



Maryland Paint Stewardship Program Plan



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Contents

1. Introduction	4
A. Introduction.....	4
B. Paint Stewardship in the United States	4
B. Paint Stewardship Program Plan.....	5
D. Citations.....	6
2. Stewardship Organization & Program Contacts	7
A. PaintCare Maryland LLC	7
B. Program Contacts.....	7
3. Manufacturers and Program Products.....	8
A. Manufacturer and Brand Registration	8
B. Private Label Agreements.....	8
C. Registration Lists	9
D. Program Products.....	9
4. Paint Drop-Off Sites and Services.....	10
A. Program Audience	11
B. Paint Drop-Off Sites and Services.....	11
C. Convenience Criteria.....	16
D. Drop-Off Site Operations.....	18
5. Materials Management.....	20
A. Paint Transportation	20
B. Paint Processing.....	21
C. Non-Program Products and Empty Containers	25
D. Legal Compliance	25
E. Insurance and Financial Assurance.....	26
6. Communications	27
A. Outreach Methods	27
B. Message Platform	28
C. Target Audiences.....	28
D. Phased Outreach Approach	31
E. Stakeholder Input from Retailers.....	32
F. Joint Outreach with Local Government Programs	32
G. Website and Site Locator.....	33
H. Hotline.....	33
I. Evaluation of Outreach	33
J. Examples of Outreach Materials	34

7.	Funding and Budget.....	35
A.	Funding Mechanism	35
B.	Paint Sales Estimates	36
C.	Paint Collection Volume Estimates	38
D.	Budget Description	39
E.	PaintCare Fee.....	41
F.	Financial Summary	41

Appendices

- A. Registered Manufacturers and Brands
- B. Definition of Program Products and Sample Product Notices
- C. Examples of Education and Outreach Materials
- D. Drop-Off Site Guidelines and Forms
- E. Independent Audit of the Proposed PaintCare Fee

1. Introduction

SECTION OVERVIEW

This section discusses:

- Introduction
- Paint stewardship in the United States
- Paint stewardship program plan
- Citations

A. INTRODUCTION

On May 9, 2024, Governor Wes Moore signed House Bill 1 into law, creating the Maryland Paint Stewardship Program. This bill is codified as Annotated Code of Maryland, Articles Environment, Sections 9-1701, 9-1733 and 9-1734.

Under this law, producers of architectural paint are required to submit a plan for the establishment of a paint stewardship program in Maryland. The plan shall minimize public sector involvement in, and financial responsibility for, the management of postconsumer paint by:

- 1) Reducing its generation
- 2) Promoting its reuse and recycling
- 3) Negotiating and executing agreements to collect, transport, reuse, recycle, process for resource recovery, and dispose of postconsumer paint

Pending approval of this plan, PaintCare intends to start the Maryland paint stewardship program on April 1, 2026.

B. PAINT STEWARDSHIP IN THE UNITED STATES

At the urging of state environmental agencies and government household hazardous waste programs across the United States, the Paint Product Stewardship Initiative began in 2002 to bring about an industry-operated paint stewardship system in the U.S. Facilitated by the Product Stewardship Institute, the initiative involved several years of dialogue and research on paint use habits and recycling opportunities. Participants included the American Coatings Association, paint manufacturers, paint recyclers, the Environmental Protection Agency, and state and local governments across the country.

The initiative resulted in the development of a model state law to establish an economically and environmentally sustainable, industry-designed and implemented postconsumer paint management system. To date, paint stewardship legislation has been signed into law in California, Colorado, Connecticut, the

District of Columbia, Illinois, Maine, Maryland, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington.

B. PAINT STEWARDSHIP PROGRAM PLAN

The Maryland Paint Stewardship Act requires producers of architectural paint (or a representative organization acting on behalf of producers) to submit and receive approval of a paint stewardship program plan from the Maryland Department of the Environment (MDE). As required by the Maryland Paint Stewardship Act, this program plan shall:

- 1) Minimize public sector involvement in and financial responsibility for the management of postconsumer paint by:
 - a. Reducing its generation
 - b. Promoting its reuse and recycling
 - c. Negotiating and executing agreements to collect, transport, reuse, recycle, process for resource recovery, and dispose of postconsumer paint
- 2) Provide for convenient and available statewide collection of postconsumer paint that:
 - a. Provides for collection rates and convenience equal to or greater than the collection programs available to consumers prior to the paint stewardship program
 - b. Identifies each producer participating in the paint stewardship program and the brands of architectural paint sold in the state that are covered by the program
 - c. Describes how the paint stewardship program may be implemented in coordination with existing household hazardous waste collection infrastructure in a manner that is mutually agreeable
 - d. Provides geographic modeling to determine the number and distribution of sites for collection of postconsumer paint based on the following criteria:
 - i. At least 90% of the residents of the state shall have a collection site within a 15-mile radius
 - ii. Unless otherwise approved by the Department, one additional collection site shall be established for every 50,000 residents
 - iii. The plan may identify a retailer as a postconsumer paint collection site if the retailer volunteers to act as a postconsumer collection site, the retailer is in compliance with all applicable laws and regulations, and the site location of the retailer is consistent with maintaining a cost-effective network of postconsumer paint collection locations
- 3) Establish a uniform paint stewardship assessment for all architectural paint sold in the state
- 4) Establish a mechanism for paint producers participating in a paint stewardship program to remit to the representative organization payment of the paint stewardship assessment for each container of architectural paint sold in the state
 - i. The total amount of the paint stewardship assessment may not exceed the costs of implementing and sustaining the program

- ii. The paint stewardship assessment shall be evaluated by an independent financial auditor, as designated by the Department, to ensure the costs of implementing and sustaining the program are covered but not exceeded
- iii. The costs of any work performed by an independent auditor shall be funded by the program
- iv. Paint stewardship assessments may be used only to implement and sustain the paint stewardship program

In addition to providing the information required under applicable law, this plan may discuss additional aspects of the program, which are included for informational purposes only.

D. CITATIONS

To aid the reader, each section of the plan begins with citations to laws or regulations that relate to the information discussed in that section, if applicable.

2. Stewardship Organization & Program Contacts

SECTION OVERVIEW

This section discusses:

- PaintCare Maryland LLC
- Program contacts

A. PAINTCARE MARYLAND LLC

On behalf of participating paint manufacturers, PaintCare Maryland LLC is pleased to submit to MDE the Maryland 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. 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 Maryland LLC was formed in 2025. Both organizations are 501(c)(3) nonprofit entities.

PaintCare representation is open to all architectural paint manufacturers who are obligated to take part in the Maryland paint stewardship program, and they may register with PaintCare at any time. PaintCare currently represents 213 paint manufacturers across its paint stewardship programs.

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

As of the date of this plan, PaintCare is overseen by an 11-member unpaid Board of Directors representing architectural paint manufacturing companies.

B. PROGRAM CONTACTS

Primary contact for the Maryland program:

Jacob Saffert
Director of Eastern States
(612) 772-4902
jsaffert@paint.org

PaintCare will notify MDE of changes to any key state personnel.

3. Manufacturers and Program Products

STATUTORY CITATION

Annotated Code of Maryland, Articles Environment, Section 9-1733:

...(A)(3) The plan shall provide for convenient and available statewide collection of postconsumer paint that:

...(II) Identified each producer participating in the paint stewardship program and the brands of architectural paint sold in the state that are covered by the program;

...(5) The plan shall establish:

...(II) A mechanism for paint producers participating in a paint stewardship program to remit to the representative organization payment of the paint stewardship assessment for each container of architectural paint sold in the state.

SECTION OVERVIEW

This section discusses:

- Manufacturer and brand registration
- Private label agreements
- 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 Maryland paint stewardship program. Manufacturers register their company and brands of architectural paint with PaintCare.

The list of registered manufacturers and brands is expected to change over time.

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 or 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 typically does 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 typically are presented in separate lists to help protect the confidentiality of these agreements.

C. REGISTRATION LISTS

PaintCare posts the lists of registered manufacturers and brands on its website to make them available for retailers and distributors to learn which brands may be legally sold under the Maryland paint stewardship law.

The lists of registered manufacturers and brands as of the submission date of this plan are provided in the appendix. PaintCare intends to provide MDE with current lists monthly and post them to PaintCare's website.

D. PROGRAM PRODUCTS

The terms "program products," "PaintCare products," "architectural paint," and paint are used interchangeably in this plan and in PaintCare communications. 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. This plan uses the term "PaintCare fee" to refer to the fee/assessment that the Maryland paint stewardship statute requires to be added to the purchase price of program-eligible products in the state.

Program products are architectural paints in containers no larger than five gallons in size. They do not include industrial coatings, coatings used for original equipment manufacturing, and other specialty coatings. The full definition and examples of both program and non-program products are provided in the appendix. This definition is used to determine the products on which manufacturers are to apply the PaintCare fee to fund the program, as well as to determine which products are accepted by the program.

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. PaintCare posts these product notices on its website and notifies stakeholders, as needed, when such notices are issued. Examples of these notices are also provided in the appendix.

4. Paint Drop-Off Sites and Services

STATUTORY CITATION

Annotated Code of Maryland, Articles Environment, Section 9-1733:

...(A)(2) The plan shall minimize public sector involvement in, and financial responsibility for, the management of postconsumer paint by:

...(II) Promoting its reuse and recycling; and

(III) Negotiating and executing agreements to collect, transport, reuse, recycle, process for resource recovery, and dispose of postconsumer paint.

(3) The plan shall provide for convenient and available statewide collection of postconsumer paint that:

(i) Provides for collection rates and convenience equal to or greater than the collection programs available to consumers prior to the paint stewardship program;...

(III) Describes how the paint stewardship program may be implemented in coordination with existing household hazardous waste collection infrastructure in a manner that is mutually agreeable; and

(IV) Provides geographic modeling to determine the number and distribution of sites for collection of postconsumer paint based on the following criteria:

1. At least 90% of the residents of the state shall have a collection site within a 15-mile radius; and
2. Unless otherwise approved by the department, one additional collection site shall be established for every 50,000 residents.

(4) The plan may identify a retailer as a postconsumer paint collection site if:

(I) The retailer volunteers to act as a postconsumer paint collection site;

(II) The retailer is in compliance with all applicable laws and regulations; and

(III) The site location of the retailer is consistent with maintaining a cost-effective network of postconsumer paint collection locations.

SECTION OVERVIEW

This section discusses:

- Program audience
- Paint drop-off sites and services
- Convenience criteria
- Paint drop-off site operations

PaintCare uses the term paint “drop-off” site in place of paint “collection” site in this plan to denote the action of users of the program (which is to drop off paint), rather than the action of drop-off sites (which is to collect paint).

A. PROGRAM AUDIENCE

The Maryland PaintCare program will serve the state’s households, businesses, schools, government agencies and other entities that have leftover, unwanted paint, as described below. PaintCare has designed its program to serve the following program audiences to the extent permitted by applicable law. Especially in the event of any future changes to applicable law, PaintCare may change the type and/or volume of materials that the program accepts from different program audiences. Any changes made to the program audience served by the program will be reported to the agency and will comply with all applicable legal requirements.

A1. Households

Households are eligible to drop off any quantity of postconsumer latex or oil-based paint through the program, subject to any quantity limits set by individual drop-off sites.

A2. Very Small Quantity Generators (VSQGs)/MD-Defined Small Quantity Generators (MDSQGs)

Painting contractors, small businesses, and other small- to medium-sized organizations are typically VSQGs (as described in federal rules in 40 CFR 262.14) and/or MDSQGs. VSQGs/MDSQGs are eligible to drop off any quantity of postconsumer latex paint through the program, subject to any quantity limits set by individual drop-off sites. VSQGs/MDSQGs are currently eligible to drop off oil-based paint through the program in quantities that accord with generation limits under applicable law and subject to any quantity limits set by individual drop-off sites.

A3. Small Quantity Generators (SQGs), Large Quantity Generators (LQGs), and MD Fully Regulated Generators

SQGs and LQGs (as described in federal rules in 40 CFR 260.10) and MD fully regulated generators are eligible to drop off any quantity of post-consumer latex paint through the program, subject to any quantity limits set by individual drop-off sites. As of the date of this plan, the program does not provide for acceptance of postconsumer oil-based paint from SQGs, LQGs, or MD fully regulated generators at drop-off sites. If laws change and the program decides to accept oil-based paint from SQGs, LQGs, or MD fully regulated generators at drop-off sites in the future, such acceptance will be in accordance with all applicable law.

B. PAINT DROP-OFF SITES AND SERVICES

PaintCare partners with owners and operators of household hazardous waste (HHW) collection facilities and events (referred to as HHW programs in this plan) and increases paint collection by setting up new paint drop-off sites and services. The Maryland program is expected to include the following:

- HHW programs
- Solid waste facilities (transfer stations, recycling centers and landfills)
- Retail stores
- Material reuse stores
- Direct pickup services
- PaintCare events

All eligible locations are invited to participate as paint drop-off sites if they can meet PaintCare's operational and other program requirements. For example, the bin storage space must be secure, inaccessible to the public, have an impermeable surface, and be protected from the elements.

Paint drop-off sites generally must accept all program products, have staff available to accept paint during operating hours, accept paint from households and businesses, and accept paint free of charge from participants who drop off paint. In addition, sites must be willing to be listed on the site locator on PaintCare's website and post and distribute PaintCare point-of-sale outreach materials, including a poster advertising their site as a paint drop-off site.

Some exceptions may be allowed in recognition of pre-existing restrictions on HHW programs and other non-retail sites. Current examples include:

- Non-retail sites with a limited geographical service area due to their funding source (e.g., local tax or utility) are not required to accept paint from participants outside of their service area.
- Non-retail sites that do not accept waste from businesses are not required to do so.
- Non-retail sites that accept oil-based paint but do not currently accept latex paint are not required to change their operations to accept latex paint.

For all sites, PaintCare provides and covers the cost for paint collection bins, paint transportation, and paint processing (end-of-life management). In addition, all drop-off sites other than HHW programs are offered spill kits. All sites are offered signage, training, and training materials.

Prior to the start of the program and on an agreed upon timeframe thereafter, PaintCare will provide MDE with a current list of paint drop-off sites. PaintCare contacts potential sites several times prior to the start of the program to make them aware of the opportunity to be a paint drop-off site. Some may wait until after the program starts to decide to participate. The identification and recruitment of potential paint drop-off sites is an ongoing process and continues after the start of the program.

B1. Household Hazardous Waste Programs

HHW programs are excellent partners because they provide their customers the convenience of dropping off other products at the same time as paint, and they often have regular customers that have used their programs for many years. Through partnering with PaintCare, HHW programs can reduce their costs related

to managing postconsumer paint, expand the services they offer to their customers, or both. For example, HHW programs that currently accept only oil-based paint can reduce costs related to managing that material. Those HHW programs can also choose to begin offering latex paint collection and PaintCare will cover the costs for collection supplies, transportation, and processing of the paint.

HHW Program Recruitment and Outreach Activities

With assistance from MDE, PaintCare identified and reached out to all county recycling coordinators in Maryland to learn about their services, inform them about the PaintCare program, highlight the benefits, and outline the steps to partnering with PaintCare. These benefits include cost savings, offering expanded services to their community, reducing waste, and increasing paint recycling.

In coordination with MDE, PaintCare presented a webinar to local government staff involved with waste and recycling across Maryland. PaintCare followed up on this presentation by emailing the recycling coordinator for each county in the state to collect information on existing paint collection programs. In the email, PaintCare shared a brief overview of the program, a link to the drop-off site interest form, and fact sheets related to HHW programs and solid waste facilities. PaintCare also offered to meet with each county to discuss how they could partner with PaintCare. As a result of these efforts, PaintCare received statements of interest from five counties that currently collect or would like to collect paint (Anne Arundel, Baltimore, Charles, Howard, and Washington counties).

PaintCare attended and exhibited at the 2025 Maryland Recycling Network/Solid Waste Association of North America (MRN/SWANA) Annual Conference in Ellicott City. The conference provided an opportunity to discuss the PaintCare program with solid waste, recycling, and HHW program contacts representing cities and counties across Maryland.

Additional outreach to HHW programs, including virtual and in-person meetings, is being planned prior to the start of the program. PaintCare intends to begin contracting discussions with interested HHW programs later in 2025.

Fact sheets and an interest form for HHW programs are available on the Waste Facilities page of PaintCare's website. The current versions of these fact sheets are provided in the appendix.

B2. Solid Waste Facilities (Transfer Stations, Recycling Centers, Landfills)

Solid waste facilities, particularly transfer stations, can be important program partners because like HHW programs, they provide their customers the convenience of dropping off other products at the same time as paint, and they may also have regular customers that have used their facilities for many years. Solid waste facilities are also beneficial, particularly in rural areas, where there might not be HHW facilities or paint retailers to be drop-off sites.

PaintCare has typically observed that solid waste facilities become more interested in joining the program after retailers and HHW programs have joined. Efforts to identify and recruit both public and private solid waste facilities to be paint drop-off sites is ongoing.

A fact sheet and an interest form for solid waste facilities are available on the Waste Facilities page of PaintCare's website. The current version of the fact sheet is provided in the appendix.

B3. Retailers

Paint retailers are valuable program partners 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. Retailer participation as a paint drop-off site is voluntary. Retailers are not compensated for being a drop-off site. Partnering with paint retailers as drop-off sites contributes to PaintCare's goal to provide collection rates and convenience greater than what would be available solely with existing paint collection programs in Maryland.

Material Reuse Stores

Material reuse stores, such as Habitat for Humanity ReStores, are a subset of retailers that can offer reuse in addition to serving as paint drop-off sites. When paint is dropped off at these sites, it can be screened for possible reuse and then donated or sold back to the local community. PaintCare typically compensates these sites for paint reuse. Paint that is not set aside for reuse is typically placed in paint collection bins. PaintCare has identified 23 material reuse stores in the state.

Retailer Recruitment and Outreach Activities

PaintCare has identified approximately 440 paint retailers in Maryland including paint, hardware, and home improvement stores. These include large and small independent, co-op, chain, and corporate stores. Of these stores, approximately 252 were identified as potential drop-off sites based on PaintCare's experience in other PaintCare programs.

In December 2024, PaintCare began its outreach efforts to paint retailers and material reuse stores by mailing a notification to inform them about the new law. An informational packet was sent to paint retailers in June 2025. Two additional mailings are planned between the time of plan submission and the start of the program.

In-person outreach to paint retailers began in early 2025 and is expected to be ongoing. As with many aspects of retailer outreach, the main goals of in-person visits are to explain the program and recruit potential drop-off sites. As program details are finalized, PaintCare plans to distribute point-of-sale (POS) outreach materials for consumers during in-person meetings and by mail. Additionally, PaintCare is planning webinars for paint retailers. A recorded presentation is currently available to any interested retailer on PaintCare's website.

Fact sheets and an interest form for retailers, as well as an online order form to request additional POS materials, are available on the Retailers page of PaintCare's website. Current versions of some of the materials included in the mailings are provided in the appendix.

B4. PaintCare Events

Paint drop-off events may be held by PaintCare, especially in areas of the state that are not within 15 miles of a paint drop-off site or have too few drop-off sites for the population of the area.

B5. Direct Pickup Services

PaintCare encourages source reduction. Accordingly, PaintCare may ask direct pickup service participants (described below) to consider if their paint is usable and, if so, to consider donating their paint to their nearest reuse location prior to arranging a pickup appointment.

Large Volume Pickup (LVP) Service

PaintCare plans to offer a free pickup service to painting contractors, other businesses, organizations, and households with a minimum quantity of paint, currently 100 gallons (measured by container volume and not liquid paint volume). This service allows for approved users to have paint picked up at their business or home.

Under PaintCare's current practices, users of the LVP must submit an LVP request form, where they are asked to identify themselves as a household or as a business and provide specific information about their volume of leftover paint, paint type (latex or oil-based), and container sizes. Once approved for pickup, they are put in direct contact with PaintCare's transporter to arrange an appointment.

Recurring Large Volume Pickup (RLVP) Service

PaintCare plans to offer a free service to painting contractors and other businesses and organizations that generate large volumes of paint on an ongoing basis. These sites will be set up and trained by PaintCare staff on program requirements similar to PaintCare drop-off sites, but they may only use the program for paint from their own operations.

Users of the RLVP service are asked to provide information about the volume and type of paint they generate on a regular basis, and they must have an agreement for service with PaintCare.

SQG/LQG/MD Fully Regulated Generator Pickup Service

PaintCare may conduct in the future an SQG/LQG/MD fully regulated generator pickup service, accepting both latex and oil-based paint from these generators that are not permitted to use drop-off sites.

B6. Additional Activities

Paint drop-off sites permitted by applicable law to conduct specific additional activities that are beneficial to the program can be compensated for their work. Examples of these activities include operating a reuse program, reprocessing latex paint, bulking oil-based paint, and providing local transportation services.

Reuse

Drop-off sites may operate reuse areas in which they place leftover paint brought to their site in good condition to be given away or sold "as is" to their customers and local community. This paint management

method represents the highest, best use of paint and typically reduces program costs by avoiding the transportation and processing costs that would otherwise be required to manage the paint. To support existing paint reuse programs and to provide incentive for additional sites to do reuse, PaintCare compensates sites for conducting reuse, typically based on the quantity given away or sold.

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 batches, poured off into 5-gallon containers and given away or sold locally. Reprocessing is the same thing as paint-to-paint recycling, but PaintCare uses the term reprocessing to distinguish this activity that usually occurs at HHW facilities from the activity that occurs at commercial paint recyclers. As with reuse, latex paint reprocessing typically reduces program costs by avoiding the transportation costs that would otherwise be required to manage the paint. To support existing paint reprocessing programs and to provide an incentive for additional sites to reprocess paint, PaintCare typically negotiates compensation rates for reprocessed paint that is given away or sold.

Oil-Based Paint Bulking

PaintCare makes paint management simple for paint drop-off sites by allowing them to place program products directly into paint collection bins. However, if a site chooses to bulk oil-based paint, it typically results in lower transportation costs for PaintCare. To support these sites, PaintCare negotiates compensation rates for this activity.

Transportation

Sometimes it is more cost-effective for a paint drop-off site to transport paint from one of its locations to another, or to transport paint from an event back to its facility, rather than using PaintCare's contracted transporter. This is most commonly done by HHW programs. In these cases, PaintCare negotiates compensation for the service (e.g., based on a per-event or per-bin basis).

C. CONVENIENCE CRITERIA

To determine whether the program provides adequate and convenient paint recycling opportunities throughout the state, PaintCare uses ArcGIS, a mapping and analytics software, and U.S. Census Bureau's 2020 population data, to conduct convenience analysis.

PaintCare recognizes that non-retail sites (e.g., HHW facilities and transfer stations) are not always available to all participants within 15 miles of the site and therefore runs its convenience models using only potential retail drop-off sites because they are available to all households and businesses in the state. Applying these criteria, PaintCare needs to provide at least 123 paint drop-off sites in Maryland, which will improve convenience for consumers at a rate that exceeds the current paint drop-off opportunities available. The distribution and density criteria set out in the Maryland law are explained further below.

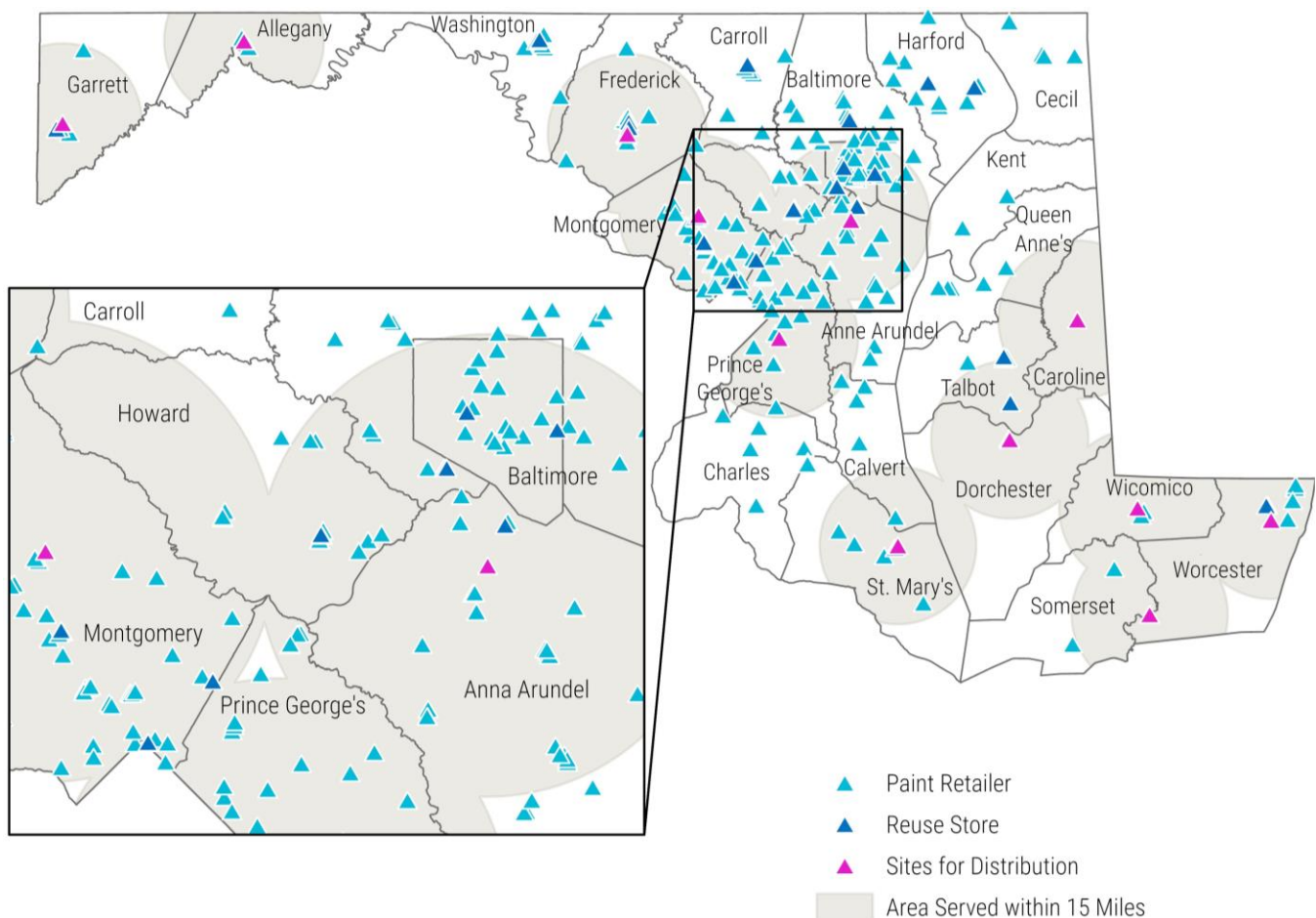
Distribution Criterion

To achieve the distribution criterion in the Maryland law, the program should provide at least 90% of Maryland residents a paint drop-off site within 15 miles. This criterion can be met with 11 optimally located drop-off sites shown as pink triangles on the map at the end of this section.

Density Criterion

To achieve the density criterion in the Maryland law, the program should provide a paint drop-off site for every 50,000 residents of the state. This criterion is met with 123 drop-off sites. Because 11 of these sites are captured by the distribution criterion, 112 additional sites are needed.

The following map is for illustrative purposes to provide a picture of what an optimal statewide distribution of sites looks like. It does not represent the actual types, number or distribution of sites that may end up participating as paint drop-off sites in the program, but rather the best combination of paint retail sites if PaintCare hand-selected and only used paint retailers to meet the convenience criteria of the Maryland law. Using this set of sites is not the only way to satisfy the convenience criteria – it can be achieved through many other configurations of sites throughout the state – but it is unlikely to be accomplished with fewer than 123 sites.



D. DROP-OFF SITE OPERATIONS

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

D1. Drop-Off Site Training

PaintCare offers training by PaintCare staff and a training binder for all drop-off sites. PaintCare typically requires such training for retail drop-off sites and RLVP sites. The binder includes the site guidelines and a training log to be signed by all employees at the site who handle paint for the program. Examples of current 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 pickup
- Screening for generator status to determine if a business qualifies to use the program for oil-based paint
- Recordkeeping

A current version of the site guidelines and related forms are provided in the appendix.

D2. Collection Volumes

Drop-off sites may set their own limit on the amount of paint they accept, as long as the limit is no less than five gallons per participant per day and is otherwise compliant with any applicable laws and PaintCare program policies.

D3. Paint Storage

Paint collection bins used in the program may include but are not limited to reusable plastic bins or cardboard bins with liners (approximately 1 cubic yard in size); 55-gallon metal or plastic drums; 30- and 50-gallon cardboard boxes with liners; and 20- and 30-yard roll-off containers.

Drop-off sites are required to follow PaintCare's bin storage requirements. For example, PaintCare's current practice requires sites to (1) keep paint collection bins in a secure location that does not have public access, (2) place the bins on an impermeable surface, and (3) if stored outdoors, be protected from the elements.

D4. Non-Program Products

PaintCare uses public education, signage at drop-off sites, and drop-off site training on product identification to minimize the volume of non-program products entering the program.

PaintCare's transporters and downstream processors are required to track and manage any incidental non-program products that they receive. They are instructed to notify PaintCare of incidents 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 number of non-program products, PaintCare may do one or more of the following: (1) contact the site to let them know about the incident, (2) provide additional/refresher training on identification of program and non-program products, or (3) in extreme cases, remove the site from the program.

D5. Site Visits

PaintCare staff visit drop-off sites on a regular basis. PaintCare targets visiting retail drop-off sites about every six months and targets visiting HHW facilities, solid waste facilities, and RLVP sites annually.

The purpose of these visits is to ensure compliance with program requirements, provide refresher trainings if needed, address any needs or concerns the sites may have, check their supplies of outreach materials, and solicit feedback about the program.

5. Materials Management

STATUTORY CITATION

Annotated Code of Maryland, Articles Environment, Section 9-1733:

...(A)(2) The plan shall minimize public sector involvement in, and financial responsibility for, the management of postconsumer paint by:

...(II) Promoting its reuse and recycling; and

(III) Negotiating and executing agreements to collect, transport, reuse, recycle, process for resource recovery, and dispose of postconsumer paint.

SECTION OVERVIEW

This section discusses:

- Paint transportation
- Paint processing
- Non-program products and empty containers
- Legal compliance
- Insurance and financial assurance

All descriptions in this section refer to current or typical activities as of the submission of this program plan.

A. PAINT TRANSPORTATION

A1. Transportation System

An efficient transportation system is required to move paint from a large number of paint drop-off sites to processing facilities. The transporters hired by PaintCare, which may include both private and public entities, usually have significant experience in scheduling pickups and routing to maximize efficiency – taking into account the number of stops, locations, volume of paint to be transported, and projected weight of the loads. Transporters must comply with all applicable state and federal rules and regulations and must track the paint from the point of collection to its final destination. Transporters, subsequent processors, and their records, are subject to audit by PaintCare.

PaintCare used a competitive bid process to select transporters to provide service to paint drop-off sites. Following the bid process that began in December 2024, PaintCare selected transporters for the Maryland program, subject to successful negotiation of contract terms with those transporters.

It is also common practice for PaintCare to try to negotiate agreements with each transporter providing service to HHW programs so that PaintCare can give HHWs the option of having the same transporter manage program products as the HHW program uses to manage non-paint products.

PaintCare requires its transporters to provide service to paint drop-off sites on an on-call basis (e.g., sites call for pickup when their storage capacity is 50% full) or on a set schedule (e.g., every Tuesday) determined on a site-by-site basis. Transporters are required to deliver empty paint collection bins and spill kits to drop-off sites and pick up full bins in a timely manner. Transporters are typically required to provide service to drop-off sites within five days in urban areas and ten days in rural areas. The longer time period in rural areas is to maximize route efficiency, maintain cost-effectiveness, and pick up from multiple locations, yet still serve the location in a reasonable amount of time. For HHW events, transporters are required to deliver empty paint collection bins prior to the start of the event and pick up full bins on the day of the event, unless other arrangements are agreed to prior to the day of the event.

All sites (rural and urban) are asked to accommodate a minimum of two paint collection bins because it is less expensive and more efficient to pick up two or more bins from one location than to serve the same location several times and pick up only one bin each time.

A2. Transporters

As of the submission of the plan, PaintCare intends to contract with the following transporters:

- Clean Harbors
- Maumee Express, Inc. (MXI)

The list of transporters utilized by the program may change over time, as needed.

B. PAINT PROCESSING

B1. Processing System

PaintCare contracts for processing and proper end-of-life management of postconsumer paint collected in the program. Prior to releasing the transportation and processing request for proposal (RFP), PaintCare makes reasonable effort to contact all known paint recyclers (both in-state and out-of-state) to inform them of the RFP and contracting process. PaintCare requires that the following hierarchy be followed when prioritizing management of paint collected through the program, subject to practical and economic feasibility in each state. The options are prioritized by highest, best use:

Latex Paint

- 1) Reuse
- 2) Paint-to-paint recycling
- 3) Alternative daily landfill cover
- 4) Disposal

Oil-Based Paint

- 1) Reuse
- 2) Paint-to-paint recycling
- 3) Energy recovery
- 4) Incineration

The condition of postconsumer paint when it is received by the program may limit the available management options. If paint containers are not sealed well or stored improperly (e.g., exposed to extreme temperatures), the paint can dry out or be spoiled by mold, or the cans rust, making the paint no longer unusable or recyclable.

The following provides a more detailed description of the latex and oil-based paint management methods that may be utilized by the program. With regard to the above hierarchies, PaintCare determines how to classify each management method based primarily on guidance provided by the EPA and the applicable state environmental agency. Due to differing state views on how particular management methods are classified, PaintCare may classify the same management method differently in different states. For all management methods, processors are required to comply with all applicable law. Because legal requirements vary from state to state, some management methods may not be feasible in every state. Some of the processing methods described below may only be available in certain geographic areas of the country and not available in all PaintCare states or to all transporters.

B2. Latex Paint Management

Reuse

Latex paint may be managed via reuse, meaning that the collected paint is sold or given away in its original labeled container without any alteration of the container contents.

PaintCare supports reuse of latex paint through partnerships with reuse sites including HHW facilities and material reuse stores. These sites are required to document their reuse activities to receive compensation for the paint distributed to the public and are encouraged to obtain a participant waiver acknowledging that they accept the material “as is.”

PaintCare may also support reuse of latex paint at PaintCare events. Latex paint collected at the event or collected before the event through PaintCare sites and services, which is deemed suitable for reuse may be made available to the public. PaintCare may also support reuse events, where the primary activity is distribution of reusable paint collected in advance through PaintCare sites and services. There is no cost to participants for paint taken at either event type.

Paint-to-Paint Recycling

Latex paint may be used to make recycled-content latex paint. Drop-off sites (most commonly HHW facilities) that make recycled-content latex paint typically sort the paint by color, then combine and blend the leftover latex paint into a uniform color which varies from batch to batch. The recycled-content latex paint is then typically given away or sold locally. Commercial latex paint recyclers typically manufacture a color-sorted, blended, and filtered recycled-content paint that is sold domestically and/or internationally. Typically, purchasers of this product either use/re-sell it as is or use it as an input in further paint production.

Alternative Daily Landfill Cover

Latex paint may be used as a component in alternative daily landfill cover (ADC).

Disposal

Latex paint may be sent to landfill for disposal. Use of a permitted landfill for disposal is the least preferred management method for latex paint.

B3. Oil-Based Paint Management

Reuse

Oil-based paint may be managed via reuse, meaning that the collected paint is sold or given away in its original labeled container without any alteration of the container contents.

PaintCare supports reuse of oil-based paint through partnerships with reuse sites including HHW facilities and material reuse stores. These sites are required to document their reuse activities to receive compensation for the paint distributed to the public.

PaintCare may also support reuse of oil-based paint at PaintCare events. Oil-based paint collected at the event or collected before the event through PaintCare sites and services, which is deemed suitable for reuse may be made available to the public. PaintCare may also support reuse events, where the primary activity is distribution of reusable paint collected in advance through PaintCare sites and services. There is no cost to participants for paint taken at either event type.

Paint-to-Paint Recycling

Oil-based paint may be used to make recycled-content oil-based paint. Commercial oil-based paint recyclers typically manufacture recycled-content oil-based paint in a variety of colors that is sold domestically and/or internationally.

Energy Recovery

Oil-based paint may be processed for energy recovery (e.g., at cement kilns or waste-to-energy facilities).

Incineration

Oil-based paint may be incinerated.

B4. Processors

As of the submission of the plan, the following processors may be utilized by the transporters listed in Section A above:

LATEX PAINT PROCESSORS

PROCESSOR	LOCATION	PROCESS
GDB International	Nashville, IL	Paint-to-Paint Recycling
GDB International	New Brunswick, NJ	Paint-to-Paint Recycling
MXI	Abingdon, VA	Paint-to-Paint Recycling
Reworld Environmental Solutions/Covanta	Rahway, NJ	Energy Recovery
Eco Safe Landfill	Blountville, TN	Disposal
Lee County Landfill (Republic Services)	Bishopville, SC	Disposal
Middlesex County Landfill	East Brunswick, NJ	Disposal
Perry Ridge Landfill	Du Quoin, IL	Disposal
Rumpke Sanitary Landfill	Cincinnati, OH	Disposal

OIL-BASED PAINT PROCESSORS

PROCESSOR	LOCATION	PROCESS
Buzzi Unicem USA	Greencastle, IN	Energy Recovery
Buzzi Unicem USA	Cape Girardeau, MO	Energy Recovery
Holcim	Holly Hill, SC	Energy Recovery
Clean Harbors	El Dorado, AR	Incineration
Elemental Environmental Solutions	Arkadelphia, AR	Incineration

The list of processors utilized by the program may change, as needed.

C. NON-PROGRAM PRODUCTS AND EMPTY CONTAINERS

C1. Non-Program Products

Although drop-off sites are instructed and trained to screen for non-program products, containers of non-program products may enter the program and be screened out during the sorting process by PaintCare's transporters and processors. PaintCare requires its transporters and processors to appropriately manage such products under applicable law, rather than returning them to a drop-off site. Non-program products typically constitute a small percentage of the total products collected.

C2. Empty Paint Containers

To the extent feasible, empty metal and plastic paint containers are recycled. PaintCare works with the program's contracted transporters, processors, and interested recyclers to identify and utilize available opportunities for container recycling, as necessary. Unrecyclable containers are typically disposed of as solid waste.

D. LEGAL COMPLIANCE

As part of their contract, all transporters, processors and their subcontractors are required by PaintCare to have processes in place to ensure compliance with applicable federal, state, and local environmental laws, regulations, and permits. Transporters and processors must require any subcontractors they use to comply with all applicable environmental regulations and other laws relating to the services provided by those subcontractors. Under the contract terms, violations of law constitute a breach and can be grounds for termination.

PaintCare has established procedures for monitoring both transporters and processors that manage materials in connection with the PaintCare program. Such procedures include both routine monitoring of performance by transporters and processors, as well as a vendor audit program. These procedures are designed to provide reasonable assurances that all transporters and processors comply with all applicable

laws and engage in appropriate recordkeeping, tracking, and reporting of materials managed through the program.

Examples of typical audit criteria include the following: a review of applicable licenses/permits, emergency response planning, insurance coverage (including environmental insurance for vendors that transport or process hazardous materials in connection with the PaintCare program), data tracking, and reporting practices.

E. INSURANCE AND FINANCIAL ASSURANCE

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

- Commercial General Liability Insurance
- Commercial Automobile Liability Insurance
- Workers' Compensation Insurance
- Environmental Pollution Liability Insurance
- Endorsements to name PaintCare as an additional insured on relevant insurance policies

Because contractors have widely different insurance policies (e.g., commercial insurance vs. self-insurance, differing limits), PaintCare evaluates (often with the assistance of outside legal counsel) the insurance terms in each contract on a case-by-case basis with the aim of ensuring that all contractors maintain insurance of the types and in the amounts appropriate for the services each contractor provides to the PaintCare program. PaintCare itself also carries Pollution Liability and Commercial General Liability Insurance.

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

6. Communications

STATUTORY CITATION

Annotated Code of Maryland, Articles Environment, Section 9-1733:

...(A)(2) The plan shall minimize public sector involvement in, and financial responsibility for, the management of postconsumer paint by:

- (I) Reducing its generation;
- (II) Promoting its reuse and recycling; ...

SECTION OVERVIEW

This section discusses:

- Outreach methods
- Message platform
- Target audiences
- Phased outreach approach
- Stakeholder input from paint retailers
- Joint outreach with local government programs
- Website and site locator
- Hotline
- Evaluation of outreach
- Examples of outreach materials

A. OUTREACH METHODS

PaintCare is committed to providing robust and effective statewide education and outreach for the Maryland paint stewardship program using a variety of communication methods, which typically include:

- Print materials (e.g., brochures, fact sheets, cards, signage)
- Digital media (e.g., streaming audio channels, online video, website banner ads)
- Social media (e.g., organic and paid promotion on sites like Instagram and Facebook)
- Traditional media (e.g., newspaper, radio, television)
- Earned media (e.g., articles in news outlets, TV & radio interviews, other press coverage)

- Face-to-face communications (e.g., retail site visits, presentations, tabling at conferences, expos and public events, webinars)

PaintCare intends to utilize its contracted professional communications agency to support the effective distribution of its messaging through these media. The agency is The Martin Group, based in Buffalo, New York, and it currently provides similar support to PaintCare programs in several other states.

B. MESSAGE PLATFORM

B1. Paint Smarter – Buy Right, Use It Up, Recycle the Rest

The “Reduce, Reuse, Recycle” message platform has been used by environmental organizations and waste management programs for many years. To reduce the amount of postconsumer paint and to inform the public how and where to recycle their leftover paint, PaintCare uses an instructive, paint-specific version of Reduce, Reuse, Recycle:

- Reduce: Buy Right.
- Reuse: Use It Up. (Also: Store Right and Give It Away)
- Recycle: Recycle the Rest.

“Buy Right” means purchase the right amount of paint for a job to reduce potential waste; “Use It Up” means use up leftover paint whenever possible; and “Recycle the Rest” means if you still have unwanted paint, drop it off at a PaintCare site for management. PaintCare also promotes “Store Right” and “Give It Away” as part of Reuse. “Store Right” means that if you hold on to paint, keep it in good condition for use later, and “Give it Away” means pass it on to other households or organizations in the community in need of paint.

B2. Program Awareness

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

- What is PaintCare and why does the program exist?
- Why was the law passed (e.g., product stewardship, potential cost savings to local government waste collection programs)?
- 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 focuses appropriate messages to the following audiences:

- Households
- Businesses and organizations that generate paint (e.g., professional painters, contractors, property managers, schools and universities, hotels)

- Relevant trade groups (e.g., associations that serve professional painters and builders, realtors, and building managers)
- Paint retailers
- HHW programs and solid waste facilities
- Manufacturers
- Non-English speakers

The following examples illustrate how the program adjusts the emphasis of messaging in outreach materials based on target audience:

C1. Households

- Emphasize how to find a drop-off site to recycle paint, the information most often requested.
- Promote using up leftover paint to do-it-yourselfers as a primer or for creative projects.
- Educate consumers on how to buy the right amount of paint by describing factors involved (e.g., square footage of walls, surface texture, coverage rate of paint, whether surfaces have been primed) and prompting consumers to consult with paint professionals.

C2. Businesses that Generate Paint

- Emphasize “Recycle the Rest” as more recycling opportunities are available than previously, and they are available statewide.
- Promote using up leftover paint.
- Promote the LVP service so they can request a direct pickup of large quantities of leftover paint, rather than transport paint to drop-off sites a little at a time.

C3. Relevant Trade Groups

Associations of painting and building contractors have proven an effective avenue for PaintCare to reach out to professional painters who use large amounts of paint. In addition to utilizing PaintCare’s services for leftover paint, professionals also often purchase paint on behalf of clients and can make them aware of the PaintCare program.

PaintCare seeks out other professional associations, such as networks of realtors and building managers. Realtors can provide information to home buyers who may find paint left behind by previous owners, or they may work with contractors to paint homes being prepared for sale. Building managers often accumulate leftover paint while maintaining buildings and facilities.

C4. Paint Retailers

PaintCare has developed print materials for use by all paint retailers to educate store staff and the general public about the program, regardless of whether they are drop-off sites. PaintCare provides these materials at no charge. Examples include:

- Brochures and 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, lists accepted products, and displays how to find a paint drop-off site.
- Fact sheets designed for a variety of audiences and subjects (e.g., general information, how to become a paint drop-off site, how to use the LVP service).

Retailers are able to download or order printed materials using PaintCare's website order form or by phone. Drop-off sites also receive materials from PaintCare staff during site visits.

PaintCare sends several mailed notifications to retailers before the start of the program, as noted above in Section 4., as well as a starter pack of POS materials for the public. The starter pack materials include:

- Information about the statutory requirements to include the PaintCare fee in their product price and to only sell registered products.
- Program brochures and LVP service fact sheets to inform their customer about the PaintCare program.
- Information about how to request additional print materials, and how to access them online.

C5. HHW Programs and Solid Waste Facilities

PaintCare provides fact sheets and interest forms to explain how HHW programs and solid waste facilities, including transfer stations, recycling centers, and landfills, can partner as paint drop-off sites and the benefits of participating in the program.

C6. Manufacturers

PaintCare maintains a webpage tailored to manufacturers which includes the following information:

- Dedicated staff contact.
- Information on the manufacturer and brand registration process, and a link to the registration area.
- Publicly posted registration lists.
- Information on PaintCare products and product notices.
- Information on remitter agreements for manufacturers.

Changes in the program, including fee structure, are communicated to manufacturers in a variety of ways, including:

- Email newsletters.
- Alerts on PaintCare homepage and other web pages.
- Prompts in the remittal system.

C7. Non-English Speakers

PaintCare has translated its program brochure for all PaintCare programs into Amharic, Arabic, Armenian, Bengali, Cantonese, Farsi, French, Haitian Creole, Hawaiian, Hindi, Hmong, Italian, Japanese, Khmer, Korean, Lao, Mandarin, Polish, Portuguese, Punjabi, Russian, Somali, Spanish, Tagalog, Thai, Turkish, Ukrainian, Vietnamese, and Yiddish. Three widely used fact sheets that provide information about the LVP service, guidance for painting contractors, and the program products list are also available in the 29 languages listed above. Translated materials are available to retailers, HHW programs and other stakeholders, and electronic copies are posted on PaintCare’s website. PaintCare considers translating materials to other languages upon request.

D. PHASED OUTREACH APPROACH

When starting a new program, PaintCare has learned that it is important to balance the need to inform the public about the new program with the need to allow new drop-off sites, retail stores in particular, time to become familiar and comfortable with program operations. To avoid overwhelming new retail drop-off sites with paint and allow them to grow accustomed to program operations, PaintCare typically phases in public outreach gradually.

At the start of the program, PaintCare usually limits outreach activities to providing point-of-sale educational materials to all paint retailers and distributing one or more press releases about the new program. These communications announce the new program, provide details about the PaintCare fee and products accepted, and describe the network of paint drop-off sites. PaintCare does not plan to use full multi-channel advertising campaigns during this period.

During this period, painting contractors and other consumers who frequently purchase paint are more likely to notice the new fee than those who do not buy paint frequently. To address this group, PaintCare plans to work with contractors and their associations to inform them of the fee in advance of the start of the program and to provide fact sheets to retailers to insert in their monthly bills to regular customers and make available in the stores so that their customers are not surprised by the fee.

In the second year of the program, as drop-off sites become comfortable with receiving paint from the public and arranging shipments with transporters, PaintCare phases in a more comprehensive media strategy and advertising campaigns to increase public awareness of the program and encourage households and businesses to use paint drop-off sites. Such campaigns may include digital media such as website ads, streaming audio sponsorship, social media, and online video commercials, as well as traditional media such as print, television, and radio.

E. STAKEHOLDER INPUT FROM RETAILERS

Experience in previous PaintCare state programs demonstrated that retailers were slow to adopt printed materials about the PaintCare program, despite PaintCare's efforts to offer 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 several meetings with retailers: in California in June 2012, in Oregon in 2013, and in California and Connecticut in 2019.

At these meetings, retailers reviewed PaintCare POS materials including posters, brochures, window signage as well as ideas for new materials such as counter mats and floor decals. The retailers provided feedback about messaging, design, size, adaptability, and other elements that may factor into their willingness or ability to use the materials. Key feedback from these meetings included:

- Messages should be simple and not abstract in any way (e.g., "Recycle with PaintCare" was recommended as a clear call-to-action).
- Retailers requested a simple, small card to hand to customers to help them contact PaintCare by phone or website to find a paint 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 due to concerns about an oversimplification of the purchasing process that could result in incorrect estimates. Instead, retailers suggested PaintCare educate consumers to seek advice on this topic from store staff.
- It is important for PaintCare and retailers to provide advance notice to professional painters to provide them ample time to prepare for the new fee and incorporate the fee into their bids/estimates prior to the start of the program.
- Based on historic practice, after the first year of the program, there are not many complaints about the fee and the focus is shifted more to information about drop-off sites and other recycling services, and less on the fee.
- Drop-off sites typically see a benefit to being promoted through both print and digital advertising.

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 and manufacturers about the program's print materials and other promotional efforts.

F. JOINT OUTREACH WITH LOCAL GOVERNMENT PROGRAMS

PaintCare promotes HHW and other local government drop-off site partners through its outreach efforts if they wish to be promoted. PaintCare has also established a process for local governments to coordinate joint outreach projects, through which PaintCare assists them with funding and developing outreach campaigns focused on paint recycling for digital, print, radio, and other media. To initiate a project, the local government partner is asked to complete a form describing the project and budget for approval. PaintCare considers a

reimbursement proportional to the amount of the campaign devoted to the PaintCare program services. For example, when staff of the Housatonic Resource Recovery Authority in Connecticut published an annual newspaper advertisement promoting its calendar of HHW events for towns in its region, they devoted half of the page to PaintCare products and information, and PaintCare funded half of the advertisement cost. Local governments may propose any project that includes a PaintCare message using any medium. The current version of the joint outreach fact sheet is provided in Appendix C.

G. WEBSITE AND SITE LOCATOR

PaintCare's website provides public access to information about all key aspects of the program. The site makes it easy for the public to find paint drop-off options, request LVPs, view accepted products, and answer questions about the program. It also provides targeted resources for retailers, manufacturers, painting contractors, and local government waste facilities. State-specific pages for each PaintCare program contain links to program plans, annual reports, laws, and other official documents. The "Paint Smarter" section educates the public about PaintCare's "Buy Right, Use It Up, Recycle the Rest" messages, including useful tips and resources. PaintCare's website is available in Spanish translation.

PaintCare strives to continually provide accurate, up-to-date information regarding paint recycling options available to the public. PaintCare has developed and maintains a national database of paint drop-off sites and makes the information available through a drop-off site locator on PaintCare's website. The locator provides a paint-specific, easy-to-use way to search for the nearest available paint drop-off site. Site-specific information explains who is eligible to use a site and what limitations apply.

The site locator resource is currently organized as follows: for PaintCare states, the locator lists only paint drop-off sites, including HHW programs, that partner with PaintCare. For non-PaintCare states, it lists HHW programs as locations where the public can bring leftover paint.

H. HOTLINE

PaintCare operates a daily hotline to assist the public with finding the nearest drop-off site and to answer questions about the program. The hotline staff speak English and can access live language interpretation in Spanish and a number of other languages when requested.

I. EVALUATION OF OUTREACH

PaintCare typically conducts surveys to evaluate the effectiveness of its education and outreach efforts. The surveys measure awareness of paint recycling among households and painting professionals and include questions about reducing leftover paint, opportunities for reuse and recycling paint, and intention to use those options in the future. Other questions may vary from one survey to another. PaintCare typically reports on the results of each survey in annual reports.

J. EXAMPLES OF OUTREACH MATERIALS

Current versions of the following outreach materials are provided in the appendix:

- Program brochure
- Fact sheet for HHW programs about becoming a PaintCare partner under the paint stewardship law
- Fact sheet for solid waste facilities about becoming a paint drop-off site under the paint stewardship law
- Fact sheet for retailers and reuse stores describing their responsibility under the new law and providing a program overview
- Fact sheet for retailers and reuse stores about becoming a paint drop-off site
- Fact sheet for painting contractors describing the PaintCare fee and services
- Fact sheet about the LVP service
- Fact sheet on joint outreach with local governments

7. Funding and Budget

STATUTORY CITATION

Annotated Code of Maryland, Articles Environment, Section 9-1733:

...(A)(5) The plan shall establish:

- (I) A Uniform paint stewardship assessment for all architectural paint sold in the state; and
- (II) A mechanism for paint producers participating in a paint stewardship program to remit to the representative organization payment of the paint stewardship assessment for each container of architectural paint sold in the state.

(6) The total amount of the paint stewardship assessment may not exceed the costs of implementing and sustaining the paint stewardship program.

(7)(I) The paint stewardship assessment shall be evaluated by an independent financial auditor, as designated by the department, to ensure the costs of implementing and sustaining the paint stewardship program are covered but not exceeded.

(II) The cost of any work performed by an independent financial auditor shall be funded by the program.

(8) Paint stewardship assessments may be used only to implement and sustain the paint stewardship program.

SECTION OVERVIEW

This section discusses:

- Funding mechanism
- Paint sales estimates
- Paint collection volume estimates
- Budget description
- PaintCare fee structure
- Program budget

A. FUNDING MECHANISM

The PaintCare fee is applied to qualifying containers of architectural paint sold in Maryland beginning on the program's start date. The PaintCare fee is set at a rate to cover but not exceed the cost of operating and sustaining the Maryland program. All revenue generated by the fee on Maryland paint sales is spent to support the Maryland program. The following steps describe the application of the PaintCare fee:

- Manufacturers add the PaintCare fee to containers of architectural paint sold in Maryland directly or through dealers (retailers and distributors).

- Retailers and distributors pass the PaintCare fee to their customers by including it as part of the purchase price of architectural paint they sell in Maryland. This is how retailers and distributors recoup the PaintCare fee they paid when purchasing architectural paint from their suppliers.
- When consumers buy architectural paint in Maryland, the PaintCare fee is included as part of the purchase price. Although the fee must be part of the purchase price, retailers can choose whether to list the fee as a line item on the receipt. PaintCare encourages retailers to show the fee to aid in customer education and provide consistency across the program. Most retailers choose to show the fee as a line item on receipts.
- Manufacturers report sales of architectural paint and remit to PaintCare the PaintCare fee for architectural paint they sold in Maryland in the preceding month. Manufacturers will have already recouped the PaintCare fee they pay to PaintCare because the fee is included as part of the price of their architectural paint when they sold it to their dealers. Some companies may be allowed to report sales on a less frequent schedule if their sales are minimal.

Additionally, the Maryland Paint Stewardship Act requires the program to submit an annual report which includes the total fees collected in each county of the state. Since paint sales are reported by manufacturers statewide, not by individual retail locations, PaintCare intends to use a population-based formula to approximate this data as previously discussed with MDE. Alternative methods may be used in the future.

B. PAINT SALES ESTIMATES

Paint Sales Volume

Until PaintCare has a program in a state that requires state-based reporting, many manufacturers do not track their sales based on the state where paint is finally sold to a consumer. This is often due to distribution chains that may involve a number of distributors between the manufacturer and final point of sale. To estimate paint sales in Maryland for this plan, PaintCare commissioned a study by Decision Metrics, a consulting firm that has been used by the American Coatings Association, PaintCare, and some individual paint companies to project paint sales nationally, in certain states, and in smaller geographic regions (e.g., counties). To create the sales projections, Decision Metric emphasizes the most recent data (2022-2024) to account for current economic and housing conditions and looks at a history of actual volume at the state-level to further refine the projections.

The Decision Metrics model results in projections of how many total gallons of paint as well as the container size breakdown (number of quarts vs. 1-gallon vs. 5-gallon) will be sold by taking into consideration many key metrics: housing starts and housing sales, population growth, commercial real estate square footage, demographics (e.g., age and wealth), and economic conditions in each state. Decision Metrics also considered cross-border issues, i.e., paint purchased in one state for use in another state.

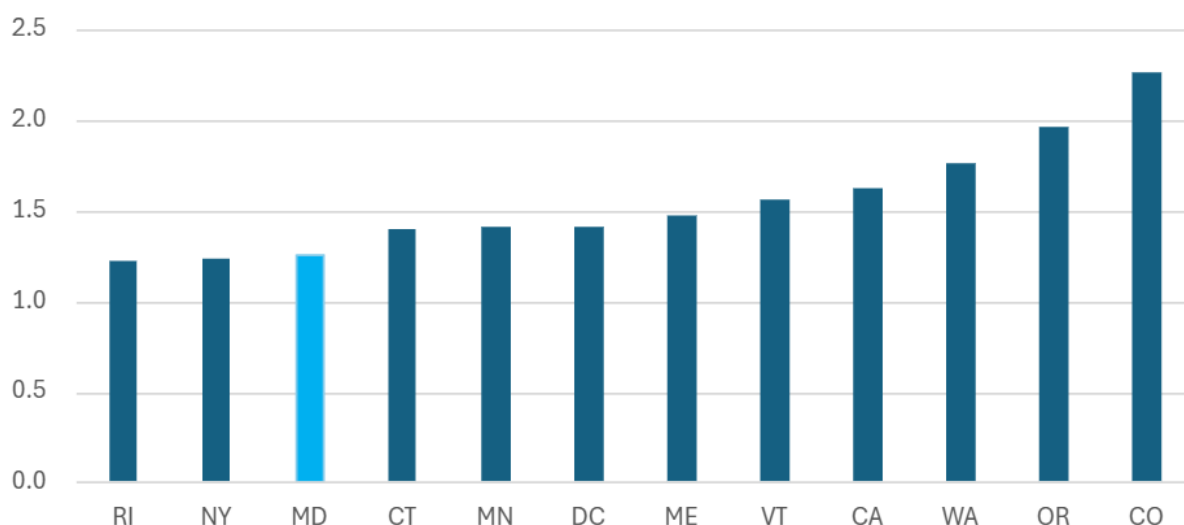
Independent of the work done by Decision Metrics, PaintCare staff examined annual per capita sales for 2022-2024 in PaintCare states to compare with sales per capita in Maryland projected by Decision Metrics.

Using this data and in consultation with PaintCare’s board of directors, PaintCare has projected to the best of its ability the volume of PaintCare products that will be sold in the state.

Sales per Capita

The following chart shows projected sales per capita for Maryland relative to actual sales in 2024 for current PaintCare states. The chart shows that Maryland’s projected annual sales are within the expected range of other PaintCare programs, particularly in relation to other programs in the Northeast.

Gallons Sold per Capita by Program



Sales by Container Size

PaintCare estimated the share of units sold in each of the three predominant container size categories from the data received from the Decision Metrics and sales data from other PaintCare programs. The following table shows the container mix based on 2024 sales reports for current PaintCare programs along with the container mix projected by Decision Metrics for Maryland in 2026. In general, the volume of small-container sales as a proportion of total sales tends to be relatively higher in smaller and more rural states. Knowing the container size mix is important in setting the PaintCare fee because the fee (and the resulting revenue) is lower for larger containers on a per-gallon basis.

CONTAINER SIZE MIX (RELATIVE TO VOLUME OF PAINT SOLD IN EACH CONTAINER SIZE)
(Due to rounding totals may not equal 100%)

Program	Small <1 Gallon (%)	Medium 1-2 Gallons (%)	Large >2-5 Gallons (%)
District of Columbia	2	23	75
Colorado	3	29	68
Washington	3	30	67
California	3	31	66
Oregon	3	33	64
Minnesota	5	46	50
New York	5	46	50
Maryland	4	48	48
Connecticut	5	52	43
Rhode Island	5	54	41
Vermont	5	56	39
Maine	6	60	34

When sales reports are received after the program begins, PaintCare will know the actual sales volume and container size mix in Maryland from manufacturer reporting.

C. PAINT COLLECTION VOLUME ESTIMATES

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 given time is unknown. Consumers purchasing paint may decide to recycle or dispose of their unwanted paint as soon as a painting job is finished, or they may keep it for several years. These factors make it difficult to determine how much postconsumer paint is available for collection.

Collection Volume Projections

Recovery rate is defined as the volume of paint collected divided by volume of paint sold in the same period. EPA estimates that 10% of architectural paint sold remains leftover each year. The recovery rate for PaintCare programs varies from a low of about 3% to a high of about 12%. The volume of paint collected depends on the state's paint collection infrastructure, recycling habits, extent of outreach, and age of the program. PaintCare has observed in its other program that the recovery rate initially increases each year, with the largest increases in the first few years. After the first few years, the recovery rate stabilizes – with small increases, no increase, or small decreases. PaintCare projects that the Maryland recovery rates will start around 5.9% and reach 6.7% in the fourth year.

The following table shows projected collection volumes, projected paint sales, and the resulting recovery rates through 2029 for the Maryland program.

PROJECTED GALLONS COLLECTED, SOLD, AND RECOVERY RATE

	2026 (9 MONTHS)	2027	2028	2029
Paint Collected (gallons)	355,713	492,507	515,891	527,110
New Paint Sold (gallons)	6,016,046	7,880,470	7,880,470	7,880,470
Recovery Rate	5.9%	6.2%	6.5%	6.7%

D. BUDGET DESCRIPTION

PaintCare is presenting a budget and proposed a fee structure calculated to fully fund the Maryland program through its first four years and allow it to accumulate an operating reserve, discussed further below, to help ensure sustainability of the program. The budget reflects PaintCare's expected revenue and expenses based on the projected sales and paint collection volume described previously. PaintCare makes decisions to manage the finances of the program based on actual program revenue and expenses after the launch of the program. As such, actual expenditures may vary from those set forth in the budget.

The program has already incurred and continues to incur additional expenses before the program starts and revenue begins to be collected. These expenses are for program planning activities, to educate stakeholders about the program, and to prepare drop-off sites to collect paint when the program starts. Notable examples include personnel, travel expenses, retailer outreach, paint collection supplies and support, and legal costs in connection with regulatory review.

As described in the outreach and education section of this plan, PaintCare usually takes a phased-in approach in promoting the program. As outreach and public awareness increase, paint collection volumes and the related costs for paint collection, transportation, and processing are expected to also increase.

The following describes the primary elements of the budget:

Revenue

Revenue is calculated using the proposed fee structure (shown in the following subsection) and the anticipated paint sales and container mix described previously.

Operations Expenses

Operations includes all in-state expenses (also called direct expenses) specific to operating the Maryland program. These costs are borne entirely by the Maryland program and not shared with other PaintCare programs. They are categorized as follows:

- **Paint processing.** This is usually the most significant expense of the program. Costs are based on vendor pricing provided through the RFP process discussed in Section 5, and payments for the additional activities (e.g., reuse) at sites.
- **Paint transportation.** This expense includes the cost of transporting paint bins from paint drop-off sites to paint processing locations.
- **Paint collection supplies and support.** These expenses include the cost of paint collection bins, spill kits, PaintCare event expenses, training materials, signs, labor to pack paint at LVP sites, and other paint collection-related support.
- **Communications.** These expenses include advertising and educational materials to increase awareness of the program and to promote drop-off sites and other services.
- **Personnel, professional services, and other.** These expenses include the cost of staff working directly to implement the Maryland program, legal costs for regulatory review and contract development, and other logistical, professional support, and office expenses. Expected personnel expenses include a state manager and coordinator whose time will be partially allocated to Maryland. For staff that split time between multiple programs, PaintCare typically uses a population-based formula based on the most recent U.S. Census to determine the allocation of personnel expenses. Using this methodology, compensation for a coordinator splitting time between Maryland and Washington, D.C., would be allocated 90% to the Maryland program and 10% to the Washington, D.C., program.
- **State agency administrative fees.** This expense will be paid by PaintCare to MDE for oversight of the programs.
- **Loan repayment.** PaintCare intends to secure a fixed-term loan from the American Coatings Association (ACA) for approximately \$2.7 million to cover expenses incurred prior to the start of the program and until the program revenue is sufficient to cover program expenses. Loan repayment is envisioned to occur within the first five years of the program. The interest rate on ACA's loan to PaintCare will be equal to the rate that ACA pays to secure the funds it loans to PaintCare.

Corporate Expenses

Corporate expenses (also called indirect expenses) are those that are not specific to the Maryland program but support all current and future PaintCare programs. These costs include but are not limited to corporate staffing (e.g., PaintCare's president, operations staff, communications team); back-office support (e.g., information technology, legal, government affairs, and accounting); company-wide auditing, insurance, outside counsel, and other professional services; software licenses and maintenance of data management systems; occupancy; general communications; and other supplies and services that support all PaintCare programs.

Corporate expenses are allocated among all PaintCare programs based on their relative populations in the most recent census. New programs begin to pay their relative share about six months before the program

starts. At the time of plan submission, Maryland represents 5.6% of the combined population of the PaintCare programs (based on 2020 census data). In future years, PaintCare may update the corporate allocation based on the population estimates published by the Census Bureau.

In addition, as additional states pass paint stewardship legislation, those states are added to the corporate allocation formula and the share of corporate expenses decrease for each of the current programs.

Operating Reserves

Reserves represent the net assets (cash and investments) of the Maryland program. Reserves are needed to sustain the program in times of either higher-than-expected paint collection volumes resulting in higher-than-expected expenses, lower-than-expected paint sales resulting in lower-than-expected revenue, or a combination of the two. PaintCare's reserves policy establishes a target reserve as a percentage of annual expenses and sets a minimum and maximum threshold. If the reserves fall below the minimum threshold or rise beyond the maximum threshold, an evaluation of the program's expenses and revenue is performed to determine if changes are needed in operations, outreach, and/or the fee structure to bring the reserve balance within range. PaintCare currently has a target reserve of 100% of annual expenses (i.e., 12-months of operating expenses), with a minimum threshold of 75% (i.e., nine months) and a maximum threshold of 125% (i.e., 15 months).

E. PAINTCARE FEE

Based on the projected paint sales, revenue, and expenses, PaintCare proposes the following fee structure with different and increasing amounts for the following four size categories:

SIZE	DESCRIPTION	FEE
Very Small	Half pint or smaller	\$ 0.00
Small	Larger than half pint up to smaller than 1 gallon	\$ 0.50
Medium	1–2 gallons	\$ 1.15
Large	Larger than 2 gallon up to 5 gallons	\$ 2.25

Audit of the PaintCare Fee

To help ensure that the program's funding mechanism is appropriate to cover the cost of the program, the Maryland law requires the proposed PaintCare fee to be reviewed by an independent financial auditor.

The audit report issued by Lydon Fetterolf Corydon, P.A. is provided in the appendix.

F. FINANCIAL SUMMARY

The following table shows anticipated expenses and revenues from pre-program thorough 2029. Pre-program expenses are those from May 1, 2024 to March 31, 2026.

REVENUE AND EXPENSES

REVENUE	PRE-PROGRAM	2026 (9 MONTHS)	2027	2028	2029
Small Containers	-	\$410,285	\$543,498	\$554,367	\$565,455
Medium Containers	-	3,354,157	4,385,275	4,472,981	4,562,441
Large Containers	-	1,299,512	1,704,123	1,738,205	1,772,970
Total Revenue	-	5,063,953	6,632,896	6,765,554	6,900,865

EXPENSES

Paint Processing	-	1,525,000	2,108,200	2,382,696	2,481,215
Paint Transportation	-	437,200	605,200	683,964	708,730
Paint Collection Supplies and Support	262,000	233,100	327,150	365,580	371,580
Communications	125,532	250,000	600,000	750,000	750,000
Personnel, Professional Fees, Other	310,975	234,053	236,531	244,348	252,471
State Agency Administrative Fees	80,000	80,000	80,000	80,000	80,000
Loan Interest	-	152,479	161,091	170,189	120,742
Allocation of Corporate Activity	144,826	596,876	626,719	658,055	690,958
Total Expenses	923,333	3,508,708	4,744,891	5,334,832	5,455,696

Change in Net Assets	(923,333)	1,555,245	1,888,005	1,430,722	1,445,169
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Net Assets, Beginning of Year	-	(923,333)	631,913	2,519,917	3,950,639
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Net Assets, End of Year	\$(923,333)	\$631,913	\$2,519,917	\$3,950,639	\$5,395,808
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Reserve as Percentage of Total Expenses	-100%	18%	53%	74%	99%
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Note: Values presented in this table are obtained from a financial worksheet that includes additional subcategories and cents. Due to rounding, Total Revenue and/or Total Expenses may differ by a few dollars in some years.

Appendix A

Registered Manufacturers and Brands

Ace Contractor Pro Paints and Primers	Basic Coatings Hardwood Floor Refinisher Satin	Benjamin Moore Waterborne Satin Impervo
Ace Essence Paints	Behr	Better Homes and Gardens
Ace Great Finishes Interior Stains & Varnishes	Behr Premium Plus	Blacknight
Ace Interior Premium Enamels	Behr Premium Plus Ultra	Block Filler
Ace Royal Finest Paint	Behr Premium Select	Blue Seal
Ace Royal Paints and Primers	Behr Pro-X	Brouns & Co Linseed Paint
Ace Rust Stop Enamels and Primers	Benchmark	Brouns & Co Oils
Ace Sealtech Waterproofers	Benjamin Moore Advance	Brouns & Co Primer
Ace Sensations Paint	Benjamin Moore Alkyd Dulamel	Brouns & Co Wood Stain
Ace Simply Magic Ceiling Paint	Benjamin Moore Arborcoat	Bruce Fresh Finish
Ace Stain	Benjamin Moore Aura	C&M Coatings
Ace Stain Halt	Benjamin Moore Ben	CAB/Acrylic Clear Topcoat
Ace Wood Royal Exterior Stains	Benjamin Moore Benwood Finishes	CAB/Acrylic White Topcoat
Allbäck Linseed Oil Paint	Benjamin Moore Block Filler	Cabinet, Door& Trim Paint
Allbäck Linus Wall Paint	Benjamin Moore Color Samples	Cabot
Allpro Commercial Grade Waterproofing Sealer	Benjamin Moore Concepts	Cabot "The Finish"
Allpro Concrete Floor Sealer	Benjamin Moore Concrete Waterproof Sealer	Cabot Australian Timber Oil
Allpro Concrete Waterproofing Paint	Benjamin Moore Eco Spec	Cabot Cabothane
Allpro Masonry Waterproofing Sealer	Benjamin Moore Element Guard	Cabot Clear solutions
Allpro Multi-Surface Water Repellent Alumify	Benjamin Moore Floor and Patio	Cabot OVT
Ames Block & Wall, acrylic	Benjamin Moore Fresh Start Primers	Cabot Problem Solver
Ames Block & Wall, rubber	Benjamin Moore Grand Entrance	Cabot PROVT
Ames Blue Max	Benjamin Moore Impervex	Casual Spaces
Ames Clear Seal	Benjamin Moore Ironclad	Chemsearch - Conquest
Ames Liquid Granite	Benjamin Moore Kitchen and Bath	Clare Exterior
Ames Paint & Prime	Benjamin Moore Knockdown	Clare Interior
Ames Reflective Paint	Benjamin Moore Marvelux	Clare Multipurpose Primer
Ames Safe-T-Deck Granulated	Benjamin Moore Moorcraft Super Craft	Clark+Kensington Paints
Ames SafeT-Deck Smooth	Benjamin Moore Moorcraft Super Hide	Clinical Paints
Ames Super Elasto Barrier	Benjamin Moore Muresco	Color Extra
Ames Super Primer	Benjamin Moore Natura	Color House Premium Ceiling Paint
Ames Vapor Barrier	Benjamin Moore Premium Exterior Stain	ColorPlace
Andersons	Benjamin Moore Pro Finish	Color Wheel
Aqua Mix Aqua Stain	Benjamin Moore Regal Classic	Comex Paint
Aqua Mix Enrich-n-Seal	Benjamin Moore Regal Select	Conco
Aqua Mix High Gloss Sealer	Benjamin Moore Satin Impervo	Controlz Primers
Aqua Mix Penetrating Sealer	Benjamin Moore Satin Impervo	Convoy - Non Skid Coatings
Aqua Mix ProSolv	Benjamin Moore Studio Finishes (except Chalkboard Paint)	Coronado Aqua Plastic
Aqua Mix Seal & Finish Low Sheen	Benjamin Moore Super Craft	Coronado Ceiling Paint
Aqua Mix Sealer's Choice Gold	Benjamin Moore Super Spec (does not include Super Spec HP)	Coronado Crylicote
Aqua Mix Stone Enhancer	Benjamin Moore Sure Seal Primer	Coronado Elastite
Aqua Mix UltraSolv	Benjamin Moore Ultra Spec (does not include Ultra Spec HP)	Coronado Elastite
Armstrong Stains	Benjamin Moore Vinyl Latex Flat	Coronado Final Touch
Artistic Finishes	Benjamin Moore Waterborne Ceiling Paint	Coronado Gold
Aspire		Coronado Grand
Bakor		Coronado Grip & Seal
Barn & Fence Paints		Coronado Maxum Stains
Basic Coatings		Coronado Optimum Hide
Basic Coatings Hardwood Floor Refinisher Gloss		Coronado Rust Scat
		Coronado Super Kote 1000
		Coronado Super Kote 3000
		Coronado Super Kote 5000 (does not include the dry falls)
		Coronado Supreme

Coronado Texcrete	Farrow & Ball Exterior Eggshell	GPS Paints Multi-Purpose Primer
Coronado Texcrete WB	Farrow & Ball Full Gloss	GPS Paints Quicksand Primer
Coronado Tough Shield	Farrow & Ball Interior /Exterior Wood	GPS Paints Regent
Coronado Tough Tex	Primer & Undercoat	GPS Paints Silktone
Coronado Tough Walls	Farrow & Ball Interior Wood Primer &	GPS Paints Synergy
Corotech Electrostatic Enamel Semi- Gloss	Undercoat	GPS Paints Universal Primer
Corotech Hammertone Enamel	Farrow & Ball Masonry & Plaster	GPS Paints Vanguard
Corotech Organic Zinc Rich Primer	Stabilising Primer	Guardian Contractor Grade
Corotech Pre-Cat Epoxy Eggshell	Farrow & Ball Masonry Paint	Guardian Professional Quality
Corotech Pre-Cat Epoxy Semi-Gloss	Farrow & Ball Metal Primer &	H&C
Corotech Prep All Universal Primer	Undercoat	H&K Paints All Coat
Corotech Quick Dry Acrylic Spray DTM	Farrow & Ball Modern Eggshell	Hammerite
Corotech Quick Dry Enamel Gloss	Farrow & Ball Modern Emulsion	Harrison Paint (all products)
Corotech Quick Dry Enamel Semi- Gloss	Farrow & Ball Wall Ceiling Primer &	HD® Designs
Corotech Rust Arrestor	Undercoat	Heavy Bodied Glazing Stain (Various colors)
Corotech Shop Cote Primer	Farrow & Ball Wood Floor Primer	Heirloom Traditions Paint
Cover & Go	&Undercoat	Henry/Bakor
Crackle Lacquer Clear	Farrow & Ball Wood Knot & Resin	Henry Acryprime Recoat Primer
CRC® Rust Converter	Blocking Primer	Henry Air Bloc 31 Brush/Spray
Deft Clear Wood Finishes	Field Marking Paints	Henry Aquaprim Primer
Deft Defoil	Formby's	Henry Aquatac Primer
Deft Lacquer Sanding Sealer	Frazee	Henry Binder/Tack Emulsion
Deft Polyurethanes	Fred Myers	Henry Enviro-White Roof Coating
Deft Wood Stains	French Lac	Henry Grey Elastomeric Roof Coating
Devine	Galvanized & Aluminum Primer	Henry Light Tan Roof Coating
Diamond Collection	Geocel	Henry Metalshield Rubber Based Gray Roof Coating
Do It Best	Glidden Concrete Paint	Henry Metalshield Waterbased Elastomeric Roof Coating
Do-It-Best	Glidden Diamond	Henry Premium Elastomeric Base Coating
Do It Best Best Look®	Glidden Duo	Henry Premium Non-Fibered Aluminum
Do It Best Color Solutions®	Glidden Essentials	Henry RTC Coat
Duckback	Glidden Everyday	Henry Solorflx Tan Elastomeric
Duracourt - Sport Court Paint	Glidden EZ Track	Henry Special Color Elastomeric
Dutch Boy	Glidden Fundamentals	HGTV Home
Dutchboy Dimensions	Glidden Grab-N-Go	HGTV Weathershield by Sherwin Williams
Dutchboy Dirt Fighter Interior	Glidden Gripper	Homax Premixed Popcorn Ceiling Texture
Dutchboy Maxbond®	Glidden High Endurance	Homax Premixed Wall Texture
Dutchboy Refresh	Glidden High Performance	Homax Roll-On Texture
Dutch Standard (all products)	Glidden Max-Flex	Homax Tile Guard
Eco Advance Concrete & Masonry Waterproofer	Glidden Premium	Homax Wet Look Cure Seal
Eco Advance Wood Waterproofer	Glidden Professional Devflex	Homestead
Economy	Glidden Professional Devguard	Insl-X Aqua Lock
ECOS Paints	Glidden Professional Devoe	Insl-X Blockout
Encase	Glidden PVA Drywall Primer	Insl-X Cabinet Coat
Equinox	Glidden Quick Cover	Insl-X Chlorinated Rubber Pool Paint
Evolve	Glidden Spred	Insl-X Field Marking
Excesior Coatings (all products)	Glidden Vinyl Renew	
Fabulon	Glidden Woodpride	
Farrow & Ball Dead Flat	Golden Paintworks	
Farrow & Ball Estate Eggshell	GPS Paints Adhesion Plus	
Farrow & Ball Estate Emulsion	GPS Paints Altima	
	GPS Paints Drywall Primer	
	GPS Paints Heritage	
	GPS Paints High Hide Primer	
	GPS Paints Metal Primer	

InsI-X Hot Trax Acrylic Garage Floor Paint	Lifeline Interior	Miracle Sealants 511 Seal & Enhance
InsI-X Lead Block Encapsulating Paint	Lifeline Ultra-2	Miracle Sealants High Gloss Finish Sealer
InsI-X Odor Less	Lifeline Ultra-7	Miracle Sealants Matte Finish Sealer
InsI-X Prime Lock	Liquid Rubber Color Sealant	Miracle Sealants Mira Matte
InsI-X Pro-Plate Enamel - Rust Preventative Coating	Liquid Rubber Deck Coating	Miracle Sealants Tile, Stone & Grout Sealer
InsI-X Rubber Based Pool Paint	Liquid Rubber Foundation Sealant	ML Campbell
InsI-X Seal Lock	Liquid Rubber Waterproof Sealant	Modern Masters
InsI-X Stix	Little Greene Absolute	Multi-Mist Products - Pro Seal Ultra
InsI-X Sure Step	Little Greene Intelligent	Multi-Mist Products - Qurox
InsI-X Tough Shield	Little Greene Intelligent All Surface Primer (ASP)	Multiplex
InsI-X Tru-Flex Concrete Bond Coat	Long End Seal	Nautica
InsI-X Tru-Flex Cushion Coat	Lullaby Paints	NewLook International DriveHard
InsI-X Tru-Flex Latex Field Marking Paint	Magnolia Home Paint by Kilz	NewLook International Endura Concrete Sealer
InsI-X Tru-Flex Line Marking Paint	Maintenance Paint (Home Depot)	NewLook International Endura Enhancer
InsI-X Tru-Flex Neutral Filler Coat	Martha Stewart Living	NewLook International Endura Faux Fusion
InsI-X Tru-Flex Smooth Colored Finish Coat	Martin Senour Paints	NewLook International Endura Solid Stain
InsI-X Tru-Flex Textured Colored Finish Coat	Marvins	NewLook International Original NewLook Stains
InsI-X Tuffcrete	Masterchem	NewLook International Proteshield
InsI-X Waterblock	Master Gel® Finish Clear	NewLook International SharkSeal
InsI-X Waterborne Pool Paint	Master Guard Oil and Spot Primer	NewLook International SmartColor
James Alexander Specialty Paints	Master Guard Sealer	NewLook International SmartSeal
Kilz	Master Guard Wood Sealer	NewLook International Wall Stain
Kilz Casual Colors	MBP Flat	Odds N Ends
Kilz Pro-X	McCloskey	Old Masters Brushing Lacquer
Kilz True Tone	McCloskey Man-O-War	Old Masters Exterior Water-based Spar Urethane
Kolor Kote	McCloskey Multi-Use	Old Masters Fast Dry Stain
Kool Seal	McCloskey Special Effects	Old Masters Gel Stain
Krylon	McCloskey Stains	Old Masters Graining Base
Krylon Commercial	McCoy's	Old Masters H2O Wood Stain
Kwal	Metallic Finishes	Old Masters Oil Based Gel Polyurethane
Laura Ashley	Metal Ready Universal	Old Masters Oil Based Polyurethane
Lauzon wood Clear Finish	Minwax Color Wash	Old Masters Oil Based Quick-Dry Varnish
Lauzon wood stain	Minwax Lacquer (all types)	Old Masters Oil Based Sanding Sealer
Lenmar 350 VOC Polyurethane Wood Finish	Minwax Polycrylic	Old Masters Oil Based Spar Marine Varnish
Lenmar Aqua-Plastic	Minwax PolyShades	Old Masters Oil Based Super Varnish
Lenmar Echo	Minwax Polyurethane (all types)	Old Masters Penetrating Sealer
Lenmar Evolution	Minwax Stain (all types)	Old Masters Penetrating Stain
Lenmar Interior Waterborne Wiping Stain	Minwax Tung Oil	Old Masters Tung Oil Varnish
Lenmar QuickStain Waterborne Wiping Stain	Minwax Urethane	Old Masters Water-based Clear Finish
Lenmar Spar Varnish	Minwax Varnish	
Lifeline Accents	Minwax Wipe-On Poly	
Lifeline Acrylic	Minwax Wood Effects	
Lifeline Advance	Minwax Wood Finish	
Lifeline Endure	Miracle Sealants 511 Anti-Slip	
LifeLine Exterior	Miracle Sealants 511 Glass Tile & Shower Door Sealer	
	Miracle Sealants 511 H2O Plus	
	Miracle Sealants 511 Impregnator	
	Miracle Sealants 511 Porcelain & Ceramic Tile Sealer	
	Miracle Sealants 511 Porous Plus	
	Miracle Sealants 511 Quartz Counter Top Sealer	

Old Masters Water-based Polyurethane	PPG Porter Paints Acri-Shield Stains	Quikrete Masonry Waterproof
Old Masters Water-based Sanding Sealer	PPG Porter Paints Advantage 900	Quikrete Penetrating Concrete Stain
Old Masters Wiping Stain	PPG Porter Paints Blankit	Quikrete Textured Acrylic Concrete
Old Masters Wood Conditioner	PPG Porter Paints Glyptex	Quikrete Translucent Concrete Stain
Old Masters Woodgrain Filler	PPG Porter Paints Permanizer	Ralph Lauren
Olympic Paint	PPG Porter Paints Portersept	Rapid Roof HV
Olympic Pool Paint	PPG Porter Pro-Master 2000	Rapid Roof III
Olympic Stain	PPG Primatite	Reserve
Optimus	PPG Proluxe Sikkens	Richard's Paint Barricade
Orgill	PPG Pure Performance	Richard's Paint Bondcrete
Oxygen	PPG Regency	Richard's Paint Bungalow 47
Pantone	PPG Seal Grip	Richard's Paint Deck Guard
Parks Pro Finisher	PPG Silken Touch	Richard's Paint Driveway and Floor Coating
Permax 108 Acrylic Coating	PPG Speed Cryl	Richard's Paint Eternity
Permax 115 Acrylic Coating	PPG Speedhide (except Dry Fog)	Richard's Paint Floor-Tite
Permax 120 Acrylic Coating	PPG Sun Proof	Richard's Paint H2O Fusion
Pittsburgh Paints and Stains	PPG Synteko	Richard's Paint Holzon
Pittsburgh Paints and Stains Revolution	PPG Timeless	Richard's Paint Holzout
Plastic Kote	PPG Ultra-hide 150	Richard's Paint Holzite
Plasti-Kote	PPG Ultralast	Richard's Paint Painter's Pride
Pore-O-Pac™ Grain Filler (various colors)	PPG Wallhide	Richard's Paint Paverseal
Pore-O-Pac™ Grain Filler Reducer	PPG Wall Supreme	Richard's Paint Pliolite
PPG Accent Color Base	PPG Weather King	Richard's Paint PPS
PPG Acri-Shield	PPG Wonder Hide	Richard's Paint Rich Air Zero VOC
PPG Bar-Ox	PPG Wonder Pro	Richard's Paint Rich Classic
PPG Break-Through	PPG Wonder Pure	Richard's Paint Rich Flex
PPG Builder Performance	PPG Wonder Shield	Richard's Paint Rich Pro
PPG Diamond 350	PPG Wonder Tones	Richard's Paint Rich Shield
PPG Flood	PPG ZoneMark	Richard's Paint Rich Tex
PPG Flood Pro	Pratt & Lambert®	Richard's Paint Rich Wall
PPG Floor & Porch	Pratt & Lambert Accolade®	Richard's Paint Richwood
PPG Fortis 350	Pratt & Lambert RedSeal®	Richard's Paint Roof Shield
PPG Fortis 450	Pratt & Lambert RedSeal® Zero VOC	Richard's Paint Rust Sheild
PPG Hi-Hide	Pratt & Lambert STAINShield®	Richard's Paint Shields All
PPG Kilstain	Prelude	Richard's Paint Signature Ceramic
PPG Maintenance Paint	Premier Aluminum Roof Coating	Richard's Paint Signature Series
PPG Manor Hall	Fibered	Richard's Paint Signature Series Plus
PPG Metallic Tones	Pre-Stain Clear Wood Stain	Richard's Paint Thor
PPG Monarch	Prime Time	Richard's Paint Wall Guard
PPG Mopako	Prime Time Plus	Roman ECO-988 Pigmented Primer
PPG Multi-Pro Maintenance	Pro Grade	Roman Golden Harvest PRO-988
PPG Paramount	Puma	Roman PRO-909 Vinyl Prep
PPG Performance	Puma-XL	Roman PRO-935 R-35
PPG Perma-Crete	Qualalacq™ Lacquer Gloss	Roman PRO-977 Ultra Prime
PPG Pitt-Cryl Plus	Qualalacq™ Lacquer Reducer	Roman Pro-999 Rx-35
PPG Pitt-Glaze	Qualalacq™ Lacquer Satin	Roofers Choice
PPG Pitt-Tech Plus EP DTM	Qualalacq™ Sanding Sealer	Room & Board by Valspar
PPG Plex-Seal	Qualarenu™ #1	RPM Water Based Grain Filler (various colors)
PPG Porter Paints Acri-Pro	Qualasole™	RPM Wood -15 Minute Wood Stain (various colors)
PPG Porter Paints Acri-Shield Paint	Quik Hide	
	Quikrete Concrete & Masonry High Gloss Sealer	
	Quikrete Concrete & Masonry Waterproofing Sealer	

RPM Wood-8x Wipe On Water Base Urethane Satin	Rustoleum Wolman	Sherwin Williams All Surface Enamel
RPM Wood -Polyurethane Satin	Rustoleum X-Seal	Sherwin Williams Blok-Tite™
RPM Wood- Vinyl Sealer	Rustoleum Zehrung	Sherwin Williams Bright Life
RPM Wood Waterborne Urethane Finish Satin	Rustoleum Zinsser	Sherwin Williams Builders Masterpiece
RUST DESTROYER	Sansin Boracol 20-2	Sherwin Williams Builders Solution Int.
RUST DESTROYER FAST DRY	Sansin Classic	Sherwin Williams Captivate
RUST DESTROYER HIGH HEAT	Sansin DEC	Sherwin Williams Cashmere Interior
RUST KNOCKOUT	Sansin ENS	Sherwin Williams Classic 99 Int
Rustoleum 360 Grey	Sansin Foundation RTU	Sherwin Williams Classic Cote
Rustoleum 360 Primer	Sansin MDF Primer	Sherwin Williams ColorAccents Interior Alkyd
Rustoleum 900 Clear Coat	Sansin Precision Coat	Sherwin Williams ColorPlace®
Rustoleum Advanced Technology UMA	Sansin Purity Interior	Sherwin Williams ConFlex XL
Rustoleum American Accents	Sansin Roof Tec	Sherwin Williams DeckScapes Ext
Rustoleum BIN	Sansin SDF	Sherwin Williams Design Accents
Rustoleum Bulls Eye	Sansin Timber Tec	Sherwin Williams Design Basics Interior
Rustoleum Colorfast	Sashco Capture® Log Stain	Sherwin Williams Drywall Primer
Rustoleum Decorative Painter's Products	Sashco Cascade® Clear Coat	Sherwin Williams Dura Clad
Rustoleum Elastomeric Roof Coating	Sashco Symphony® Interior Clear Coat	Sherwin Williams DuraCraft Acrylic Latex
Rustoleum Epoxy Shield	Sashco Transformation Stain® Deck & Fence	Sherwin Williams Duraseal
Rustoleum Flash Bond 400	Sashco Transformation Stain® Log and Timber	Sherwin Williams Duration
Rustoleum Home	Sashco Transformation Stain® Siding & Trim	Sherwin Williams Duron
Rustoleum MasterClear Supreme	Seal-Krete Clear-Seal	Sherwin Williams EasyLiving®
Rustoleum Metallic Paint Collection	Seal-Krete Concrete Colors Low Lustre Sealer	Sherwin Williams EcoSelect® Zero VOC
Rustoleum Multispec	Seal-Krete Concrete Colors Semi-Transparent Stain	Sherwin Williams Emerald
Rustoleum OKON	Seal-Krete DampLock Concrete Waterproofing Paint	Sherwin Williams Eminence®
Rustoleum Painter's Touch	Seal-Krete Epoxy-Seal Concrete Paint	Sherwin Williams Enviropure
Rustoleum Peel-Bond	Seal-Krete Epoxy-Seal Low VOC Paint	Sherwin Williams EverLast
Rustoleum Perma White	Seal-Krete Floor-Tex	Sherwin Williams Faux Impressions®
Rustoleum Plastic And Vinyl NT	Seal-Krete GraniteFX	Sherwin Williams Flex Bon
Rustoleum Prime Start	Seal-Krete GraniTex	Sherwin Williams Fresh Kote
Rustoleum Restore	Seal-Krete Heavy Duty Waterproofer	Sherwin Williams Harmony
Rustoleum Restorz	Seal-Krete Lock-Down Epoxy Bonding Floor Primer	Sherwin Williams Impressions
Rustoleum Simply Home	Seal-Krete Multi-Surface Water Repellent	Sherwin Williams Infinity®
Rustoleum Stop Rust	Seal-Krete Original Waterproofing Sealer	Sherwin Williams Latitude
Rustoleum Studio Color	Seal-Krete Stucco Guard	Sherwin Williams Lok-Tite
Rustoleum Sure Color	Sears	Sherwin Williams Loxon
Rustoleum Theme Paint	Severe Weather Contractor Finish	Sherwin Williams Luxury Living
Rustoleum Traditions	Shading/Glazing Stain (various colors)	Sherwin Williams Maintenance Pro
Rustoleum Trim Magic	Shake Shield	Sherwin Williams Masterline
Rustoleum Varathane	Sherwin Williams	Sherwin Williams Master Painters
Rustoleum Watco Danish Oil	Sherwin Williams A-100	Sherwin Williams Master Touch
Rustoleum Watco Exterior Wood Finish		Sherwin Williams Maxflex™
Rustoleum Watco Lacquer + Color Tint		Sherwin Williams Maxwood®
Rustoleum Watco Lacquer Clear Wood Finish		Sherwin Williams Modac
Rustoleum Watco Teak Oil + Stain		Sherwin Williams Optima Formula 360
Rustoleum Watco Tung Oil		Sherwin Williams Painters Edge
Rustoleum Watco Wipe-On Poly		Sherwin Williams PalGard®

Sherwin Williams Platinum	Stone & Masonry Conditioner	Valspar Climate Zone
Sherwin Williams Ply-Mastic	Stone Mason	Valspar Color Style
Sherwin Williams Ply-Thane	Stone Mason Ultra Gloss Water	Valspar Decorator
Sherwin Williams Ply-Tile	Based	Valspar Duramax
Sherwin Williams Porcelain®	Structures Wood Care NatureColor®	Valspar Elan
Sherwin Williams PrepRite	Structures Wood Care NatureOne®	Valspar Integrity
Sherwin Williams ProBlock	Stucco, Masonry & Brick Paint	Valspar Medallion
Sherwin Williams ProClassic	Sure Shine	Valspar Medallion Primers
Sherwin Williams ProGreen 200	Surmax	Valspar Prep-Step Primers
Sherwin Williams Pro-Hide® Gold	Tack Coat	Valspar Pro 2000 Interior Contractor
Sherwin Williams Pro-Hide® Green	Tex-Cote 300	Finish
Sherwin Williams Pro-Hide® Silver	Tex-Cote 400	Valspar Professional
Sherwin Williams Pro Industrial	Tex-Cote 600	Valspar Professional Bonding Primer
Enamel Urethane	Tex-Cote Aluma-Cool®	Valspar Professional Exterior
Sherwin Williams Pro Kote	Tex-Cote Clear-Seal™	Valspar Professional Exterior Primer
Sherwin Williams ProLine Supreme	Tex-Cote Color Cote™	Valspar Professional Interior
Sherwin Williams ProMar 200	Tex-Cote Color Tex®	Valspar Professional New
Sherwin Williams ProMar 400	Tex-Cote Cool-Tec®	Construction Primer
Sherwin Williams ProMar 700	Tex-Cote Cool-Tex®	Valspar Professional PVA Primer
Sherwin Williams Property Solution	Tex-Cote Coolwall®	Valspar Restoration Series
Sherwin Williams Red Devil	Tex-Cote Epo-Tex™	Valspar Signature Colors
Sherwin Williams Resilience	Tex-Cote Flex-On®	Valspar Tractor & Implement
Sherwin Williams Rich Lux	Tex-Cote Graffiti Gard®	Valspar Ultra
Sherwin Williams Rust-O-Lastic	Tex-Cote Kenitex®	Valspar Ultra Premium
Sherwin Williams Sea Shore	Tex-Cote Metal-Prime™	Valspar Weathercoat
Sherwin Williams Shellac Primer	Tex-Cote Primer 27™	Vasari Lime Paint
Sherwin Williams Sher-Crete	Tex-Cote Rainstopper®	Vasari Mineral Primer
Sherwin Williams SherStripe	Tex-Cote Reflect-Tec®	Wall Kote
Sherwin Williams Signature Select	Tex-Cote Stone-Tex®	Wall-Up
Sherwin Williams Skylight®	Tex-Cote Strata Grip	Walmart
Sherwin Williams Solo 100% Acrylic	Tex-Cote Tex-Dri®	Waterlox 350 VOC Satin Finish
Sherwin Williams SuperBond	Tex-Cote Tex-Gard®	Waterlox 350 VOC Sealer/Finish
Sherwin Williams SuperPaint	Tex-Cote Tex-Tura®	Waterlox 450 VOC Satin Finish
Sherwin Williams Terminator™	Tex-Cote Top-Cote™	Waterlox Original High Gloss Finish
Sherwin Williams Twist & Try	Tex-Cote Trim-Cote®	Waterlox Original Satin Finish
Sherwin Williams UltraCrete	Tex-Cote Ty-Cote™	Waterlox Original Sealer/Finish
Sherwin Williams Ultra Deluxe	Tex-Cote Ultra-Tex™	Waterlox XL88 Gloss Urethane
Sherwin Williams Ultra Guard	Tex-Cote XL70®	Waterlox XL89 Satin Urethane
Sherwin Williams WithSTAND®	The Freshaire Choice	White Pickling Stain
Sherwin Williams Wood Classics	The Paint Drop™	Wonder Guard
Sherwin Williams WoodScapes	Thompson's WaterSeal	Wood Iron Deck, Fence & Siding
Show Kote	TileLab Gloss Sealer & Finish	Stain
Skylight	TileLab Matte Sealer & Finish	Wood Iron Doors & More Finish
Snow Roof	TileLab Sealer/Cleaner/Resealer	Wood Iron Exterior Oil Finish
Solar-Lux™ Stain (various colors)	Combo Pack	Wood Iron Generations Water-Based
Solar-Lux™ Waterborne Dye Stain	TileLab Stone Enhancer	Stain
(various colors)	TileLab SurfaceGard	Wood Iron Top Coat Finish
Solar-Lux™ Waterborne Glaze	Top Choice	Wood Shield
(various colors)	Two Minute Repair Liquid	Woodturners Finish
Solar-Lux™ Waterborne Wiping	Ultra-Fill	ZAP Primers
Stains (various colors)	Uniflex	Zinsser SmartCoat
Spar Restoration Varnish	Valspar	Zone Marking Paints
StainMaster	Valspar Anti-Rust	
Stanley Steamer	Valspar Ceiling Paint	

- 1 Ace Hardware Paint Division
- 2 Advanced Protective Products, Inc.
- 3 Ames Research Laboratories, Inc.
- 4 Armstrong-Clark Company
- 5 Basic Coatings
- 6 Behr Process LLC
- 7 Benjamin Moore & Co.
- 8 Betco Corporation LTD
- 9 Brouns & Co LLC
- 10 C&M Coatings
- 11 CamCoat Inc.
- 12 CBD Group
- 13 Clare Paint, LLC
- 14 Clinical Paints
- 15 Conklin Company, Inc.
- 16 CRC Industries, Inc.
- 17 Creative Oxygen Labs
- 18 Custom Building Products, Inc.
- 19 Custom Paint Product Group
- 20 Eco Advancements, Inc.
- 21 ECOS Paints
- 22 Farrow & Ball Ltd
- 23 GDB International, Inc.
- 24 Golden Artist Colors, Inc.
- 25 GPS Paints LLC
- 26 H. Behlen & Bro.
- 27 Harrison Paint Company
- 28 Heirloom Traditions Paint
- 29 Henry Company LLC
- 30 Imperial Paints LLC
- 31 James Alexander Specialty Paints LLC
- 32 Lakestone Enterprises Inc.
- 33 Lauzon Distinctive Hardwood Flooring
- 34 Liquid Rubber
- 35 Lowe's Home Centers, LLC
- 36 Lullaby Paints
- 37 Masterchem Industries LLC (Behr)
- 38 Mia Colore

- 39 NCH Corporation
- 40 NewLook International
- 41 Old Masters
- 42 Perma-Chink Systems, Inc.
- 43 Pure and Original
- 44 Quikrete
- 45 Richard's Paint Manufacturing Co Inc.
- 46 Roman Decorating Products, LLC
- 47 RPM Wood Finishes Group, Inc.
- 48 Rust-Oleum Corporation
- 49 Sage Restoration Inc.
- 50 Sansin America Incorporated
- 51 Sashco, Inc
- 52 Structures Wood Care, Inc.
- 53 Tex-Cote LLC
- 54 The Little Greene Paint Company
- 55 The Pittsburgh Paints Co.
- 56 The Sherwin-Williams Company
- 57 Vasari Lime Plaster and Paint
- 58 Vasari Plaster and Stucco, LLC
- 59 Waterlox Coatings Corporation
- 60 Wood Iron Wood Finishes, Inc.

Appendix B

Definition of Program Products and Sample Product Notices

Defining Architectural Paint Products for the Purposes of the Assessment

Updated — January 2024



Architectural paint is defined under the Paint Stewardship Program as:

Interior and exterior architectural coatings sold in containers of five gallons or less.

Architectural paint does not include:

Industrial maintenance (IM), original equipment manufacturer (OEM) or specialty coatings.

In order to distinguish between what is an architectural coating for the purpose of the assessment and what coatings should not be assessed the fee, we are using definitions and terminology from the U.S. Environmental Protection Agency, California Air Resources Board and other state and local Architectural and Industrial Maintenance (AIM) rules.

In order to determine the products on which the fee is assessed, and the products on which the fee is not assessed, a company should follow these steps:

- A. Start with the type of coating. If the coating is an architectural coating, go to B. If the coating is not an architectural coating, it is not assessed a fee.
- B. If the coating meets the definition of architectural coatings (see below), does not meet the definition of Industrial Maintenance Coatings (also below), and is not specifically excluded, it is assessed a fee.

I. Architectural Coatings

Architectural coating means a coating recommended for application to stationary structures and their appurtenances, portable buildings, pavements, curbs, fields and lawns. This definition excludes adhesives, aerosol coatings and coatings recommended by the manufacturer or importer solely for shop applications or solely for application to non-stationary structures, such as airplanes, ships, boats, and railcars.

II. Industrial Maintenance Coatings

Industrial Maintenance (IM) coating means a high performance architectural coating, including primers, sealers, undercoaters, intermediate coats, and topcoats formulated and recommended for application to substrates exposed to one or more of the following extreme environmental conditions in an industrial, commercial, or institutional setting:

1. Immersion in water, wastewater, or chemical solutions (aqueous and non-aqueous solutions), or chronic exposure of interior surfaces to moisture condensation;
2. Acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions;
3. Repeated exposure to temperatures above 120 °C (250 °F);
4. Repeated (frequent) heavy abrasion, including mechanical wear and repeated (frequent) scrubbing with industrial solvents, cleansers, or scouring agents; or
5. Exterior exposure of metal structures and structural components.

One of the primary ways AIM rules distinguish IM coatings from other architectural coatings is the manufacturer's recommendation for restricted usage. IM coatings must be labeled under the rules as:

1. "For industrial use only."
2. "For professional use only."
3. "Not for residential use" or "Not intended for residential use."

Thus, if the product is not intended for and not labeled as an IM coating, it should be deemed a covered architectural coating and the fee should be assessed, unless it is specifically excluded (see next page).

III. Original Equipment Manufacturer (OEM) Coatings

Shop application means that a coating is applied to a product or a component of a product in a factory, shop, or other structure as part of a manufacturing, production, finishing or repairing process (e.g., original equipment manufacturing coatings).

Since OEM (shop application) coatings may be intended but not labeled for industrial or professional use, and may be sold in containers of 5 gallons or less, if a company can clearly document that the coating was sold exclusively for OEM use, the fee should not be assessed. However, if this coating can be sold to a consumer or contractor for other than shop application and/or the use cannot be distinguished via the method of sale, the fee should be assessed.

IV. Specialty Coatings

Lastly, in order to identify Specialty or Special Purpose Coatings, we have used the definition from the Federated Society of Coating Technology's Coatings Encyclopedic (since AIM rules don't have a definition), which states that these coatings include arts and crafts, and automotive refinish coatings. These products should be easier to distinguish, however, as they are clearly called out as non-assessed products on the list below. The fee should not be assessed for these coatings.

Assessed Products (maximum container size of 5 gallons)

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

Non-Assessed Products (regardless of container size)

- Paint thinners, mineral spirits, solvents
- Aerosol coatings
- 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

Drywall Primer-Surfacers

Updated — June 2012



Purpose

The purpose of this notice is to clarify that “Drywall Primer-Surfacers” are covered by the PaintCare program. As part of the program, manufacturers of these products must register with PaintCare and collect and remit the Assessment (PaintCare fee) as with other architectural paints in states with active paint stewardship programs.

Background

In order to assist companies with determining what coatings were architectural coatings subject to the PaintCare fee and what coatings were not, PaintCare developed a fact sheet detailing what factors should be taken into consideration when making these determinations. In addition, the fact sheet listed examples of PaintCare products and examples of non-PaintCare 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 fee is indeed placed on all products subject to the assessment, PaintCare herein clarifies that Drywall Primer-Surfacer is considered a PaintCare product and the PaintCare 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 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 www.paintcare.org or contact:

Taujuana Davis
Registration Coordinator for Manufacturers
tdavis@paint.org
(202) 232-2733

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901 New York Ave NW Suite 300 West
Washington, DC 20001
www.paintcare.org

Masonry and Concrete Sealers Labeled “For Professional Use Only”

Updated — January 2013



Purpose

The purpose of this notice is to clarify that masonry and concrete sealers that are labeled “for professional use only” 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 fee”) in states with active paint stewardship programs operated by PaintCare.

Background

In order to assist companies with determining what products are architectural coatings subject to the PaintCare fee 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 PaintCare products and examples of non-PaintCare 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—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 fee is placed on all products subject to the assessment, PaintCare herein clarifies that masonry and concrete sealers labeled for professional use are not considered PaintCare products and the PaintCare fee is not required to be assessed and remitted by manufacturers of these products. Excluding these products from the definition of architectural coatings is based on the following:

- Originally PaintCare's definition excluded products that are both (1) Industrial Maintenance Coatings and (2) labeled “for professional use only.” [Other acceptable phrases are (a) for industrial use only, (b) not for residential use, and (c) not intended for residential use.]
- The definition of an IM coating varies somewhat from one state to another and from one regulatory air district to another. Generally, determining if a coating meets the criteria for IM is based on the manufacturers recommended use for the product and whether it meets any one of certain criteria (simply put these criteria are: regular exposure to heat, chemicals, moisture, or abrasion). Masonry sealers are intended to act as waterproofing agents and are applied where water exposure is anticipated. Thus, as a category they can generally be considered by manufacturers to be IM coatings and therefore meet the first criteria.
- Some manufacturers label these products for professional use. Others do not label them for professional use. There is no prohibition on a manufacturer from labeling a product for professional use. Therefore, if a manufacturer chooses to change the product label on a product that they consider IM in order to also comply with the second criteria above (in the first bullet), they may do so in order have these products excluded from the PaintCare program. The manufacturer may change their regular container label or use an additional sticker.
- If PaintCare finds that manufacturers start to change their labels on other products that are clearly not for professional use or industrial maintenance coatings (e.g. house paint), the professional use labeling will not exclude such products.
- An important purpose of the paint stewardship programs is to collect and recycle unused paint, stains, and coatings that are normally managed through government-sponsored household hazardous waste (HHW) programs. Sealers for masonry and concrete are not known to be a problem at HHW programs.

Conclusion

Concrete and masonry sealers that are IM coatings and labeled for professional use using one of the phrases indicated above are categorically exempt from PaintCare.

More Information

For more information about the PaintCare program and the responsibilities of manufacturers, please visit www.paintcare.org or contact:

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Shop Application and OEM

Updated — May 2014



Purpose

This notice is to clarify that architectural paint products are excluded from the PaintCare program when they are used in Shop Application or Original Equipment Manufacturing (OEM). Retailers of these products may remove the Assessment (PaintCare fee) from the purchase price of architectural paint (i.e., PaintCare products) in states with active PaintCare programs.

Background

In order to assist companies with determining what products are architectural coatings subject to the PaintCare fee 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 PaintCare products and examples of non-PaintCare 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 inquiries from a manufacturer. In the case of products used in a shop setting or for the manufacturing of goods or equipment, it has come to our attention that manufacturers and retailers of these products desire clarification on when the fees may be removed and how to keep records.

In order to ensure that all manufacturers and retailers are on a level playing field and the PaintCare fee is placed on all products subject to the assessment, PaintCare herein clarifies that products used in Shop Application and OEM are not considered PaintCare products and the PaintCare fee is not required to be assessed and remitted by manufacturers of these products. Products used "in the field" are not excluded.

EXAMPLES: EXCLUDED (FEES MAY BE REMOVED)

- A furniture shop stains and applies lacquer to furniture at the shop. The stain and lacquer are excluded because they are used in the shop.
- A tool manufacturer paints all of its tools in a factory. The paint is excluded because it is applied in the factory.
- A kitchen cabinet company builds and paints cabinets at their shop. The paint used to finish the cabinets is excluded because it is applied in the shop.
- A company builds pre-fabricated houses and paints the houses at their manufacturing facility. The paints used at the plant are excluded because they are applied at the plant.

EXAMPLES: NOT EXCLUDED (FEES ARE TO BE APPLIED)

- A kitchen cabinet company builds cabinets at the shop, and then the cabinets are installed and finished in a residence. The paint used to finish the cabinets in the field is not excluded because it is applied in the field.
- A pre-fab house is assembled at the final building site. The company that built the house sends a few gallons of paint (known as "loose-ships.") to the final building site for touchups and final painting after the house is assembled. The loose-ship products are not excluded because they are applied in the field.

Record-Keeping

Manufacturers and retailers may exclude the PaintCare fee from products for Shop Application and OEM provided they keep records, subject to audit, to demonstrate that the fees were not charged for a valid reason, e.g., a regular customer is known to be a furniture builder. PaintCare does not have specific requirements about how these records are to be kept and leaves it up to the retailer and manufacturer to develop their own system. PaintCare suggests retailers and manufacturers work together to develop their own record keeping system, and that retailers at a minimum keep a file with copies of invoices showing products sold without the fee and notes regarding their customers.

Credits on Fees Already Paid

Retailers that pay fees on their wholesale invoices may request credits from their suppliers. Suppliers that remit to PaintCare may in turn apply the same credit to a future payment. These credits are also subject to audit.

More Information

For more information about the PaintCare program and the responsibilities of manufacturers and retailers, please visit www.paintcare.org or contact:

Taujuana Davis
Registration Coordinator for Manufacturers
tdavis@paint.org
(202) 232-2733

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www.paintcare.org

Appendix C

Examples of Education and Outreach Materials



800 MILLION GALLONS

of architectural paint are estimated
to be sold in the U.S. each year.

DID YOU KNOW ABOUT 10% GOES UNUSED

& CAN BE
**REUSED OR
RECYCLED?**

WHAT PRODUCTS ARE COVERED?

PaintCare sites accept house
paint as well as primers, stains,
sealers, and clear coatings,
such as shellac and varnish.

All products must be in their original, labeled
containers (no larger than five gallons) and must
be covered with a secure lid. Certain products
are not accepted.

Please call drop-off sites ahead of time to confirm
business hours and whether they can accept
the type and amount of paint you intend to recycle.

[Review the list of accepted products:
paintcare.org/products](https://paintcare.org/products)



Scan for more
information about the
PaintCare program.
paintcare.org



Recycle Leftover Paint



A PROGRAM TO MANAGE LEFTOVER PAINT

PaintCare makes it easy and free to recycle! Created by paint companies, the nonprofit program provides conveniently located drop-off sites—such as paint and hardware stores—in states that pass paint stewardship laws.

The program provides tips for avoiding waste in the first place, storing paint carefully, and using it up.

WHAT SHOULD I DO WITH LEFTOVER PAINT?

Find your nearest year-round drop-off site by using our online locator at paintcare.org, or call us at (855) PAINT09. There is no cost for dropping off paint and our sites accept up to 5 gallons per visit (some take more). Store paint carefully to ensure it stays fresh and can be reused or recycled into new paint! There's no longer any reason to dry out paint and throw it away.

Get tips: paintcare.org/paint-smarter

DO YOU HAVE A PICKUP SERVICE FOR LARGE VOLUMES OF PAINT?

If you have at least 100 gallons of paint to recycle at your business or home, we offer a free large volume pickup service at your location.

Request a pickup: paintcare.org/pickup

WHAT HAPPENS TO THE PAINT?

PaintCare manages leftover paint responsibly through reuse, recycling, or proper disposal. Most latex paint collected in the program is sent to recycling processors and made into new paint and most oil-based paint is used as fuel.

WHO CAN USE THE PROGRAM?

Households and businesses in states where PaintCare operates can use the program. Depending on where you live, limits may apply to businesses for oil-based paint.

Learn more: paintcare.org/business-limits



WHAT IS THE PAINTCARE FEE?

PaintCare is funded by a fee added to the price of each container of new paint sold in states that have paint stewardship laws. It is applied to the same products that are accepted at PaintCare drop-off sites, and there is no additional cost when dropping off paint.

FEE RANGES VARY BY CONTAINER SIZE AND BY STATE:

Small containers

e.g., pints & quarts | \$0.30–\$0.65

Mid-sized containers

e.g., 1–2 gallons | \$0.65–\$1.35

Larger sizes

e.g., up to 5 gallons | \$1.50–\$2.45

*The PaintCare fee is not a tax; it does not go to the state.
The PaintCare fee is not a deposit; you don't get it back when you drop off paint.*

Find all fees: paintcare.org/fee

Information for HHW Programs in Maryland

Updated — April 2025



The Maryland paint stewardship law will benefit household hazardous waste programs.

PROGRAM START DATE: 2026 (PENDING APPROVAL)

A bill signed by Governor Wes Moore in May 2024 requires paint manufacturers to set up and operate a paint stewardship program in Maryland. The program will be funded by a paint stewardship fee (PaintCare fee) which will be applied to each container of architectural paint sold in Maryland when the program begins. Household hazardous waste (HHW) programs that participate as leftover paint drop-off sites will be able to save money on paint management costs.

PaintCare

PaintCare is a nonprofit organization established by the American Coatings Association to implement manufacturer-led paint stewardship programs in states that pass paint stewardship laws. PaintCare currently operates programs in California, Colorado, Connecticut, District of Columbia, Maine, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington, and is developing programs for Illinois and Maryland. The main goal of the program will be to decrease paint waste and recycle more postconsumer (leftover) paint.

Paint Drop-Off Sites

The primary requirement of paint stewardship laws is for paint manufacturers to set up paint drop-off sites at retailers and other locations where households and businesses can take leftover architectural paint free of charge. PaintCare has established more than 2,400 paint drop-off sites across its eleven programs. While most sites are paint and hardware stores, household hazardous waste collection programs, as well as solid waste facilities including transfer stations, recycling centers, and landfills, are also important partners. These facilities may participate as paint drop-off sites and have their paint collection bins, transportation and processing costs paid by PaintCare.

Designing a Program for Maryland

The law requires PaintCare, on behalf of architectural paint manufacturers, to submit a comprehensive program plan to the Maryland Department of Environment. PaintCare will engage with stakeholders in the state, including HHW programs and paint retailers to learn about their operations and coordinate participation in the PaintCare program.

Benefits of Partnering with PaintCare

There are many benefits to becoming a paint drop-off site. As a participating drop-off site, you will:

- Save on paint management (supplies, transportation, and processing) and public outreach
- Make recycling of leftover paint more convenient for your community
- Help your state conserve resources, keep paint out of the solid waste stream, and prevent the improper disposal of paint in your community

Become a Drop-Off Site

HHW programs that would like their facilities and/or events to become paint drop-off sites should start by filling out PaintCare's drop-off site interest form at www.paintcare.org/drop-off-site-interest-form/.

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. In areas where HHW programs do not accept water-based paint, households 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 paint—is recycled to the maximum extent possible.

PaintCare Drop-Off Sites Receive Free of Charge

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

Drop-Off Site Responsibilities

- Provide secure storage area for paint collection bins
- Accept all brands of leftover PaintCare products from the public during operating hours
- Place only PaintCare products in bins
- Keep bins neat and properly packed
- Complete minimal paperwork related to tracking outgoing paint shipments
- Ensure all staff maintain training on PaintCare program guidelines and operating procedures

How Will Billing and Payments Work?

- In the most common scenario, when your site ships out PaintCare products, the transporter sends PaintCare an invoice directly. This avoids the need for reimbursement.
- If your site also contracts with PaintCare for value-added services such as paint reuse, your program sends an invoice to PaintCare for reimbursement.

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 cost for paint collection bins, transportation, and processing.
- 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 cost for paint collection bins, transportation and processing.
- HHW programs may continue to put restrictions on who can use their programs, e.g., to residents of certain towns or cities. (PaintCare retail drop-off sites accept paint from anyone in the state, and from both households and businesses.)

Our Program Would Like to Partner with PaintCare. What Are Our Next Steps?

- Contact PaintCare to begin contracting discussions as early as possible
- Analyze your current operations so you can describe them in detail to PaintCare to help determine the most appropriate type of contracting approach for your program
- Reach out internally to those who will be involved with the contracting process to understand their needs and time constraints
- Consult with staff involved with paint management operations to ensure they understand how partnership with PaintCare works and to address any questions and concerns with PaintCare staff
- Review the Fact Sheet: Contracting with PaintCare for more details on contract types and other considerations as you prepare. Get a copy by contacting PaintCare or find the fact sheet in the Waste Facilities section of www.paintcare.org.

What Products are Covered?

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

Contact

Jacob Saffert
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Information for Solid Waste Facilities Including Transfer Stations, Recycling Centers, and Landfills

Updated — May 2024



PaintCare supports paint collection activities at solid waste facilities in states with paint stewardship laws. Funding for the program comes from a fee applied to the price of architectural paint sold in these states.

PaintCare

PaintCare is a nonprofit organization established by the American Coatings Association to implement manufacturer-led paint stewardship programs in states that pass paint stewardship laws. PaintCare currently operates programs in California, Colorado, Connecticut, District of Columbia, Maine, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington, and is developing programs for Illinois and Maryland.

Paint Drop-Off Sites

The primary requirement of paint stewardship laws is for paint manufacturers to set up paint drop-off sites at retailers and other locations where households and businesses can take postconsumer (leftover) architectural paint, free of charge. PaintCare has established more than 2,400 paint drop-off sites across its programs. While most sites are paint and hardware stores, solid waste facilities including transfer stations, recycling centers, and landfills, as well as household hazardous waste (HHW) facilities, may participate as paint drop-off sites.

Become a Drop-off Site

Solid Waste Facilities that would like to become a drop-off site can fill out the interest form available at www.paintcare.org/drop-off-site-interest-form/.

Benefits to Solid Waste Facilities and Their Customers of Becoming a PaintCare Drop-Off Site

There are many benefits to becoming a paint drop-off site. The cost of transportation and recycling of PaintCare accepted products (e.g., paint, stain, varnish) will be paid by PaintCare. As a participating drop-off site, you will:

- Make recycling of leftover paint more convenient for your customers
- Help relieve local government of their cost of managing leftover paint
- Help your state conserve resources, keep paint out of the solid waste stream, and prevent the improper disposal of paint in your community
- Optional: offer paint in good condition collected at your site to the public for reuse and receive a reimbursement of \$1.60 per gallon. See our fact sheet, Reuse Program – Compensation and Reporting, for more information.

PaintCare Drop-Off Sites Receive Free of Charge

- Reusable paint collection bins
- Paint transportation and processing services
- Training materials and staff training at your site
- Program brochures, signage, and customer education materials
- Listing your drop-off site on PaintCare website and in ads and promotional materials (optional)

Drop-Off Site Responsibilities

- Provide secure storage area for paint collection bins
- Accept all brands of leftover PaintCare products from the public during operating hours
- Place only PaintCare products in paint collection bins, taking care not to open containers
- Keep paint collection bins neat and properly packed
- Complete minimal paperwork related to tracking outgoing paint shipments
- Ensure all staff maintain training on PaintCare drop-off site guidelines and 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. In areas where HHW programs do not accept water-based paint, households 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 paint—is recycled to the maximum extent possible.

Will Becoming a PaintCare Drop-Off Site 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 households and businesses.)

Benefits of PaintCare to Solid Waste Facilities

Solid waste facilities that generate leftover paint but are not PaintCare drop-off sites can still participate in the PaintCare program.

- Solid waste facilities, like other entities, can drop off leftover paint at PaintCare sites. All PaintCare drop-off sites accept up to 5 gallons of paint, but some PaintCare sites accept more. Visit www.paintcare.org/drop-off-locations to find a site.
- PaintCare offers a free pickup service for households, businesses, and organizations that have accumulated 100+ gallons of paint measured by container size (not volume). Learn more about this in our fact sheet titled Large Volume Pickup (LVP) Service or at www.paintcare.org/pickup.
- For entities that generate large volumes of unwanted paint on a regular basis, a service for recurring direct pickups is available. Contact PaintCare for additional information.

What Products Are Covered?

The products accepted by the PaintCare program are the same products that have a fee when they are sold. PaintCare products include interior and exterior architectural coatings sold in container sizes of five gallons or less. They do not include aerosol coatings, 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
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes
- 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 coatings
- 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

How Will the Maryland Paint Stewardship Program Affect Paint Retailers?

Updated — July 2024



The Maryland paint stewardship law will require a fee to be applied by manufacturers to all new architectural paint sales. Retail stores must pass the fee on to consumers and may volunteer to be a postconsumer paint drop-off site.

PROGRAM START DATE: 2026 (PENDING APPROVAL)

PaintCare

PaintCare is a nonprofit organization established by the American Coatings Association to implement manufacturer-led paint stewardship programs in states that pass paint stewardship laws. PaintCare currently operates programs in California, Colorado, Connecticut, District of Columbia, Maine, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington, and is developing programs for Illinois and Maryland.

Paint Drop-Off Sites

The primary requirement of paint stewardship laws is for paint manufacturers to set up paint drop-off sites at retailers and other locations, where households and businesses can take postconsumer (leftover) architectural paint, free of charge. PaintCare has established more than 2,400 paint drop-off sites across its 11 programs. Most sites are paint and hardware stores, as well as government run waste collection facilities. PaintCare is planning for more than 100 retail and other drop-off sites in Maryland.

Participation as a Drop-Off Site is Voluntary

Paint retailers are encouraged to participate as paint drop-off sites. Participating can increase foot traffic and provide an environmentally responsible service for retailers' customers by making it convenient for them to recycle leftover paint.

Store staff will screen and accept paint from the public. All supplies, including reusable collection bins, as well as transportation and processing of the paint, and site

training, will be provided by the PaintCare program. PaintCare also promotes sites to the local community.

Become a Paint Drop-Off Site

Retailers interested in becoming drop-off sites can fill out the Interest Form available at www.paintcare.org/drop-off-site-interest-form/.

REQUIREMENTS OF RETAILERS UNDER NEW LAW

1. Check Registered Manufacturers and Brands

Once the program starts, retailers may not sell architectural paints in Maryland that are not registered. Paint manufacturers must register their company and all architectural paint brands they sell in the state with PaintCare. PaintCare publishes lists of registered manufacturers and brands so that retailers can check to see that the products they sell are registered. Registration lists are posted at www.paintcare.org/manufacturers starting about six months before a program begins.

2. Pass on the PaintCare Fee

State law requires that a stewardship fee (PaintCare fee) is applied by manufacturers to the wholesale price of all architectural paint sold in Maryland once the program starts. The fee will fund all aspects of running the program.

The fee is remitted by manufacturers to PaintCare. Manufacturers then pass the fee to their dealers and retailers by adding it to the wholesale price of covered products. Retailers should see the PaintCare fee on invoices from suppliers when the program starts. The law also requires that retailers and distributors include the fee in the price of architectural paint they sell in stores and online. The fee paid by the customers to the retailers will offset the fee charged to the retailers by their suppliers.



COMMON QUESTIONS

How much is the fee?

Although the fee structure for Maryland has not yet been determined, we expect it to be similar to the structure in other states with a PaintCare program. The fee is based on container size and varies across the PaintCare programs:

\$0.30 – \$0.65: Small containers (pints & quarts)

\$0.65 – \$1.35: Mid-size containers (1–2 gallons)

\$1.50 – \$2.45: Larger sizes up to 5 gallons

When will the fee structure for Maryland be known?

The fee structure will be proposed by PaintCare in its program plan that will be submitted to the Maryland Department of the Environment (MDE) by July 2025. Retailers will be notified when the proposed fee structure is known, and also when it is approved or if it changes.

How is the fee calculated?

The fee is set to cover the cost of a fully operating program. PaintCare will estimate the annual program expenses, sales of architectural paint in Maryland, and determine a fee structure that will provide the revenue needed to fund the program. PaintCare is a nonprofit organization and operates programs on a state-by-state basis, so the fee may increase or decrease in the future and is different from state to state.

Is the fee a deposit to be returned to customers?

The fee is not a deposit. The fee will be used entirely to cover the expenses of running the program. The fee will not be given back as a deposit for dropping off covered products or empty paint cans (empty cans are not accepted by the PaintCare program at all).

Is the fee a tax?

The fee is not a tax. It does not go to the state. It is used to cover the cost of the statewide program including collection, transportation, and processing of paint as well as public outreach.

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.

Are we required to show the fee on receipts?

Showing the fee on receipts is not required, but most stores in other states with a PaintCare program show the fee in order to explain the price increase to their customers. PaintCare encourages retailers to display the fee to increase awareness of the program.

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 weren't billed the fee by our supplier?

Yes, retail stores must add the fee on all covered products sold on or after the first day of the program, regardless of when (before or after program launch) they were purchased from the supplier.

How does 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 site. Before the program starts, PaintCare will send packages of brochures and other information to all paint retailers. Translated materials are available in Spanish and over two dozen other languages, provided upon request. Additional materials can be ordered as needed for no charge. In addition to retailers, PaintCare works with associations to inform professional painting contractors, and will conduct general outreach campaigns that may include digital and online advertising, newspaper, radio, and television.

What products are covered?

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

Contact

Jacob Saffert
State Programs Manager
(612) 772-4902
jsaffert@paint.org

How Does the Paint Stewardship Program Affect Reuse Stores?

Updated — May 2024



States with paint stewardship laws require that a fee be applied to all new paint sold, including recycled-content paint. Reuse stores may volunteer to be a drop-off site and can be compensated by PaintCare for operating a paint reuse program.

PaintCare

PaintCare is a nonprofit organization established by the American Coatings Association to implement manufacturer-led paint stewardship programs in states that pass paint stewardship laws. PaintCare currently operates programs in California, Colorado, Connecticut, District of Columbia, Maine, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington, and is developing programs for Illinois and Maryland.

Paint Drop-Off Sites

The primary requirement of paint stewardship laws is for paint manufacturers to set up paint drop-off sites at retailers and other locations where households, businesses, and other organizations can take postconsumer (leftover) architectural paint, free of charge. PaintCare has established more than 2,400 paint drop-off sites across its programs. Sites include paint and hardware stores, reuse stores, solid waste facilities (transfer stations, recycling centers, landfills), and household hazardous waste (HHW) facilities. Reuse stores are encouraged to volunteer to be paint drop-off sites.

Become a Paint Drop-Off Site

Reuse stores interested in becoming drop-off sites can fill out the Interest Form available at www.paintcare.org/drop-off-site-interest-form/.

Paint Reuse

Paint reuse (giving away or selling full or partially full cans of leftover paint “as-is”) is a preferred method of managing leftover paint. PaintCare encourages reuse stores to operate paint reuse programs. PaintCare will compensate

paint drop-off sites operating a paint reuse program under a contract with PaintCare.

BENEFITS TO REUSE STORES AND THEIR CUSTOMERS

There are many benefits to becoming a paint drop-off site and offering paint for reuse, including:

- Make recycling of leftover paint more convenient for your customers
- Return good quality, unused paint to the local community at low or no cost
- Add paint reuse and recycling to your environmental sustainability mission
- Increase customer foot traffic and sales
- Help relieve local government of their cost of managing leftover paint
- Help conserve resources, keep paint out of the waste stream, and discourage the improper disposal of paint in your community
- Receive compensation for operating a paint reuse program (see the fact sheet Reuse Programs – Compensation & Reporting for more information, available at www.paintcare.org/reuse-pricing)

REQUIREMENTS OF REUSE STORES THAT SELL PAINT IN STATES WITH PAINT STEWARDSHIP LAWS

1. Check Registered Manufacturers and Brands

Retailers, including reuse stores, may not sell architectural paints, including recycled-content paints that are not registered (this requirement only applies to new or recycled products; it does not apply to reuse paint). PaintCare publishes lists of registered manufacturers and brands so that retailers can check to see that the products they sell are registered. Visit www.paintcare.org/manufacturers for current registration lists.

2. Pass on the PaintCare Fee

State paint stewardship laws require that a stewardship fee (PaintCare fee) is applied by manufacturers to the wholesale price of all architectural paint sold in stores and online in those states. This fee pays for all aspects of running the PaintCare program. Architectural paint is defined under the paint stewardship program as interior

and exterior architectural coatings sold in container sizes of five gallons or less. The fee applies to new paint products and new, recycled-content paint products sold. The fee does not apply to reuse paint.

The fee is remitted by manufacturers to PaintCare. Manufacturers then pass the fee to their dealers and retailers by adding it to the wholesale price of program products. Retailers, including reuse stores, should see the PaintCare fee on invoices from suppliers. The law also requires that retailers and distributors include the fee in the price of architectural paint they sell. The fee paid by the customers to the retailers offsets the fee charged to the retailers by their suppliers. This ensures a level playing field for all parties.

3. Provide Information to Customers

Paint retailers in Colorado, Oregon, Vermont, and Washington are required by law to provide customers with information about the paint stewardship program and options for managing leftover paint. The requirement to provide paint stewardship information at the time of purchase applies to both in-store paint retail and online paint retail. PaintCare has developed the materials, ensured they meet state requirements, and provides them free of charge to all paint retailers and others wishing to distribute them.

COMMON QUESTIONS

How much is the fee?

The fee structure is based on container size and vary across the PaintCare programs:

\$0.30 - \$0.65 – Small containers (pints & quarts)

\$0.65 - \$1.35 – Mid-size containers (1–2 gallons)

\$1.50 - \$2.45 – Larger sizes up to 5 gallons

Find the PaintCare fee by state at www.paintcare.org/fee.

How is the fee initially calculated?

When a new program starts, the fee structure is set to cover the cost of a fully operating program. PaintCare estimates the annual sales of architectural paint in each state and 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 container size that will provide the revenue needed to fund the program. PaintCare is a nonprofit organization and

operates programs on a state-by-state basis, so the fee per container size may increase or decrease and is different from state to state.

Is sales tax applied to the fee, itself?

Yes, the fee is part of the purchase price of paint. Sales tax is collected on the fee in most cases, except in a state that does not have a sales tax, such as Oregon. Sales tax is not applied to the fee in Maine per additional legislation. **The fee itself is not a tax.**

Is the fee a deposit to be returned to customers?

The fee is not a deposit. The fee is used entirely to cover the expenses of running the program. The fee is not given back as a deposit for dropping off covered products or empty paint cans (empty cans are not accepted by the PaintCare program at all).

Are we required to show the fee on receipts?

Showing the fee on receipts is not required, but most stores show the fee in order to explain the price increase to their customers. If a reuse store sells architectural paint, PaintCare encourages them to display the fee to increase awareness of the program.

Do we refund the fee if a product is returned?

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

How does the public know about the fee?

PaintCare provides materials for retail and reuse stores 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 site. Before the program starts, PaintCare sends packages of brochures and other information to all paint retailers. Additional materials can be ordered as needed for no charge. In addition to retailers, PaintCare will work with contractor associations to inform professional painting contractors and will conduct general outreach campaigns that may include digital and online advertising, direct mail, newspaper, radio, and television.

What products are covered?

Architectural paints include most house paints, stains, and clear coatings (e.g., varnish and shellac). For a definition of covered architectural paint (PaintCare products) for the purposes of this program and for examples of PaintCare and non-PaintCare products, visit www.paintcare.org/products.

Become a Retail Drop-Off Site for Paint

Updated — May 2024



PaintCare makes it easy for paint retailers to provide a convenient and valuable service for their community. Funding for the program comes from a fee applied to the price of architectural paint sold in states with paint stewardship laws.

PaintCare is a nonprofit organization established by the American Coatings Association to implement manufacturer-led paint stewardship programs in states that pass paint stewardship laws. PaintCare currently operates programs in California, Colorado, Connecticut, District of Columbia, Maine, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington, and is developing programs for Illinois and Maryland.

Paint Drop-Off Sites

The primary requirement of paint stewardship laws is for paint manufacturers to set up paint drop-off sites at retailers and other locations where households and businesses can take postconsumer (leftover) architectural paint, free of charge.

Most drop-off sites are paint and hardware stores; others are waste transfer stations, recycling centers, landfills, and household hazardous waste (HHW) facilities. Participation as a drop-off site is voluntary. There are more than 2,400 drop-off sites across all PaintCare programs.

All retailers in active PaintCare states should 1) be aware of the program, 2) know that the PaintCare fee is applied to the price of architectural paint products, and 3) know that drop-off sites are available throughout the state.

Benefits to Retailers and Their Customers

There are many benefits to becoming a paint 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 products
- Put leftover paint to a beneficial use and keep it out of landfills
- Promote your store's environmental responsibility
- Increase customer foot traffic and sales opportunities
- Help relieve local government of their cost of managing leftover paint
- Be advertised by PaintCare on their website and in consumer outreach efforts
- Help your state conserve resources, keep paint out of the waste stream, and prevent the improper disposal of paint in your community

Become a Paint Drop-Off Site

Retailers interested in becoming drop-off sites can fill out the Interest Form available at www.paintcare.org/drop-off-site-interest-form/.



PaintCare Drop-Off Sites Receive Free of Charge

- Reusable paint collection bins
- Paint transportation and processing services
- Training materials and staff training at your site
- Program brochures, signage, and customer education materials
- Paint spill kits
- Listing of your store as a drop-off site on our website and in advertisements and promotional materials

Drop-Off Site Responsibilities

- Provide secure storage area for reusable paint collection bins
- Accept all brands of leftover PaintCare products from the public during regular business hours
- Place only PaintCare products in reusable paint collection bins, taking care not to open containers
- Keep paint collection bins neat and properly packed
- Complete minimal paperwork related to tracking outgoing paint shipments
- Ensure all staff maintain training on PaintCare program guidelines and operating procedures
- Display "drop-off site" signs in store window and provide consumers education materials about the program



What Products Are Covered?

The products accepted by the PaintCare program are the same products that have a fee when they are sold. PaintCare products include interior and exterior architectural coatings sold in container sizes of five gallons or less. They do not include aerosol coatings, 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
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes
- 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 coatings
- 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

Information for Painting Contractors

Updated — March 2025



How do paint stewardship laws affect painting contractors?

PaintCare

PaintCare is a nonprofit organization established by the American Coatings Association to implement manufacturer-led paint stewardship programs in states that pass paint stewardship laws. PaintCare currently operates programs in California, Colorado, Connecticut, District of Columbia, Maine, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington, and is developing programs for Illinois and Maryland.

Paint Drop-Off Sites

The primary requirement of paint stewardship laws is for paint manufacturers to set up paint drop-off sites at retailers and other locations where households, businesses, and other organizations can take postconsumer (leftover) architectural paint, free of charge. Most drop-off sites are paint and hardware stores; others are waste transfer stations, recycling centers, landfills, and household hazardous waste (HHW) facilities. Participation as a drop-off site is voluntary. There are more than 2,400 drop-off sites across all PaintCare programs. To find a drop-off location, visit www.paintcare.org/drop-off-sites.

Fee and Funding

As required by laws in PaintCare jurisdictions, the program is funded by a fee (known as the PaintCare fee) that must be added by manufacturers to the wholesale price of all architectural paint sold in the state, including paint sold in stores and online. This fee is paid by manufacturers to PaintCare to fund program operations including paint collection and recycling, consumer education, and program administration. Displaying the fee on receipts is optional for retailers; however, PaintCare encourages retailers to show the fee to inform consumers about the program. (See reverse for complete listing of fees by state.)

Recommendations for Contractors

Preparing Estimates

When estimating jobs, contractors should take the PaintCare fee into account by checking with suppliers to make sure their quotes for paint products include the fee.

Pass Fee to Customers

PaintCare suggests that painting contractors pass on the fee to customers in order to recoup the fee they pay. Tell customers that quotes include the PaintCare fee and that the fee funds a statewide paint recycling program.

Convenient Paint Drop-Off Sites

With paint drop-off sites conveniently located throughout PaintCare states, anyone can drop off their leftover paint year-round. Many contractors report the benefits of clearing out their storage spaces and no longer stockpiling paint. Contractors now have an answer for customers who ask what to do with old paint they no longer want; they can recommend that they use PaintCare drop-off sites too.

Most drop-off sites take 5 gallons per customer per trip, though some take more. All retail drop-off sites take paint from businesses, although some transfer stations and household hazardous waste programs only serve households. Always call a drop-off site ahead of visiting to make sure they have space for your volume and to confirm they take paint from businesses.

Pickup Service for Large Volumes

Painting contractors with at least 100 gallons of leftover paint to recycle may qualify to have their paint picked up by PaintCare for free. To learn more about this service or to request an appointment, visit www.paintcare.org/pickup or call (855) PAINT09.

Business Limits

To use the PaintCare program for oil-based paint, a business must qualify as an exempt generator under federal and any analogous state hazardous waste generator rules. Please visit www.paintcare.org/business-limits for more information on exempt generator rules. If your business does not qualify as an exempt generator, it will not be able to use the program for oil-based paint, but it can still use the program for latex products. (Non-exempt generators may use the pickup service in New York. Contact PaintCare for details.)

What Are the Fee Amounts?

The PaintCare fee is based on container size and varies from one program to another:

	Larger than half pint up to smaller than 1 gallon	1–2 gallons	Larger than 2 gallons up to 5 gallons
California	\$0.30	\$0.65	\$1.50
Colorado	\$0.35	\$0.75	\$1.60
Connecticut	\$0.35	\$0.75	\$1.60
District of Columbia	\$0.30	\$0.70	\$1.60
Maine* (until 4/30/25)	\$0.35	\$0.75	\$1.60
Maine* (after 5/1/25)	\$0.50	\$1.10	\$2.00
Minnesota	\$0.49	\$0.99	\$1.99
New York	\$0.45	\$0.95	\$1.95
Oregon	\$0.45	\$0.95	\$1.95
Rhode Island	\$0.35	\$0.75	\$1.60
Vermont	\$0.65	\$1.35	\$2.45
Washington	\$0.45	\$0.95	\$1.95

*A fee increase will take place in Maine on May 1, 2025.

What Products Are Covered?

The products accepted by the PaintCare program are the same products that have a fee when they are sold. PaintCare products include interior and exterior architectural coatings sold in containers of five gallons or less. They do not include aerosol coatings, 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)
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- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes
- 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 coatings
- 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

Large Volume Pickup (LVP) Service

Updated — February 2025



PaintCare offers a free pickup service to painting contractors, property managers, and others with large amounts of leftover architectural paint.

Who Is PaintCare?

PaintCare is a nonprofit organization established by the American Coatings Association to operate paint stewardship programs on behalf of paint manufacturers in states that pass paint stewardship laws.

In states with a paint stewardship program (see www.paintcare.org/states), PaintCare's primary effort is to set up conveniently located drop-off sites—places where households, businesses, and others may take their unwanted paint for no charge. Sites set their own limits on the volume of paint they accept from customers per visit, usually from 5 to 20 gallons. To find a drop-off site near you, visit www.paintcare.org/drop-off-sites or call (855) PAINT09.

Large Volume Pickups

In states where PaintCare operates, those who have accumulated a large volume of paint may be eligible for PaintCare's large volume pickup service (LVP). Large volume means 100 or more gallons, measured by container size, not liquid volume. On a case-by-case basis, PaintCare may approve a pickup for less than 100 gallons. After two or three annual pickups, you may be switched to a recurring pickup service.

Drums and Bulk Paint Are Not Accepted

PaintCare only accepts paint in containers that are 5 gallons or smaller in size. Leave paint in original cans with original labels; do not combine or bulk paint from small cans into larger ones. If you have unwanted paint in drums or containers larger than 5 gallons, please contact a paint recycling company or a hazardous waste transportation company to assist you.

HOW TO REQUEST AN LVP

- 1. Sort and count your paint**
Tally the number of each container size and the type of products you have, sorted into two categories: (1) water-based paints and stains, and (2) oil-based paints and stains and any other program products (sealers and clear top-coat products, such as varnish and shellac).
- 2. Fill out the request form**
Fill out the Large Volume Pickup Request Form on our website at www.paintcare.org/pickup. Call PaintCare at (855) PAINT09 if you need assistance using the web form.

Scheduling

After reviewing your form, PaintCare staff will either approve your site for a pickup or inform you of the best place to take your paint if you do not meet the requirements. Once approved, you will be put in contact with our licensed transporter to schedule a pickup. It may be several weeks before your pickup occurs.

On the Day of Your Pickup

Sort your products into the two categories as noted above and store them in an area that has easy access for the transporter. If the paint is far from where the transporter parks, the path between should be at least four feet wide to accommodate movement of the paint collection bins.



The transporter is responsible for packing the paint into the bins. Once your paint is properly packed and loaded onto the transporter's truck, you will sign a shipping document and receive a copy for your records. Your paint will then be taken to an authorized facility for processing.

Reuse

Some LVP recipients have good quality leftover paint that could be used by other local households, businesses, and organizations. Paint reuse provides a direct benefit to your community and saves on resources needed to transport and recycle paint. Please note on the request form if you think your paint is a good match. Staff may reach out with local reuse options if they are available.

Business Limits

To use the PaintCare program for oil-based paint, a business must qualify as an exempt generator under federal and any analogous state hazardous waste generator rules. Please visit www.paintcare.org/business-limits for more information on exempt generator rules. If your business does not qualify as an exempt generator, it will not be able to use the program for oil-based paint, but it can still use the program for latex products. (Non-exempt generators may use the pickup service in New York. Contact PaintCare for details.)

If You Have Products We Don't Accept

PaintCare does not accept certain paint products (such as aerosol coatings and automotive finishes) or other hazardous waste. If you have solvents, thinners, pesticides, or any non-PaintCare products (see list to right for examples), we recommend that households contact their local household hazardous waste (HHW) program. Some HHW programs also allow businesses to use their program for a modest fee. Otherwise, businesses should contact a licensed hazardous waste transportation company.

What Products Are Covered?

The products accepted by the PaintCare program are the same products that have a fee when they are sold. PaintCare products include interior and exterior architectural coatings sold in container sizes of five gallons or less. They do not include aerosol coatings, 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
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes
- 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 coatings
- 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

Joint Outreach Projects

Updated — January 2024



Introduction

If you are a local government that has partnered with PaintCare, we offer limited funding support for outreach activities that promote the PaintCare program. We are most interested in partnering with you when setting up new PaintCare sites, where participation is low, or to promote one-day household hazardous waste events to boost the amount of paint collected. We support radio, newspaper, social media, and direct mail, and will consider other media.

REVIEW AND APPROVAL

Project budgets and all creative work must be reviewed and approved by PaintCare. Creative work includes text, images, and scripts. All projects must include PaintCare's website address and logo and mention that other PaintCare drop-off sites can be found at www.paintcare.org.

PROPOSAL FORM

Please complete our Proposal Form for Joint Outreach Projects on the Waste Facilities page at www.paintcare.org/joint-outreach/, or email brodgers@paint.org with questions.

IMAGES

PaintCare can provide artwork and photos you can use for creating drafts.

Your Responsibilities

At the start of each project, we request that you provide PaintCare with draft text, dimensions and/or specs, and due dates for the materials.

PRINT (BROCHURES, POSTCARDS, ETC.)

You are responsible for sending artwork files to your printer, coordinating mailings, and distribution. After the project is completed, we request a description of how, when, and where the piece was distributed and an electronic copy of the final piece.

NEWSPAPER

You are responsible for scheduling and sending artwork files to the newspaper. After the project is completed, we request a list of run dates for each newspaper and a scan of each ad.

RADIO

You are responsible for providing the pre-approved scripts to the stations and handling scheduling. After the project is completed, we request you provide text of the final script with a list of run dates and times.

DIGITAL MEDIA & OTHER

We are open to other types of projects such as digital advertising and social media campaigns, as well as other forms of outreach. Please coordinate details in advance 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 assist with basic layout and graphic design for print and digital projects. 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 editing. Depending on the time of year, this may take 4–8 weeks.

Reimbursement

PaintCare provides reimbursements for 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 costs for approved projects proportional to the amount of the project dedicated to PaintCare information. Funding amounts may also differ depending on available resources and our other outreach taking place in your area.

To be reimbursed after the project is completed, send an invoice from your government agency, samples of final pieces, and copies of invoices from your vendors to paintcare@bill.com and copy Brett Rodgers at

brodgers@paint.org. The "To:" space on the invoice should be addressed to PaintCare Inc., 901 New York Ave NW, Suite 300 West, Washington DC, 20001. In the space for purchase orders please write "6369 Communications: Other, Joint Projects." See sample invoice below.

{SAMPLE INVOICE}

Environmental Services Program

Washington County
123 Government Way
Anytown, State 55776

June 24, 2023

Invoice: 2452187

Purchase Order: 6369 Communications: Other, Joint Projects

Communications Department
PaintCare Inc.
901 New York Ave NW, Suite 300 West
Washington DC, 20005

Description:

- Newspaper ad promoting one day event held in Anytown on May 1, 2023
- Three 5x5 ads ran on April 13, 2023 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

Appendix D

Drop-Off Site Guidelines and Forms



Drop Off Site Guidelines

This document contains detailed information on PaintCare's program guidelines and operations procedures. In combination with the state-specific guidelines, it is designed to be used by new staff for self-training and for site refresher training without PaintCare staff.

Note: The supplemental training slides included in the training binder summarize only the most important information from these Drop-Off Site Guidelines. The slides are used during training by PaintCare staff and can also be used to supplement refresher training.

Adherence to these guidelines is critical for drop-off sites participating in the program. Exceptions to these guidelines can be made only with PaintCare's express written permission. If your site is unable to comply with any of these guidelines, please contact your PaintCare representative so that we may try to find a solution that works for your site but still achieves compliance with applicable legal and operational requirements for the program.

Contents

Section 1. Training and Safety	2
Section 2. General Guidelines	3
Section 3. Collection Bins and Storage Area	4
Section 4. Identifying and Accepting PaintCare Products	6
Section 5. Participant Paint Volume	11
Section 6. Working with Transporters	12
Section 7. Spill Response	13
Section 8. Inspections and Records	14
Section 9. Direct Reuse	15

Section 1. Training and Safety

Training

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

Training helps ensure that employees:

- Conduct PaintCare products collection activities in a safe manner that protects workers and the environment
- Are equipped for and understand hazards associated with PaintCare products

Training plans and records should be maintained for each employee. Record staff training using the log included in the training binder.

Safety

Store personal protective equipment (PPE) and spill response equipment in an accessible location adjacent to the collection bins. Ensure those materials are protected from impacts of weather.

The drop-off site must be equipped with appropriate emergency response equipment including a fire extinguisher, spill kit, and PPE. Monthly inspections of equipment are recommended.

PaintCare products collection activities need to follow general safety practices including proper lifting techniques.

Post emergency procedures and emergency contact numbers including police, fire department, and emergency services by a phone and in close proximity to the collection bins, if possible.

If applicable, develop and maintain an 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 PaintCare products handled at your facility, and evacuation routes.

Section 2. General Guidelines

PaintCare Provides Your Site:

- Training binder with recordkeeping logs/forms
- Signage identifying your site as a PaintCare drop-off site
- Printed educational materials for the public

PaintCare's Transporter Provides Your Site:

- Paint collection bins and liners for cardboard/single-use collection bins
- Labels and/or markings for paint collection bins
- Spill kits (excluding HHW programs)

General Guidelines for Drop-Off Sites

Each PaintCare drop-off site has unique logistical and operational considerations. 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:

- Have appropriate signage that informs the public of the hours of operation
- Accept PaintCare products from participants during your regular advertised or posted operating hours
- Display PaintCare signage to identify you as a drop-off site; signage should be posted in a highly visible area, at the entrance of your site
- Assist and supervise participants when they visit to drop off PaintCare products. Site staff should greet participants and must verify eligibility of the participant and their leftover paint products as PaintCare products
- **IMPORTANT:** Never allow a participant to open a PaintCare product container
- Have adequate space, staffing, and training to collect and store PaintCare products
- Provide a secure space for empty and full collection bins
- Place all PaintCare products immediately in collection bins approved for use by PaintCare and its transporters
- Pack only PaintCare products into collection bins
- Schedule shipments of PaintCare 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

Section 3. Collection Bins and Storage Area

Storage Area and Collection Bin Placement

Establish a dedicated storage area for collection bins and PaintCare products.

Place collection bins on an impermeable surface (i.e., paved asphalt, concrete, or other surface) at all times.

Place collection bins away from ignition sources, storm drains, and floor drains.

Ensure there is adequate ventilation if bins are stored indoors.

If stored outdoors, protect collection bins from the elements (e.g., precipitation, temperature extremes, rain, and snow). Keep collection bins under cover to prevent exposure to precipitation to protect against temperature extremes. If you store collection bins outdoors, you may need approval from your local fire or hazardous materials oversight agency.

Comply with any local fire codes or other regulations that might pertain to your storage of collection bins at your site.

Maintain enough space around collection bins to inspect for leakage and emergency access.

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

Setting Up, Packing and Maintaining Collection Bins

Collection bins must be set up, used, and closed according to the manufacturer's instructions. PaintCare's transporters should set up the collection bins that they provide, unless otherwise requested by the drop-off site staff.

Ensure liners are inserted in cardboard collection bins. The liners provide secondary containment to contain liquids in the event a can leaks while in storage or transit. Reusable plastic bins that are leak-proof by design do not need liners.

Collection bins must be structurally sound. If you see any evidence of damage to bins (or liners) that may cause a leak or spill, notify PaintCare immediately.

Mark the collection bin with the date the first PaintCare product is placed in it.

Place PaintCare products in bins immediately upon receipt. Keep collection bins closed except when adding PaintCare products.

Pack 5-gallon buckets on the bottom layer of the collection bins for stability.

Pack all PaintCare products (cans, buckets) upright and as tight as possible in the collection bins to protect contents from shifting and leaking in transit.

Do not open containers to verify product.

Do not overfill collection bins; allow enough space for a lid to fit securely.

Do not take PaintCare product out of the bin.

Security

Never allow "self-serve," public access to the collection bins.

The collection bin storage area must be secured and locked when not attended.

Only drop-off site staff should have access to the collection bins and storage area until the collection bins are ready for pick-up by PaintCare's transporter.

Section 4. Identifying and Accepting PaintCare Products

What are PaintCare Products

PaintCare drop-off sites should accept only PaintCare products (architectural paint products) for management under the PaintCare program. Only those PaintCare products accepted from individuals residing in the state and businesses/organizations located in the state can be managed under the PaintCare program.

Listed below are the primary examples of architectural paint products accepted by the PaintCare program and paint or paint-related products not accepted by the PaintCare program.

Generally, PaintCare products 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
- On the list of specifically excluded products for some other reason

PaintCare products are 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 processed. Knowing how to tell the difference between latex- and oil-based products is also important in determining which types of businesses/organizations can use the PaintCare program (if your site accepts paint from this audience).

PaintCare Products and Non-PaintCare Products

Acceptable products (PaintCare 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-PaintCare products)

- Paint thinner, mineral spirits, solvents
- Aerosol coatings
- 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

For more information, please see www.paintcare.org/products

If non-PaintCare products end up in a drop-off site's bin, such products will not be returned to the drop-off site and will be managed by PaintCare's transporter. Transporters identify non-PaintCare products and report all instances to PaintCare. PaintCare staff will notify the site of any contamination in the bins. If the problem persists, additional training may be provided.

Acceptable Containers vs. Unacceptable Containers

Before accepting products from participants for management under the PaintCare program, drop-off site staff must (1) check the condition of the container for acceptance in the program, and (2) check the product label to verify that it contains a PaintCare product.

Acceptable

- The PaintCare product must be in its original container
- The container is labeled as containing one of the designated PaintCare products listed above
- The container must be in good condition and not leaking
- The container must be 5 gallons in size or smaller
- The container contains dry latex paint

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 gallons
- The container is empty

However, drop-off sites permitted to accept household hazardous waste may accept unlabeled and leaking containers by following the procedures described below.

Unlabeled and Leaking Containers

A drop-off site permitted to accept household hazardous waste may, at its discretion, choose to accept unlabeled and/or leaking containers if it follows the protocols below and otherwise complies with all applicable laws:

Unlabeled Containers

A drop-off site may accept containers that do not have an original label if a staff person appropriately trained in identifying unknown wastes (1) identifies the material in the container as a PaintCare product, and (2) applies a label identifying the contents to the container before placing it in a collection bin.

Leaking Containers

A drop-off site may accept a leaking container or a container with no lid if an appropriately trained drop-off site staff person (1) verifies that the container contains a PaintCare product, (2) places the contents of the leaking/open container into an appropriate substitute container (which can include bulking such PaintCare products into 55-gallon drums), and (3) applies an appropriate label to the substitute container.

Refusing an Unacceptable Product or Container

Do not accept non-PaintCare products from any participant unless they are received as part of normal site operations and are not placed in PaintCare collection bins.

When refusing a material at a drop-off site, drop-off site staff must explain why the material cannot be accepted (e.g., material is not a PaintCare product, cannot accept material from non-exempt generator, etc.). If a participant tries to drop off products that your location cannot manage, refer the participant to an appropriate alternative resource, such as their local household hazardous waste disposal program, garbage transporter, environmental health agency, or public works department. Local contact information is provided at the front of the training binder.

Paint Volume Acceptance Rules

The program accepts PaintCare products from households and businesses/organizations.

Households. Households may drop off any volume of PaintCare product, subject to the volume limit set by the site.

Businesses/Organizations. Non-households may also drop off any volume of latex PaintCare product, subject to the volume limit set by the site. Non-households may only drop off oil-based PaintCare products if they comply with federal and state hazardous waste generator rules. Please refer to the PaintCare Business Limits webpage located at: <https://www.paintcare.org/business-limits/> for specific information on exempt generator rule requirements. Painting contractors and commercial property owners typically meet these criteria.

Each business or organization is responsible for determining its own generator status under applicable law.

When a business/organization has oil-based PaintCare products to drop off at your site, it must sign the Paint Drop-Off Log or form included in the training binder to verify that it qualifies to use the program for oil-based paint. If a business/organization has only latex paint, it does not need to sign the log/form.

Once a business/organization signs the Paint Drop-Off Log or form, you may accept oil-based paint from that business/organization. (HHW sites and other waste collection programs may need a permit and/or to meet additional legal requirements in order to collect oil-based paint from businesses.) To help ensure legal compliance, unless you're specifically permitted to accept more, you should not accept more than 25 gallons of oil-based paint per calendar month from a qualifying business. Paint Drop-Off Log or forms may be reviewed by PaintCare or government agencies and compared with a list of registered hazardous waste generators to verify that only qualified businesses/organizations are using the program for their oil-based paint.

Transporter/Recycler Drop-Off Sites

Maintaining Paint Drop-Off Logs for All Participants

Drop-off sites operated by a PaintCare-contracted transporter and/or recycler must keep and maintain separate drop-off logs to record both latex and oil-based paint volumes from both businesses/organizations and households. While PaintCare offers template logs, an alternative may be used if approved by PaintCare.

Section 5. Participant Paint Volume

How Much Paint to Accept from Participants

While the PaintCare program intends to collect as many PaintCare products as possible, we recognize that your drop-off site may have storage limitations. PaintCare drop-off sites, in agreement with PaintCare, may limit the amount of PaintCare products they accept per participant, however, drop-off sites must accept up to 5 gallons at a minimum per participant.

What if Bins are Full?

If your collection bins are completely full, inform the participant that you are temporarily unable to accept PaintCare products and redirect them to the nearest alternative PaintCare drop-off site. Refer them to the site locator at www.paintcare.org or the **PaintCare hotline at 855-724-6809**, or ask them to come back at a later date. Contact the PaintCare transporter immediately to have collection bins picked up and replaced.

If a participant has a significant amount of PaintCare products that your location cannot manage, ask the participant to contact PaintCare directly for additional assistance. PaintCare may direct the participant to another drop-off site or offer our Large Volume Pickup service.

Large Volume Pickup (LVP) Service

PaintCare offers a free pick-up service to painting contractors, property managers, households, and others with a large quantity of leftover PaintCare products. Typically, a minimum of 100 gallons (by container size) is required to qualify for the LVP service.

To refer a participant to the LVP service:

- Provide the participant a LVP fact sheet
- Ask the participant to request a pick-up using the online LVP form
- The LVP fact sheet and online form are available at www.paintcare.org (select the “Request a Pickup” button on the homepage)
- For additional questions, refer the participant to PaintCare for assistance

Section 6. Working with Transporters

PaintCare contracts with transporters for the delivery of supplies, delivery of empty collection bins, and pick-up of full collection bins.

Scheduling the Transporter to Pick Up Collection Bins

When you anticipate your collection bins will be full within your site's pick-up timeframe (generally 5 business days in urban areas, 10 business days in rural areas), call your transporter to schedule a pickup, or use their online order system if they have one. The name and contact information of your transporter is provided at the front of the training binder.

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

- Your site 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
- Number of empty collection bins needed for replacement

Preparing Collection Bins for Pickup

On the scheduled pickup day, collection bins and the loading area must be readily accessible to the transporter for quick and efficient loading. Complete the following steps:

- Identify which bins are full and ready for pickup
- Make sure the path between your bins and the transporter's vehicle is clear and at least 4 feet wide to accommodate movement of bins
- Sign and keep copies of any shipping documents for your records

The transporter is responsible for labeling, loading/off-loading collection bins, and preparing shipping documents.

Section 7. Spill Response

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 and the environment.

Reporting

Report spills as required by law, summarized in the state-specific guidelines. Contact PaintCare within 24 hours of making such a report.

Spill Response Procedures

Always follow all applicable spill response procedures set forth in your operating permit or as otherwise required by applicable law.

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 and place it in plastic bag(s) or spill kit container, along with the leaking container and contaminated PPE, seal the bag(s), label it and place in the collection bin
- Remove any clothing that may be contaminated, wash thoroughly to remove spilled material from your hands or body
- Document the date, location, and amount and type of material spilled
- Replace any used spill control supplies as soon as possible

Section 8. Inspections and Records

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 and include any necessary labeling. Please report any damaged bins or other problems to PaintCare immediately so PaintCare may arrange for prompt replacement or repair.

Maintain the following records for a minimum of 3 years:

- Internal and external inspection records (if applicable)
- Paint Drop-Off Log or forms (copy provided in the training binder)
- Paint Waivers (copy provided in the training binder; only for sites that do reuse)
- Employee training logs (copy provided in the training binder)
- Shipping documents and/or other documentation required by applicable law for outgoing shipments of PaintCare products

Section 9. Direct Reuse

Direct reuse is an additional service permitted for certain site types, e.g., HHW programs, material reuse stores, and solid waste management facilities. PaintCare may compensate sites for this service. Please see the terms of your PaintCare agreement or contact PaintCare if you need assistance determining if direct reuse is an authorized additional service at your site.

Requirements for Direct Reuse

PaintCare encourages reuse of leftover paint through direct reuse. Reuse sites return good quality unused paint to the local community at low or no cost.

Products offered for reuse to the public must be in their original container, have an original label, and be in good physical and aesthetic condition. Contents must be liquid and relatively new. The container must be closed securely before placing it in the reuse storage area. Containers must never be opened by customers at the drop-off site. Reuse products must be displayed by drop-off site in an area separate from the PaintCare collection bins.

An individual customer may not take more than twenty-five (25) gallons of reuse product per day. If you have a customer that would like to take more paint, let your PaintCare contact know in advance.

Paint Waiver

Customers taking reuse paint from a drop-off site must sign the Paint Waiver included in the training binder (or an approved equivalent thereof). The waiver explains that the material is taken “as-is” with no guarantee of quality or contents and the customer accepts the risks and liability for the materials.

The customer must read the waiver, fill in the date and name fields, and sign their name. Site staff must verify what has been taken by the customer, record on the log the gallons of latex and gallons of oil-based products taken, and add their initials.

When a paint waiver is full or when a site wants to invoice PaintCare, the latex and oil-based columns should be totaled at the bottom of the form. PaintCare does not require the submission of the waiver to PaintCare, but they must be kept by the site for at least three years and made available for review by PaintCare staff upon request.

Drop-off sites may use their own version of the waiver, but it must be approved by PaintCare in advance.

Invoicing Procedures

Drop-off sites should invoice for reuse on a monthly basis by filling out and submitting the Invoice for Direct Reuse at paintcare.org/invoices. This is an online form and is submitted directly on PaintCare’s website. If you’re unable to submit an online form, contact your PaintCare contact.

Training Log for Drop-Off Site Staff



Training for drop-off site personnel is based on the PaintCare drop-off site guidelines and other materials provided to drop-off sites as part of their training requirement. Training includes information on the following:

- Training and safety
- General guidelines
- Collection bins and storage area
- Identifying and accepting PaintCare products
- Participant paint volume
- Working with transporters
- Spill response
- Inspections and records

DATE	TRAINEE NAME AND SIGNATURE	TRAINER INITIALS

PAINT DROP-OFF LOG (for businesses and organizations)

Eligibility: A business or organization may use the PaintCare program to manage program-eligible hazardous waste products (e.g., unwanted oil-based paint, varnishes, stains) only if it provides the information below and certifies that all hazardous waste it provides to the PaintCare program qualifies as exempt under federal (40 CFR § 262.14) and analogous state/local hazardous waste generator rules for very small quantity generators. Please refer to the PaintCare Business Limits webpage located at: <https://www.paintcare.org/business-limits/> for specific information on exempt generator rule requirements.

Because generator status can vary from month to month, your organization must sign and date this log sheet each time that it seeks to manage hazardous waste through the PaintCare program.

Certification Statement: By signing this document, I certify that all hazardous waste being provided to the PaintCare program qualifies as exempt waste under applicable federal and state/local laws. My organization releases and holds harmless the entity accepting this waste, as well as PaintCare Inc., its sole member and related companies, and their agents, employees, member companies, officers, directors, successors, and assigns from any liability, claim, injury, losses, or damages arising from my organization's provision of any materials to the PaintCare program.

[This log sheet may be provided to state agencies upon their request. PaintCare may contact you to verify information provided on the form and/or to solicit feedback on your experience using the PaintCare program.]

[illegible]

Appendix E

Independent Audit of the Proposed PaintCare Fee

PAINTCARE MARYLAND LLC

**SUMMARY SCHEDULE OF ACTUAL AND
FORECASTED REVENUES, EXPENSES (COSTS), AND
FINANCIAL RESERVE FUND
AND
CALCULATED AVERAGE UNITIZED PAINT STEWARDSHIP FEE
FOR THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AND
BOARD OF DIRECTORS OF PAINTCARE INC.**

For the Actual and Projected Pre-Operational Start-up Period
from May 1, 2024 through March 31, 2026, and
Forecasted Operational Period covering April 1, 2026 through December 31, 2029

PAINTCARE MARYLAND LLC

SUMMARY SCHEDULE OF ACTUAL AND FORECASTED REVENUES, EXPENSES (COSTS), AND FINANCIAL RESERVE FUND AND CALCULATED AVERAGE UNITIZED PAINT STEWARDSHIP FEE FOR THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AND BOARD OF DIRECTORS OF PAINTCARE INC.

For the Actual and Projected Pre-Operational Start-up Period
from May 1, 2024 through March 31, 2026, and
Forecasted Operational Period covering April 1, 2026 through December 31, 2029

CONTENTS	PAGE(S)
Independent Accountant's Examination Report	1 – 2
Forecasted Financial Information:	
Summary Schedule of Forecasted Revenues, Expenses (Costs) and Financial Reserve Fund (A)	3
Summary and Detail Schedule of Actual and Forecasted Revenues, Expenses (Costs), and Financial Reserve Fund (B)	4
Calculated Average Unitized Paint Stewardship Fee for the Maryland Department of the Environment (B)	5
Notes to Forecasted Financial Information	6 – 14

(A) For the forecasted period (only), covering April 1, 2026 through December 31, 2029

(B) For the actual and projected pre-operational start-up period from May 1, 2024 through March 31, 2026 and forecasted operational period covering April 1, 2026 through December 31, 2029



INDEPENDENT ACCOUNTANT'S STEWARDSHIP FEE EXAMINATION REPORT

Nichole Dorr, VP State Programs
PaintCare Maryland LLC

Pursuant to PaintCare Maryland LLC's (PCMD) engagement letter dated on March 3, 2025, we have examined the accompanying forecasted summary of revenues, expenses (costs), and financial reserve fund prepared by the management of PCMD with regard to operating a paint stewardship recycling program required by the Maryland Code, Section 9-1733(a)(7) ("Maryland Paint Stewardship Law"), and the calculated unitized paint stewardship assessment fee by container size that PCMD recommends to fund that program for the multi-year operational period covering April 1, 2026 through December 31, 2029, including actual and projected pre-operational start-up expenses (costs) that PCMD has incurred from May 1, 2024 through March 31, 2026 (actual and projected period) and forecasted operating revenues and expenses (costs) from April 1, 2026 through December 31, 2029 (forecasted period), (collectively the forecast), including the related summary of significant assumptions and accounting policies of PCMD, based on the guidelines for the presentation of a forecast established by the American Institute of Certified Public Accountants (AICPA). PCMD's management is responsible for preparing and presenting the forecast in accordance with guidelines for the presentation of a forecast established by the AICPA. The paint stewardship assessment fee by container size and the forecast were prepared for the purposes of complying with the Maryland Paint Stewardship Law. Our responsibility under the Maryland Paint Stewardship Law is to express an opinion that the assessment fee by container size does not exceed the costs of the paint stewardship program and to recommend an amount for such paint stewardship assessment to the department based on our examination.

Our examination was conducted in accordance with attestation standards established by the AICPA. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the forecast is presented in accordance with the guidelines for the presentation of a forecast established by the AICPA, in all material respects. An examination involves performing procedures to obtain evidence about the forecast. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material misstatement of the forecast, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

INDEPENDENT ACCOUNTANT'S STEWARDSHIP FEE EXAMINATION REPORT
(continued)

Also, we are required to be independent and to meet our other ethical responsibilities in accordance with relevant ethical requirements related to the engagement.

In our opinion, the accompanying forecast is presented in accordance with the guidelines for presentation of a forecast established by the AICPA, and the underlying assumptions are suitably supported and provide a reasonable basis for PCMD's forecast, in all material respects. Also, in our opinion the PCMD's unitized paint stewardship assessment fee of \$0.50, \$1.15, and \$2.25 by each container size (larger than half pint up to smaller than one gallon, one gallon up to two gallons, and larger than two gallons up to five gallons, respectively) charged on all paint containers sold at retail to Maryland state consumers starting April 1, 2026 is reasonable, within the meaning of the Maryland Paint Stewardship Law, to cover the expenses (costs) of operating the architectural paint stewardship program and maintain financial reserves sufficient to operate said program over the multi-year period from April 1, 2026 through December 31, 2029.

There will usually be differences between forecasted and actual results because events and circumstances frequently do not occur as expected and those differences may be material. We have no responsibility to update this report for events and circumstances occurring after the date of this report.

The accompanying documents contain confidential proprietary business information of PCMD and other parties that should not be publicly disclosed. Also, the accompanying forecast statements and our report are intended solely for the information and use of the Maryland Department of the Environment and the management of the PCMD, and are not intended to be used and should not be used by anyone other than these specified parties.

Sydon Rutter-Corydon, P.A.

May 2, 2025

PAINTCARE MARYLAND LLC**SUMMARY SCHEDULE OF FORECASTED REVENUES, EXPENSES
(COSTS), AND FINANCIAL RESERVE FUND
FOR THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AND BOARD
OF DIRECTORS OF PAINTCARE INC.**

For the Forecasted Period from April 1, 2026 through December 31, 2029

FORECASTED REVENUES

Paint stewardship (recycling) fee - NOTE B	\$ 25,363,268	(1)
TOTAL REVENUES	25,363,268	

FORECASTED EXPENSES

Collection, transportation, and processing - NOTE C	\$ 12,171,340	
Communications - NOTE D	2,287,500	
Corporate overhead allocation - NOTE E	2,423,389	
Salaries and benefits, state reporting fees, travel, and administrative - NOTE F	1,148,890	
Interest expense - NOTE G	604,501	
TOTAL EXPENSES	18,635,620	(2)

**INCREASE IN FORECASTED RESERVE BALANCE BEFORE NET
INVESTMENT ACTIVITY AND LOAN PROCEEDS**

Net investment activity - NOTE I	0	
Principal payments on loan (2028 and 2029) - NOTE G	(1,800,000)	

**INCREASE IN FORECASTED NET RESERVE BALANCE FOR THE
PERIOD COVERING APRIL 1, 2026 THROUGH DECEMBER 31, 2029****BEGINNING RESERVE BALANCE AT MARCH 31, 2026****FORECASTED RESERVE BALANCE AT DECEMBER 31, 2029 - NOTE H**

(1) For the forecasted period from April 1, 2026 through December 31, 2029, retailers will collect a \$0.50 fee for each paint container unit sold larger than a half pint up to smaller than one gallon, \$1.15 fee for each one to two gallons paint container unit sold, and \$2.25 fee for each paint container larger than two gallons up to five gallons sold in Maryland.

(2) Includes the forecasted period expenses covering April 1, 2026 through December 31, 2029.

(3) Beginning reserve balance includes the cumulative deficit for the program (start-up expenses) from May 1, 2024 (inception) through March 31, 2026 of (\$1,331,840) plus the loan proceeds to fund pre-operations of \$2,700,000.

**CONTAINS CONFIDENTIAL PROPRIETARY BUSINESS DATA WHICH IS RESTRICTED FOR USE BY
PCMD AND THE MARYLAND DEPARTMENT OF THE ENVIRONMENT**

See Notes to Forecasted Financial Information and Accountant's Report

PAINTCARE MARYLAND LLC

SUMMARY AND DETAIL SCHEDULE OF ACTUAL AND FORECASTED
REVENUES, EXPENSES (COSTS) AND FINANCIAL RESERVE FUND
FOR THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AND BOARD OF
DIRECTORS OF PAINTCARE INC.

For the Actual and Projected Pre-Operational Start-up Period from May 1, 2024 through March 31, 2026
and Forecasted Operational Period from April 1, 2026 through December 31, 2029

See Page 3 of Report

	Actual and Projected Pre-Operational Period from May 1, 2024 through March 31, 2026	+	Forecasted Operational Period covering April 1, 2026 through December 31, 2029	=	Total
FORECASTED REVENUES					
Paint stewardship (recycling) fee - NOTE B					
Larger than half a pint to smaller than a gallon	\$ 0		\$ 2,073,604	\$	2,073,604
One to two gallons	0		16,774,854		16,774,854
Larger than two gallons to five gallons	0		6,514,810		6,514,810
TOTAL REVENUES	0		25,363,268		25,363,268 (1)
FORECASTED EXPENSES					
Collection, transportation, and processing	320,275		12,171,340		12,491,615
Communications	188,032		2,287,500		2,475,532
Corporate overhead allocation	294,045		2,423,389		2,717,434
Salaries and benefits, state reporting fees, travel, and administrative	529,488		1,148,890		1,678,378
Interest expense	0		604,501		604,501
TOTAL EXPENSES	1,331,840		18,635,620		19,967,460 (2)
Other Income:					
Net investment activity - NOTE I	0		0		0
FORECASTED NET RESERVE/(DEFICIT) BALANCE - NOTE H	\$ (1,331,840)		\$ 6,727,648	\$	5,395,808
Loan proceeds to fund pre-operations	2,700,000		0		2,700,000
Principal payments on loan	0		(1,800,000)		(1,800,000)
BEGINNING RESERVE BALANCE AT MAY 1, 2024 AND MARCH 31, 2026, RESPECTIVELY	0		1,368,160 (3)		0
FORECASTED RESERVE BALANCE AT MARCH 31, 2026 AND DECEMBER 31, 2029, RESPECTIVELY - NOTE H	\$ 1,368,160		\$ 6,295,808	\$	6,295,808

(1) For the forecasted period from April 1, 2026 through December 31, 2029, retailers will collect a \$0.50 fee for each paint container unit sold larger than a half pint up to smaller than one gallon, \$1.15 fee for each one to two gallons paint container unit sold, and \$2.25 fee for each paint container larger than two gallons up to five gallons sold in Maryland.

(2) Includes actual and projected pre-program period from May 1, 2024 through March 31, 2026 and forecasted period covering April 1, 2026 through December 31, 2029.

(3) Beginning reserve balance includes the cumulative deficit for the program (start-up expenses) from May 1, 2024 (inception) through March 31, 2026 of \$(1,331,840) plus the loan proceeds to fund pre-operations of \$2,700,000.

CONTAINS CONFIDENTIAL PROPRIETARY BUSINESS DATA WHICH IS RESTRICTED FOR USE BY PCMD AND THE MARYLAND DEPARTMENT OF THE ENVIRONMENT

See Notes to Forecasted Financial Information and Accountant's Report

PAINTCARE MARYLAND LLC

CALCULATED AVERAGE UNITIZED PAINT STEWARDSHIP FEE
FOR THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AND BOARD
OF DIRECTORS OF PAINTCARE INC.

For the Actual and Projected Pre-Operational Start-up Period from May 1, 2024 through March 31, 2026
and Forecasted Operational Period from April 1, 2026 through December 31, 2029

FORECASTED CALCULATED AVERAGE UNITIZED PAINT STEWARDSHIP FEE

	(1) Proposed Unit Fee 4/1/2026 - 12/31/2029	Forecasted Units Sold 4/1/2026 - 12/31/2029 (2)	Actual and Projected Pre-Operational Period from May 1, 2024 through March 31, 2026 (3)	+ Forecasted Period Covering April 1, 2026 through December 31, 2029 (4)	= Total Combined Actual and Forecasted Revenue
REVENUE - NOTE B					
Larger than half a pint to smaller than a gallon	\$ 0.50	4,147,208	\$ 0	\$ 2,073,604	\$ 2,073,604
One to two gallons	1.15	14,586,829	0	16,774,854	16,774,854
Larger than two gallons to five gallons	2.25	2,895,471	0	6,514,810	6,514,810
TOTAL REVENUES			0	25,363,268	25,363,268
LESS: EXPENSES			(1,331,840)	(18,635,620)	(19,967,460)
CHANGE IN FORECASTED RESERVE BALANCE BEFORE NET INVESTMENT ACTIVITY			(1,331,840)	6,727,648	5,395,808
Net investment activity - NOTE I			0	0	0
FORECASTED RESERVE/(DEFICIT) BALANCE			\$ (1,331,840)	\$ 6,727,648	\$ 5,395,808
Loan proceeds to fund pre-operations			2,700,000	0	2,700,000
Principal payments on loan			0	(1,800,000)	(1,800,000)
BEGINNING RESERVE BALANCE AT MAY 1, 2024 AND MARCH 31, 2026, RESPECTIVELY			0	1,368,160	0 (5)
FORECASTED RESERVE BALANCE AT MARCH 31, 2026 AND DECEMBER 31, 2029, RESPECTIVELY			\$ 1,368,160	\$ 6,295,808	\$ 6,295,808

(1) For the forecasted period from April 1, 2026 through December 31, 2029, retailers will collect a \$0.50 fee for each paint container unit sold larger than a half pint up to smaller than one gallon, \$1.15 fee for each one to two gallons paint container unit sold, and \$2.25 fee for each paint container larger than two gallons up to five gallons sold in Maryland.

(2) Forecasted unit sales for the period covering April 1, 2026 through December 31, 2029.

(3) Includes actual and projected pre-operational start-up expenses for the periods covering May 1, 2024 through March 31, 2026.

(4) Includes forecasted operating revenues and expense for the periods covering April 1, 2026 through December 31, 2029, subject to the fees collected at retail (\$0.50 fee for each paint container unit sold larger than a half pint up to smaller than one gallon, \$1.15 fee for each one to two gallons paint container unit sold, and \$2.25 fee for each paint container larger than two gallons up to five gallons).

(5) Beginning reserve balance was zero as of the date of the inception of the Maryland state program.

CONTAINS CONFIDENTIAL PROPRIETARY BUSINESS DATA WHICH IS RESTRICTED FOR USE BY PCMD AND THE MARYLAND DEPARTMENT OF THE ENVIRONMENT

See Notes to Forecasted Financial Information and Accountant's Report

PAINTCARE MARYLAND LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual and Projected Pre-Operational Start-up Period

from May 1, 2024 through March 31, 2026, and

Forecasted Operational Period covering April 1, 2026 through December 31, 2029

NOTE A – SUMMARY OF SIGNIFICANT ASSUMPTIONS AND ACCOUNTING POLICIES

PaintCare Maryland LLC (PCMD) is a wholly owned subsidiary of PaintCare, Inc. and was established to operate the paint recycling stewardship program in the state of Maryland. The accompanying summary schedules of forecasted revenues, expenses (costs), and financial reserve fund and calculated average unitized paint stewardship fee for the Maryland Department of the Environment (MDE) presents, to the best of management's knowledge and belief, PCMD's expected forecasted revenues, expenses (costs), and financial reserve fund and calculated average unitized paint stewardship fee for the MDE for the forecasted period.

The forecast reflects the actual and expected costs to set up, implement, and operate the paint stewardship (recycling) program from the inception through the end of the forecasted period, as required by the Maryland Code, Section 9-1733(a)(7). The forecast also includes the calculation of the average unitized paint stewardship assessment fee by container size that PCMD has proposed to fund that program for the multi-year operational period covering April 1, 2026 through December 31, 2029. The forecast also includes actual and projected pre-operational start-up expenses (costs) that PCMD has incurred from May 1, 2024 through March 31, 2026 and forecasted operating revenues and expenses (costs) from April 1, 2026 through December 31, 2029 (collectively the forecast), including the related summary of significant assumptions and accounting policies of PaintCare Maryland LLC. Accordingly, the forecast reflects management's assumptions as of May 2, 2025, the date of this forecast, of the forecasted expenses of operation of the program and the unitized paint stewardship fee per container size sold at retail that would be needed to cover these expenses and to establish and maintain a financial reserve.

The forecast is designed to provide information to the MDE regarding the calculation of the paint stewardship fee and whether it is a reasonable amount to cover the expenses of the program and to establish a reserve fund for program expenses as of December 31, 2029. Accordingly, this presentation should not be used for any other purposes.

The assumptions disclosed herein are those that management believes are significant to the forecast. The forecasted revenues and expenses are presented on an accrual basis of accounting. There will usually be differences between the forecasted and actual results, because events and circumstances frequently do not occur as expected, and those differences may be material.

**CONTAINS CONFIDENTIAL PROPRIETARY BUSINESS DATA WHICH IS RESTRICTED FOR USE BY PCMD AND
THE MARYLAND DEPARTMENT OF THE ENVIRONMENT**

PAINTCARE MARYLAND LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual and Projected Pre-Operational Start-up Period

from May 1, 2024 through March 31, 2026, and

Forecasted Operational Period covering April 1, 2026 through December 31, 2029

NOTE B – PAINT STEWARDSHIP (RECYCLING) FEE REVENUE

The paint stewardship (recycling) fee collected will provide the revenue to fund the expenses for the paint stewardship (recycling) program. Based on the recalculation of the fee required, retailers will collect a \$0.50 fee for each paint container larger than half a pint up to smaller than one gallon, \$1.15 fee for each paint container one gallon up to two gallons sold, and \$2.25 fee for each paint container larger than two gallons up to five gallons sold beginning April 1, 2026 (see table below).

Management estimated the stewardship fee revenue for the forecasted period by making certain assumptions. The significant assumptions made by management were the estimated population growth of the state of Maryland, per capita paint sales, and paint container size purchasing trends in the state of Maryland. The forecasted period beginning in 2026 is modeled after the results of a series of projections performed by a third-party to estimate paint demand and container mix in the state of Maryland, the actual results of other PaintCare state programs, and state population projections.

Using data from the United States Census, the historical population growth in the state of Maryland from 2020 through 2023 was an average annual increase of 0.04%, as various factors related to COVID-19 adversely affected the population trends during this period. The Maryland Department of Planning, Projections and State Data Center projects an average annual population increase of approximately 0.54% from 2025-2035. Management does not expect the population growth rate in the state of Maryland to have a significant impact on sales per capita during the combined actual and forecasted period. Therefore, management believes sales during the forecasted period of 2026 through 2029 will have a projected 2.00% sales growth rate.

PCMD 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. The fee will be based on the size of the container as follows:

<u>Container Size</u>	<u>Fee 4/1/2026 – 12/31/2029</u>
Larger than half pint up to smaller than one gallon	\$0.50
One gallon up to two gallons	\$1.15
Larger than two gallons up to five gallons	\$2.25

Revenue from the paint stewardship fee is estimated to be \$25,363,268 for the forecasted period April 1, 2026 through December 31, 2029.

**CONTAINS CONFIDENTIAL PROPRIETARY BUSINESS DATA WHICH IS RESTRICTED FOR USE BY PCMD AND
THE MARYLAND DEPARTMENT OF THE ENVIRONMENT**

PAINTCARE MARYLAND LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual and Projected Pre-Operational Start-up Period

from May 1, 2024 through March 31, 2026, and

Forecasted Operational Period covering April 1, 2026 through December 31, 2029

NOTE C – COLLECTION, TRANSPORTATION, AND PROCESSING

Units collected and collection expenses:

Program products are architectural paints in containers no larger than five gallons in size. They do not include industrial coatings, coatings used for original equipment manufacturing and other specialty coatings.

In the development of management's paint collection infrastructure expense model for Maryland state for 2026 through 2029, management considered projected costs for running the program based upon cost data submitted by potential vendors and other actual state paint recycling programs, and the following additional factors and assumptions:

- a) Household hazardous waste (HHW) facilities and events:
HHW facilities and events provide their residents the convenience of dropping off other products at the same time as paint.
- b) Transfer stations:
Transfer stations provide their residents the convenience of dropping off other products at the same time as paint and they often have regular customers that have used their facilities for many years.
- c) Retail stores:
Retailer participation as a paint drop-off site is voluntary. PCMD has identified approximately 449 paint retailers in Maryland, of which approximately 283 stores were identified as potential drop-off sites. As of December 31, 2026, 110 of these retailers are expected to participate as drop off sites. The number of retail drop-off sites is expected to grow as the program gains more traction in the state, with 133 retailers expected by December 31, 2029.
- d) Material reuse stores:
Sites may operate reuse areas in which they place leftover paint that was brought to their site in good condition to be given away or sold "as is" to their customers and local community. This paint management method represents the highest, best use of paint and typically reduces program costs by avoiding the transportation and processing costs that would otherwise be required to manage the paint. PaintCare may provide compensation for reuse services.

**CONTAINS CONFIDENTIAL PROPRIETARY BUSINESS DATA WHICH IS RESTRICTED FOR USE BY PCMD
AND THE MARYLAND DEPARTMENT OF THE ENVIRONMENT**

PAINTCARE MARYLAND LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual and Projected Pre-Operational Start-up Period

from May 1, 2024 through March 31, 2026, and

Forecasted Operational Period covering April 1, 2026 through December 31, 2029

NOTE C – COLLECTION, TRANSPORTATION, AND PROCESSING (continued)

Units collected and collection expenses (continued):

e) Direct pick-up or large volumes:

Large Volume Pick-up (LVP) Service is free to the customer and will be offered to Maryland painting contractors, other businesses, organizations and households with large volumes of paint within a minimum quantity, anticipated to be 100 gallons. The service allows approved users to have paint picked up at their business or home.

Recurring Large Volume Pick-up (RLVP) Service is a free service also offered to painting contractors and other businesses and organizations that generate large volumes of paint on an on-going basis.

Collection, Transportation and Processing expenses:

Expenses to operate the program and various key assumptions include:

a) Paint processing:

This will be the most significant expense of the program. PCMD contracts for processing and proper end-of-life management of postconsumer paint collected in the program. Expenses are forecasted based upon various vendor proposals for processing paint. See further details on processing expenses below.

b) Paint transportation:

These expenses include the cost of transporting paint bins from paint drop-off sites. See further details on transportation expenses below.

c) Collection supplies and support:

These expenses include the cost of paint collection bins, spill kits, PaintCare event expenses, and labor to assist LVP sites to pack their paint. As of December 31, 2026, there are expected to be 171 total drop-off sites, with an estimated total of 200 drop-off sites by the end of the forecasted period. Additionally, there are expected to be 190 large volume pickups completed in the final year of the forecasted period. The number of bins at each drop off site will vary depending on the relative capacity of the stores. Retail drop-off sites and transfer stations will receive site visits semi-annually.

**CONTAINS CONFIDENTIAL PROPRIETARY BUSINESS DATA WHICH IS RESTRICTED FOR USE BY PCMD
AND THE MARYLAND DEPARTMENT OF THE ENVIRONMENT**

PAINTCARE MARYLAND LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual and Projected Pre-Operational Start-up Period

from May 1, 2024 through March 31, 2026, and

Forecasted Operational Period covering April 1, 2026 through December 31, 2029

NOTE C – COLLECTION, TRANSPORTATION, AND PROCESSING (continued)

Transportation and processing expenses:

Transportation and processing costs include projected fees paid to vendors to (1) transport bins from drop-off sites to the recycler's processing facility and (2) processing paint for recycling and proper end-of-life management. As of the date of this examination report, PCMD has engaged nine transporters, with the expectation that two primary vendors will be selected to service the state. This provides management reasonable estimates of transportation and processing expenses. Agreements between PCMD and the vendors are expected to be completed during late 2025, and transportation costs will be computed based on zones and processing costs will be computed by weight. These estimates were used to project this expense over the forecasted period.

Management has made certain assumptions to develop the forecasted collection, transportation, and processing (C, T, P) expenses. The forecasted C, T, P costs for 2026 through 2029 are projected based on estimated collection volume and costs from other PaintCare state programs, and actual cost data submitted by vendors.

The forecasted collection, transportation and processing costs are estimated to be \$12,171,340 for the forecasted period April 1, 2026 through December 31, 2029.

NOTE D – COMMUNICATIONS EXPENSES

These expenses will include advertising and promotional materials to increase awareness of the program, with PCMD performing education and outreach efforts to promote the paint stewardship program in Maryland. PCMD may utilize various outreach methods, including print materials, digital materials, and social media to promote the Maryland paint recycling program to a widespread audience and increase overall awareness of the program. Communications costs are based on projected expenses with a public relations (PR) agency to promote and manage marketing for the recycling program. Management estimated marketing outreach, point of sale, and advertising costs based on anticipated costs in 2026 through 2029. Beginning in 2028 through 2029, PCMD is expected to incur communications costs of \$750,000 annually. The total communications expenses are estimated to be \$2,287,500 for the forecasted period April 1, 2026 through December 31, 2029.

**CONTAINS CONFIDENTIAL PROPRIETARY BUSINESS DATA WHICH IS RESTRICTED FOR USE BY PCMD
AND THE MARYLAND DEPARTMENT OF THE ENVIRONMENT**

PAINTCARE MARYLAND LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual and Projected Pre-Operational Start-up Period

from May 1, 2024 through March 31, 2026, and

Forecasted Operational Period covering April 1, 2026 through December 31, 2029

NOTE E – CORPORATE OVERHEAD ALLOCATION

Overhead expenses are those that are not specific to Maryland but support all PaintCare state stewardship programs. These costs include:

Administrative and corporate staff, back-office support (information technology, human resources, legal, accounting and government affairs), insurance, data management systems, annual financial audit, software licenses, professional services for corporate or organization-wide matters, occupancy, and general communications and other supplies and services that support all PaintCare programs

Corporate expenses are allocated among all PaintCare state stewardship programs based on their relative populations in the most recent census and will begin to be assessed in Maryland about six months before the program starts. Maryland is expected to represent 5.64% of the combined population of all states participating in the PaintCare programs during 2026 through 2029. Total corporate overhead costs allocated to the states is expected to increase approximately 5.0% per year during the forecasted period.

The portion of overhead costs allocated to Maryland are estimated to be \$2,423,389 for the forecasted period April 1, 2026 through December 31, 2029.

NOTE F – SALARIES AND BENEFITS, STATE REPORTING FEES, TRAVEL, AND ADMINISTRATIVE

Total actual and forecasted salaries and benefits, state reporting fees, travel, and administrative (including professional fees) include costs required to run the paint stewardship program.

Direct expenses are allocated to Maryland's paint stewardship program based upon direct effort where they can be specifically identified. These costs include:

a) Personnel:

These expenses include the cost of staff working directly to implement and run the program. PCMD management estimates the forecast period will include two direct program employees. One state coordinator and one program manager will have salaries and benefits allocated 90% and 30%, respectively, to the Maryland state program. Salary and benefits are estimated to be \$720,923 for the forecasted period April 1, 2026 through December 31, 2029.

**CONTAINS CONFIDENTIAL PROPRIETARY BUSINESS DATA WHICH IS RESTRICTED FOR USE BY PCMD
AND THE MARYLAND DEPARTMENT OF THE ENVIRONMENT**

PAINTCARE MARYLAND LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual and Projected Pre-Operational Start-up Period

from May 1, 2024 through March 31, 2026, and

Forecasted Operational Period covering April 1, 2026 through December 31, 2029

NOTE F – SALARIES AND BENEFITS, STATE REPORTING FEES, TRAVEL, AND ADMINISTRATIVE (continued)

b) State oversight:

This expense is paid by PaintCare to the MDE for oversight of the paint stewardship program. Maryland state reporting fees are approximately \$80,000 per year. The estimated state oversight costs are \$240,000 for the forecasted period April 1, 2026 through December 31, 2029.

c) Travel:

PCMD Management has developed forecasted travel expenses with the assumption that a coordinator will visit each retail drop-off site statewide twice per year. Other sites (HHW facilities/transfer stations) will be visited once per year. Forecasted travel costs also include attendance and travel to trade shows, and visits to paint retailers that are not participating as drop-off sites for awareness and recruiting. These costs will include airfare, lodging, mileage, and meals and are estimated to be \$68,412 for the forecasted period April 1, 2026 through December 31, 2029.

d) Administration:

These expenses include supplies, printing, subscriptions, and other general expenses that are forecasted based on other state programs. Costs for administrative expenses are forecasted to be \$16,430 for the forecasted period April 1, 2026 through December 31, 2029.

e) Professional services:

These expenses include the legal costs for regulatory review and other logistical, professional support. PCMD Management modeled forecasted professional fees on the actual costs historically and of other state programs. Costs for professional services are forecasted to be \$103,125 for the forecasted period April 1, 2026 through December 31, 2029.

The total forecasted salaries and benefits, state reporting fees, travel, and administrative costs are estimated to be \$1,148,890 for the forecasted period April 1, 2026 through December 31, 2029.

PAINTCARE MARYLAND LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual and Projected Pre-Operational Start-up Period

from May 1, 2024 through March 31, 2026, and

Forecasted Operational Period covering April 1, 2026 through December 31, 2029

NOTE G – PRE-OPERATING LOAN

In late 2025, during the projected pre-operational start-up period, PCMD is expected to enter into a loan agreement with American Coatings Association to borrow \$2,700,000. The proceeds of the loan are to fund the pre-program costs in implementing the paint stewardship program in the state of Maryland. The loan is to be repaid in five years with interest accruing at the three, four, and five-year swap rate plus an operating fee. There is no collateral on the loan. Principal payments of \$900,000 are due at the end of years three (2028) through five (2030). Total principal payments during the forecasted period equals \$1,800,000. The total interest expense of \$604,501 included in the forecast is an estimate for the forecasted period. Actual interest expense will be determined when the loan is issued in late 2025.

NOTE H – OPERATING (FINANCIAL) RESERVE FUND

The PCMD financial policies require an operating (financial) reserve to sustain the program in times of either higher than expected paint collection volumes resulting in higher expenses, lower than expected paint sales resulting in less revenues, or a combination of the two. PCMD management and staff use prudent financial management in allocating net asset funds between unrestricted (necessary for working capital needs and current operations) versus board-designated financial reserves (necessary for the long-term viability of the recycling program). We also note that unlike a governmental entity, PCMD cannot bridge cash flow shortfalls by accessing additional working capital (cash) or other financing from other governmental sources. Therefore, PCMD has taken the position that having operating cash on hand, as well as a reserve, is fiscally responsible.

PCMD's reserves policy establishes a target reserve as a percentage of annual expenses and sets a minimum and maximum threshold. PCMD currently has a target reserve of 100% of annual expenses (twelve-months of operating expenses), with a minimum threshold of 75% (nine-months) and a maximum threshold of 125% (fifteen-months).

Management estimated that the forecasted paint stewardship fee of \$0.50 for each paint container larger than half a pint up to smaller than one gallon, \$1.15 for each one gallon up to two gallons paint container, and \$2.25 for each paint container larger than two gallons up to five gallons sold, effective April 1, 2026 through December 31, 2029, will result in the net reserve fund at December 31, 2029 to be forecasted at \$6,295,808, which is approximately 115% of twelve-months of 2029's estimated operating expenses of \$5,455,696. This amount is above management's target reserve policy minimum threshold of 75% and compliant with their target reserve threshold.

**CONTAINS CONFIDENTIAL PROPRIETARY BUSINESS DATA WHICH IS RESTRICTED FOR USE BY PCMD
AND THE MARYLAND DEPARTMENT OF THE ENVIRONMENT**

PAINTCARE MARYLAND LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual and Projected Pre-Operational Start-up Period
from May 1, 2024 through March 31, 2026, and

Forecasted Operational Period covering April 1, 2026 through December 31, 2029

NOTE I – INVESTMENT INCOME

PCMD has not forecasted having any investment income during the forecasted period April 1, 2026 through December 31, 2029.

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