum Products  | Pro Good                                  |
| Old Masters Oil Based Polyurethane             | Plexicolor (all products)                                  | Pro Grade                                 |
| Old Masters Oil Based Quick-Dry Varnish        | Ply-Mastic   | ProGreen 200                              |
| Old Masters Oil Based Sending Sealer           | Ply-Thane  | Progress (all products)                   |
| Old Masters Oil Based Spar Marine Varnish      | Ply-Tile   | Pro-Hide® Gold                            |
| Old Masters Oil Based Super Varnish            | Poly-Soy Top Coat  | Pro-Hide® Green                           |
| Old Masters Penetrating Sealer                 | PolyWhey   | Pro-Hide® Silver                          |
| Old Masters Penetrating Stain                  | PolyWhey Exterior (various colors)                         | Pro Kote                                  |
| Old Masters Tinting Glaze                      | PolyWhey Floor   | ProLine Supreme                           |
| Old Masters Tung Oil Varnish                   | PolyWhey Furniture semi-gloss premixed with Woodtone Tints | Pro Maintenance                           |
| Old Masters Water-based Clear Finish           | PolyWhey MVP Sport Floor Finish                            | ProMar 200                                |
| Old Masters Water-based Polyurethane           | PolyWhey MVP Sport Floor Sealer                            | ProMar 400                                |
| Old Masters Water-based Sanding Sealer         | PolyWhey Series 1000 Infusion Wood Modifier                | ProMar 700                                |
| Old Masters Wiping Stain                       | PolyWhey Series 2000 Stain Base                            | Promaster                                 |
| Old Masters Wood Conditioner                   | PolyWhey Series 3500 Wood Floor finish                     | Pro Paint (all products)                  |
| Old Masters Woodgrain Filler                   | PolyWhey Series 3500 Wood Floor Sealer                     | Property Solution                         |
| Old Western Paint Footprint                    | Porcelain®   | Pro Shopper                               |
|  |  | Pro Var                                   |
|  |  | Puma                                      |
|  |  | Puma-XL                                   |
|  |  | Qualalacq™ Lacquer Gloss                  |
|  |  | Qualalacq™ Lacquer Reducer                |
|  |  | Qualalacq™ Lacquer Satin                  |



|  |   |   |
|--|---|---|
| Qualalacq™ Sanding Sealer                        | Rudd Basetoner™ (various colors)                      | Rudd Nulustre™ Lacquer                                      |
| Qualarenu™ #1                                    | Rudd Catalast™ Lacquer (various colors)               | Rudd Nu-wave™ Lacquer (various colors)                      |
| Qualasole™                                       | Rudd Chromacat™ Lacquer (various colors)              | Rudd Nu-wave™ Sealers (various colors)                      |
| Quick Dry Zar Sanding Sealer (Gloss/Satin)       | Rudd Chromawipe NVO™ Wiping Stain (various colors)    | Rudd Nu-wave™ Stains (various colors)                       |
| Quik Hide  | Rudd Chromawipe™ Wiping Stain (various colors)        | Rudd On-site™ Lacquer                                       |
| Quikrete   | Rudd Colorplex™ Lacquer (various colors)              | Rudd Plastiprime™ (various colors)                          |
| Quikrete Concrete & Masonry High Gloss Sealer    | Rudd Colorplex™ Undercoaters (various colors)         | Rudd Primer Undercoater (various colors)                    |
| Quikrete Concrete & Masonry Waterproofing Sealer | Rudd Colorplex™ Base Toner Dye Stain (various colors) | Rudd Prism™ Waterborne Stains (various colors)              |
| Quikrete Masonry Waterproofer                    | Rudd Colortools™ Colorants (various colors)           | Rudd Problend 350 VOC™ Spray/Wiping Stains (various colors) |
| Quikrete Penetrating Concrete Stain              | Rudd Colortools™ Colorants (various colors)           | Rudd Problend TC™ Spray/Wiping Stains (various colors)      |
| Quikrete Textured Acrylic Concrete Stain         | Rudd Colortools™ Dye Concentrates (various colors)    | Rudd Problend™ Spray/Wiping Stains (various colors)         |
| Quikrete Translucent Concrete Stain              | Rudd Colortools™ LH Spray Stain (various colors)      | Rudd Pro-Hibuild™ Lacquer                                   |
| RADCON (VARIOUS COLORS)                          | Rudd Colortools™ Wiping Stain (various colors)        | Rudd Pro-Hibuild™ Sealer                                    |
| Rainstopper                                      | Rudd Duracac-V 550 VOC Lacquer                        | Rudd Pro-Hibuild™ Undercoater (various colors)              |
| Rain-X® Multi-Surface Clear Water Sealer         | Rudd Duracac-V 550 VOC Sealer                         | Rudd Prothane™  |
| Rain-X® Wood Protector (all colors)              | Rudd Duracac-V Plus™ Lacquer                          | Rudd Pro™ Lacquer   |
| Rain-X® Wood Protector Extended (all colors)     | Rudd Duracac-V™ Lacquer (various colors)              | Rudd Pro™ Sealer  |
| Ralph Lauren                                     | Rudd Duracac-V™ Sealer (various colors)               | Rudd Quickstack™ (various colors)                           |
| Ramuc  | Rudd Durafill™ Wood Filler                            | Rudd Terraset™ Stain Concentrates (various colors)          |
| Rapid Roof HV                                    | Rudd Duralac™ Lacquers (various colors)               | Rusticide (rust remover)                                    |
| Rapid Roof III                                   | Rudd Excelite™ Lacquer (various colors)               | Rust-O-Lastic   |
| Ready Seal (all products)                        | Rudd Fastwipe™ Wiping Stain (various colors)          | Rust Oleum  |
| Recover Recycled Paint Products                  | Rudd Glaze Stain                                      | Rust-Stop (all products)                                    |
| Red Devil  | Rudd Hi-build™ Fast Dry Finish                        | SafeChoice  |
| RedSeal®   | Rudd Hycryl™ Waterborne Finish                        | Safecoat  |
| RedSeal® Zero VOC                                | Rudd Hycryl™ Waterborne Sealer                        | Safecoat Naturals   |
| Refresh  | Rudd Hyplex™ Lacquer (various colors)                 | Sansin Boracol 20-2   |
| Res-Cure DS                                      | Rudd ISC™ Stains (various colors)                     | Sansin Classic  |
| Reserve  | Rudd ISS LH™ Spray Stains (various colors)            | Sansin DEC  |
| Resilience                                       | Rudd ISS™ Spray Stains (various colors)               | Sansin ENS  |
| Restore-X  | Rudd IWS™ Wiping Stains (various colors)              | Sansin Foundation RTU                                       |
| Rich Lux   | Rudd Natuseal™ Stains (various colors)                | Sansin MDF Primer   |
| Rohan paint                                      |   | Sansin Precision Coat                                       |
| Roofers Choice                                   |   | Sansin Purity Interior                                      |
| Room & Board by Valspar                          |   | Sansin Roof Tec   |
| RPM Water Based Grain Filler (various colors)    |   | Sansin SDF  |
| RPM Wood -15 Minute Wood Stain (various colors)  |   | Sansin Timber Tec   |
| RPM Wood-8x Wipe On Water Base Urethane Satin    |   | Seal-Krete Clear-Seal High Gloss Sealer                     |
| RPM Wood -Polyurethane Satin                     |   | Seal-Krete Clear-Seal Low Gloss Sealer                      |
| RPM Wood -Teak Oil                               |   | Seal-Krete Clear-Seal Premium High Gloss Sealer             |
| RPM Wood- Vinyl Sealer                           |   |   |
| RPM Wood Waterborne Urethane Finish Satin        |   |   |
| Rudd Acryl Fin™ Finish                           |   |   |
| Rudd Aerodry™ (various colors)                   |   |   |



|   |   |  |
|---|---|--|
| Seal-Krete Clear-Seal Premium High Gloss Sealer Low VOC                   | Seal-Krete GraniteFX Professional Grade Decorative Natural Stone Finish - DesertStone | Sikagard® Elastic Base Coat Smooth                   |
| Seal-Krete Clear-Seal Satin Sealer  | Seal-Krete GraniteFX Uniforming Primer - Gray   | Sikagard® Elastic Base Coat Textured                 |
| Seal-Krete Concrete Colors Low Lustre Sealer                              | Seal-Krete GraniteFX Uniforming Primer - Tan  | Sikkens  |
| Seal-Krete Concrete Colors Semi-Transparent Stain #300 Tint Base          | Seal-Krete GraniTex Decorative Natural Stone Contractor Kit - DesertStone             | SILOX SEAL "A" SIDE                                  |
| Seal-Krete Concrete Colors Semi-Transparent Stain #310 Terra Cotta        | Seal-Krete GraniTex Decorative Natural Stone Contractor Kit - EarthStone              | Simply Glaze   |
| Seal-Krete Concrete Colors Semi-Transparent Stain #320 Brownstone         | Seal-Krete GraniTex Decorative Natural Stone Contractor Kit - GrayStone               | Skd Grip (all products)                              |
| Seal-Krete DampLock Concrete Waterproofing Paint                          | Seal-Krete GraniTex Decorative Natural Stone Contractor Kit - SandStone               | Skim Stone   |
| Seal-Krete Epoxy-Seal Concrete Paint #920 White Base                      | Seal-Krete GraniTex Decorative Natural Stone Finish - DesertStone                     | SkimStone® Protective Sealer                         |
| Seal-Krete Epoxy-Seal Concrete Paint #921 Armor Gray                      | Seal-Krete GraniTex Decorative Natural Stone Finish - EarthStone                      | SkimStone® Select Finish                             |
| Seal-Krete Epoxy-Seal Concrete Paint #922 Slate Gray                      | Seal-Krete GraniTex Decorative Natural Stone Finish - GrayStone                       | Skylight   |
| Seal-Krete Epoxy-Seal Concrete Paint #940 Deep Base                       | Seal-Krete GraniTex Decorative Natural Stone Finish - SandStone                       | Skylight®  |
| Seal-Krete Epoxy-Seal Low VOC Paint #960 White Base                       | Seal-Krete Heavy Duty Waterproofer  | Snow Roof  |
| Seal-Krete Epoxy-Seal Low VOC Paint #961 Armor Gray                       | Seal-Krete Lock-Down Epoxy Bonding Floor Primer                                       | Solar-Lux™ Stain (various colors)                    |
| Seal-Krete Epoxy-Seal Low VOC Paint #962 Slate Gray                       | Seal-Krete Multi-Surface Water Repellent  | Solar-Lux™ Waterborne Dye Stain (various colors)     |
| Seal-Krete Epoxy-Seal Low VOC Paint #970 Deep Base                        | Seal-Krete Original Waterproofing Sealer  | Solar-Lux™ Waterborne Glaze (various colors)         |
| Seal-Krete Floor-Tex Non-Slip Textured Coating                            | Seal-Krete Stucco Guard   | Solar-Lux™ Waterborne Wiping Stains (various colors) |
| Seal-Krete Floor-Tex Tintable #440 White Base                             | Sears   | Solo 100% Acrylic                                    |
| Seal-Krete Floor-Tex Tintable #450 Deep Base                              | Sea Shore   | SoyCrete Architectural Concret Stain                 |
| Seal-Krete Floor-Tex Tintable Low VOC #460 White Base                     | Severe Weather Contractor Finish  | Spar Restoration Varnish                             |
| Seal-Krete Floor-Tex Tintable Low VOC #470 Deep Base                      | Shading/Glazing Stain (various colors)  | Speedcote  |
| Seal-Krete Floor-Tex Topcoat  | Sheffield Durex   | Speedwall  |
| Seal-Krete GraniteFX Brush & Roll Decorative Concrete Coating - Gulfshore | Sheffield Gold Leaf Finish  | Stainmaster  |
| Seal-Krete GraniteFX Brush & Roll Decorative Concrete Coating - Keystone  | Sher-Crete  | STAINShield®   |
| Seal-Krete GraniteFX Brush & Roll Decorative Concrete Coating - Monterey  | SherStripe  | Start Right  |
| Seal-Krete GraniteFX Brush & Roll Decorative Concrete Coating - Sedona    | Sherwin-Williams  | StoCoat Acryl  |
|   | Shimmer Stone   | StoCoat Acryl Plus                                   |
|   | Shizen  | StoCoat Color  |
|   | Show Kote   | StoCoat Color Sand                                   |
|   | Signature Select  | StoCoat DTM Acrylic                                  |
|   | Sikagard® 510   | StoCoat DTM Metal-Primer                             |
|   | Sikagard® 550W Elastocolor  | StoCoat Lotusan                                      |
|   | Sikagard® 552W Primer   | StoCoat Lotusan Low VOC                              |
|   | Sikagard® 570   | StoCoat Metallic                                     |
|   |   | StoCoat Texture Coarse                               |
|   |   | StoCoat Texture Fine                                 |
|   |   | StoCoat Texture Medium                               |
|   |   | Sto Hot Prime  |
|   |   | Stolastic Sand                                       |
|   |   | Stolastic Smooth                                     |
|   |   | Stone & Masonry Conditioner                          |
|   |   | Stone Care International                             |
|   |   | Stone Mason  |
|   |   | Stone Mason Ultra Gloss Water Based                  |
|   |   | Stonite (all products)                               |
|   |   | Sto Primer Creativ                                   |
|   |   | Sto Primer Sand                                      |
|   |   | Sto Primer Smooth                                    |
|   |   | Stop Rust  |
|   |   | Stopz Primer Finish                                  |



# Registered Brands

Colorado Paint Stewardship Program as of 6/11/2015

|  |   |   |
|--|---|---|
| Stopz Waterproofing Paint                  | Timber Pro UV Masonry Top Sealer            | Valspar Professional Exterior                                 |
| Storm Shield                               | TimberSoy Penetrating Natural Wood Stain    | Valspar Professional Exterior Primer                          |
| Storm Systems (all products)               | Titanium Series                             | Valspar Professional Interior                                 |
| StoSilco Lastic                            | Top Choice                                  | Valspar Professional New Construction Primer                  |
| StoTique                                   | Total Wood Preservative                     | Valspar Professional PVA Primer                               |
| Structures Wood Care NatureColor®          | Transformation Stain® Deck & Fence          | Valspar Restoration Series                                    |
| Structures Wood Care NatureOne®            | Transformation Stain® Log and Timber        | Valspar Signature Colors                                      |
| Stucco, Masonry & Brick Paint              | Transformation Stain® Siding & Trim         | Valspar Tractor & Implement                                   |
| Sunnyside Waterproofer                     | TriCoPolymer-Block-Seal                     | Valspar Ultra   |
| Sunnyside Wood Protectant                  | TriCoPolymer-Cedar-Seal                     | Valspar Ultra Premium   |
| SuperBond                                  | TriCoPolymer-Concrete-Seal                  | Valspar Weathercoat   |
| Superdeck - Clear Wood Finish              | TriCoPolymer-Crawlspace-Seal                | Value   |
| Superdeck - Deck & Dock Elastomeric        | TriCoPolymer-Farm-Seal                      | Vanex (brands are included in PPG Brands)                     |
| Superdeck - Exotic Hardwood Stain          | TriCoPolymer-Fence-Seal                     | Van Sickle Barn and Outbuilding Paints                        |
| Superdeck - Log Home Oil Finish            | TriCoPolymer-Floor-Seal                     | Van Sickle Exterior Latex (Economy, Premium or Super Premium) |
| Superdeck - Pressure Treated Stain         | TriCoPolymer-Kennel-Seal                    | Van Sickle Exterior Stains                                    |
| Superdeck - Semi Transparent Stain         | TriCoPolymer-Lumber-Seal                    | Van Sickle Floor Enamel                                       |
| Superdeck - Solid Color Stain              | TriCoPolymer-Mastic-Seal                    | Van Sickle Interior Latex (Economy, Premium or Super Premium) |
| Superdeck - Transparent Stain              | TriCoPolymer-Paint-Seal                     | Van Sickle Multi Purpose Enamel                               |
| Superdeck - Waterborne Stain               | Tru Seal                                    | Varathane   |
| SuperPaint                                 | Tuf-On (all products)                       | Wall Kote   |
| Super Scrub (all products)                 | Twist & Try                                 | Wall-Up   |
| Sure Shine                                 | Two Minute Repair Liquid                    | Walmart   |
| Surmax                                     | TWP   | Watco   |
| Symphony®                                  | TWP MILDEW SEALER                           | Waterlox 350 VOC Satin Finish                                 |
| Synteko                                    | UGL Pro Finish (all Gloss Levels)           | Waterlox 350 VOC Sealer/Finish                                |
| Tack Coat                                  | UltraCrete                                  | Waterlox 450 VOC Satin Finish                                 |
| Temproof 1200 Stove paint                  | Ultra Deluxe                                | Waterlox Original High Gloss Finish                           |
| Terminator™                                | Ultra-Fill                                  | Waterlox Original Satin Finish                                |
| Tex Cote                                   | Ultra Guard                                 | Waterlox Original Sealer/Finish                               |
| Texture Effects                            | Ultra Zar Plus (Gloss/Satin)                | Waterlox XL88 Gloss Urethane                                  |
| The Freshaire Choice                       | Uniflex                                     | Waterlox XL89 Satin Urethane                                  |
| Theme Paint                                | Upraplate (all products)                    | Wear-All (all products)                                       |
| The Paint Drop™                            | URA-FLOOR GLOSS WB URETHANE                 | Weather All   |
| Thompsons                                  | UV Plus                                     | Weatherplate (all products)                                   |
| Tile Guard                                 | UV Plus for Hardwoods                       | Weathershield   |
| TileLab Gloss Sealer & Finish              | Valspar                                     | Westpac Materials Prep Coat                                   |
| TileLab Matte Sealer & Finish              | Valspar Anti-Rust                           | Westpac Materials Smooth Coat                                 |
| TileLab Sealer/Cleaner/Resealer Combo Pack | Valspar Climate Zone                        | WFS   |
| TileLab Stone Enhancer                     | Valspar Color Style                         | White Pickling Stain  |
| TileLab SurfaceGard                        | Valspar Decorator                           | Wipe on Zar (Semi Gloss/Satin)                                |
| Timberflex                                 | Valspar Duramax                             | WithSTAND®  |
| Timberflex II                              | Valspar Elan                                | Wolman  |
| Timberflex Pro                             | Valspar Integrity                           | Wonder Guard  |
| Timber Pro UV Crystal Urethane             | Valspar Medallion                           | Wood Classics   |
| Timber Pro UV Deck & Fence Formula         | Valspar Medallion Primers                   | Wood Finishers Supply   |
| Timber Pro UV Internal Concrete Sealer     | Valspar Prep-Step Primers                   | Wood Iron Deck, Fence & Siding Stain                          |
| Timber Pro UV Internal Wood Stabilizer     | Valspar Pro 2000 Interior Contractor Finish | Wood Iron Doors & More Finish                                 |
| Timber Pro UV Log & Siding Formula         | Valspar Professional                        |   |
|  | Valspar Professional Bonding Primer         |   |



Wood Iron Exterior Oil Finish  
Wood Iron Generations Water-Based  
Stain  
Wood Iron Top Coat Finish  
Woodpride  
WoodScapes  
Woodsman  
Woodtone Series (various colors)  
Woodturners Finish  
XL70  
X-O Rust  
Yenkin Majestic Start To Finish  
Yolo Colorhouse  
ZAP Primers  
Zar Classic (all Gloss Levels)  
Zar Clear Wood Sealer  
Zar Clear Wood Sealer Toner Base  
Zar Deck&Siding Stains Solid and  
Semi-Transparent (all colors)  
Zar Exterior Polyurethane  
(Gloss/Satin)  
Zar Exterior Water Base  
Polyurethane (Gloss/Satin)  
Zar Interior Polyurethane (all Gloss  
Levels)  
Zar Ultra Exterior Polyurethane (all  
gloss Levels)  
Zar Ultra Interior Polyurethane (all  
Gloss Levels)  
Zar Ultra Max OMU (all gloss Levels)  
Zar Ultra Max Rejuvenator  
Zar Ultra Max Sanding Sealer  
Zar Ultra Max Wipe On  
Zar Ultra Max Wood Stains (all  
colors)  
Zar Wood Stains (all colors)  
Zehrunge  
Zinsser  
Zone Marking Paints

## Appendix D

## 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 distinguish between 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) rules were used to develop the following list. The decision table page 2 uses the definitions on page 3.

### **Program Products (maximum container size of 5 gallons):**

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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, sealers 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):**

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1. Empty, leaking or unlabeled containers
2. Industrial Maintenance (IM) coatings labeled as:
  - (a) For industrial use, (b) Professional use, or (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 Craft 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 thinners, solvents, mineral spirit
14. Wood preservatives containing pesticides
15. Tar, asphalt or bitumen based products
16. Two-component coatings (epoxy)
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.

These non-coatings are excluded:

|                          |                 |
|--------------------------|-----------------|
| 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       |

**Manufacturers:** Non-coatings are not assessed

**Collection Sites:** Non-coatings are not acceptable.

### 2. Is it an architectural coating?

If YES, go to 3. If NO, it is not in the program.

These non-architectural paints are excluded:

Auto paint Marine paint Aerosols

**Manufacturers:** Coatings that are not architectural are not assessed a fee.

**Collection Sites:** Coatings that are not architectural are not acceptable.

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

If NO, go to step 4. If YES, then it is not in the program.

Products with these labels are excluded:

Professional use only Not for residential use  
For industrial use only

**Manufacturers:** IM coatings are not assessed.

**Collection Sites:** IM coatings are not acceptable.

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

If NO, go to step 5. If YES, then it is not in the program.

**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.

**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.

### 5. Is it a specialty coating or specifically excluded?

If NO, then it is in the program. If YES, then it is not in the program.

These are excluded:

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

**Manufacturers:** Excluded products are not assessed a fee

**Collection Sites:** Excluded products are not acceptable at collection sites.

# DEFINITIONS

## I. Architectural Coatings

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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

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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

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*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

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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 aerosols, crafts paints.



# Drywall Primer-Surfacers

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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](http://PaintCare.org) or contact:

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# 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 to 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](http://PaintCare.org) or contact:

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## Appendix E

## PaintCare Sites In Colorado Currently Being Set Up

140 Sites as of 6/11/2015 - Page 1

Type: RET = Retail, RES = Restore, REC = Latex Recycler, HHW = Household Hazardous Waste Collection Facility

| <i>County</i> | <i>City</i>     | <i>ID</i> | <i>Site Name</i>                    | <i>Address</i>          | <i>Type</i> |
|---------------|-----------------|-----------|-------------------------------------|-------------------------|-------------|
| Adams         | Brighton        | CO1075    | Sherwin-Williams                    | 1555 E Bridge St        | RET         |
| Adams         | Federal Heights | CO1140    | Mile High Ace Hardware              | 2800 W 104th Ave        | RET         |
| Adams         | Northglenn      | CO1344    | Kwal Paint                          | 11450 N Cherokee St     | RET         |
| Adams         | Northglenn      | CO1095    | Sherwin-Williams                    | 11455 N Washington St   | RET         |
| Adams         | Westminster     | CO1375    | NorthSide Paint & Decorating        | 12365 Huron St          | RET         |
| Adams         | Westminster     | CO1997    | Standley Shores Ace Hardware        | 9979 Wadsworth Pkwy     | RET         |
| Alamosa       | Alamosa         | CO1678    | Sherwin-Williams                    | 200 Craft Dr            | RET         |
| Arapahoe      | Aurora          | CO2021    | Ace Hardware Saddle Rock            | 7420 S Gartrell Rd      | RET         |
| Arapahoe      | Aurora          | CO1349    | Kwal Paint                          | 1701 Chambers Rd        | RET         |
| Arapahoe      | Aurora          | CO1357    | Kwal Paint                          | 3106 S Parker Rd        | RET         |
| Arapahoe      | Aurora          | CO1065    | Sherwin-Williams                    | 2832 S Havana St        | RET         |
| Arapahoe      | Aurora          | CO1070    | Sherwin-Williams                    | 552 S Chambers Rd       | RET         |
| Arapahoe      | Centennial      | CO1363    | Guirys Paint and Wallpaper          | 8262 S Univeristy Blvd  | RET         |
| Arapahoe      | Centennial      | CO1066    | Sherwin-Williams                    | 5150 E Arapahoe Rd      | RET         |
| Arapahoe      | Englewood       | CO2011    | GreenSheen Paint                    | 1281 W Dartmouth Ave    | REC         |
| Arapahoe      | Littleton       | CO1541    | Diamond Vogel                       | 250 E Dry Creek Rd      | RET         |
| Arapahoe      | Littleton       | CO1340    | Kwal Paint                          | 8001 S Broadway         | RET         |
| Arapahoe      | Littleton       | CO1335    | Kwal Paint                          | 8996 W Bowles Ave       | RET         |
| Arapahoe      | Littleton       | CO1093    | Sherwin-Williams                    | 13134 W Ida Ave         | RET         |
| Arapahoe      | Littleton       | CO1067    | Sherwin-Williams                    | 1500 W Littleton Blvd   | RET         |
| Archuleta     | Pagosa Springs  | CO1675    | Sherwin-Williams                    | 2163 Eagle Dr           | RET         |
| Boulder       | Boulder         | CO1998    | Boulder County HHW                  | 1901 63rd St            | HHW         |
| Boulder       | Boulder         | CO1538    | Diamond Vogel                       | 3295 Walnut St          | RET         |
| Boulder       | Boulder         | CO2031    | Guirys Paint and Wallpaper          | 2404 Pearl St           | RET         |
| Boulder       | Boulder         | CO1342    | Kwal Paint                          | 3130 Valmont Rd         | RET         |
| Boulder       | Boulder         | CO1074    | Sherwin-Williams                    | 3550 Arapahoe Ave       | RET         |
| Boulder       | Longmont        | CO1178    | Ace Hardware Longmont               | 1727 Main St            | RET         |
| Boulder       | Longmont        | CO1537    | Diamond Vogel                       | 300 W Second Ave        | RET         |
| Boulder       | Longmont        | CO1356    | Kwal Paint                          | 1197 Ken Pratt Blvd     | RET         |
| Boulder       | Longmont        | CO1100    | Sherwin-Williams                    | 825 Main St             | RET         |
| Boulder       | Nederland       | CO1183    | Indian Peaks Ace Hardware           | 74 South Highway 119    | RET         |
| Broomfield    | Broomfield      | CO1076    | Sherwin-Williams                    | 5055 W 120th Ave        | RET         |
| Chaffee       | Salida          | CO1682    | Sherwin-Williams                    | 101 A W Highway 50      | RET         |
| Clear Creek   | Idaho Springs   | CO1873    | Clear Creek County Transfer Station | 1531 Soda Creek Rd      | HHW         |
| Custer        | Westcliffe      | CO1199    | Valley Ace Hardware                 | 1 Enterprise Dr         | RET         |
| Delta         | Cedaredge       | CO1109    | Big Johns Lumber                    | 200 SW Second St        | RET         |
| Delta         | Delta           | CO1125    | Delta Ace Hardware                  | 121 W Gunnison River Dr | RET         |

## PaintCare Sites In Colorado Currently Being Set Up

140 Sites as of 6/11/2015 - Page 2

Type: RET = Retail, RES = Restore, REC = Latex Recycler, HHW = Household Hazardous Waste Collection Facility

| <i>County</i> | <i>City</i>      | <i>ID</i> | <i>Site Name</i>             | <i>Address</i>               | <i>Type</i> |
|---------------|------------------|-----------|------------------------------|------------------------------|-------------|
| Delta         | Delta            | CO1677    | Sherwin-Williams             | 1410 Valley View Dr          | RET         |
| Delta         | Hotchkiss        | CO1164    | Ace Gambles of Hotchkiss     | 121 E Bridge St              | RET         |
| Denver        | Denver           | CO1009    | Ace Hardware on The Fax      | 7100 E Colfax Ave            | RET         |
| Denver        | Denver           | CO1309    | Colorado Paint Company       | 4747 Holly St                | RET         |
| Denver        | Denver           | CO1539    | Diamond Vogel                | 4500 E 48th Ave              | RET         |
| Denver        | Denver           | CO1360    | Guiry's Paint and Wallpaper  | 2121 S Colorado Blvd         | RET         |
| Denver        | Denver           | CO1362    | Guiry's Paint and Wallpaper  | 2245 Market St               | RET         |
| Denver        | Denver           | CO1567    | Guiry's Paint and Wallpaper  | 5475 Leetsdale Dr            | RET         |
| Denver        | Denver           | CO1341    | Kwal Paint                   | 1441 W Bayaud                | RET         |
| Denver        | Denver           | CO1529    | Old Western Paint            | 2001 W Barberry Pl           | REC/RET     |
| Denver        | Denver           | CO2005    | PPG Paints                   | 1134 West Evans Ave          | RET         |
| Denver        | Denver           | CO1298    | PPG Paints                   | 657 Osage St                 | RET         |
| Denver        | Denver           | CO1062    | Sherwin-Williams             | 4697 E Evans Ave             | RET         |
| Denver        | Denver           | CO1064    | Sherwin-Williams             | 5240 E Colfax Ave            | RET         |
| Denver        | Denver           | CO1063    | Sherwin-Williams             | 5315 W 38th Ave              | RET         |
| Denver        | Denver           | CO1085    | Sherwin-Williams             | 543 Santa Fe Dr              | RET         |
| Douglas       | Castle Rock      | CO1078    | Sherwin-Williams             | 175 Plum Creek Pkwy          | RET         |
| Douglas       | Highlands Ranch  | CO1163    | Ace Hardware Highlands Ranch | 9579 S University Blvd       | RET         |
| Douglas       | Highlands Ranch  | CO1071    | Sherwin-Williams             | 1265 Sgt Jon Stiles Dr       | RET         |
| Douglas       | Lone Tree        | CO1069    | Sherwin-Williams             | 7580 Park Meadows Dr         | RET         |
| Douglas       | Parker           | CO1372    | Guiry's Paint and Wallpaper  | 16534 Keystone Blvd          | RET         |
| Douglas       | Parker           | CO1355    | Kwal Paint                   | 18403 E Longs Way            | RET         |
| Douglas       | Parker           | CO1096    | Sherwin-Williams             | 10155 S Parker Rd            | RET         |
| Eagle         | Vail             | CO1197    | Vail Valley Ace Hardware     | 2111 N Frontage Rd W         | RET         |
| El Paso       | Colorado Springs | CO1542    | Diamond Vogel                | 5691 N Academy Blvd          | RET         |
| El Paso       | Colorado Springs | CO1658    | Kwal Paint                   | 260 S Academy Blvd           | RET         |
| El Paso       | Colorado Springs | CO1660    | Kwal Paint                   | 2939 N Hancock Ave           | RET         |
| El Paso       | Colorado Springs | CO1659    | Kwal Paint                   | 6345 Source Center Point     | RET         |
| El Paso       | Colorado Springs | CO1297    | PPG Paints                   | 275 N Chelton Rd             | RET         |
| El Paso       | Colorado Springs | CO1083    | Sherwin-Williams             | 1466 W Garden of The Gods Rd | RET         |
| El Paso       | Colorado Springs | CO1081    | Sherwin-Williams             | 1724 Dublin Blvd             | RET         |
| El Paso       | Colorado Springs | CO1082    | Sherwin-Williams             | 1813 S Nevada Ave            | RET         |
| El Paso       | Colorado Springs | CO1080    | Sherwin-Williams             | 5862 Tutt Blvd               | RET         |
| El Paso       | Colorado Springs | CO1079    | Sherwin-Williams             | 811 N Circle Dr              | RET         |
| Fremont       | Canon City       | CO1077    | Sherwin-Williams             | 1015 Main St                 | RET         |
| Fremont       | Canon City       | CO1090    | Sonnys Ace Home Center       | 3090 E Main St               | RET         |
| Garfield      | Carbondale       | CO1108    | Ace Hardware of Carbondale   | 1011 Highway 133             | RET         |
| Garfield      | Carbondale       | CO1525    | Paint Store Inc              | 2401 Delores Way             | RET         |

## PaintCare Sites In Colorado Currently Being Set Up

140 Sites as of 6/11/2015 - Page 3

Type: RET = Retail, RES = Restore, REC = Latex Recycler, HHW = Household Hazardous Waste Collection Facility

| <i>County</i> | <i>City</i>      | <i>ID</i> | <i>Site Name</i>                           | <i>Address</i>         | <i>Type</i> |
|---------------|------------------|-----------|--|------------------------|-------------|
| Garfield      | Glenwood Springs | CO2002    | Big Johns Ace Hardware                     | 2602 S Glen Ave        | RET         |
| Garfield      | Glenwood Springs | CO1608    | Roaring Fork Valley ReStore                | 7025 Highway 82        | RES         |
| Garfield      | Glenwood Springs | CO2033    | Sherwin-Williams                           | 3228-B South Glen Ave  | RET         |
| Grand         | Fraser           | CO1151    | Fraser Valley Ace Hardware                 | 425 Zerex St           | RET         |
| Grand         | Granby           | CO1154    | Country Ace Hardware                       | 627 W Agate Ave        | RET         |
| Grand         | Kremmling        | CO1166    | Tri River Ace Hardware                     | 720 Tyler Ave          | RET         |
| Gunnison      | Gunnison         | CO1294    | Darnell True Value Hardware                | 1000 N Main St         | RET         |
| Gunnison      | Gunnison         | CO1673    | Sherwin-Williams                           | 821-A N Main St        | RET         |
| Jefferson     | Arvada           | CO1339    | Kwal Paint                                 | 5220 Wadsworth Bypass  | RET         |
| Jefferson     | Arvada           | CO2019    | Sherwin-Williams                           | 7731 Wadsworth Blvd    | RET         |
| Jefferson     | Conifer          | CO1120    | Aspen Park Hardware                        | 26572 Barkley Rd       | RET         |
| Jefferson     | Edgewater        | CO1016    | Edgewater Ace Hardware                     | 1719 Sheridan Blvd     | RET         |
| Jefferson     | Evergreen        | CO1087    | Sherwin-Williams                           | 1002 Swede Gulch Rd    | RET         |
| Jefferson     | Golden           | CO1853    | Jefferson County HHW                       | 151 S Rooney Rd        | HHW         |
| Jefferson     | Lakewood         | CO1171    | Green Mountain Ace Hardware                | 12035 W Alameda Pkwy   | RET         |
| Jefferson     | Lakewood         | CO1346    | Kwal Paint                                 | 7105 W Colfax Ave      | RET         |
| Jefferson     | Lakewood         | CO1172    | Lake Ridge Ace Hardware                    | 2563 Kipling St        | RET         |
| Jefferson     | Lakewood         | CO1068    | Sherwin-Williams                           | 3224 S Wadsworth Blvd  | RET         |
| La Plata      | Durango          | CO1516    | Colors Inc                                 | 166 Bodo Dr            | RET         |
| La Plata      | Durango          | CO1133    | Kroegers Ace Hardware                      | 8 Town Plaza           | RET         |
| La Plata      | Durango          | CO1674    | Sherwin-Williams                           | 400 S Camino Del Rio   | RET         |
| La Plata      | Ignacio          | CO1993    | Southern Ute Indian Tribe<br>Utilities Div | 16360 Highway 172      | HHW         |
| Lake          | Leadville        | CO1296    | Bighorn True Value Hardware                | 1902 N Poplar St       | RET         |
| Larimer       | Fort Collins     | CO1144    | Clays Ace Hardware                         | 1001 E Harmony Rd      | RET         |
| Larimer       | Fort Collins     | CO1146    | Downtown Ace Hardware                      | 215 S College Ave      | RET         |
| Larimer       | Fort Collins     | CO1838    | Larimer County Solid Waste                 | 5887 S Taft Hill Rd    | HHW         |
| Larimer       | Loveland         | CO1535    | Diamond Vogel                              | 3206 N Garfield Ave    | RET         |
| Larimer       | Loveland         | CO1664    | Kwal Paint                                 | 1390 S Cleveland Ave   | RET         |
| Larimer       | Loveland         | CO1179    | Orchards Ace Hardware                      | 269 E 29th St          | RET         |
| Larimer       | Loveland         | CO1094    | Sherwin-Williams                           | 2033 W Eisenhower Blvd | RET         |
| Las Animas    | Trinidad         | CO1480    | Terra Firma Recycling                      | 201 W Indiana Ave      | RET         |
| Las Animas    | Trinidad         | CO1610    | Trinidad Builders Supply                   | 108 W Colorado Ave     | RET         |
| Logan         | Sterling         | CO2008    | Sherwin-Williams                           | 100 Broadway St        | RET         |
| Mesa          | Fruita           | CO1152    | Co Op Country                              | 1650 Highway 6 and 50  | RET         |
| Mesa          | Grand Junction   | CO1156    | Ace Hardware of Clifton                    | 569 32 Rd Unit 4       | RET         |
| Mesa          | Grand Junction   | CO1532    | Diamond Vogel                              | 2991 North Ave         | RET         |
| Mesa          | Grand Junction   | CO2000    | Kwal Paint                                 | 2801 North Ave         | RET         |

## PaintCare Sites In Colorado Currently Being Set Up

140 Sites as of 6/11/2015 - Page 4

Type: RET = Retail, RES = Restore, REC = Latex Recycler, HHW = Household Hazardous Waste Collection Facility

| <i>County</i> | <i>City</i>       | <i>ID</i> | <i>Site Name</i>                        | <i>Address</i>             | <i>Type</i> |
|---------------|-------------------|-----------|---|----------------------------|-------------|
| Mesa          | Grand Junction    | CO1091    | Sherwin-Williams                        | 845 North Ave              | RET         |
| Mesa          | Palisade          | CO1187    | Ace Co-op Country                       | 205 W Eighth St            | RET         |
| Montezuma     | Cortez            | CO1121    | Choice Building Supply and Ace Hardware | 525 N Broadway             | RET         |
| Montezuma     | Cortez            | CO1273    | Slavens True Value Hardware             | 237 W Main St              | RET         |
| Montrose      | Montrose          | CO1676    | Sherwin-Williams                        | 110 E Main St              | RET         |
| Montrose      | Nucla             | CO1184    | Co Op Country                           | 995 Main St                | RET         |
| Morgan        | Brush             | CO1697    | Hometown Auto and Hardware              | 1315 Edison St             | RET         |
| Morgan        | Fort Morgan       | CO2009    | Sherwin-Williams                        | 810 W Platte Ave           | RET         |
| Park          | Fairplay          | CO1285    | South Park True Value                   | 299 US Highway 285         | RET         |
| Pitkin        | Aspen             | CO1994    | Pitkin County Resource Recovery         | 76 Service Center Rd       | HHW         |
| Pitkin        | Aspen             | CO1073    | Sherwin-Williams                        | 304 Aspen Airport Business | RET         |
| Pueblo        | Pueblo            | CO1564    | D and S Paint Center Inc                | 715 West St                | RET         |
| Pueblo        | Pueblo            | CO1097    | Sherwin-Williams                        | 3205 N Elizabeth St        | RET         |
| Pueblo        | Pueblo            | CO2012    | Southern Colorado and Recyclers         | 1731 Erie Ave              | REC         |
| Rio Blanco    | Meeker            | CO1180    | Valley Hardware                         | 401 E Market St            | RET         |
| Rio Grande    | Monte Vista       | CO1972    | Monte Vista Co op                       | 1901 E Highway 160         | RET         |
| Routt         | Steamboat Springs | CO1189    | Ace Hardware Steamboat Springs          | 2155 Curve Plz             | RET         |
| Routt         | Steamboat Springs | CO1990    | Sherwin-Williams                        | 385-A Anglers Dr           | RET         |
| San Miguel    | Norwood           | CO2027    | Norwood Ace Hardware                    | 1635 Grand Ave             | RET         |
| San Miguel    | Telluride         | CO1195    | Timberline Ace Hardware                 | 200 E Colorado Ave         | RET         |
| Summit        | Dillon            | CO1816    | Summit County Resource Allocation Park  | 639 CR 66 Landfill Rd      | HHW         |
| Teller        | Woodland Park     | CO1099    | Sherwin-Williams                        | 717 Gold Hill Pl           | RET         |
| Weld          | Evans             | CO1536    | Diamond Vogel                           | 3313 35th Ave              | RET         |
| Weld          | Evans             | CO1666    | Kwal Paint                              | 3230 23rd Ave              | RET         |
| Weld          | Firestone         | CO1088    | Sherwin-Williams                        | 6075 E Firestone Blvd      | RET         |
| Weld          | Greeley           | CO1101    | Sherwin-Williams                        | 2904 W 10th St             | RET         |
| Weld          | Greeley           | CO1857    | Weld County HHW                         | 1311 N 17th Ave            | HHW         |
| Weld          | Windsor           | CO1200    | Windsor Ace Hardware                    | 1245 Main St               | RET         |

## Appendix F



## Colorado Paint Stewardship Program

# Information for HHW Programs

### Colorado's Paint Stewardship Law benefits household hazardous waste programs.

A new law passed in June 2014 requires paint manufacturers to establish a paint stewardship program in Colorado. Household hazardous waste (HHW) programs that participate can save money on paint management costs. Program funding comes from a "PaintCare Fee" applied to each container of architectural paint sold in Colorado when the program begins in the summer of 2015.

#### Paint Stewardship Program in Colorado

PaintCare Inc. is a non-profit organization established by the American Coatings Association to implement state-mandated paint stewardship programs on behalf of paint manufacturers in states that adopt paint stewardship laws. Colorado is the 8th state to pass such a law. Although this program is required by state law, it is designed and operated by the paint manufacturing industry. PaintCare currently operates programs in six states (California, Connecticut, Minnesota, Oregon, Rhode Island, and Vermont). PaintCare is now planning programs for Colorado and Maine to start in the summer of 2015.

#### Designing a Program for Colorado

The new law requires PaintCare, on behalf of paint manufacturers, to submit a comprehensive Program Plan to the Colorado Department of Public Health and Environment by January 1, 2015. PaintCare will organize a series of stakeholder meetings to present the goals and design of the program and to receive input from HHW programs and other stakeholders.

#### Making Paint Recycling Convenient

PaintCare will establish drop-off sites throughout the state for residents and businesses to take leftover architectural paint. Although most drop-off sites will be at paint retailers, HHW programs, solid waste transfer stations, recycling centers, and landfills may also volunteer to be PaintCare drop-off sites and have their paint transportation and recycling costs paid by PaintCare.

#### Benefits of Partnering with PaintCare

- Save on paint transportation and recycling costs
- Conserve resources and keep paint out of the solid waste stream
- Make recycling of leftover paint more convenient for your community

#### PaintCare Partners Receive

- Staff training at your site
- Paint collection bins
- Free paint transportation and processing services
- Compensation for value-added services including paint reuse programs, bulking of oil-based paint, and other services
- Publicity of HHW site or event (optional)



## Drop-Off Site Responsibilities

- Provide secure storage area for 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 to track outgoing paint shipments
- Ensure staff are trained in PaintCare guidelines and safe 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, PaintCare will cover the transportation and processing 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 processing costs.
- HHW programs may continue to put restrictions on who can use their programs, e.g., to residents of certain towns or cities. (PaintCare retailers accept paint from anyone in the state.)

## Water-Based (Latex) Paint is a Resource

An important goal of PaintCare is to conserve resources and increase the amount of paint that is recycled. Not all HHW programs accept water-based paint because it is expensive to manage and is not classified as hazardous. Residents and businesses are often told 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 paint, will be recycled to the maximum extent possible.

## What Products Are Covered?

Architectural paints (“PaintCare 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:

### 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

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### MORE INFORMATION

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www.paintcare.org or info@paintcare.org

PAINTCARE INC.  
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WASHINGTON, DC 20005



# Interest Form

## Household Hazardous Waste Programs To Be a PaintCare Partner for Paint Collection

Use this form to let us know that your program is interested in becoming a PaintCare drop-off site. PaintCare has published fact sheets for each state where we have a paint stewardship program to explain details about working with PaintCare to become a paint drop-off site. Please visit [www.paintcare.org](http://www.paintcare.org) or call (855) 724-6809 to request a state-specific fact sheet.

Note: This form is designed in Word using tables. If you are using the electronic version, just start typing. The boxes will expand to fit.

### SPONSOR

|                |  |
|----------------|--|
| Municipality   |  |
| Street Address |  |
| City/State/Zip |  |
| Mail Address   |  |

### CONTACT 1

|       |  |
|-------|--|
| Name  |  |
| Title |  |
| Phone |  |
| Email |  |

### CONTACT 2

|       |  |
|-------|--|
| Name  |  |
| Title |  |
| Phone |  |
| Email |  |

### SITE TYPE

HHW Facility     HHW Events - How many events per year?

### STORAGE SPACE

How many cubic yard bins do you have space to store?   
(Each bin uses the floor space of a pallet, 3'x3')

### 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 businesses?  YES  NO      Are you interested in serving businesses?  YES  NO

Do you currently accept latex?  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

info@paintcare.org  
(855) 385-2020 Fax  
PaintCare, 1500 Rhode Island Ave. NW, Washington DC 20005

## Appendix G



December 2014

**RE: New Colorado Paint Stewardship Law**

Dear Colorado Paint Retailer:

Enclosed are materials to inform you and your customers about a new law and program that will make it more convenient to recycle paint in Colorado. PaintCare currently operates similar paint stewardship programs in six other states (California, Connecticut, Minnesota, Oregon, Rhode Island, and Vermont) and is planning a program for Maine to begin at the same time as Colorado in the summer of 2015. The Colorado Paint Product Stewardship Act was signed into law by Governor Hickenlooper on June 6, 2014.

The exact start date of the Colorado PaintCare Program has not been determined. The program will begin within 90 days of approval of PaintCare's Colorado Program Plan that will be submitted to the Colorado Department of Public Health and Environment (CDPHE) in January. **At this time, we anticipate that the program will begin on July 1, 2015.** We will send additional updates over the next six months and notify you once the start date is determined.

Enclosed are the following items:

- **Fact Sheet for Retailers.** This fact sheet introduces you to how the PaintCare Program works and how it affects your business.
- **Fact Sheet for Trade Painters.** Also enclosed is a copy of a fact sheet we developed at the request of paint retailers in other states to help answer common questions from professional painters. Some retailers hand these out at the counter; others insert them with monthly statements.

**Stewardship Fees.** Retailers may receive questions from customers about a new stewardship fee ("PaintCare Fee") that will be applied to the price of each container of architectural paint when the program starts. The fee amounts will not be known until the CDPHE approves PaintCare's Colorado Program Plan. It is likely that PaintCare will propose the fee structure used in the six states with paint stewardship programs and that these fees will be approved for Colorado. Fees are based on container size as follows: 35 cents for larger than half pint to smaller than 1 gallon, 75 cents for 1 gallon, and \$1.60 for larger than 1 gallon up to 5 gallons.

Although it would be better to inform your customers (and the general public) about both the fee amounts and how the program works at the same time, it is important for professional painters to learn about the program as soon as possible because they plan jobs well ahead of time. Therefore, while the fee structure is being calculated and reviewed in the coming months, we are starting outreach to trade painters now. We suggest that trade painters discuss the anticipated fees in advance with their customers to allow for an adjustment to any quotes or job bids for future projects.

If you would like additional copies of the enclosed trade painter factsheet to share with professional painters, please send an e-mail to [info@paintcare.org](mailto:info@paintcare.org) with your name, business name, mailing address, and number of factsheets. You are also welcome to call (855) 724-6809 to place an order. Once the fees are confirmed, updated copies of the factsheet will be provided to you. You may also download the fact sheet from our website at [www.paintcare.org/co](http://www.paintcare.org/co).

We look forward to working with you to establish a successful and convenient postconsumer paint management program for Colorado. Feel free to contact us at 855-PAINT09 or visit our website at [www.paintcare.org](http://www.paintcare.org) for more information.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'm' followed by a large, circular flourish.

Marjaneh Zarrehparvar  
Executive Director



January 2015

**RE: Colorado Paint Stewardship Program Anticipated to Start July 1, 2015**

Dear Colorado Paint Retailer:

This letter and the enclosed materials are to provide you with news about the upcoming Colorado PaintCare program.

In December 2014, we sent Colorado paint retailers our first mailing about the new Colorado Paint Stewardship Law and the PaintCare program that will make it more convenient for Colorado residents and businesses to recycle unwanted, leftover paint. We would now like to let you know that PaintCare has submitted its program plan to the Colorado Department of Public Health and Environment (CDPHE). Pending approval of the plan by CDPHE, we anticipate that the program will start on July 1, 2015.

**Stakeholder Meetings**

CDPHE will host a series of three public stakeholder meetings before approving the plan in order to solicit input about the plan and to review the regulatory revisions associated with the approval of the fee structure. These meetings will be held in the afternoon on **January 28**, **February 23**, and **March 16** in Denver and will be open to all stakeholders. For details about the meetings, please visit the Colorado page of PaintCare's website at [www.paintcare.org/co](http://www.paintcare.org/co).

**Webinars for Retailers**

PaintCare is also holding three online webinar presentations for retailers to learn more about how the PaintCare program works, how to become a paint drop-off site, and to ask questions. The webinars will be held on **February 2, 3, and 4** from **10:30 to 11:30 a.m. (MT)**. We hope you will be able to join one of these educational sessions. For details about participating in a webinar, please visit the "For Retailers" section of the Colorado page of PaintCare's website at [www.paintcare.org/co](http://www.paintcare.org/co).

## **Outreach Materials**

Enclosed are materials for you and your customers about the new law and upcoming program.

### **1. Fact Sheet — Painting Contractors**

Enclosed are 25 copies of a fact sheet for your customers who are painting contractors. We developed this fact sheet at the request of retailers in other PaintCare states to help answer common questions from professional painters. Some retailers hand these out at the counter; others mail them with monthly statements.

### **2. Fact Sheet — How the Program Affects Retailers**

This fact sheet introduces you to how the PaintCare program works and how it affects your business. It is similar to the fact sheet you may have received in our first mailing in December.

### **3. Fact Sheet — How to Become a Drop-Off Site (with Interest Form)**

Becoming a drop-off site is optional. This fact sheet explains how easy it is to become a PaintCare drop-off site. Many retailers volunteer to take back paint because of the potential for increased foot traffic and to provide an additional service to their customers and community. Please fill out and return the form if you are interested.

### **4. Poster — General Information**

This in-store poster informs customers about the upcoming program and lists the products covered by the program and the fees that will be applied to these products when the program starts.

If you would like additional copies of the enclosed painting contractor fact sheet or poster, please send an email to [info@paintcare.org](mailto:info@paintcare.org) or call (855) 724-6809. We will be sending another mailing that will include program brochures for your customers after the plan is approved and before the program starts.

We look forward to working with you to establish a successful and convenient postconsumer paint management program for Colorado. Feel free to contact me directly with any questions at (720) 481-8858 or [clurie@paint.org](mailto:clurie@paint.org), or visit [www.paintcare.org/co](http://www.paintcare.org/co) for more information.

Sincerely,



Cathy Lurie  
Colorado Program Manager



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

June 2015

**Dear Colorado Paint Retailer:**

In January 2015, we sent paint retailers a notification that the Colorado Paint Stewardship Law would take effect on July 1, 2015. PaintCare's program for implementing this stewardship law will make it more convenient for households and businesses to recycle leftover, unwanted paint. A fee (per container assessment) on the sale of new paint will fund the program.

To prepare your customers for the new fees and to explain the recycling services the program will offer, we are providing you with a packet of point-of-sale (POS) educational materials.

This packet includes:

- Program posters to hang by your checkout counter or in the paint aisle of your store – 2 posters.
- Brochures with information about the PaintCare program for your customers – 50 brochures.
- Mini-cards with information about finding a paint drop-off site after July 1 – 50 cards.
- A sample factsheet for your customers who are painting contractors. We sent a packet of these previously. If you would like more copies, you may order them using the enclosed order form or by contacting us.
- Order form for printed materials – you may order additional supplies, free of charge, at any time.
- Factsheet for retailers explaining the program and your role – we've sent this previously.

In addition to providing you with print materials about the program, we are hosting two webinars to further explain the program, review the responsibilities of retailers under the law, and provide you with an opportunity to ask questions. The webinars will take place:

**Tuesday, June 23** 10:00–11:00 AM MT

**Thursday, June 25** 10:00–11:00 AM MT

Please visit [www.paintcare.org/colorado](http://www.paintcare.org/colorado) to sign up for the webinar.

**Materials for Non-English Speakers**

The program brochure and painting contractor factsheet are also available in Spanish. We are also happy to translate these materials into additional languages upon request. Please contact me by e-mail or phone to request additional languages.

To learn more about the PaintCare Program, please visit our website at [www.paintcare.org](http://www.paintcare.org) or contact me directly at [clurie@paint.org](mailto:clurie@paint.org) or (720) 481-8858.

Thank you,

Cathy Lurie  
Colorado Program Manager



## Colorado Paint Stewardship Program

# How Will the Colorado Paint Stewardship Program Affect Paint Retailers?

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**A Colorado law passed in June 2014 requires paint manufacturers to establish a Paint Stewardship Program in the state. Program funding comes from a fee on architectural paint starting on the first day of the program.**

**START DATE: JULY 1, 2015**

### Paint Stewardship Program in Colorado

PaintCare Inc. is a non-profit organization established by the American Coatings Association to implement state-mandated paint stewardship programs on behalf of paint manufacturers in states that adopt paint stewardship laws. The Colorado program is required by state law, but it is designed and operated by the paint manufacturing industry through PaintCare.



### Convenient Paint Recycling

PaintCare's primary effort is to set up paint drop-off sites in PaintCare states to make it more convenient for residents and businesses to recycle paint. In addition to retailers, PaintCare sites may include municipal household hazardous waste facilities and drop-off events, solid waste transfer stations, and landfills. There are currently more than 1,200 paint drop-off sites across six states (California, Connecticut, Oregon, Minnesota, Rhode Island, and Vermont).

### Participation as a Drop-Off Site is Voluntary

Paint retailers that would like to be drop-off sites can participate if they have space for paint storage bins and can provide minimal staff time to accept paint from the public. By doing so, retailers can increase foot traffic and sales, and provide a new service for their community. They make it convenient for their customers to recycle leftover paint and help provide relief to local government programs that currently manage leftover paint. PaintCare provides storage bins, supplies, and site training. PaintCare also pays for paint transportation and recycling and promotes the sites to the local community.

### REQUIREMENTS OF RETAILERS

#### 1. Check Registered Manufacturers and Brands

Once the program begins, retailers may only sell architectural paints that are registered. Paint manufacturers must register their company with PaintCare, and they must register all architectural paint brands they sell in the state (these products will have the new fee). PaintCare will publish lists of registered manufacturers and brands so that retailers can check to see that the products they sell are registered. Please visit [www.paintcare.org](http://www.paintcare.org) to view registration lists. (Note that not all companies have registered yet for Colorado.)

## 2. Pass on the Stewardship Fee

When the program begins, the law requires that a stewardship fee (“PaintCare Fee”) be added by manufacturers to the wholesale price of all architectural paint sold in the state. This fee pays for all aspects of running the program. The fee is paid by manufacturers to PaintCare and then passed to their dealers. Retailers should see the PaintCare Fee on invoices from suppliers when the program starts. The law also requires that retailers and distributors apply the fee to the price of architectural paint they sell. The fees paid by the customers to the retailers offsets the fees charged to the retailers. All manufacturers, distributors, and retailers that sell architectural paint in Colorado must pay the fee and pass it down to their dealers, ensuring a level playing field for all parties.

## 3. Provide Information to Customers

Paint retailers must provide customers with information regarding the program and how paint is managed. PaintCare will develop the materials, ensure they meet state requirements, and provide them free of charge to all paint retailers.

## COMMON QUESTIONS ABOUT FEES

### How much are the fees?

Although fees may vary by state and can change in the future, fees in all active states are currently the same. Colorado fees are proposed to be the same:

- \$ 0.00 – Half pint or smaller
- \$ 0.35 – Larger than half pint to smaller than 1 gallon
- \$ 0.75 – 1 Gallon
- \$ 1.60 – Larger than 1 gallon up to 5 gallons

### When will the fees for Colorado be known?

Fees for Colorado have been proposed by PaintCare in its program plan (January 1, 2015) submitted to the Colorado Department of Public Health and Environment (CDPHE). CDPHE must approve the fees and will do so after a public comment period. Retailers will be notified of the fee structure by PaintCare as soon as it is known.

### How are the fees calculated?

Fees are set to cover the cost of a fully operating program on a state-by-state basis. PaintCare estimates the annual sales of architectural paint in each state, divides the estimated annual expenses of the program by the estimated number of containers to be sold, adjusts for container size, and determines a fee per size that will

provide the budget needed to fund the program. In future years, fees may be adjusted if they are set too high or too low to cover program expenses.

### Is sales tax applied to the fee, itself?

Yes. The fee is part of the purchase price; therefore, sales tax is collected on the fee.

### Must we show the fee on receipts?

No, but most stores show the fee in order to explain the price increase. PaintCare encourages retailers to show the fee to increase awareness of the program.

### Is the fee a deposit to be returned to customers?

No, the fee is not a deposit. Fees are used entirely to cover the expenses of running the program. Fees are not given back as a deposit for the return of paint or empty paint cans – a common misunderstanding.

### Do we refund the fee if a product is returned?

Yes, the fee should be refunded because it is part of the purchase price.

### Do we apply the fee to sales on the first day of the program for inventory purchased before the first day of the program, even though we didn't pay a fee for the product to the distributor or manufacturer?

Yes, retailers must add the fee on all covered products sold on or after the first day of the program, regardless of when they were purchased from the distributor or manufacturer.

### How will the public know about the fee?

PaintCare will provide materials for retailers to distribute to the public to help explain the purpose of the fee, how the program works, and how to find a paint drop-off location. Before the program starts, PaintCare provides a “starter pack” of brochures and other informational materials to all paint retailers. Additional materials can be ordered as needed. The cost of the materials is covered by the program. In addition to retailer information, PaintCare works with contractor associations to get information to professional painting contractors, and conducts general outreach including newspaper, radio, television, and on-line advertising.

### What products are covered?

Architectural paints include most house paints, stains, and clear coatings (e.g., varnish and shellac). For a definition of architectural paint for the purposes of this program or for examples of program and non-program products, please contact PaintCare or visit our website.

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## 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



## What Products are Covered?

Architectural paints ("Program Products") are defined as interior and exterior architectural coatings sold in containers of 5 gallons or smaller. 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
- 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

**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

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



## Colorado Paint Stewardship Program

# Information for Painting Contractors

### Colorado's paint stewardship law affects painting contractors.

**START DATE: JULY 1, 2015**

A Colorado law passed in 2014 requires manufacturers of paint to set up and operate a paint stewardship program in Colorado. The program will be funded by a fee on architectural paint sold in the state. The program will set up drop-off sites at retailers and other locations where residents and businesses will be able to take most leftover paint, free of charge.

#### Paint Stewardship

The American Coatings Association (ACA) worked with various stakeholders interested in the management of postconsumer paint to develop a Paint Stewardship Program in the United States. PaintCare Inc. is a non-profit organization established by ACA to implement the program on behalf of paint manufacturers in states that adopt paint stewardship laws. "PaintCare States" include California, Colorado, Connecticut, Maine, Minnesota, Oregon, Rhode Island, and Vermont.

The main goals of the program are to decrease paint waste and recycle more postconsumer paint by setting up convenient drop-off sites in each PaintCare state.



#### Fees and Funding

As required by state law, a paint stewardship assessment ("PaintCare Fee") must be added by manufacturers to the wholesale price of all architectural paint sold in the state. This fee is paid by manufacturers to PaintCare to fund setting up drop-off sites for leftover, postconsumer paint and for the transportation, recycling, and proper disposal of that paint. The fees also pay for consumer education and program administrative costs.

In states with active programs, the fees per container are as follows; the fees in Colorado are expected to be the same (pending approval by the state).

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\$ 0.00 – Half pint or smaller

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\$ 0.35 – Larger than half pint to smaller than 1 gallon

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\$ 0.75 – 1 Gallon

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\$ 1.60 – Larger than 1 gallon up to 5 gallons

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The law also requires that each distributor and retailer include the PaintCare Fee with their sale price of architectural paint sold in the state. Displaying the fee on invoices and receipts is not mandatory for distributors or retailers; however, PaintCare encourages them to show the fee and list it as "PaintCare Fee" to aid in customer and dealer education and to ensure transparency.

#### Notice for Painting Contractors

It is expected that contractors will pass the fees on to their customers in order to recoup the fees they pay on the product.

**When estimating jobs, contractors should take these fees into account by checking with your suppliers to make sure the quotes for paint products include the fees. You should also let your customers know that you will be including these fees in your quotes.**

### **New Paint Drop-Off Sites**

PaintCare will establish more than 100 paint drop-off sites across Colorado. Most drop-off sites will be at paint stores. Others may include solid waste transfer stations, recycling centers, and government-sponsored household hazardous waste programs. Participation as a drop-off site is voluntary.

### **Use of Retail Drop-Off Sites by Businesses**

Retail sites will provide a convenient and no cost recycling option for painting contractors and other businesses. Businesses that generate less than 220 pounds of hazardous waste\* per month will be able to use these sites to recycle all program products (both water and oil-based) with some restrictions on quantities per month.

Larger businesses (those that generate more than 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.

*\*220 pounds is about 20-30 gallons of paint. When counting how much hazardous waste you generate in a month, oil-based paint counts (because by law it is a hazardous waste), but latex and other water-based paint does not count toward the 220 pound monthly total.*

### **Pick-Up Service for Large Volumes**

Businesses with at least 300 gallons of postconsumer paint to recycle may qualify to have their paint picked up by PaintCare at no additional cost. To learn more or to request this service after the program begins, call (855) 724-6809.

### **Contact**

Cathy Lurie  
Colorado Program Manager  
(720) 481-8858  
clurie@paint.org

### **What Products Are Covered?**

Architectural paints (“PaintCare 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.

### **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

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### **MORE INFORMATION**

(855) 724-6809 or (855) PAINT09  
www.paintcare.org or info@paintcare.org

PAINTCARE INC.  
1500 RHODE ISLAND AVENUE NW  
WASHINGTON, DC 20005



## Colorado Paint Stewardship Program

# Become a Retail Drop-Off Site for Paint

**PaintCare makes it easy for paint retailers to provide a convenient and valuable service for their community.**

A state law passed in 2014 requires paint manufacturers to set up and operate a paint stewardship program in Colorado. The new law requires paint retailers to add a stewardship assessment (fee) to architectural paint products and to make sure they are not selling unregistered brands of architectural paint. Retailers may also volunteer to be paint drop-off sites. Retailers that would like to learn more about what it takes to join the program to be drop-off sites are encouraged to contact PaintCare for details.

### Paint Stewardship Program in Colorado

PaintCare Inc. is a non-profit organization established by the American Coatings Association to implement this program on behalf of paint manufacturers in PaintCare States (those that adopt paint stewardship laws). PaintCare operates programs in California, Connecticut, Minnesota, Oregon, Rhode Island, and Vermont. PaintCare is also planning to start programs this summer in Colorado and Maine.

### Convenient Paint Recycling

PaintCare's primary effort is to establish paint drop-off sites throughout each PaintCare state to provide convenient recycling options for the public. The program allows residents and businesses to return unused architectural paint to drop-off locations throughout each PaintCare state.

PaintCare has established more than 1200 paint drop-off sites in six states. Most drop-off sites are at paint stores. Other sites include solid waste transfer stations and government-sponsored household hazardous waste programs. Participation as a drop-off site is voluntary.



### Benefits to Retailers

There are many benefits to becoming a drop-off site.

As a participating retailer, you 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
- Increase customer foot traffic and sales
- Help relieve local government of their cost of managing leftover paint
- Help prevent the improper disposal of paint in your community

## PaintCare Provides

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



## Drop-Off Site Responsibilities

- Provide secure storage area for paint storage bins
- Accept all brands of leftover program products from the public during operating hours
- Place unopened program products in storage bins
- Keep storage bins neat and properly packed
- Assist PaintCare's hauler 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
- Display "drop-off site" signs in store window and display consumer education materials

## 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)
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- Metal coatings, rust preventatives
- Field and lawn paints

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- 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

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## MORE INFORMATION

(855) 724-6809 or (855) PAINT09  
[www.paintcare.org](http://www.paintcare.org) or [info@paintcare.org](mailto:info@paintcare.org)

PAINTCARE INC.  
1500 RHODE ISLAND AVENUE NW  
WASHINGTON, DC 20005



# Retailer Interest Form

*To Be a PaintCare Drop-Off Location*

Use this form to let us know that your store is interested in becoming a PaintCare drop-off site. PaintCare has published fact sheets for each state where we have a paint stewardship program to explain details about working with PaintCare to become a paint drop-off site. Please visit [www.paintcare.org](http://www.paintcare.org) or call **(855) 724-6809** to request a state-specific fact sheet.

Note: This form is designed in Word using tables. If you are using the electronic version, just start typing. The boxes will expand to fit.

## SPONSOR

|                |                      |
|----------------|----------------------|
| Store Name     | <input type="text"/> |
| Street Address | <input type="text"/> |
| City/State/Zip | <input type="text"/> |
| Mail Address   | <input type="text"/> |
| Business Hours | <input type="text"/> |

## CONTACT 1

|       |                      |
|-------|----------------------|
| Name  | <input type="text"/> |
| Title | <input type="text"/> |
| Phone | <input type="text"/> |
| Email | <input type="text"/> |

## CONTACT 2

|       |                      |
|-------|----------------------|
| Name  | <input type="text"/> |
| Title | <input type="text"/> |
| Phone | <input type="text"/> |
| Email | <input type="text"/> |

## STORE TYPE

Independent    Franchise    Chain    Co-op    Big Box

## PARENT COMPANY

*Fill this out if your participation is managed by a parent company:*

|                |                      |
|----------------|----------------------|
| Company Name   | <input type="text"/> |
| Contact Person | <input type="text"/> |
| Phone          | <input type="text"/> |
| Email          | <input type="text"/> |

## STORAGE SPACE

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

*Each bin uses the floor space of a pallet, 3'x3'.*

*Normally, participating retailers are required to have at least two bins.*

## STORAGE LOCATION

Indoors    Outdoors (secured away from public)

## QUESTIONS / COMMENTS

Use this space to ask questions or provide additional information:

## SEND COMPLETED FORM TO

[info@paintcare.org](mailto:info@paintcare.org)

(855) 385-2020 Fax

PaintCare, 1500 Rhode Island Ave. NW, Washington DC 20005



COLORADO START DATE  
JULY 1, 2015

# Paint Recycling Program

## About the PaintCare Program

### PAINTCARE

PaintCare is a non-profit 501(c)(3) organization, established by the American Coatings Association to implement paint stewardship programs on behalf of paint manufacturers in states that adopt a paint stewardship law.

### PROGRAM PRODUCTS

*These products have fees and will be accepted at PaintCare-partnering drop-off sites:*

- Latex paints (acrylic, water-based)
- Oil-based paints (alkyd)
- Stains
- Primers and undercoaters
- Shellacs, lacquers, varnishes, urethanes
- Deck and floor paints
- Sealers and waterproofing coatings for wood, concrete and masonry

### NON-PROGRAM PRODUCTS

- Paint thinners and solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Paint additives, colorants, tints, resins
- Wood preservatives (containing pesticides)
- Tar, asphalt, and bitumen-based products
- 2-component coatings
- Coatings used for Original Equipment Manufacturing or shop application
- Any non-coatings (caulk, spackle, cleaners, etc.)

### FEES

The "PaintCare Fee" is applied to the purchase price of architectural paint sold in the state as required by state law. Fees are based on container size as follows:

|   |         |
|---|---------|
| Half pint or less                         | \$ 0.00 |
| More than half pint to less than 1 gallon | \$ 0.35 |
| 1 gallon                                  | \$ 0.75 |
| More than 1 gallon to 5 gallons           | \$ 1.60 |



*For more information or to find a place to take your unwanted paint for recycling, please ask for the PaintCare brochure.*

**[www.paintcare.org](http://www.paintcare.org) • (855) 724-6809**

*Recycle with PaintCare*



## Colorado Paint Stewardship Program

*Each year about 650 million gallons of architectural paint is sold in the United States. Did you know that about 10 percent goes unused and is available for recycling?*

Colorado's Paint Stewardship Law requires the paint manufacturing industry to develop a financially and environmentally sustainable program to manage postconsumer architectural paint. The program includes: education about buying the right amount of paint, tips for using up remaining paint and setting up convenient recycling locations throughout the state.

PaintCare is a non-profit organization established by paint manufacturers to run paint stewardship programs in states with applicable laws.

## PaintCare Products

*These products have fees when you buy them and are accepted for free 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

*Leaking, unlabeled and empty containers are not accepted at drop-off sites.*

## ⊘ Non-Program Products

- Paint thinners, mineral spirits, solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Art and craft paints
- Caulk, 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

For information about recycling and proper disposal of non-program products, please contact your garbage hauler, local environmental health agency, household hazardous waste program or public works department.



# Recycle with PaintCare



COLORADO

## Places to Take Old Paint

Paint recycling is more convenient with PaintCare. We set up paint drop-off sites throughout Colorado. To find your nearest drop-off site, use PaintCare's search tool at [www.paintcare.org](http://www.paintcare.org) or call our hotline at (855) 724-6809.

## How to Recycle

PaintCare sites accept all brands of old house paint, stain and varnish – even if they are 20 years old! Containers must be five gallons or smaller, and a few types of paint are not accepted. See back panel for a list of what you can recycle.

All PaintCare drop-off sites accept at least five gallons of paint per visit. Some sites accept more. Please call the site in advance to make sure they can accept the amount of paint you would like to recycle.

Make sure all containers of paint have lids and original labels, and load them securely in your vehicle. Take them to a drop-off site during their regular business hours. We'll take it from there.



## What Happens to the Paint?

PaintCare will make sure that your leftover paint is remixed into recycled paint, used as a fuel, made into other products or properly disposed.

## Who Can Use the Program?

**Residents** bringing paint from their home can bring as much latex or oil-based paint as the site is willing to accept.

**Businesses** (painting contractors and others) can use this program with one restriction: If your business produces more than 220 pounds (about 20-30 gallons) of hazardous waste per month, you may use the drop-off sites for your latex paint only and not for your oil-based paint. Contact PaintCare to learn more about this restriction.

## Large Volume Pick-Up

If you have at least 300 gallons of paint to recycle at your business or home, call (855) 724-6809 for details on our free pick-up program.

## PaintCare Recovery Fee

PaintCare is funded by a fee paid by paint manufacturers for each can of paint they sell in the state. Manufacturers pass the fee to retailers, who then apply it to the price of paint. Stores can choose whether or not to show the fee on their receipts. Fees are based on the size of the container as follows:

- \$ 0.00 Half pint or less
- \$ 0.35 More than a half pint to less than 1 gallon
- \$ 0.75 1 Gallon
- \$ 1.60 More than 1 gallon up to 5 gallons

## Not a Deposit

The fee is not a deposit – it is part of the purchase price. The fees are used to pay the costs of running the program: recycling, public education, staffing and other expenses.

## Contact Us

Please visit [www.paintcare.org](http://www.paintcare.org) or give us a call at (855) 724-6809 to find a drop-off site or learn more.



It's easy to recycle  
your leftover paint,  
stain and varnish.

*Recycle with PaintCare*

Find a drop-off site near you:

**(855) 724-6809 • [www.paintcare.org](http://www.paintcare.org)**

**Buy right.  
Use it up.  
Recycle the rest.**

*Manufacturers of paint created PaintCare, a nonprofit organization, to set up convenient places for you to recycle leftover paint. We're working to provide environmentally sound and cost-effective recycling programs in your state and others with paint stewardship laws.*

**LEARN MORE**

Visit [www.paintcare.org](http://www.paintcare.org) or follow us on Facebook for tips on how to buy the right amount of paint, store paint properly, use up leftover paint, and find a drop-off site. We also have a free pick-up service for businesses or households with at least 300 gallons of paint to recycle.



# PRINT MATERIALS ORDER FORM

For free PaintCare brochures, factsheets, posters and other items

COLORADO

Please complete this form and send to PaintCare. Indicate the quantities you would like below.

Store Name

Street Address

City/State/Zip

Contact Person

Phone

Email

### PROGRAM BROCHURE

General information about the PaintCare Program



Quantity


English  
Spanish

### PROGRAM POSTER

General PaintCare information on 1 page (8.5 x 11)



Quantity

English

### MINI-CARD

Quick reference to help customers find drop-off sites



Quantity


English  
Spanish

### PAINTING CONTRACTOR FACT SHEET

General information for painting contractors



Quantity


English  
Spanish

### BROCHURE HOLDER

Keep the brochures neat and in one place.  
Would you like a brochure holder for the counter?


 Yes  
 No

### LARGE VOLUME PICK-UP FACT SHEET

How to request a pickup for 300 gallons or more



Quantity


English  
Spanish

### SEND COMPLETED FORM TO:

Email: retail@paintcare.org  
Fax: (855) 385-2020

Mail: PaintCare, 1500 Rhode Island Ave. NW, Washington DC 20005  
Phone: (855) 724-6809

## Appendix H



## Colorado Paint Stewardship Program

# Information for Solid Waste Transfer Stations, Recycling Facilities and Landfills

### Colorado's paint stewardship law supports paint collection activities at solid waste transfer stations, recycling facilities and landfills.

**A new law passed in June 2014 requires paint manufacturers to establish a paint stewardship program in Colorado. Sites that participate can save money on paint management costs and expand services to their customers. Program funding comes from a "PaintCare Fee" applied to each container of architectural paint sold in Colorado when the program begins in the summer of 2015.**

#### Paint Stewardship Program in Colorado

PaintCare Inc. is a non-profit organization established by the American Coatings Association to implement state-mandated paint stewardship programs on behalf of paint manufacturers in states that adopt paint stewardship laws. Colorado is the 8th state to pass such a law. Although this program is required by state law, it is designed and operated by the paint manufacturing industry. PaintCare currently operates programs in six states (California, Connecticut, Minnesota, Oregon, Rhode Island, and Vermont). PaintCare is now planning programs for Colorado and Maine to start in the summer of 2015.

#### Designing a Program for Colorado

The new law required PaintCare, on behalf of paint manufacturers, to submit a comprehensive Program Plan to the Colorado Department of Public Health and Environment by January 1, 2015. PaintCare will conduct a series of stakeholder meetings to present the goals

and design of the program and to receive input from stakeholders.

#### 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, household hazardous waste (HHW) facilities, solid waste transfer stations, recycling facilities, and landfills may also volunteer to be PaintCare drop-off sites and have their paint transportation and recycling costs covered by PaintCare.

#### Benefits to Drop-Off Sites

- Make recycling of leftover paint more convenient for your community
- Save money on paint generated at your site or managed through load check programs
- Help your state conserve resources and keep paint out of the solid waste stream

#### PaintCare Partners Receive

- Storage bins for paint
- Free paint transportation and processing services
- Staff training at your site
- Program brochures and site signage
- Publicity of your site (optional)



## Drop-Off Site Responsibilities

- Provide secure storage area for 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 to track outgoing paint shipments
- Ensure staff are trained in PaintCare guidelines and safe operating procedures



## Water-Based (Latex) Paint is a Resource

An important goal of PaintCare is to conserve resources and increase the amount of paint that is recycled. Not all HHW programs 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 recycled to the maximum extent possible.

## Will PaintCare Require Operational Changes?

No. Your facility may continue to put restrictions on who can access the paint collection program at your site. If your facility only services a specific geographic region (e.g., specific towns, cities or counties), you will not be required to service customers that live outside of your service area. Similarly, if your facility is not permitted to take business waste, you will not be required to do so. (PaintCare retail sites accept paint from anyone in the state, and from both residents and businesses.)

## What Products Are Covered?

Architectural paints (“PaintCare 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:

### 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

---

## MORE INFORMATION

(855) 724-6809 or (855) PAINT09  
www.paintcare.org or info@paintcare.org

PAINTCARE INC.  
1500 RHODE ISLAND AVENUE NW  
WASHINGTON, DC 20005



# Interest Form

## Transfer Stations, Recycling Facilities and Landfills To Be a PaintCare Partner for Paint Collection

Use this form to let us know that your facility is interested in becoming a PaintCare drop-off site. PaintCare has published fact sheets for each state where we have a paint stewardship program to explain details about working with PaintCare to become a paint drop-off site. Please visit [www.paintcare.org](http://www.paintcare.org) or call (855) 724-6809 to request a state-specific fact sheet.

### SPONSOR

|                |                      |
|----------------|----------------------|
| Organization   | <input type="text"/> |
| Street Address | <input type="text"/> |
| City/State/Zip | <input type="text"/> |
| Mail Address   | <input type="text"/> |

### CONTACT 1

|       |                      |
|-------|----------------------|
| Name  | <input type="text"/> |
| Title | <input type="text"/> |
| Phone | <input type="text"/> |
| Email | <input type="text"/> |

### CONTACT 2

|       |                      |
|-------|----------------------|
| Name  | <input type="text"/> |
| Title | <input type="text"/> |
| Phone | <input type="text"/> |
| Email | <input type="text"/> |

### OPERATOR

|                 |                      |
|-----------------|----------------------|
| Operator's Name | <input type="text"/> |
|-----------------|----------------------|

Operator is a  Town, City or County  Private Company

### SPACE

|  |                      |
|--|----------------------|
| How many cubic yard bins do you have space to store?<br>(Each bin uses the floor space of a pallet, 3'x3') | <input type="text"/> |
|--|----------------------|

### WHAT WOULD YOU LIKE TO DO?

- accept paint from your customers
- accept paint from general public
- manage paint from municipal departments

### PROGRAM DESCRIPTION

Please provide additional information about your facility, such as the days and hours of operation, the cities or towns that may use your facility, whether businesses may use your facility, whether you already collect any paint, etc.

### SEND COMPLETED FORM TO

info@paintcare.org  
(855) 385-2020 Fax  
PaintCare, 1500 Rhode Island Ave. NW, Washington DC 20005

## Appendix I

**DATE** December 28, 2014**PROJECT No.** 1214410013-10000-001-TM-RevB**TO** PaintCare Inc.**FROM** Danielle Lang**EMAIL** danielle\_lang@golder.com**TECHNICAL MEMO TO PAINTCARE: GIS METHOD USED TO CALCULATE SERVICE DISTRIBUTION AND POPULATION DENSITY OF THE PAINTCARE SERVICE LOCATIONS IN COLORADO**

---

**Introduction**

Golder Associates Ltd. GIS personnel evaluated PaintCare's required Convenience Criteria as part of a Pre-Program Plan for Colorado. GIS analysis was conducted to determine the number and distribution of paint collection sites and events in order to satisfy service area-based distribution, population density criteria, and unserved areas. Colorado's Paint Stewardship legislation requires that PaintCare's program provide at least 90% of Colorado residents with access to a site within 15 miles of their homes, and seeks an additional site per 30,000 residents of an urbanized area, as defined by the United States Census Bureau. In addition, the unserved areas criterion requires that for residents without a permanent collection site within 15 miles of their homes, the program provide a collection event at least once per year. Golder evaluated these criteria using the locations of 345 paint retailers that PaintCare identified as potential paint drop-off site partners.

**Evaluation Process***Criterion 1: Service Area-Based Distribution*

All retail site addresses (set of 345) were mapped and a service area with a 15-mile radius surrounding each site was calculated using ESRI's ArcMap 10.2 Geographic Information System (GIS) Program. Once all sites were mapped, the service area-based criterion was evaluated based on the coverage of all combined service areas and a population distribution layer. Population data for 2010 was downloaded directly from the United States Census Bureau for Census Blocks which are the smallest geographic area/unit for which census data is available. Additionally, the coverage area was clipped to a distance of 300 meters from road edges to more adequately represent population distribution.

An overlay analysis was conducted to calculate the percentage of the population living in each Census Block that is within at least one 15-mile service area for the potential PaintCare collection sites (see Figure 1, Colorado Service Area-Based Distribution). To complete this analysis, the authors used a GIS algorithm to find the number and best location of sites to satisfy the criterion for service area-based distribution (See Table 1, Site Count).



**Table 1: Service Area-Based Distribution**

| Site Count | Criterion                  | Population                            |  |
|------------|----------------------------|---------------------------------------|--|
|            | Population within 15 miles | With Access To A Site Within 15 Miles | Without Access To A Site Within 15 Miles |
| 56         | 90.0%                      | 4,527,882                             | 501,314                                  |

*Criterion 2: Population Density*

The population density criterion seeks an additional site per 30,000 residents of an urbanized area, as defined by the United States Census Bureau. An urbanized area is considered to be a densely settled area having a population of 50,000 or greater while an urban cluster has between 2,500 and 50,000 residents. Golder looked at both urbanized areas and urban clusters in Colorado to determine which areas have a population of greater than 30,000 residents, resulting in a total of nine urbanized areas (see Table 2, Urbanized Area).

The total population of each urbanized area was divided by 30,000 to evaluate this criterion. Sites from criterion 1 were then intersected with the urbanized area and removed from the required amount. To achieve one additional site per 30,000 residents resulted in an additional 116 required sites (See Table 2, Sites in Addition to Locations from Criterion 1) bringing the total number of sites required to meet both criteria to 172 (see Figure 2, Colorado Population Density in Urbanized Areas).

**Table 2: Population Density in Urbanized Areas**

| Urbanized Area                | Population       | Sites Required Based on Criterion 2 | Sites in Addition To Locations From Criterion 1 |
|-------------------------------|------------------|-------------------------------------|---|
| Boulder                       | 114,792          | 3                                   | 3   |
| Colorado Springs              | 563,020          | 18                                  | 17  |
| Denver – Aurora               | 2,381,168        | 79                                  | 77  |
| Fort Collins                  | 266,837          | 8                                   | 7   |
| Grand Junction                | 129,114          | 4                                   | 2   |
| Greeley                       | 118,020          | 3                                   | 3   |
| Lafayette – Louisville – Erie | 80,349           | 2                                   | 2   |
| Longmont                      | 91,279           | 3                                   | 2   |
| Pueblo                        | 136,811          | 4                                   | 3   |
| <b>Total</b>                  | <b>3,881,390</b> | <b>124</b>                          | <b>116</b>                                      |

### Criterion 3: Unserved Areas

For unserved areas - areas where a potential retail site has not been identified within 15 miles - PaintCare seeks strategic locations to hold one day events to serve residents of the area.

Analysis was performed on the state of Colorado to determine where to hold collection events to service the potential unserved population. In order to find locations that service the largest population, Golder took into account three criteria for unserved areas:

- distance from the nearest potential retail drop-off site
- size and distribution of the unserved population
- relative size of the towns located in unserved areas

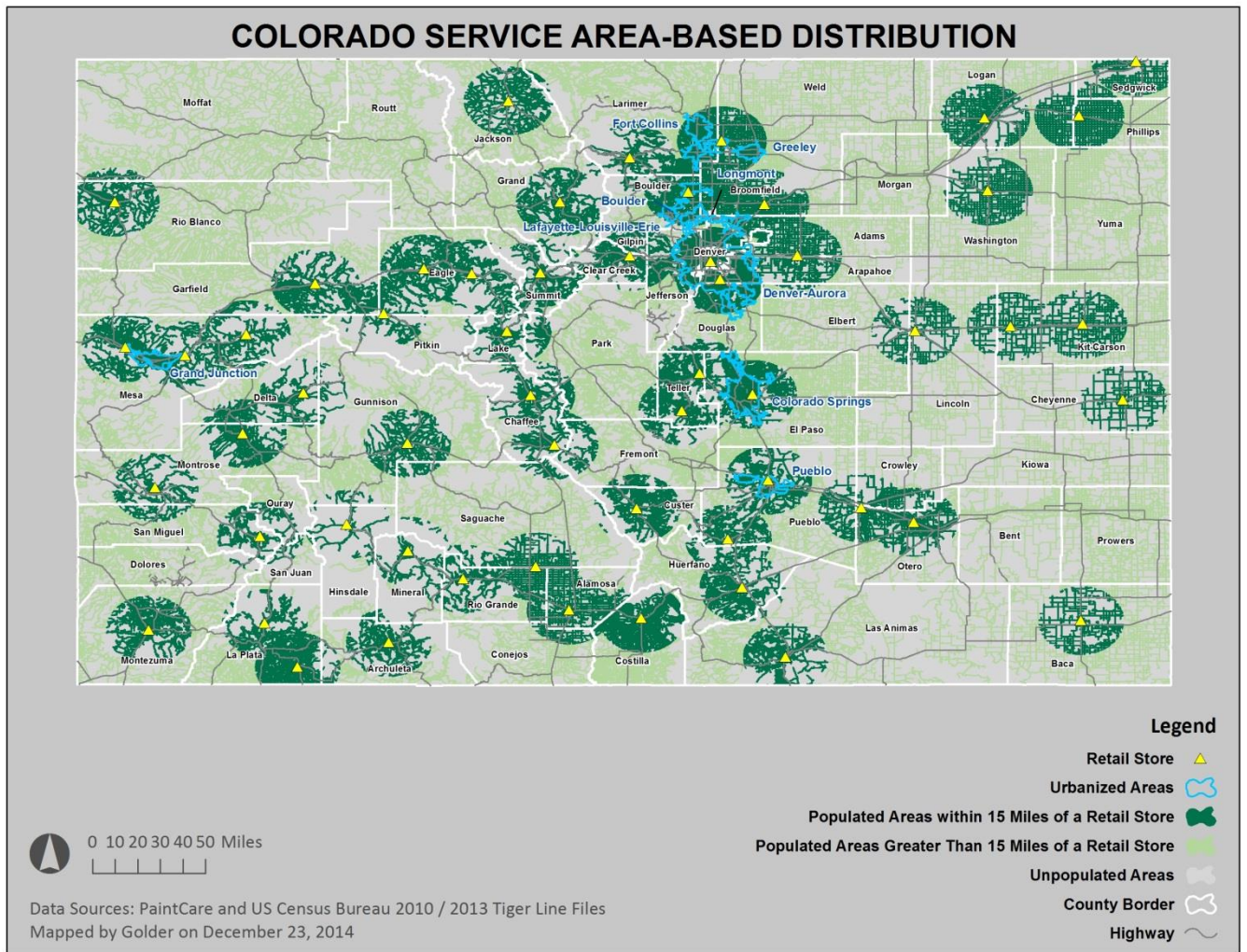
Distance to the nearest potential retail site was determined for all of the potential unserved areas of Colorado, starting at the 15 mile service area. The population of the unserved areas was determined on a Census Tract level. Census Tracts are used in this analysis due to their national standardization and potential linkages to socio-economic data. Using the distance and population of unserved, Golder determined towns that were either central to a general unserved area or were located near a higher populated town (see Figure 3, Colorado Unserved Areas).

Based on the three criteria, Golder has recommended potential locations for one-day events (see Table 3).

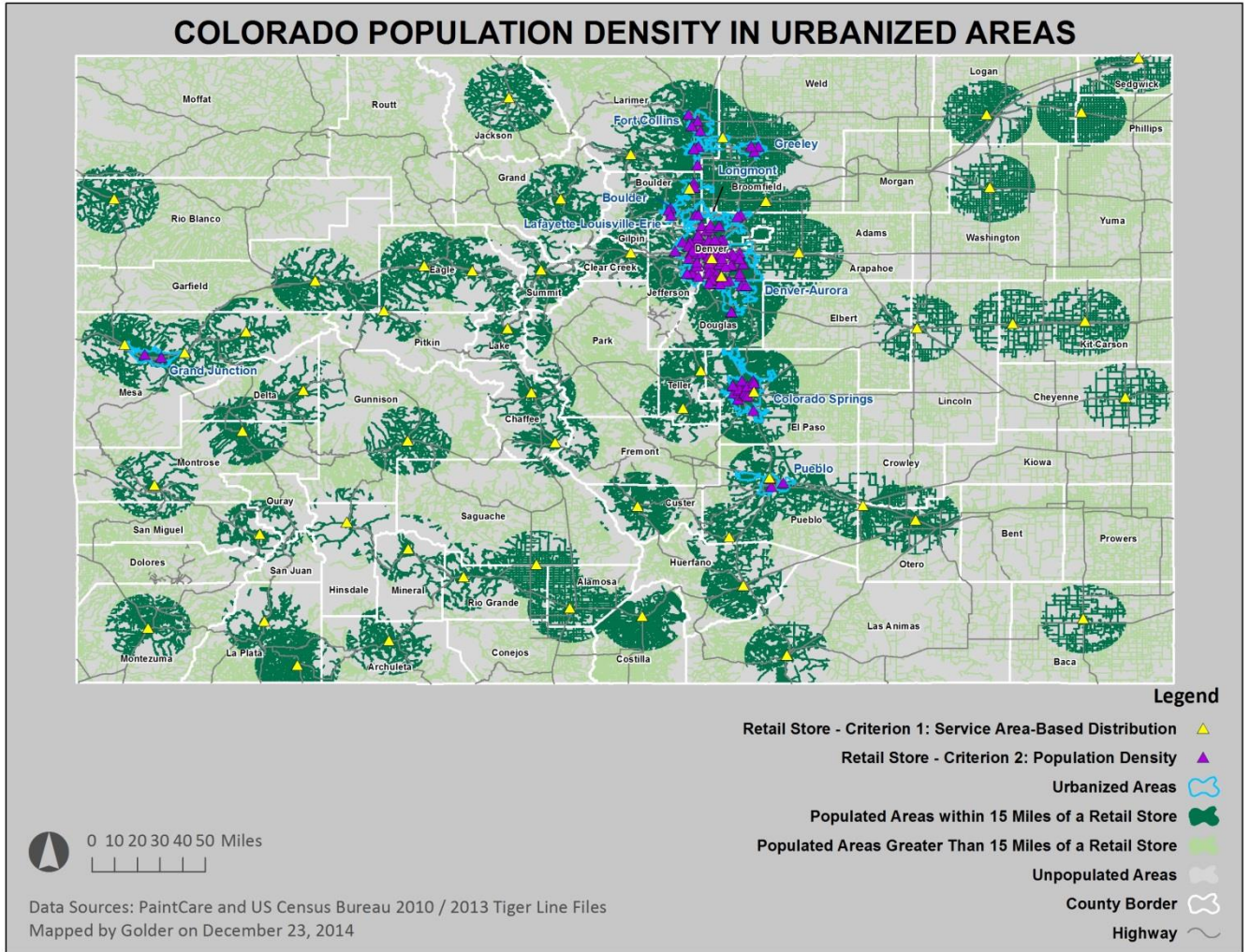
**Table 3: List of Unserved Areas**

|                 | <b>Unserved Areas<br/>County (Unserved Population) – Potential Locations</b>   |
|-----------------|--|
| Permanent Sites | Bent County (6,499) – Las Animas, Hasty<br>Conejos County (6,095) – Capulin, Manassa, Antonito, Sanford<br>Delta County (6,691) – Cedaredge, Orchard<br>El Paso County (11,097) – Ellicott, Calhan<br>Elbert County (8,384) – Elbert, Kiowa, Simla<br>Fremont County (44,808) – Coaldale, Cañon, Penrose, Williamsburg, Florence<br>Garfield County (2,927) – Battlement Mesa, Rifle<br>Grand County (3,002) – Winter Park, Kremmling<br>Gunnison County (5,456) – Pitkin, Mount Crested Butte<br>Kit Carson County (5,364) - Burlington<br>La Plata County (3,047) – Kline, Hesperus<br>Larimer County (2,864) – Red Feather Lakes<br>Moffat County (13,720) – Maybell, Craig<br>Montezuma County (2,986) - Mancos<br>Morgan County (28,140) – Jackson Lake, Wiggins, Fort Morgan, Brush, Snyder<br>Ouray County (2,648) – Loghill Village, Ridgway<br>Park County (13,184) – Guffey, Fairplay<br>Phillips County (2,969) – Holyoke, Amherst<br>Pitkin County (9,373) – Snowmass Village, Aspen |

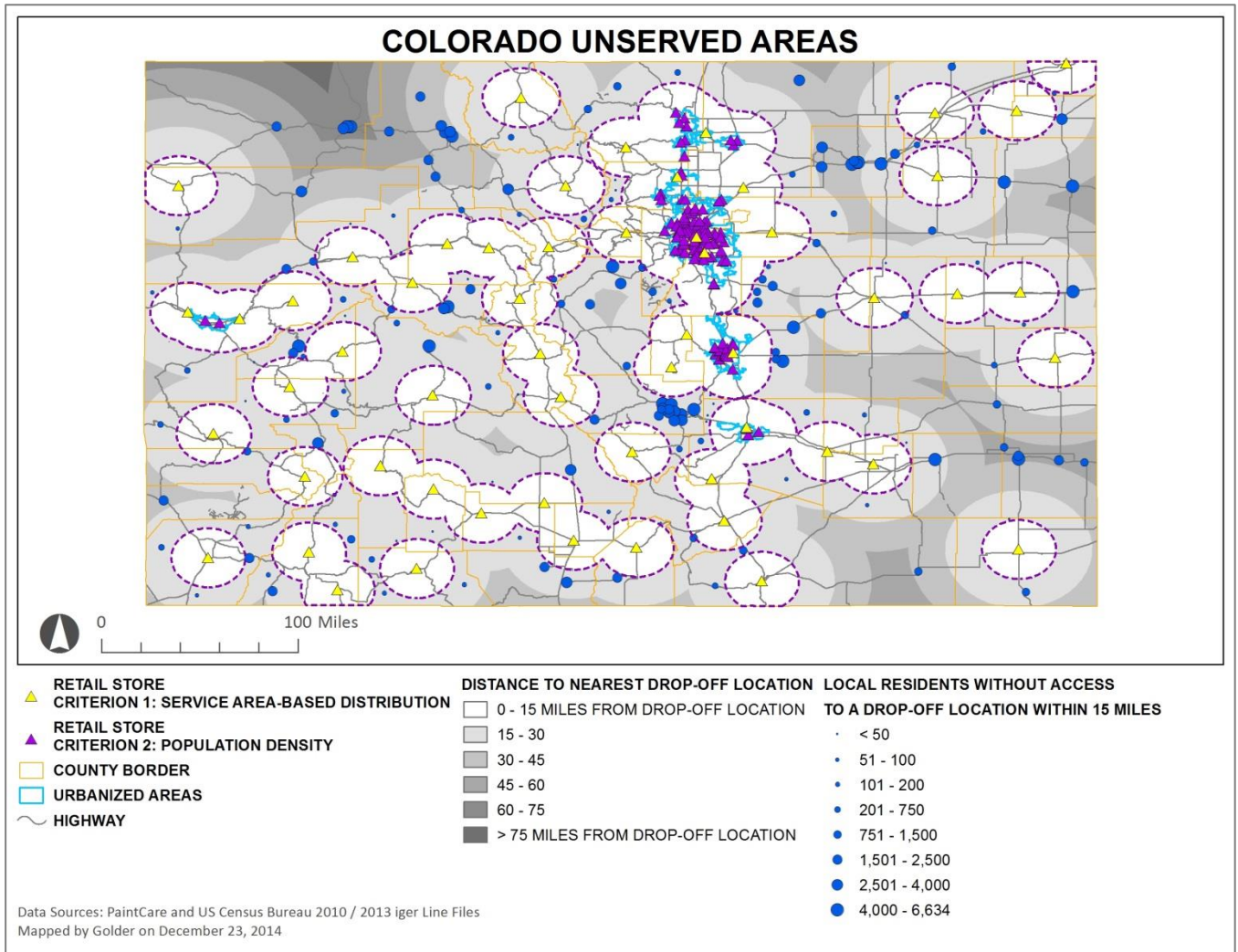
| <b>Unserved Areas<br/>County (Unserved Population) – Potential Locations</b> |   |
|--|---|
|  | Prowers County (12,551) – Lamar, Granada<br>Rio Blanco County (3,939) – Meeker<br>Routt County (23,509) – Steamboat Springs, Hayden, Phippsburg, Oak Creek<br>Saguache County (2,795) – Moffat, Saguache<br>Weld County (3,934) – Grover, Nunn, Raymer<br>Yuma County (10,036) – Yuma, Kirk, Wray |



**Figure 1: Colorado Service Area-Based Distribution**



**Figure 2: Colorado Population Density in Urbanized Areas**



**Figure 3: Colorado Unserved Areas**

We trust that this memorandum is sufficiently detailed for your requirements. Please contact us if you have any questions or would like additional information.

**GOLDER ASSOCIATES LTD.**

Danielle Lang  
GIS Analyst

Bryan Waller, B.Sc.  
Associate, Senior Consultant

DL/AL/BW

\\golder.gds\gal\Vancouver\CAD-GIS\Client\Paint\_Care\Colorado\99\_PROJECTS\12-1441-0013\_11000\02\_PRODUCTION\Colorado\Report\ 1214410013-10000-001-TM-RevA-PaintCare\_Service\_Locations-CO-20141216.docx

## Appendix J



## COLORADO ARCHITECTURAL PAINT RECOVERY PROGRAM

Questions: Contact your State’s Program Manager  
This information can be found at  
[www.paintcare.org](http://www.paintcare.org)

# Retail Drop-Off Site Guidelines

May 2015

(Note: These retail guidelines and the training slides that follow are presented in the Program Plan as an example; site guidelines and training slides are modified depending on the type of site: retail store, household hazardous waste program, waste transfer station, large volume user, materials reuse store, etc., and may be further modified to be site specific.)

### Contents

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| B. Training Record for Drop-Off Site Staff | 15 |
| C. Emergency Contact Information           | 16 |

### Contact Information

Site Name:

Site Address:

Mailing Address (if different):

Site Contact 1. Name/Phone:

Site Contact 2. Name/Phone:

PaintCare Contact Name:

PaintCare Contact Phone/Email:

Hauler Company and Contact Name:

Hauler Contact Phone/Email:

# Section 1. PaintCare Drop-Off Sites

---

## PaintCare Provides

- Paint Collection Bins (cubic yard in size)
- Labels for paint Collection Bins
- Spill kit
- Recordkeeping forms and/or log book
- Signage identifying your site as a PaintCare Drop-Off Site
- Educational print materials for your customers

## General Guidelines for Drop-Off Sites

Each PaintCare Drop-Off Site has unique logistical and operational considerations, meaning that each Drop-Off Site must make its own decisions and use its best judgment to operate in the safest manner possible in accordance with applicable Law. To ensure the highest standards of safety for you and your staff, Drop-Off Sites must:

- Accept Program Products from customers during your regular advertised or posted operating hours
- Have appropriate signage that informs customers of the hours of operation
- Participants must be assisted and supervised when they come to drop off Program Products. Drop-Off Site staff should greet participants and verify eligibility of the participant and their leftover paint products as Program Products
- When you are unable to accept a product from a consumer, please explain why the product cannot be accepted (e.g., not part of Program, leaking, oil-based paint from SQG/LQG, etc.)
- **IMPORTANT:** Never open or allow a customer to open a Program Product container
- Display PaintCare signage to identify your store as a Drop-Off Site – signage should be posted in a highly visible area, at the entrance of your store
- Have adequate space, staffing and training to collect and store Program Products
- Place all Program Products immediately in Collection Bins approved for use by PaintCare and provided by its contractors.
- Provide a secure space for empty and full Collection Bins
- Pack only Program Products into Collection Bins (see Section 3 for a description of Program Products)
- Schedule shipments of Program Products from your Drop-Off Site
- Maintain all records relating to the Program
- Train staff to be familiar with the requirements and practices of this guide

## Paint Collection Bin Area

Establish a dedicated area for paint Collection Bins and Program Products.

Collection Bins include secondary containment to contain liquids in the event a can leaks while in storage; however, they should also be placed on an impermeable surface (e.g., concrete, asphalt, sealed wood floor) whenever possible.

Store Collection Bins away from ignition sources.

Place Collection Bins away from storm drains and floor drains.

Mark the Collection Bin with the date the first Program Product is placed in it to help the Program track how quickly your Collection Bins are filled.

Protect Collection Bins from temperature extremes by storing them inside or under cover if possible.

Please make sure to comply with any local fire codes or other regulations that might pertain to your storage of Collection Bins at your site. If you keep Collection Bins outdoors, you may need approval from your local fire officials, hazardous materials oversight agency, or other regulatory agencies.

## Security

The Drop-Off Site should be secured and locked when it is closed or not attended.

Only Drop-Off Site staff should have access to the Collection Bins and storage area.

## Packing and Maintaining Collection Bins

Keep Collection Bins closed except when adding Program Products.

Maintain enough space around Collection Bins to inspect for leakage and emergency access.

Please do not overfill Collection Bins.

Pack 5-gallon buckets on the bottom layer of the Collection Bins for stability.

Pack all Program Products (cans, buckets) upright and as tight as possible in the Collection Bins to protect contents from shifting and leaking in transit.

Use good housekeeping standards; keep paint storage areas clean and orderly.

## Section 2. Accepting Program Products

---

### What Is Architectural Paint

PaintCare Drop-Off Sites should accept only Program Products for management under the PaintCare Program.

Section 3 includes the primary examples of architectural paint products accepted by the PaintCare Program (“Program Products”) and paint or paint-related products not accepted by the PaintCare Program (“Non-Program Products”).

Any Drop-Off Site that accepts Non-Program Products will be responsible for managing all Non-Program Products at the Drop-Off Site’s expense.

Generally, architectural paints include latex and oil-based house paint, stains, and clear coatings (varnish, shellac, etc.).

The Program excludes anything that is:

- in an aerosol spray can;
- intended and labeled “for industrial use only”;
- mostly used in the manufacture of equipment; and
- on the list of specifically excluded products for some other reason.

Architectural paint is classified as either latex (water-based) or oil-based (alkyd) and the classification is important in order to decide how the product should be handled and recycled. Being able to tell the difference between latex and oil-based products is also important in determining which types of businesses can use the PaintCare Program.

### Who Can Drop Off Program Products

The Program accepts paint from the following:

**Households.** Residents may drop off any Program Product.

**Non-Households.** (Businesses and other organizations)

CESQG Businesses. Among other criteria, businesses that qualify as “Conditionally Exempt Small Quantity Generators” under state and federal rules must generate less than 100 kilograms (about 20-30 gallons) of hazardous wastes per month (and not store more than 1,000 kilograms of hazardous waste at any time). Small painting contractors or commercial property owners often qualify as CESQGs. Businesses that qualify as CESQGs may drop off any type of Program Product.

SQG and LQG Businesses. Businesses that generate more than 100 kilograms of hazardous waste per month are classified as either “Small Quantity Generators” or “Large Quantity Generators” under state and federal rules. Larger painting contractors or big manufacturing businesses typically are classified as SQGs or LQGs. These businesses are more heavily regulated and must use a hazardous waste management company to manage their hazardous waste, including oil-based paint. They may, however, drop off latex-based Program Product at PaintCare Drop-Off Sites.

## How to Know If a Business Qualifies

Each business is responsible for determining its own generator status under the applicable Law.

When a business has oil-based paint to drop off, it must sign a CESQG Certification Log (sample included in Appendix A) to verify that it qualifies as a CESQG and is therefore qualified to use the Program for oil-based paint. The Certification includes an explanation of what types of businesses qualify to use the Program. (If a business has only latex paint, it does not need to sign anything.)

Once a business signs the CESQG Certification, you may accept up to 100 kilograms (about 20-30 gallons) of oil-based paint from that CESQG.

Certification logs may be reviewed by PaintCare or government agencies and compared with a list of registered hazardous waste generators to see that only CESQG businesses are using the Program for their oil-based paint.

## Section 3. Container Condition and Approved Product Types

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Before accepting products from participants for management under the PaintCare program, Drop-Off Site staff must (1) check the product label and/or container contents to verify that it contains a Program Product, and (2) check the condition of the container for acceptance in the Program.

### Acceptable Containers vs. Unacceptable Containers

#### Acceptable

- The Program Product must be in its original container
- The container is labeled as containing one of the designated Program Products listed below
- The container must be in good condition and not leaking
- The container must be 5 gallons in size or smaller

#### Not Acceptable

- The container is not original (e.g., paint was transferred into a jar)
- The container does not have an original label
- The container is leaking or has no lid
- The container is larger than 5 gallon
- The container is empty

### Program Products and Non-Program Products

#### Acceptable Products (Program Products)

- Interior and exterior paints: latex, acrylic, water-based, alkyd, oil-based, enamel (including textured coatings)
- Deck coatings and 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

### **Unacceptable Products (Non-Program Products)**

- Paint thinner, 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

### **Refusing an Unacceptable Product**

When you are unable to accept a product from a consumer, please explain why the product cannot be accepted (e.g., not part of Program, leaking, oil-based paint from SQG/LQG, etc.).

## Section 4. Drop-Off Site Limits

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While the PaintCare Program intends to collect as much Program Product as is available, we recognize that your Drop-Off Site may have storage limitations. PaintCare Drop-Off Sites, in agreement with PaintCare, may limit the amount of Program Products they accept from a customer.

If your Collection Bins are completely full, inform the participant that you are temporarily unable to accept Program Products and redirect them to the nearest alternative PaintCare Drop-Off Site (see: [www.paintcare.org](http://www.paintcare.org)) or ask them to come back at a later date. Contact the PaintCare Hauler immediately to have your Collection Bins picked up and replaced.

If you have a participant with a significant amount of Program Products that your location cannot manage, contact PaintCare directly for additional assistance. We may direct the participant to another PaintCare Drop-Off Site that can manage the large load or offer a direct pickup.

## Section 5. Pick-Ups and Scheduling

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PaintCare contracts with transportation providers (“Haulers”) for the delivery of supplies, delivery of empty Collection Bins, and pick-up of full Collection Bins.

### Scheduling the Hauler to Pick Up Collection Bins

When half of your Collection Bins are full or you anticipate that your Collection Bins will be full within five (5) business days (for Drop-Off Sites in urban areas) or ten (10) business days (for Drop-Off Sites in rural areas), call your Hauler to schedule a pickup, or use the online order system. The name and contact information of your Hauler is provided at the front of your training binder and should also be filled in on the cover of these guidelines.

When establishing an appointment for pick-up, please indicate:

- That your facility is a PaintCare Drop-Off Site
- Name of Drop-Off Site and address
- Your name
- Your phone number
- Number of full Collection Bins to be picked up and the number of empty Collection Bins needed for replacement

### Preparing Collection Bins for Removal

On the scheduled pickup day, Collection Bins should be readily accessible to the Hauler for quick and efficient loading. The Hauler will bring shipping documents and Collection Bins labels. The Hauler is responsible for loading and off-loading Collection Bins, and will provide a copy of the shipping documents to the Drop-Off Site. Keep a copy of the shipping documents for your records.

## Section 6. Inspections and Records

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### Inspections and Record Keeping

Drop-Off Site staff are responsible for regularly inspecting Collection Bins and spill kits to ensure that such materials are in proper working order, include any necessary labeling, etc. Please report any damaged materials or other problems to PaintCare immediately so that PaintCare may arrange for prompt replacement or repair.

The following records are to be maintained for a minimum of 3 years:

- Inspection records
- CESQG Certification (see: Appendix A)
- Employee training records (see: Appendix B)
- Bills of lading and/or other documentation required by applicable Law for outgoing shipments of Program Products

## Section 7. Training and Safety

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### Training

For the safety of the Program and your staff, all employees handling Program Products must receive training in product identification, acceptance, handling, packaging, inspection and emergency response procedures before collecting Program Products or engaging in any PaintCare Program activities.

Training ensures that employees conduct Program Products collection activities in a safe manner that protects workers and the environment.

Program Products collection activities need to follow general safety practices including proper lifting techniques.

Ensure Drop-Off Site employees are equipped for and understand hazards associated with Program Products.

Maintain training plans and records for each employee.

A form for recording staff training is included in Appendix B.

### Safety

Store personal protective equipment (PPE) and spill response equipment in an accessible location adjacent to the Collection Bins. Ensure that the materials are protected from the weather.

The Drop-Off Site needs to be equipped with appropriate emergency response equipment including a fire extinguisher, spill kit and PPE. Monthly inspections of equipment are recommended.

Emergency procedures and emergency contact numbers including police, fire department and emergency services should be posted by phone near the Drop-Off Site area.

If applicable, develop and maintain emergency action plan as required by OSHA.

If required by federal, state or local law, familiarize police, fire departments and emergency response teams with the layout of your facility, properties of Program Product handled at your facility and evacuation routes.

For your convenience, a form for recording emergency contacts is included in Appendix C.

## Section 8. Spill Response

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### Spills

The information in this section will assist with spills from damaged or leaking Program containers. It is important that all Drop-Off Site staff understand corrective actions to minimize exposure to people or the environment.

Collection Bins should be kept in a clean, accessible area.

Clean up any spill or release of Program Product immediately and place spill residue in a sealed container (you may use the PaintCare-provided spill kit container for this), label it and place sealed container in a Collection Bin. Contact the Hauler or PaintCare to replenish spill kit materials as needed.

### Reporting

Any spill or release of Program Product to the environment through a storm drain, waterway or soil contamination must be immediately reported to the appropriate governmental authority, including the Colorado Department of Public Health and Environment – see emergency contact list in Appendix C for spill contact numbers. Contact PaintCare within 24 hours of making such a report.

Post emergency contact numbers including police, fire department, and emergency services.

### Spill Kits

PaintCare provides each Drop-Off Site with a spill kit containing:

- Latex gloves
- Safety glasses
- Absorbent
- Plastic bags

Any material used should be replaced immediately after it is used. Contact PaintCare for replacement items.

### Spill Response Procedures

If a spill is small enough to be managed by Drop-Off Site staff, follow these steps:

- Isolate the area and restrict access to the spill
- Ensure personal safety, put on protective gear (glasses and gloves) provided in the spill kit
- Stop the movement of paint by placing the leaking container upright or in a position where the least amount will spill, and place leaking container in plastic bags provided in spill kit, or into the spill kit container
- Contain the spill by placing absorbent pads or granular absorbent around and on the spill – if outdoors, place barriers around storm drains to prevent a release to the environment

- Collect the contaminated absorbent material and place it in plastic bag(s) or spill kit container, along with the leaking container and contaminated PPE, seal the bag(s) and place in the Collection Bin
- Remove any clothing that may be contaminated, wash thoroughly to remove spilled material from your hands or body
- Replace any used spill control supplies
- Document the date, location and amount and type of material spilled
- If required, report the spill to the appropriate governmental authority





## Appendix C. Emergency Contact Information

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This form is to be completed prior to the first day of collection.

### Basic Local Emergency Contacts

Facility Emergency Coordinator  
(name/phone):

Alternate Emergency Coordinator  
(name/phone):

Fire Department Phone Number

911

Police Phone Number

911

Hospital Phone Number

### For Spills of Program Product

Report any spill or release of Program Product which, if not recovered, may cause pollution of waters of the state. Any such spill or release must be reported to the appropriate local and state enforcement agencies immediately, and to PaintCare within 24 hours.

Local enforcement agency (name/phone):

State agency (name/phone):

Colorado Department of Public Health and  
Environment, 1-877-518-5608 (24-hour)

PaintCare:

1-855-PAINT09

Other (name/phone):

Other (name/phone):



# PaintCare Retail Training

May 2015



*Recycle with PaintCare*

# About the PaintCare Program

# What's the Problem with Paint?

- Approximately 10% of purchased paint goes unused
- 10% of annual sales means there are 65 million gallons available for recycling in the US each year
- Prior to the PaintCare Program, Colorado consumers could only dispose of paint through government-run household hazardous waste programs or private hazardous waste haulers
- In 2003, stakeholders including government agencies, paint manufacturers, recyclers, environmental groups, the American Coatings Association and other stakeholders began a dialogue to develop a better solution for managing post-consumer paint
- The collaborative process led to the drafting of the model, state-level, industry supported law

Slide 3



# Model Paint Stewardship Law

To date, 8 states and the District of Columbia have passed the industry-supported paint stewardship law:

Oregon (2009) program started 2010

California (2010) program started 2012

Connecticut (2011) program started 2013

Rhode Island (2012) program started 2014

Vermont (2013) program started 2014

Minnesota (2013) program starts 2014

Maine (2013) program starts 2015

Colorado (2014) program starts 2015

Washington DC ( ) programs starts

**Colorado's Program begins July 1, 2015**

# What the Law Requires

Manufacturers selling paint into Colorado must operate a program to manage leftover paint by:

- Reducing the generation of post-consumer paint through “buying right” education
- Promoting using up / donating unused paint
- Providing a system for collection and recycling of paint that includes convenient paint drop-off sites and environmentally responsible paint management

# About PaintCare

- Created by the American Coatings Association in 2009 when Oregon passed the first paint stewardship law
- Non-profit “stewardship” organization that sets up the paint recycling programs for manufacturers
- Governed by Board of architectural paint manufacturers
- Colorado Department of Public Health and the Environment (CDPHE) reviews and approves PaintCare’s Program Plans and Annual Reports



American Coatings  
ASSOCIATION

# PaintCare Funding

- Financing is done through a per can “PaintCare Fee” added to the product price of each container sold:

|  |         |
|--|---------|
| Half pint or smaller                           | \$ 0.00 |
| Larger than half pint to smaller than 1 gallon | \$ 0.35 |
| 1 gallon                                       | \$ 0.75 |
| Larger than 1 gallon to 5 gallons              | \$ 1.60 |

- Manufacturers collect the fees, report sales, and pay the fee to PaintCare
- Funding covers the cost of paint collection, transportation and recycling, as well as outreach and administration

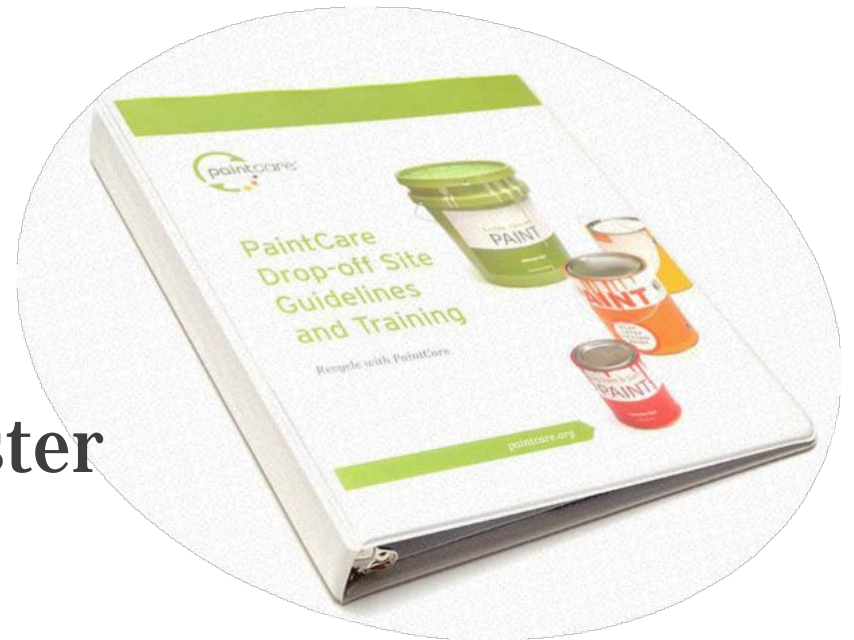
# Potential Uses for Collected Paint

- Reused or donated (latex and oil-based)
- Blended into recycled-content paint (latex) – sold domestically and exported
- Cement/asphalt blends (latex)
- Blended into fuel for cement kilns (oil-based)
- Burned for energy recovery (oil-based paint)

# Site Guidelines

# Starter Kit

- Operations binder with record-keeping forms
- Storage bins & labels
- Spill kit
- Program products poster
- Drop-off site poster
- Consumer education materials



# Posters



## Recycle your paint here.

[DURING BUSINESS HOURS ONLY]

We accept all brands of house paint, stain and varnish. We do not accept paint thinner, oil, aerosols or other chemicals. For a complete list of acceptable products, please ask for the PaintCare brochure, call (855)724-6809 or visit [www.paintcare.org](http://www.paintcare.org).



Recycle with PaintCare

Leaking, unlabeled, and empty containers are not accepted.



### Program Products      Non-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

*Products must be in original containers with original labels.*

*Latex paint that is dried out and "rock hard" is also acceptable.*

*These products do not have fees and are not accepted at drop-off sites:*


- 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, 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

*Leaking, unlabeled, and empty containers are not accepted at drop-off sites.*




To learn more, please call (855) 724-6809 or visit [www.paintcare.org](http://www.paintcare.org)

# Consumer Materials – translations available



## Recycle with PaintCare

*About the PaintCare Program*



## Funding

The program is funded by a PaintCare Recovery Fee added by manufacturers to the price of all architectural paint sold in California. The law also requires each distributor and retailer to include the fee in the price of architectural paint sold in California. Fees are by container size as follows:

|   |         |
|---|---------|
| Half pint or less                         | \$ 0.00 |
| More than half pint to less than 1 gallon | \$ 0.35 |
| 1 gallon                                  | \$ 0.75 |
| More than 1 gallon to 5 gallons           | \$ 1.60 |

The retail store can choose whether or not to display the fee separately on sales receipts. The fee is not a deposit – you do not receive it back when you drop-off paint for recycling.

The funding is used to recycle all of your unused paint, whether it is from last month or from 20 years ago, and you don't have to buy paint to use the drop-off sites.

## Paint Recycling

Paint received at drop-off sites is taken to authorized paint processing facilities where it is properly recycled or disposed.

## Who is PaintCare?

PaintCare® 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.

PaintCare is currently running or preparing to implement programs in Oregon, California, Connecticut, and Rhode Island.



## Paint Drop-Off Sites

PaintCare will establish hundreds of drop-off sites across California at paint retail stores, locally run household hazardous waste facilities, and other locations. When these sites are part of PaintCare, they will accept program products at no additional charge from all residents and certain businesses. To find a site near you, visit [paintcare.org](http://paintcare.org) or call (855)724-6809.



## Find a paint drop-off site near you by visiting [paintcare.org](http://paintcare.org)



*Recycle with PaintCare*

Mini Card

Consumer Brochure

# Where to Put Your Bins

- Cubic yard area with impermeable surface (concrete, asphalt, sealed wood floor, etc.)
- Secure from the public – this is not a “self-serve” program
- Away from ignition sources and drains
- Protected from temperature extremes
- Maintain enough space around bins for emergency access and inspecting for leaks



# Program Products

Collect the following architectural coatings in 5 gallon containers or less:

- 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 asphalt, 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
- 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

# Paint Can Condition

- Original container
- Original label that can be read
- Sealed and not leaking
- 5 gallons or less in size
- No empty cans, but cans with dried latex is ok
- Never open any containers



# Limits on Volume Accepted

- PaintCare outreach materials state 5 gallons per customer per visit
- Website map lists customer limit your site chooses to advertise
- Don't take more than can fit in your bins!
  - Ask customer to come back
  - Find closest alternative site ([www.paintcare.org](http://www.paintcare.org))
  - Refer to PaintCare hotline, (855) PAINT 09

# Acceptance Rules

- Latex Program Products
  - From residents
  - From all businesses and organizations
- Solvent and Oil-Based Program Products
  - From residents (any volume)
  - From businesses and organizations
    - With less than 25 gallons of solvent and oil-based program products
    - Must be willing to sign the CESQG log each time they drop-off (and meet requirements)





# Where Should Customers Take Non-Program Products?

- Household or small business hazardous waste disposal program (vary from county to county)
- Refer customer to their local garbage hauler, environmental health agency, or public works department for specifics

# Non-Program Products in the Bin

- The sites in active PaintCare states receive less than 2% “contamination” through proper label identification
- If you find a non-program product in the bin prior to a pick-up, your store must manage it as hazardous waste generated by your store
- Mislabeled products and other mistakes will not be returned to you – they will be managed down stream by the transporter
- Transporters will identify any “problem” sites so we can check in to determine if additional training is needed

# Safely Storing Paint

- Place paint containers directly in the bin, and store them there at all times
- Make sure bins have labels and are not damaged – contact transporter if extras or replacements are needed
- Pack paint containers upright and tightly, with 5 gallon containers on the bottom
- Keep bin closed except when adding paint
- Keep paint storage area clean and orderly

# Receiving Paint Pick-Ups and Supplies

- Call PaintCare for extra pamphlets, flyers, posters, signs, etc.
- Call transporter for extra bins, spill kits, pick-up:
  - **Urban Area:** one week in advance of filling your bin
  - **Rural Area:** two weeks in advance of filling your bin
  - Indicate:
    - You are a PaintCare drop-off site
    - Site name and address, phone number
    - Number of full bins to pick up & empties for replacement
- Sign and keep copy of bill-of-lading (provided by transporter at the time of pick-up) for 3 years

# Spill Preparedness

- Store the following emergency response equipment in an easily accessible area:
  - Personal protective equipment (PPE)
  - Fire extinguisher
  - Spill kit containing safety goggles, gloves, absorbent, duct tape, plastic bags (spill kit supplied by PaintCare)
- Inspect all equipment and storage area regularly
- Post emergency procedures and contact information including police, fire department, and emergency services by a phone near the collection area
  - See Appendix of the PaintCare Site Guidelines

# Spill Clean-Up



**Clean up any spill or release of program products immediately:**

1. Isolate the area
2. Use protective gear
3. Place leaking container upright in the spill kit bucket or plastic bag
4. Place absorbent around the spill, then fill in towards source
5. Place barriers around any storm drains
6. Place contaminated absorbent material and protective gear in bag or bucket with leaky container
7. Seal bag or bucket and place in bin
8. Contact PaintCare to replenish spill kit materials as needed

# Spill Reporting

- Document the date, location, amount, and type of program product spilled
- Report program product spills of more than 10 gallons and release of any quantity through a storm drain, waterway, or into soil to:
  - Your local environmental enforcement agency
  - Colorado Department of Public Health and Environment
  - Notify PaintCare within 24 hours of any report

# Employee Training

- Any employees accepting paint from the public, placing it in the bins, or calling for pick-ups should be trained on the PaintCare Site Guidelines
- Maintain a record showing that all staff handling PaintCare materials have received this training, and are re-trained annually



# Record Keeping

- CESQG log
- Employee training log
- Bills of lading
- Inspections records

Keep all records on site for a minimum of three years

# Closing a Drop-Off Site

- Notify PaintCare 60 days before stopping collection services
- Remove PaintCare poster from the site and post new sign to notify public you no longer accept paint
- As part of your last pick-up, verify that all program products and bins are returned to PaintCare

# FAQs

- How many cans does the standard PaintCare bin hold? **Approximately 120-150 one-gallon cans, depending on bin type.**
- Do we only accept brands sold in our store? **No, you must be willing to accept all brands, including ones you don't sell in your store.**
- Can we turn contractors away? **No, this program is for households and businesses. You may however, limit your per-customer drop-off volume to 5 gallons if you have limited space.**

# FAQs

- Can we charge a fee for consumers to drop their program products at our store? **No – the customer has already paid for the service through the assessment fee.**
- Can paint waste from the store be placed in the PaintCare bins? **Mistints and returned program products are accepted, but obsolete products should be managed by the system your store currently has in place.**

## **Appendix K**



# Joint Outreach Projects

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## THE BASICS

### Introduction

If you are a local government that has partnered with PaintCare, we offer limited funding support for outreach activities that involve PaintCare. We are most interested in partnering with you when we are setting up new PaintCare drop-off sites, where participation is low, and when we are promoting one day HHW events to boost the amount of paint we can collect at one time. We have supported radio, newspaper and direct mail advertising and will consider other media.

### Review and Approval

Project budgets and all creative work must be reviewed and pre-approved by PaintCare. Creative work includes text, images, and scripts. When possible, all projects must include PaintCare's website address and logo and mention that people can find PaintCare drop-off sites in other areas (via our website).

### Proposal Form

Please complete our Proposal Form for Joint Outreach Projects and email it to your PaintCare Regional Coordinator, State Program Manager, or [info@paintcare.org](mailto:info@paintcare.org)

## WHAT WE ASK OF YOU

### Print-Based

For print materials (brochures, postcards, etc.) you will be responsible for sending artwork files to your printer, coordinating mailings, and distribution. After the project is completed, along with your invoice, we ask for a description of how, when, and where the piece was distributed or used, and an electronic copy of the final piece.

### Newspaper

For newspaper ads, you will be responsible for sending artwork files to the newspaper and scheduling. At the start of the project, we ask you to provide PaintCare with draft text, dimensions and due dates for the ads. After the project is completed, we ask for a list of run dates for each newspaper and a scan or clipping of each ad.

### Radio

For radio advertising, you will be responsible for providing the pre-approved scripts to the stations and handling scheduling. After the project is completed, along with your invoice, we ask you to provide text of the final script with a list of run dates and times. If available, we would also like an audio file of the actual recording aired on the radio.

### Other

For other types of projects, we will ask you for similar things – you will coordinate everything and send PaintCare supporting documentation along with your invoice so we have a record of the projects and examples to show others.

## DESIGN ASSISTANCE

PaintCare can provide assistance with basic layout and graphic design using our in-house staff. When we provide this type of assistance we will provide electronic files for you to send for printing or ad placement. Other than editing and commenting on scripts, we do not provide in-house assistance with audio or video production. Please allow plenty of time for project planning, approvals, and some back-and-forth editing. Depending on the time of year, this may take 4-8 weeks.

## REIMBURSEMENT

PaintCare provides reimbursements for pre-approved projects only. We do not provide money up front, pay vendors directly, or accept requests for reimbursements on projects that have already been completed. Generally PaintCare will reimburse for half of the total direct costs for pre-approved projects; however, we may make exceptions and offer a lower or higher amount based on how much of the message is dedicated to PaintCare, our budgets, and other PaintCare outreach taking place in your area.

To be reimbursed, send PaintCare an invoice from your government agency, samples of the final pieces as noted previously, and copies of invoices from your vendors. We ask you to combine them into one PDF and send via email to Paul Fresina at [pfresina@paint.org](mailto:pfresina@paint.org). The "To:" space on the invoice should be addressed to PaintCare Inc., 1500 Rhode Island Ave NW, Washington DC, 20005. In the space for purchase orders please write "5839." See sample invoice on next page.

{Sample Invoice}

Environmental Services Program  
Washington County  
123 Government Way  
Anytown, State 55776

January 9, 2015

Invoice: 2452187

Purchase Order: 5839

Paul Fresina  
PaintCare Inc.  
1500 Rhode Island Ave. NW  
Washington DC, 20005

Description:

- Newspaper ad promoting one day event held in Anytown on May 1, 2013
- Three 5x5 ads ran on April 13, 20, 17 in the County Journal
- Total invoices from newspapers: \$1,487.00
- Invoice and copy of one ad are attached
- Per prior discussion, PaintCare agreed to reimburse county for \$750
- Contact person: Marie Chen, 202-555-1212

Invoice Amount: \$750.00

Remit to: Environmental Services Program  
Washington County  
123 Government Way  
Anytown, State 55776



# Proposal Form for Joint Outreach Projects

Please read "Instructions for Joint Outreach Projects" before starting to fill out this form.  
This form set up as a table in Word. Just click in a box and start typing. The boxes will get bigger.

|  |  |
|--|--|
| Contact Person   |  |
| Agency   |  |
| Phone  |  |
| Email  |  |
| Please give this project a name.   |  |
| Describe your project.   |  |
| Describe your audience.  |  |
| Would you need any assistance?<br>If so, please describe.  |  |
| When do you plan<br>to do this project?  |  |
| When do creative materials need<br>to be finalized for submittal<br>to media outlets or printer? |  |
| Provide estimates for each<br>anticipated outside vendor.  |  |
| Comments or questions.   |  |

## Appendix L

## Postconsumer Paint Volume Studies and Key Findings

### Postconsumer Paint Studies

1. “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);
2. 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);
3. “Paint Product Stewardship Initiative Infrastructure Report” prepared by SCS Engineers for the Washington State Department of Ecology; and
4. “Consumer Architectural Coatings Disposal Study” conducted by NFO Research Inc. for the National Paint and Coatings Association (ACA’s former name).

Links to the above studies can be found on the paint project page of the Product Stewardship Institute’s website at [www.productstewardship.us](http://www.productstewardship.us).

### Key Findings

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 the average amount of leftover paint per household was 0.375 gallons. Consistent with the NFO study, the Infrastructure Report found that using the 5%, 10%, and 15% 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.

## Appendix M



March 27, 2015

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

**RE: PAINT STEWARDSHIP FEE ASSESSMENT INDEPENDENT AUDIT,  
PAINT STEWARDSHIP PROGRAM, COLORADO  
(HRP # PAI2003.RC)**

Dear Ms. Bernardo:

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

### **Paint Processing Services Bids**

To accomplish the goals of the Paint Stewardship Program, PaintCare prepared and obtained bids under a formal Request for Proposal (RFP) for Paint Transportation and Processing Services. PaintCare received bids from six (6) respondents.

HRP reviewed the contract prices received from the hazardous waste service providers. The providers under consideration have been prequalified and have extensive experience handling, transporting, and disposing of hazardous waste and paint; the primary provider is able to service the entire state. In order to accommodate a statewide program, more than one qualified company may be contracted to implement the Stewardship Program. The names of the vendors discussed in letter are being withheld, as contracts have not yet been established between them and PaintCare.

The hazardous waste service providers will collect paint from retail stores, waste transfer stations, and household hazardous waste programs throughout the state. This anticipated distribution of services and corresponding 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 anticipated program costs were reviewed and found to be reasonable and consistent with other state programs.

PaintCare's anticipated expenses took into account the costs for collection, transportation, processing, collection containers, one-day event setup fees, communications (education and outreach), personnel & professional fees, state oversight, 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 paint containers expected to be collected in Colorado and the number of each type of paint container sold were based off industry studies and market research. The amount of actual paint collected was derived from Paint Stewardship Programs that have already been implemented. A reasonable estimate of the percent of postconsumer paint to be recycled was developed based upon experience from previous programs and industry studies. The Contractor 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. The Paint Stewardship Assessment (fee structure) is identical to the fee assessed in California, Connecticut, Minnesota, Oregon, Rhode Island, and Vermont as outlined below:

| <b><u>Container Size</u></b>                   | <b><u>Amount</u></b> |
|--|----------------------|
| Half pint or smaller                           | \$0.00               |
| Larger than half pint to smaller than 1 gallon | \$0.35               |
| 1 gallon                                       | \$0.75               |
| Larger than 1 gallon up to 5 gallons           | \$1.60               |

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

  
Thomas J. Seguljic, P.E.  
Vice President  
Colorado PE #0048574

## Appendix N

## Program Plan Version Changes

1. Original program plan approved June 2015
2. V2 approved April 2022 (reflecting changes to stewardship organization responsible party, updating program contact information, and modifying PaintCare assessment fee on 2-gallon containers by reducing the rate from \$1.60 to \$.75)
3. V3 approved October 2025 (reflecting updated assessment fee schedule)

## Appendix N

## Program Plan Version Changes

1. Program Plan submitted January 2015
2. Revised Program Plan submitted June 2015 in response to CDPHE comments
3. Program Plan amended February 2022 (reflecting changes to stewardship organization responsible party, updating program contact information, and modifying PaintCare assessment fee on 2-gallon containers by reducing the rate from \$1.60 to \$.75)
4. Program Plan amended June/July 2025 (reflecting updated assessment fee schedule)