Rhode Island
Architectural
Paint Stewardship
Program Plan

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Prepared by:
Valerie Bernardo, Controller
Paul Fresina, Communications Director
Laura Panciera, Rhode Island Program Manager
Nathan Perrine, Chief Financial Officer
Marjaneh Zarrehparvar, Executive Director

PaintCare Inc.
1500 Rhode Island Avenue NW
Washington, DC 20005
(855) 724-6809
www.paintcare.org

Submitted to:
Janet Coit, Director
Rhode Island Department of Environmental Management
235 Promenade Street
Providence, RI 02908
Program Contacts

On behalf of participating paint manufacturers, PaintCare is pleased to submit to the Rhode Island Department of Environmental Management the Rhode Island Paint Stewardship Program Plan.

For questions about this Plan, please contact:

Laura Panciera  
Rhode Island Program Manager  
(203) 747-4494  
lpanciera@paint.org

Marjaneh Zarrehparvar  
Executive Director  
(202) 719-3683  
mzarrehparvar@paint.org

Authorized Signature for Plan Submission

PaintCare Inc.

[Signature]

Marjaneh Zarrehparvar  
May 14, 2014
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1. Introduction

In June 2012, Governor Chafee signed Senate Bill 2083A, Proper Management of Unused Paint, establishing the process for the development of the Rhode Island Paint Stewardship Program ("Program"). This bill is codified in Chapter 24.12 of Title 23 (Health and Safety) of the Rhode Island General Laws.

The purpose of the new Law is to:

1. Establish a cost-effective, convenient, statewide system for the collection, recycling and reuse of post-consumer paint;
2. Develop a comprehensive strategy, with the cooperation of state entities, manufacturers, and retailers, for the proper management of post-consumer paint in a safe and environmentally sound manner;
3. Provide fiscal and regulatory consistency for all manufacturers of paint that participate in the collection system; and
4. Establish effective collection, recycling, management and education programs resulting in collection of unused paint.

Paint Stewardship in the United States

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

PPSI resulted in the development of a model, state-level paint stewardship law to establish an economically and environmentally-sustainable, industry-designed and implemented post-consumer paint management system. Oregon was the first state to pass this industry-supported paint stewardship law in 2009. Similar laws were passed in California in 2010; Connecticut in 2011; Rhode Island in 2012; and Maine, Minnesota and Vermont in 2013.

PaintCare Inc.

PaintCare Inc. ("PaintCare") – a 501(c)(3) non-profit organization – was created by the American Coatings Association, a voluntary, non-profit organization working to advance the needs of the paint and coatings industry.

PaintCare was formed in 2009 to serve as the representative product stewardship organization for architectural paint manufacturers (also referred to as producers) in states that pass paint stewardship legislation. PaintCare representation is open to all architectural paint manufacturers and they may
register with PaintCare at any time. PaintCare currently represents 185 paint manufacturers in its active states and will represent participating manufacturers in the Rhode Island Paint Stewardship Program.

PaintCare’s corporate office is located in Washington, D.C. State program staff members are located in and/or work in the states in which PaintCare programs operate, including Rhode Island.

PaintCare’s Board of Directors consists of eleven non-paid representatives of architectural paint manufacturing companies. Appendix A provides the names and companies of PaintCare’s Board of Directors at the time this Plan was submitted.

Rhode Island Paint Stewardship Program

The Rhode Island Paint Stewardship Law (“Law”) requires, by March 1, 2014, that manufacturers of architectural coatings, through a representative organization, submit a plan (“Plan”) for the establishment of a Paint Stewardship Program to the Rhode Island Department of Environmental Management (“Department”). (March 1, 2014 fell on a Saturday; PaintCare submitted the original Plan on Monday, March 3, 2014.) Following feedback from the Department, this revised Plan was submitted on May 1, 2014.

As stated in the Law, the Program shall:

(1) Minimize the public sector involvement in the management of post-consumer paint by reducing the generation of post-consumer paint, negotiating agreements to collect, transport, reuse, recycle, and/or burn for energy recovery at an appropriately licensed facility post-consumer paint using environmentally sound management practices;

(2) Provide for convenient and available statewide collection of post-consumer paint that, at a minimum, provides for collection rates and convenience greater than the collection programs available to consumers prior to such paint stewardship program;

(3) Propose a paint stewardship assessment;

(4) Include a funding mechanism that requires each manufacturer who participates in the Program to remit to the representative organization payment of the paint stewardship assessment for each container of architectural paint sold within the state;

(5) Include an education and outreach program to help ensure the success of the program; and

(6) Work with the department and Rhode Island economic development corporation to identify ways in which the state can motivate local infrastructure investment, business development and job creation related to the collection, transportation and processing of post-consumer paint.

The Law further requires that the Plan submitted to the Department demonstrate how the Program will be successfully implemented by:

(1) Identifying each manufacturer participating in the Program and the brands of architectural paint sold in Rhode Island covered by the Program;

(2) Identifying how PaintCare will provide convenient, statewide accessibility to the Program;

(3) Providing the process and criteria used by PaintCare to select an independent auditor;
(4) Identifying, in detail, the educational and outreach program that will be implemented to inform consumers and retailers of the Program and how to participate;

(5) Identifying the methods and procedures under which the Program will be coordinated with the Rhode Island Resource Recovery Corporation;

(6) Identifying, in detail, the operational plans for interacting with retailers on the proper handling and management of post-consumer paint;

(7) Including the proposed, audited paint assessment;

(8) Including the targeted annual collection rate; and

(9) Including a description of the intended treatment, storage, transportation and disposal options and methods for the collected post-consumer paint.

As required by the Law, this Plan is accompanied by a payment to the Department in the amount of two-thousand five-hundred dollars ($2,500) for the Department’s review of the Plan.

Not later than sixty (60) days after submission of this Plan, the Department shall make a determination whether to approve the Plan as submitted, approve the Plan with conditions, or deny the Plan.

Not later than three (3) months after the date this Plan is approved, the representative organization shall implement the Program.

PaintCare is planning for a June 1, 2014 Program start date.

**Citations**

To provide context, each section of this Plan begins with citation of the relevant sections of the Law that apply to it.
2. Registered Manufacturers and Brands

Statutory Citation

Title 23, Chapter 24.12. Proper Management of Unused Paint

23-24.12-3(c). The plan submitted to the department ... shall:

(1) Identify each producer participating in the paint stewardship program and the brands of architectural paint sold in this state covered by the program.

Section Overview

This section discusses:

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

Manufacturer Registration

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

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

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

Manufacturers were notified about the Rhode Island Law and Program via email and a notice on PaintCare’s website for reporting sales for other states.

Some manufacturers may still be unfamiliar with the Program and may need to be contacted several times to become aware of their obligations under the Law. Therefore, the identification and notification of potential manufacturers is an on-going process, and the list of registered manufacturers (and brands) is expected to change as additional manufacturers become aware of the Program.

Prior to the Program launch date PaintCare will provide the Department with an updated and current list of registered manufacturers and brands. Following that submission, PaintCare will provide an updated list within 30 days of any change.
Private Label Agreements

Private label agreements (or services) represent products manufactured or distributed by one company for use under another company’s label. They are also referred to as store brands, generic brands, and tolling agreements. These agreements are often kept confidential to protect the arrangements from competitive interests. Therefore, PaintCare will not specify which brands are produced by which manufacturer, unless the name of the manufacturer is included in the brand name. Instead, registered manufacturers and their registered brands will always be presented in two separate lists thereby assuring the confidentiality of private labeling and other brand agreements.

Posting and Purpose of Registration Lists

PaintCare posts the lists of registered manufacturers and brands on the PaintCare website. The purpose of posting the lists is to make them available for retailers and distributors. Retailers and distributors will use the lists to learn which brands may be legally sold in the state upon implementation of the Program. The current lists of registered manufacturers and brands are included in Appendix B and available on PaintCare’s website. The lists will be updated and reposted within 30 days of any changes.

Program Products

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

Program Products are architectural paints in containers no larger than 5 gallons in size. Program Products do not include Industrial Maintenance (IM) coatings, Original Equipment Manufacturing (OEM) coatings, and other specialty coatings. Please see Appendix C for the definition and examples of both Program Products and Non-Program Products. This definition is used to determine the products on which manufacturers are to apply the assessment (“PaintCare Recovery Fee”), as well as to determine which post-consumer products are accepted by the PaintCare drop-off sites.

PaintCare issues product notices as needed to explain certain types of products and whether they are Program Products or not. Examples of these notices are included in Appendix C.
3. Paint Drop-Off Sites and Services

Statutory Citation

Title 23, Chapter 24.12. Proper Management of Unused Paint

23-24.12-3(c). The plan submitted to the department ... shall:

(2) Identify how the representative organization will provide convenient, statewide accessibility to the program.

(5) Identify the methods and procedures under which the paint stewardship program will be coordinated with the Rhode Island resource recovery corporation.

(6) Identify, in detail, the operational plans for interacting with retailers on the proper handling and management of post-consumer paint.

Section Overview

This section discusses:

- Who can use the Program
- Pre and post-Program paint collection infrastructure
- Drop-off site recruitment
- Convenience criteria
- Drop-off site operations

 Audience

The PaintCare Program will serve Rhode Island residents, businesses, and other entities that have unwanted, post-consumer paint, subject to programmatic limitations described here:

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

- **Conditionally Exempt Small Quantity Generators** (CESQGs). Trade painters, contractors, small businesses, and other small to medium-sized organizations are typical CESQGs. The Program will accept any quantity of latex paint from CESQGs. The Program will only accept oil-based paint at or below the limits applied to hazardous waste generation for CESQGs (220 pounds).

- **Small Quantity Generators** (SQGs) and **Large Quantity Generators** (LQGs). The Program will accept any quantity of latex paint from SQGs and LQGs. The Program does not provide for collection of oil-based paint from SQGs or LQGs. Training and CESQG certification logs are provided to drop off sites to ensure hazardous waste paint is not accepted from SQGs/LQGs.

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1 As defined by the Rhode Island Department of Environmental Management’s Hazardous Waste Regulations (effective 2/10/14).
Collection Infrastructure

PaintCare will partner with the Rhode Island Resource Recovery Corporation (RIRRC) to support and utilize their existing household hazardous waste program for paint collection, and will increase paint recycling opportunities in Rhode Island through the addition of new sites and services.

The Program anticipates paint collection infrastructure and services to include:

- RIRRC Eco-Depot and temporary HHW collection events
- Retail paint drop-off sites (paint, hardware and building supply stores) and “reuse” stores
- Solid waste transfer stations (public and private)
- Direct pick-up service for large volumes of paint
- Paint-only drop-off events

Rhode Island Resource Recovery Corporation

Rhode Island is unique from the other six states in which the PaintCare Program operates or is under development in that there is a single entity that manages and offers household hazardous waste programs for the entire state. RIRRC has been operating the Eco-Depot since 2001 for residents to dispose of their household hazardous waste. RIRRC offers a very impressive and convenient year round program to Rhode Island residents, with about 20 collection days at their permanent location in Johnston and 25 satellite events throughout the state. PaintCare will partner with RIRRC by contracting directly with their on-site vendor to cover the cost of paint management at their HHW collections.

Though it is not considered hazardous waste in Rhode Island, RIRRC does accept latex paint brought to the Eco-Depot and its events, but it does not actively advertise the acceptance of it. At this time, both RIRRC and the Department of Environmental Management inform the public on their websites that latex paint may be dried out and disposed of in the trash since it is not a hazardous product and is costly to manage. Once the PaintCare Program is launched, it is expected that both RIRRC and the Department will advise the public to utilize a PaintCare drop-off site for their latex paint. In addition, as part of its partnership with PaintCare, RIRRC will begin to actively promote the acceptance of latex paint through the Eco-Depot and its HHW events.

RIRRC does not currently accept paint (or other hazardous waste) from businesses through the Eco-Depot or HHW events. However, with recent changes to Rhode Island’s hazardous waste rules, this may be an option in the future.

Paint Retailers

PaintCare has identified approximately 128 paint retailers in Rhode Island, including paint, hardware, and home improvement stores. Retail stores include independent, cooperative, chain and corporate stores – both small and large. In addition to paint retailers, “reuse” stores have also been identified as potential drop-off site partners.

All paint retailers are invited to participate as a PaintCare drop-off site provided they meet PaintCare’s requirements and applicable laws and regulations, including, but not limited to the following:
• Ability to provide enough space to hold a minimum number of collection containers as determined by PaintCare’s needs in their specific geographic location;
• Willingness to accept both latex and oil-based paints;
• Willingness to accept Program Products from any qualifying generator;
• Reasonable access by the public and by PaintCare’s transporter;
• Compliance with PaintCare operational guidelines and applicable state and local regulating agency requirements;
• Willingness to have their site promoted on PaintCare’s website and through other outreach methods; and
• Willingness to post and distribute PaintCare point-of-sale outreach materials including a window poster advertising their store as a drop-off site.

In January 2014, PaintCare sent a notification about the Program and a partnership interest form to all known paint retailers in Rhode Island, either directly or via their corporate office. Copies of the letter, factsheet and interest form are included in Appendix D.

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

Although retail participation is entirely voluntary and drop-off sites are not compensated, more than a dozen retailers had already expressed interest in becoming drop-off sites at the time this Plan was submitted to the Department. Through continued dialogue and engagement, and based on our experience in the three active states, PaintCare is confident that additional stores will join the Program to serve as paint drop-off sites.

“Reuse” Stores

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

Reuse stores that currently accept donations of paint for resale either turn away unsellable paint or are left with a disposal problem. Reuse stores that sign up with PaintCare will be able to accept (more) paint, screen out the best paint for resale, and have the unsellable paint picked up by PaintCare at no charge. These sites will be notified and receive communications specific to their needs before the Program is launched.

Solid Waste Transfer Stations

Solid waste transfer stations may also play a role in the collection site infrastructure in Rhode Island since they are located in many communities and can provide a convenient opportunity and familiar location for their customers to drop off unwanted paint. Transfer stations have some unique characteristics and requirements. They are convenient for people who use them to dispose of other waste and recyclables and adding paint to the items handled at transfer stations offers an additional service for their customers. In addition, transfer stations are sometimes used by town departments
(e.g., public works) for waste generated by the municipality itself. Such departments may choose to drop off paint at transfer stations to save on the municipality’s own paint management costs.

PaintCare recognizes that transfer stations may have some operational or funding restrictions and exceptions may be made to accommodate them. Use of transfer stations is usually limited to local residents and businesses. Although PaintCare allows anyone to drop off paint at any PaintCare site, transfer stations will be allowed to limit participation to their customers or community if they wish to do so.

PaintCare has identified approximately 25 transfer stations in Rhode Island. Most are operated by municipalities, others are privately run – both groups have been invited to join the Program. In January 2014, PaintCare mailed a notification about the Program and a partnership interest form to all known transfer stations in Rhode Island. Copies of the factsheet and interest form are included in Appendix D.

Following receipt of a completed interest form, PaintCare contacts transfer station staff to obtain facility details and begin the process to establish a formal agreement between PaintCare and the site.

**Large Volume Pick-Up Service**

The Large Volume Pick-Up Service (“LVP Service”) will be offered to trade painters, contractors and other entities with large volumes of paint – generally more than 300 gallons. Under the LVP Service, approved users will receive a direct pick up at their site. The LVP Service will begin within the first six months of the start of the Program. Approval for use of the LVP Service will be determined by PaintCare. Potential users of the LVP Service will be asked to provide specific information about their volume of paint, paint type (latex vs. oil-based), container sizes, and generator status (the LVP program does not service SQGs/LQGs for oil-based paint but does take their latex paint). Once a site is approved for an LVP, they will be put in direct contact with PaintCare’s transportation service provider to schedule a pick-up appointment.

**One-Day Paint Collection Events**

Feedback suggests that despite the state’s robust HHW collection infrastructure, homes and businesses in Rhode Island may still have some accumulation of paint, latex in particular, in their garages, basements and storage areas. Despite the Department and RIRRC advice over the years for the public to dry out and dispose of latex paint in the trash, experience in other states has shown that many people continue to store their unwanted, leftover latex paint because the process to dry out and dispose of it is messy and inconvenient.

PaintCare is concerned about the possibility of overwhelming retail drop-off sites with this “legacy” paint, particularly at the start of the Program. To address this concern, PaintCare may hold one-day paint collection events in various high-population or underserved regions of the state at the start of the Program and in future years as needed. The objective of the paint-only collection events is to capture stockpiled paint from homes and businesses. One-day events were held at the start of the program in Connecticut for the same reason and were well attended.

As these events are likely to run at the same time as RIRRC’s HHW events (in the warm summer and fall months), PaintCare will make every effort to coordinate with RIRRC so that our paint collection events do not conflict with RIRRC’s scheduled HHW collection events.
With assistance from the Department, RIRRC, and other stakeholders, PaintCare will identify the best locations to hold such events, and working with our outreach firm, PaintCare strive to bring the targeted number of participants to each event. However, unlike municipally-sponsored HHW events, PaintCare’s paint-only collection events will not be restricted by town or other boundaries.

**Convenience Criteria**

To ensure adequate paint collection infrastructure in Rhode Island, PaintCare used Geographic Information System (GIS) modeling to determine the appropriate minimum number and distribution of drop-off sites. PaintCare’s statewide goal is to establish one site within 15 miles of at least 95% of Rhode Island residents (to address distance and distribution) and to have at least one site for every 50,000 residents of a population area (to address population density). PaintCare recognizes that not all sites are available to all residents within 15 miles of the site (e.g. town transfer stations) and therefore builds its model using retail stores that are available to all participants.

Application of the above criteria results in approximately 22 strategically located permanent drop-off sites, which PaintCare considers its baseline service level goal. PaintCare aims to meet the baseline goal within the first year of Program implementation and expects the goal to be met primarily through retail drop-off sites, supplemented by town transfer stations. Once the baseline is satisfied, PaintCare may recruit additional drop-off sites in an effort to maximize convenience and paint recycling in Rhode Island.

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

As noted previously, 128 paint retailers have been identified in Rhode Island. Of these, 26 are big box stores that are unlikely to volunteer as drop-off sites and were not been included in the GIS analysis. Selecting from the remaining 102 retailers, Map 1 shows the optimal 22 sites needed to achieve the convenience criteria discussed above. These sites represent the best combination of sites if PaintCare hand selected sites and only met the baseline service needs of the Program. Using this set of sites is not the only way to satisfy the convenience requirement – it can be achieved through many other configurations of sites throughout the state, but it unlikely to be accomplished with fewer than 22 sites.

Map 1 is for illustrative purposes – to get a sense of what a statewide convenient distribution of sites may look like. It does not represent the actual type, number or distribution of sites that may end up serving as drop-off sites in the Program. In addition, transfer stations and the RIRRC program, not included on these maps, will also be part of PaintCare’s drop-off site infrastructure.

In addition to plotting the optimal sites, an analysis was conducted using the 13 retail stores that have already expressed interest in becoming a PaintCare drop-off site at the time this Plan was submitted. The location of these 13 sites is shown in Map 2 and analysis of their location reveals that with just these sites, 99.5% of the population will already have access to a site within 15 miles. These 13 sites alone, however, do not satisfy the density criteria of 1 site for every 50,000 residents of a population area – they only get us to 1 site for every 88,000 residents of a population area.

Further discussion of the GIS methodology and analysis conducted by Golder Associates, an engineering firm with expertise in geographic mapping and analysis, is provided in Appendix E.
Site Operations

- All PaintCare drop-off sites operate in accordance with applicable federal, state and local environmental laws, regulations and permits and follow all procedures in PaintCare’s operational guidelines. If any discrepancies arise between PaintCare’s guidelines and federal, state, or local statutory, regulatory or permit conditions, the requirements of latter group must be followed.

- Under the Rhode Island Department of Environmental Management Rules and Regulations for Hazardous Waste Management, drop-off sites that are designated as “Paint Collection Centers” under Rule 10 and operating under contract with the approved stewardship plan may accept architectural paint, including oil-based paints, as part of their participation in the PaintCare Program. Architectural paint may be stored and shipped without being separately segregated and tracked, provided paints are placed directly in containers provided by PaintCare and shipped in accordance with the approved plan.

Upon arrival at PaintCare’s contracted processing facility, paints will be segregated into oil-based and latex – thus, waste determinations will be made by the processing facility. As Paint Collection Centers are not segregating paint, paint managed through the PaintCare Program is
not counted in determination of the sites CESQG waste generator status. If waste paint is stored, shipped or otherwise managed outside the auspices of the PaintCare Program, this waste is counted towards that quantity. Further, it is the Department's position that Paint Collection Centers only have to follow LQG generator standards if they meet that definition based on the quantity of waste they generate.

All PaintCare drop-off sites must:

- Have an agreement in place with PaintCare;
- Provide enough space to hold a minimum number of bins as determined by PaintCare’s needs in their specific geographic area;
- Accept Program Products from all site-eligible audiences;
- Provide reasonable access to the public and PaintCare’s transporter;
- Be staffed during operating hours;
- Keep collected Program Products in a secure storage location;
- Be willing to have their site promoted on PaintCare’s website and through other outreach methods; and
- Distribute PaintCare’s public outreach materials.

**Site Training**

All drop-off sites receive an in-person, on-site training regarding PaintCare Program operations. A copy of PaintCare’s drop-off site guidelines is included with this Plan as Appendix F.

Each site is provided a training binder that is reviewed during the training and that includes a log to be signed by any site employee handling paint for the Program. Training topics include:

- Identification of Program Products
- Safe handling and storage of Program Products
- Limits on waste storage volume (1,100 gallon max per Department rules)
- Limits on waste storage time (max 1 year per Department rules)
- Spill clean-up and reporting
- Procedures for scheduling a paint pick-up
- Screening of businesses and generator status to determine if they qualify to use the Program for oil-based paint (limits may apply)
- Record keeping
Collection Containers

Drop-off sites will be equipped with collection containers to store post-consumer paint received through the Program. Collection containers will be US DOT approved reusable or single-use cubic yard boxes (examples shown below), 55-gallon drums, or other appropriate containers. Drop-off sites will be required to keep collection containers in a secure location that does not have public access, label boxes appropriately as required by applicable law, and keep the lids on the boxes at all times except when placing Program Products into them. (Sites that can only hold one collection container may not be appropriate for the Program.)

Collection Volumes

Drop-off sites may set their own limit for the amount of paint they will accept from a customer at any one time as long as the limit is at least five gallons.

Non-Program Products

Minimization of non-Program Products entering the Program is critical and will be achieved through public education, signage at drop-off sites, and drop-off site training on Program Product identification. PaintCare manages any incidental non-Program Products that enter the system. In addition, PaintCare’s transportation and processing service providers will provide feedback to PaintCare regarding the source (specific drop-off site), quantity and type of non-Program Products. Depending on the severity of contamination, PaintCare may do one of more of the following: (1) contact the site to let them know about the incident, (2) provide additional/refresher site training on identification of Program and non-Program Products, or (3) remove the site from the program. Non-Program Product that is intentionally accepted by a drop-off site, or inadvertently accepted but recognized by the site as a Non-Program Product, must be identified and managed by the site as their own waste, separate from the PaintCare Program.

Site Visits and Monitoring

Drop-off sites receive twice yearly site visits. The purpose of these visits is to ensure compliance with Program requirements, address any needs or concerns partnering sites may have, check their supplies of outreach materials, and continually solicit their feedback on how to refine the Program.
4. Materials Management

Statutory Citation

*Title 23, Chapter 24.12. Proper Management of Unused Paint*

23-24.12-3(c). The plan submitted to the department ... shall:

(9) Include a description of the intended treatment, storage, transportation and disposal options and methods for the collected post-consumer paint.

Section Overview

This section discusses:

- Paint transportation and processing procedures

Paint Transportation

An effective transportation system is required to ensure that the paint collection infrastructure operates efficiently. PaintCare will contract for transportation of all Program Products. Transporters must meet all applicable State and Federal DOT rules and regulations, be permitted by the Department as a hazardous waste transporter, and must track Program Products from the collection sites to their final destination. Transporters, subsequent processors, and their records, will be subject to audits by PaintCare.

As needed, transporters will drop off empty collection containers and Program supplies (e.g., spill kits) at PaintCare drop-off sites and events and pick up full collection containers in a timely manner (5 days per PaintCare’s current contract agreement). Transporters will service drop-off sites on either an on-call basis (sites call for pick-up when their storage capacity is 50% full), or on a set schedule – whichever method is best for the individual drop-off sites.

Paint Processing

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

**Latex Paint**

- Reuse
- Recycling back into paint or into another product
- Beneficial use
- Appropriate disposal

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

**Oil-Based Paint**
- Paint reuse
- Energy recovery through fuel blending or fuel incineration

While it is possible to recycle oil-based paint back into paint, no processor offers this option at this time. With the exception of a small amount of reuse, all oil-based paint will be managed by fuel blending or fuel incineration.

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

**Latex: Reuse.** As discussed previously, the Program will implement and support latex paint reuse programs where possible and provide monetary compensation to sites that give reuse paint away to the public free of charge. Paint reuse programs can return good quality paint to the local community without moving the paint through a costly network of transporters and processors. This is also an important opportunity to reduce the environmental impacts of the Program. As with other second-hand products, users of “previously owned” latex paint will be notified that the suitability of the product cannot be guaranteed, and they will be required to sign a waiver form before taking away paint for reuse from a PaintCare-partnering drop-off site.

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

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

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

**Latex: Disposal.** Latex paint may be solidified for proper disposal. In this process, liquid paint is combined with drying agents and turned into a solid suitable for landfill. Solidification represents the least desirable management method for post-consumer latex paint.

**Oil-Based: Reuse.** As with latex paint, the Program will implement and support oil-based paint reuse where possible. These programs benefit the community and reduce the life cycle impact of the post-consumer product. Users of “previously owned” oil-based paint will be notified that the suitability of the product cannot be guaranteed, and they will be required to sign a waiver form before taking paint away for reuse from a PaintCare-partnering drop-off site.
Oil-Based: Fuel Blending. Some cement kilns use high BTU value industrial by-products and hazardous wastes, including oil-based paint, as an alternative fuel source. These kilns are fully permitted for the necessary federal, state, and local requirements for hazardous waste management and monitor air emissions and kiln ash for permit compliance. Burning hazardous waste offsets the amount of other fuel sources required by the kilns to manufacture cement.

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

Incidental Non-Program Products

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

Empty Paint Containers

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

Statutory Citation

Title 23, Chapter 24.12. Proper Management of Unused Paint

23-24.12-3(c). The plan submitted to the department ... shall:

(4) Identify, in detail, the educational and outreach program that will be implemented to inform consumers and retailers of the program and how to participate.

Section Overview

This section discusses:

- Outreach methods, messaging, and target audiences
- Lessons learned from PaintCare Programs in other states
- Stakeholder meetings

Methods

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

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

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

Messaging

Reduce, Reuse, Recycle

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

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

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

Target Audiences

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

- Households (residents)
- Businesses that generate paint (e.g. professional painters, contractors, property managers)
- Real estate agents
- Paint retailers
- HHW programs and waste transfer stations

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

Households

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

Businesses that Generate Paint

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

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

HHW Programs and Transfer Stations

PaintCare has developed factsheets and interest forms to explain how these facilities can become PaintCare drop-off sites.

Retailers

Provide print materials for use by all paint retailers to educate store staff and to educate the general public (regardless of whether or not they are drop-off sites). Retailers may order these materials for no charge. Examples include:

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

PaintCare will send retailers a “starter pack” of consumer point-of-sale (POS) outreach materials prior to the start of the Program. As needed, retailers may order additional POS materials for no charge.

Lessons Learned: Phasing in Outreach

Rhode Island’s PaintCare Program will benefit from lessons learned – programatically and financially – from PaintCare Programs in other states. These key lessons are discussed here.

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

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

PaintCare will conduct a statewide outreach to all areas of the state about the program and options, but the outreach will be phased in gradually in order to avoid overwhelming sites and frustrating customers and retailers. When collection containers become full, the sites cannot accept more paint until the full
containers are replaced with empty ones. If they are turned away, the public becomes unhappy with the Program and retail sites, the retailers become frustrated turning people away, and local governments become concerned that this may lead to illegal dumping.

To address these concerns, PaintCare’s approach will be to limit outreach at the start of the program to press releases that announce that there is a new Program – with a fee on new paint – and explain that drop-off sites are permanent and open year-round during regular business hours. As sites become more comfortable with the operations, PaintCare will gradually start placing media buys in phases to create more awareness about the Program and inform people how to find drop-off sites. This approach has been successful in Connecticut. Once the retailers that are serving as drop-off sites are more accustomed to the Program, outreach will expand through a combination of local newsprint, television, radio, and geo-targeted on-line advertising.

This initial strategy lacks an important element: that of informing those people who may not see any news stories that the Paint Recovery Fee is being added to their new paint purchases. PaintCare knows that trade painters and other consumers who purchase paint frequently will notice the fee and are more concerned and vocal than those who buy paint infrequently. To address these key consumers of paint, PaintCare will work with trade painters and home builder/remodeler associations, and has already started to provide factsheets to retailers to insert in their monthly bills to regular customers and make available in the stores so that customers will not be surprised by the fees.

**Stakeholder Meetings with Retailers**

As already discussed, PaintCare will make outreach materials available to all paint retailers and will assist retailers with providing consumers with information regarding available management options for post-consumer paint.

Experience in Oregon demonstrated that it is difficult to get retailers to make space for promotional and written materials about the PaintCare Program, despite offering and delivering these materials free of charge. To address this, PaintCare has worked with retail stakeholders to learn what would make them more willing or interested in utilizing PaintCare’s materials and promoting the benefits of the Paint Stewardship Program.

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

**June 2012 (California)**

- Message should be simplified to “Recycle with PaintCare.”
- Retailers requested a small card to hand customers to help them contact PaintCare by phone or via the website to find a drop-off site.
- Estimating the correct amount of paint to purchase is complicated. It requires knowledge about the type of paint, surface to be painted, and other factors. Retailers would not utilize or distribute PaintCare materials addressing this subject. Instead, retailers suggested that consumers be told to seek advice about buying the right amount of paint from store staff.
• Retailers need to provide advanced notice to their commercial customers (mostly trade painters) to provide them ample time to prepare for the new fees and incorporate the fees into their bids/estimates prior to the launch of the Program.

April 2013 (Oregon)

• After the first year of the program, there are not many complaints about fees.
• Drop-off sites like being listed in newspaper ads.
• The poster about estimating paint sales was not useful. As with the California meeting, the Oregon retailers said estimating how much paint to purchase is not simple and requires more discussion than a chart could convey.
• They preferred the look of the materials developed for California. (Oregon materials had not been redesigned prior to stakeholder meeting.)

Stakeholder Meeting in Rhode Island

A meeting with Rhode Island stakeholders to solicit input on the outreach strategy will be held in March 2014. (A meeting originally scheduled in February was cancelled due to winter weather conditions.)

Site Locator Tool

PaintCare is committed to providing accurate, up-to-date information regarding paint recycling options available to the public and has taken on the significant task of developing its own nationwide database of paint collection programs, referred to as the site locator tool. This tool provides a unique, paint-specific, easy-to-use way to search for the nearest PaintCare drop-off site. Site-specific information will explain who is eligible to use a site and what limitations apply. This tool is available from PaintCare’s website and through a mobile phone application.

In non-PaintCare States the tool lists municipal household hazardous waste collection programs as locations where the public can bring leftover paint. In PaintCare States, it lists only PaintCare drop-off sites and HHW programs that partner with PaintCare.
Examples of Outreach Materials

Top row: Program Brochure, MiniCard, General Program Poster, Drop-Off Site Poster

Middle row: Mobile App, Site Locator Tool on PaintCare Website

Bottom row: Newspaper Ads
6. Paint Sales and Projected Collection Volumes

Statutory Citation

Title 23, Chapter 24.12. Proper Management of Unused Paint

23-24.12-3(c). The plan submitted to the department ... shall:

(8) Include the targeted annual collection rate.

Section Overview

This section discusses:

- Architectural paint sales in the United States and Rhode Island
- Studies and data regarding disposal and available collection volumes of post-consumer architectural paint
- Rhode Island baseline collection data
- Projected collection volumes under the PaintCare Program

Architectural Paint Sales

Due to complex distribution chains that may involve layers of distributors between the manufacturer and final point of sale, most manufacturers do not know the volume of their paint sold into each individual state. To address this, PaintCare commissioned a study in the fall of 2012 by Decision Metrics, Inc., a research firm that specializes in coatings industry analysis and economic forecasting. Decision Metrics utilized key indicators including existing home sales, housing starts, state-level employment rates and commercial vacancy rates to build a national and state-level model for predicting annual sales of architectural paint.

The Decision Metrics study projected sales of 670 million gallons of architectural paint in the United States in 2013, 1.6 million gallons of which will be sold in Rhode Island. This represents 0.2% of national sales, while Rhode Island represents 0.33% of the national population.

While the volume of paint sold in Rhode Island is based on estimates, assumptions about the mix (relative percentage) of container sizes comes from actual PaintCare data for Connecticut sales from July 2013 through November 2013. Using data from Connecticut, Rhode Island’s projected container mix is 25% quart containers, 56% 1-gallon containers, and 19% 5-gallon containers. Container size mix is used to establish the PaintCare Recovery Fee structure presented in Section 7 (Budget and PaintCare Recovery Fee) of this Plan.

Following implementation, the Program will have actual sales and container mix data from manufacturers participating in the Rhode Island PaintCare Program. If actual data differs significantly from estimates, then projections of revenue, post-consumer paint collection, and related costs may need to be revised. If fees need to be altered, then approval would be required from the Department.
Volume Available for Collection

Paint is designed to be fully consumed through application to walls, buildings and other surfaces. Although the amount of post-consumer paint received through collection programs is measurable, it is very difficult to determine the total quantity of post-consumer paint that is leftover, unwanted and available for collection. The lag time between the purchase of paint and the decision that the unused product is unwanted, and the additional time taken to return it to a drop-off site can vary greatly. In addition, architectural paint products have a long shelf-life, so consumers purchasing paint in one year may not decide that the unused portion is “unwanted” for several years.

Studies on Leftover Paint Quantity

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

(1) Data from mature Canadian paint collection programs and the Oregon, California and Connecticut PaintCare programs;
(2) “A Background Report for the National Dialogue on Paint Product Stewardship” prepared by Greiner Environmental Inc. and the Product Stewardship Institute for the Product Stewardship Institute (PSI);
(3) Documents prepared for the Paint Product Stewardship Initiative (PPSI), including “Quantifying the Disposal of Post-Consumer Architectural Coatings” conducted by Abt Associates Inc. for the U.S. Environmental Protection Agency (EPA);
(4) “Paint Product Stewardship Initiative Infrastructure Report” prepared by SCS Engineers for the Washington State Department of Ecology; and
(5) “Consumer Architectural Coatings Disposal Study” conducted by NFO Research Inc. for the National Paint and Coatings Association (ACA's former name).

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

In the Background Report, PSI estimated that 2.5% to 5.5% of paint sold remains as leftover paint. EPA’s study estimated that 6% to 16% of paint sold remains as leftover paint.

The Infrastructure Report considered scenarios of 5%, 10%, and 15% of paint sales resulting in leftover paint, consistent with both the PSI and EPA studies. The report stated that “even with high levels of promotion, few paint collection programs are likely to capture more than 75% of the leftover paint in a region.”

The NFO study found that the average amount of leftover paint per household was 0.375 gallons. Consistent with the NFO study, the Infrastructure Report found that using the 5%, 10%, and 15% scenarios, the quantity of paint expected to be collected per household would be in the range of 0.15 to 0.60 gallons (low and extra high), with 0.30 and 0.45 gallons being the middle range. These values corresponded with data from existing HHW programs (that accept latex paint in addition to oil-based paint), with newer programs operating in the low ranges and more mature programs operating in the middle ranges.
Baseline and Projected Collection Volume

RIRRC – the sole household hazardous waste collection program in Rhode Island – has managed more than 750,000 gallons of paint through its program since 2001. However, given the lack of active latex paint collection activities by RIRRC during this time, there is not an appropriate baseline volume from which to estimate future latex paint collection volumes from. As a result, PaintCare is unable to utilize pre-Program baseline data to establish or compare future collection volumes. Instead, PaintCare is estimating future collection volumes based on the volumes seen in mature paint stewardship programs in Canada and the Oregon PaintCare program.

PaintCare considered the studies and data discussed above, as well the possibility of receiving large volumes of legacy paint, to estimate the amount of post-consumer paint anticipated for collection in Rhode Island under the PaintCare Program. The assumptions are discussed here and summarized in the table below.

- Sales volume will remain nearly the same year over year at approximately 1.6 million gallons annually.
- 10% of architectural paint sold remains leftover and is available for recycling, equaling approximately 160,000 gallons per year.
- Mature paint stewardship programs collect about 70% of leftover paint annually. This can also be stated as 7% of annual sales. (Note: The typical time frame for disposing of leftover paint is several years after its purchase so there isn’t necessarily a direct correlation between the volume sold in one year and percentage of that volume collected in the same year.)
- PaintCare anticipates capturing 60% of leftover paint, at most, in the first few years of the Program since there will be ramp up period to educate the public about the new service. This value can also be stated as the equivalent of 6% of sales, referred to as the “recovery rate.” Recovery rate is defined as the volume of paint collected divided by the volume of paint sold in the same year. A 6% recovery rate in Rhode Island represents approximately 96,000 gallons per year. The 6% recovery rate includes both newly available unwanted paint and the legacy paint that has been accumulating in garages and basements awaiting a convenient recycling option.
- A similar recovery rate is anticipated from year to year once the program reaches maturity. With each successive, it’s expected that a smaller percentage of the paint will be legacy paint, and a larger percentage will be newer leftover paint as old stockpiles in basements and garages gets cleaned out.

The following table summarizes the values described above.
### Projected Collection Volume and Recovery Rate

<table>
<thead>
<tr>
<th></th>
<th>Gallons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Volume sold annually</td>
<td>1,589,673</td>
</tr>
<tr>
<td>Volume leftover (10% of 13-month period sales)</td>
<td>158,967</td>
</tr>
<tr>
<td>Volume collected in mature programs (70% of leftover/7% of sales)</td>
<td>111,277</td>
</tr>
<tr>
<td>Projected recovery rate in the first reporting period (60% of leftover/6% of sales)</td>
<td>95,380</td>
</tr>
</tbody>
</table>

Several factors that make collection and recovery rate goals and calculations problematic. They include the following:

- The time at which consumers decide their unused paint is “unwanted” can vary greatly. As a result, paint brought to a drop-off site may have been purchased very recently or purchased many years ago. Meanwhile, the amount available for collection (estimated to be 10% of sales) is derived from a current and fixed time period (e.g., 2013 sales data) and does not take into account variations in paint sales over time. As a result, the variables used to calculate recovery rates are poorly correlated.

- A wide swing in sales due to positive or negative economic conditions can change the recovery rates even if there is no actual change in collection volumes. Negative economic conditions can lead to lower paint sales. This will translate into a smaller denominator in the recovery rate calculation, which results in a higher recovery rate, even if real collection volumes did not increase. Likewise, positive economic conditions can artificially decrease the recovery rate.

- The most important factor not considered when setting recovery rate goals is the impact of source reduction on the volume available for collection. “Buy Right” and “Use it Up” are important components of the PaintCare Program and source reduction is an important goal of paint stewardship mandates. The more successful PaintCare is at providing consumers with information and tools to purchase the correct amount of paint and/or to use up what they have leftover, the less post-consumer architectural paint will be available for collection. This is the most desirable outcome of the Program, but cannot be recognized if Program success is measured by increased collection volumes.
7. **Budget and PaintCare Recovery Fee**

**Statutory Citation**

*Title 23, Chapter 24.12. Proper Management of Unused Paint*

23-24.12-3(c). The plan submitted to the department ... shall:

1. Set forth the process by which an independent auditor will be selected and identify the criteria used by the representative organization in selecting independent auditor.

2. Include the proposed, audited paint assessment.

**Section Overview**

This section discusses:

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

**Introduction**

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

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

**Funding Mechanism**

As the representative organization, PaintCare will implement and direct all aspects of the Rhode Island Paint Stewardship Program for participating manufacturers. Funding for Program implementation will come from registered manufacturers (see Section 2 of this Plan) to PaintCare in the form of the PaintCare Recovery Fee. The following steps describe the application of the PaintCare Recovery Fee:

1. Manufacturers add the PaintCare Recovery Fee to containers of architectural paint sold in Rhode Island directly or through dealers (retailers and distributors).

2. Retailers and distributors pass the PaintCare Recovery Fee to their customers by including it in the price of architectural paint they sell in Rhode Island.
When consumers buy architectural paint in Rhode Island, the PaintCare Recovery Fee is included in the purchase price. As a result, retailers (and distributors) recoup the PaintCare Recovery Fee they paid when purchasing architectural paint from their suppliers.

Within a designated timeframe (e.g., monthly, quarterly, etc.), manufacturers report sales and remit to PaintCare the PaintCare Recovery Fees for architectural paint they sold in Rhode Island in the preceding reporting period. Manufacturers have already recouped the PaintCare Recovery Fees they are paying to PaintCare, because the Fees were included in the price of their architectural paint when they sold it to their dealers.

**Budget Discussion**

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

**Revenue**

- The volume of paint sold in Rhode Island is based on industry estimates while the mix of containers by size sold is based on actual sales data from the Connecticut PaintCare program.

**Operational Costs**

- PaintCare estimates that the Rhode Island Program, which will include many new drop-off sites, significant outreach efforts, and potential large volumes of legacy latex paint in the state, should prepare for a 6% recovery rate in the first few years of operations.
- In combination, paint transportation and processing costs are the most significant expenses of the Program, making up approximately 80% of the projected expenses. Transportation costs include per-collection container transportation cost and minimum stop charges. Processing costs are charged by the pound.
- Communication expenses include advertising and promotional materials to increase Program visibility through education and outreach, and represent approximately 10% of planned expenses.
- Personnel, professional fees and other expenses include the proportional cost of one full-time employee of PaintCare (Connecticut and Rhode Island share a Program Manager), legal costs for developing and negotiating contracts, and other logistical, professional support, and miscellaneous office expenses.
- Unlike the other states in which paint stewardship laws have passed, there is not a state administrative fee to be paid by PaintCare in Rhode Island. There is, however, a small fee of $2500 to the Department to review the Program Plan which is included in the pre-program costs.

**Administrative Costs**

- Administrative expenses (also called indirect costs) are costs that do not directly benefit the Rhode Island Program, but rather are indirectly beneficial to the Rhode Island Program. Administrative costs include corporate staffing, construction of data management systems, organization-wide auditing fees, legal fees, and general communications.
• Administrative costs are allocated among all active PaintCare States (states where legislation has passed). Rhode Island’s current allocation, based on relative population size among the 7 PaintCare States, is approximately $44,000 per year. Rhode Island’s share of the administrative expenses is estimated at approximately 5% of the Rhode Island budget.

Program Surplus/Deficit

• PaintCare has adopted a policy to maintain reserves in each state program equivalent to between two and three months of operating expenses, with a target of three months, or 25% of the annual expenses (estimated at $200,000 for Rhode Island). Reserves are defined as “net assets” and represent the accumulated surplus (or deficit) of the Program from its inception. Maintaining a modest reserve of 25% of the annual expenses provides the Program with the flexibility to absorb fluctuations in sales and collection volumes while still maintaining expected Program services. Based on current estimates, it will require several years of operations to achieve the desired accumulated surplus levels.

Program Budget

Revenue

| Container size: More than half pint to less than 1 gallon | $ 89,022 |
| Container size: 1 gallon | 429,212 |
| Container size: More than 1 gallon to 5 gallons | 305,217 |

Total revenue 823,451

Expenses

| Paint processing | 427,781 |
| Paint transportation | 189,027 |
| Collection containers/ support | 11,500 |
| Communications | 80,000 |
| Personnel, professional fees and other | 58,000 |

Total direct expenses 766,308

Allocation of corporate activity 44,000

Total expenses 810,308

Change in net assets 13,143

Pre-Program cost* (124,050)

Ending net assets $(110,907)

* PaintCare has incurred, and will continue to incur, pre-program “start-up” costs until the Program launches. These costs include but are not limited to personnel, travel, legal costs, and the allocation of corporate expenses.
**PaintCare Recovery Fee**

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

<table>
<thead>
<tr>
<th>Container Size</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Half pint or less</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>More than half pint to less than 1 gallon</td>
<td>$ 0.35</td>
</tr>
<tr>
<td>1 gallon</td>
<td>$ 0.75</td>
</tr>
<tr>
<td>More than 1 gallon to 5 gallons</td>
<td>$ 1.60</td>
</tr>
</tbody>
</table>

The proposed fees structure for Rhode Island is the same as in the three PaintCare States currently under operation – Oregon, California, and Connecticut – as well as the proposed fee structures for Vermont and Minnesota.

**Audit of the PaintCare Recovery Fee**

As required by the Rhode Island Law, PaintCare has proposed a uniform paint stewardship assessment and the assessment has been reviewed by an independent auditor to assure that it does not exceed the total costs of implementing the Program.

PaintCare conducted a competitive selection process to identify an auditor to conduct the independent review of the PaintCare Recovery Fee. PaintCare is responsible for the work product of the auditor.

PaintCare contracted with HRP Associates Inc., the same firm hired initially for the pre-program audit of the Connecticut program in 2013, and more recently for the Vermont and Minnesota programs. To solicit an auditor for the Connecticut Program, PaintCare identified potential firms capable of evaluating program costs and bid procedures to meet the requirement of the independent audit. There appeared to be five major firms offering the required service in Connecticut. PaintCare viewed the website of each firm to find out more information about the companies and their specializations. In addition, a phone call was placed with each firm to inquire about their consulting services. From the pool, HRP Associates was selected to review the proposed paint stewardship assessment in Connecticut to assure that such assessment did not exceed the costs of the paint stewardship program and to recommend an assessment to the oversight agency in the state. Based on the excellent work conducted by HRP Associates for Connecticut, PaintCare also utilized them for the recent Vermont and Minnesota pre-program audits, as well for the Rhode Island Program.

For the Rhode Island audit, PaintCare provided HRP Associates the requested documentation to conduct the review, including:

- PaintCare’s solicited pricing bids for paint transportation
- PaintCare’s solicited pricing bids for paint processing (recycling) services
• PaintCare’s proposed budget with details of costs based on bids submitted for paint collection, transportation, processing, and outreach and education, as well as personnel, legal fees, corporate costs and other budget elements
• PaintCare’s proposed PaintCare Recovery Fee structure

HRP Associates’ audit results are available in Appendix G and conclude with: “HRP independently reviewed the calculations performed by PaintCare for accuracy and the calculations were deemed sufficient. Based on our review, we find the Paint Stewardship Assessment, determined by PaintCare, to be reasonable and not to exceed the actual operational costs to administer the Paint Stewardship Program.”
8. Annual Report and Financial Audit

Statutory Citation

*Title 23, Chapter 24.12, Proper Management of Unused Paint*

23-24.12-3(m). On or before October 15, 2015, and annually thereafter, the representative organization shall submit a report to the director of the department of environmental management that details the paint stewardship program. Said report shall include a copy of the independent audit detailed in subdivision (4) below. Such annual report shall include, but not be limited to:

1. A detailed description of the methods used to collect, transport and process post-consumer paint in this state;

2. The overall volume of post-consumer paint collected in this state;

3. The volume and type of post-consumer paint collected in this state by method of disposition, including reuse, recycling and other methods of processing or disposal;

4. The total cost of implementing the program, as determined by an independent financial audit, as performed by an independent auditor;

5. An evaluation of the adequacy of the program’s funding mechanism;

6. Samples of all educational materials provided to consumers of architectural paint and participating retailers; and

7. A detailed list of efforts undertaken and an evaluation of the methods used to disseminate such materials including recommendations, if any, for how the educational component of the program can be improved.

Section Overview

This section discusses:

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

Annual Report

PaintCare will submit an Annual Report to the Department by October 15 for the previous reporting year.

The Annual Report will include, at a minimum:

- Description of the methods used to collect, transport, and process post-consumer paint in the state;
- Overall volume of post-consumer paint collected;
- Volume and type of post-consumer paint collected by method of disposition, including reuse, recycling and other methods of processing or disposal;
- Total cost of implementing the program, as determined by an independent financial audit, as performed by an independent auditor;
- Evaluation of the adequacy of the program’s funding mechanism;
- Examples and discussion of education and outreach efforts and materials used in the reporting year and planned for the following year; and
- Any implementation issues or challenges.

Financial Audit

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

While the audit is conducted of the organization as a whole, it also serves as the annual audit, conducted by an independent auditor, of the total cost of implementing the Rhode Island Paint Stewardship Program.

The independent audit is conducted in accordance with auditing standards generally accepted in the United States of America. Those standards require that the auditing firm plan and perform the audit to obtain reasonable assurance that financial statements are free of material misstatement. The audit also includes examination, on a test basis, of evidence supporting the amounts and disclosures in the financial statements; evaluation of the accounting principles used and any significant estimates made by management; and appraisal of the overall financial statement presentation. PaintCare will include the audited financial statements as part of the Annual Report.
Appendix A
PaintCare Board of Directors

Barry Chadwick, Chairman, Benjamin Moore and Co.
Scott Sinetar, Vice Chairman and Treasurer, PPG Industries
Karl Altermott, Dunn-Edwards Corporation
Gene Brickhouse, True Value Hardware
Steve Devoe, Kelly-Moore Paint Company
Aaron Erter, Valspar Corporation
Paul Hoogenboom, RPM
Drew McCandless, Sherwin-Williams
Steve McMenamin, California Products Corporation
Drew Vogel, Vogel Paint, Inc.
Mike Weber, Hirshfield's Paint
Appendix B
Registered Manufacturers
Rhode Island Paint Stewardship Program as of 5/7/2014

1. Ace Hardware Paint Division
2. Amteco, Inc.
3. Anvil Paints and Coatings Inc
4. Basic Coatings LLC (also listed as Betco Corporation LTD)
5. Behr Process Corporation
7. Betco Corporation LTD (also listed as Basic Coatings)
8. Bona US / BonaKemi USA, Inc.
9. California Products Corporation
10. Clayton Corp (also listed as Seal-Krete and Convenience Products)
11. Clinical Paints (also listed as Imperial Paints LLC)
12. Complementary Coatings Corp (also listed as Insl-X Products)
14. Convenience Products (also listed as Seal-Krete and Clayton Corp)
15. Custom Building Products, Inc.
16. Daly's Inc
17. Duckback Products / Division of Duckback Acquisition Corporation
18. E.I. du Pont de Nemours and Company
19. Eco Safety Products / Eco Safety Inc.
20. ECOS Paints (also listed as Imperial Paints LLC)
21. EnviroCare Corporation
22. Epmar Corporation
23. Farrow & Ball Canada Ltd
24. Fine Paints of Europe
25. Forrest Paint Co
26. Franklin Paint Company
27. Gemini Industries, Inc. / Gemini Coatings, Inc.
28. Golden Artist Colors, Inc.
29. H. Behlen & Bro. (also listed as RPM Wood Finishes Group, Inc.)
30. Harrison Paint Company
31. Henry Company LLC
32. Homax Group Inc., The
33 Imperial Paints LLC (also listed as ECOS Paints, Clinical Paints, Lullaby Paints)
34 Insl-X Products (also listed as Complementary Coatings Corp)
35 Kop-Coat, Inc.
36 Lauzon Distinctive Hardwood Flooring
37 Lullaby Paints (also listed as Imperial Paints LLC)
38 Masterchem Industries LLC
39 Messmer’s Inc.
40 Modern Masters, Inc.
41 Muralo Company
42 NCH Corporation
43 New Image Coatings, LLC
44 Old Masters
45 Old Town Paints LLC
46 One TIME (also listed as Bond Distributing, Ltd.)
47 Performance Coatings, Inc.
48 Perma-Chink Systems, Inc.
49 PPG Architectural Finishes, Inc.
50 PPG Industries (also listed as Vanex, Inc.)
51 Quikrete
52 Richard’s Paint Manufacturing Co Inc.
53 Roman Decorating Products, LLC
54 RPM Wood Finishes Group, Inc. (also listed as H. Behlen & Bro.)
55 Rudd Company, Inc.
56 Rust-Oleum Corporation
57 SamaN
58 Sansin Corporation, The
59 Seal-Krete (also listed as Convenience Products and Clayton Corp)
60 Seymour of Sycamore
61 Sherwin-Williams
62 Skybryte Company, The
63 Southern Diversified Products, LLC
64 Sto Corp.
65  Structures Wood Care, Inc.
66  Sunnyside Corporation
67  Sutherland Welles Ltd.
68  Textured Coatings of America, Inc.
69  True Value Manufacturing Company
70  United Gilsonite Laboratories (UGL)
71  United States Gypsum Company
72  Valspar Corporation, The
73  Van Sickle Paint Mfg.
74  Vanex, Inc. (also listed as PPG Industries)
75  W. M. Barr & Company, Inc.
76  Waterlox Coatings Corp.
77  XIM Products Inc.
78  Yenkin-Majestic Paint Corp.
<table>
<thead>
<tr>
<th>Registered Brands</th>
<th>Rhode Island Paint Stewardship Program as of 2/28/2014</th>
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<tr>
<td>2010 (all products)</td>
<td>Aqua Mix Sealer's Choice Gold</td>
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<tr>
<td>2201 Grabber Primer</td>
<td>Aqua Mix Stone Enhancer</td>
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<td>268 Ceiling Paint</td>
<td>Aqua Mix UltraSolv</td>
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<td>360 GREY</td>
<td>Aqua Zar (All Gloss Levels)</td>
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<td>360 PRIMER</td>
<td>Artistic Finishes</td>
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<td>563 Enamel Undercoater</td>
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<td>900 CLEAR COAT</td>
<td>AutoBody Master</td>
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<td>A-100</td>
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<td>Barn &amp; Fence Paints</td>
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<td>Absco Oil n H2O Sealer</td>
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<td>Basic Coatings Hardwood Floor Refinisher Gloss</td>
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<td>Absco Sport Floor Finish</td>
<td>Basic Coatings Hardwood Floor Refinisher Satin</td>
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<td>Accent Color Base</td>
<td>Behr</td>
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<td>Accolade®</td>
<td>Behr Premium Plus</td>
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<td>Ace Great Finishes Interior Stains &amp; Varnishes</td>
<td>Behr Pro-X</td>
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<td>Ace Royal Finest Paint</td>
<td>Bellezza</td>
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<td>Ace Royal Paints and Primers</td>
<td>Benchmark</td>
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<tr>
<td>Ace Rust Stop Enamels and Primers</td>
<td>Benite Wood Conditioner</td>
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<td>Ace Sealtech Waterproofers</td>
<td>Benjamin Moore Advance</td>
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<td>Ace Sensations Paint</td>
<td>Benjamin Moore Alkyd Dulamel</td>
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<td>Ace Simply Magic Ceiling Paint</td>
<td>Benjamin Moore Anti-Slip Coating</td>
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<td>Ace Wood Royal Exterior Stains</td>
<td>Benjamin Moore Arborcoat</td>
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<td>Acri-Pro® 100</td>
<td>Benjamin Moore Aura</td>
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<td>Acri-Shield® Paint and Stains</td>
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<td>Acri-Soy Penetrating Clear Sealer</td>
<td>Benjamin Moore Benwood Finishes</td>
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<td>ADVANCED TECHNOLOGY UMA</td>
<td>Benjamin Moore Chalkboard Paint</td>
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<td>AdvantageTM 900 (Gloss &amp; Semi-Gloss)</td>
<td>Benjamin Moore Color Samples</td>
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<td>AMTECO TWP (various colors)</td>
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<td>Benjamin Moore Impervex</td>
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<td>Benjamin Moore Ironclad</td>
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<td>Andy Sez (all products)</td>
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<td>Aqua Mix ProSolv</td>
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<td>Aqua Mix Seal &amp; Finish Low Sheen</td>
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<td>Benjamin Moore Super Spec (does not include Super Spec HP)</td>
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<td>Benjamin Moore Ultra Spec</td>
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<td>Rhode Island Paint Stewardship Program as of 2/28/2014</td>
<td>Rhode Island Paint Stewardship Program as of 2/28/2014</td>
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<td>Benjamin Moore Vinyl Latex Flat</td>
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<td>Betco EZ Gym Coat N Seal</td>
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<td>Contractor (all products)</td>
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<td>Bona SuperSport Seal</td>
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<td>Break-Through</td>
<td>Coolwall</td>
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<td>Breathe Safe (all products)</td>
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<td>Coronado Air Care</td>
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<td>Bruce Fresh Finish</td>
<td>Coronado Aqua Plastic</td>
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<td>Builder’s Spec® Pro</td>
<td>Coronado Aqua Stop-It</td>
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<td>Builders Masterpiece</td>
<td>Coronado Blocklustre</td>
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<td>Bulls Eye</td>
<td>Coronado Ceramagard</td>
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<td>C&amp;M Coatings</td>
<td>Coronado Cover-It</td>
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<td>Cabinet, Door&amp; Trim Paint</td>
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<td>Cabot</td>
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<td>Cabot &quot;The Finish&quot;</td>
<td>Coronado Dual Seal</td>
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<td>Cabot Australian Timber Oil</td>
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<td>Cabot Cabothane</td>
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<td>Cabot OVT</td>
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<td>Cabot Problem Solver</td>
<td>Coronado Final Touch</td>
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<td>Coronado Grip &amp; Seal</td>
<td>Coronado Lead Block</td>
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<td>Coronado Liquid Plastic</td>
<td>Coronado Marine Spar Varnish</td>
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<td>Coronado Polyurethane 350 Voc Clear</td>
<td>Coronado Premium Gold Collection</td>
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<td>Coronado Seal &amp; Finish</td>
<td>Coronado Step Safer</td>
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<td>Coronado Stick It</td>
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<td>Coronado Super Kote 1000</td>
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<td>CrystalFin: Gloss, Semi-Gloss, Satin and Matte</td>
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<td>Registered Brands</td>
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<td>Rhode Island Paint Stewardship Program as of 2/28/2014</td>
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Registered Brands

Rhode Island Paint Stewardship Program as of 2/28/2014

Optimus
Orgill
*Ospho (rust inhibitor)
Ox-O-Flow
Pacific (all products)
Painter's Select
Painter's Touch
Painters Edge
Painters' Friend*
PalGard®
Pantone
PEEL-BOND
Penofin Concrete & Masonry Stain
Penofin Wood Finishes
Perma White
Perma-Crete® Masonry Coatings
Perma-Crete® Primer
Permanizer®
Permax
Pitt-Cryl®
Pitt-Cryl® Plus
Pitt-Glaze® Epoxy Coating
Pittsburgh Paints Grand Distinction
Pittsburgh Paints Ultra
Pittsburgh Paints Ultra Advanced Stain
Pittsburgh Paints Weatherscreen Paint
Plasti-Kote
PLASTIC AND VINYL NT
Plastic Kote
Platinum
Platinum Products
Platinum Series Metallic Plaster
Plexcolor (all products)
Ply-Mastic
Ply-Thane
Ply-Tile
Poly-Soy Top Coat
Polyurethane Primer (all products)
Polyurethane Rust Preventative
Porcelain®
Pore-O-Pac™ Grain Filler (various colors)
Pore-O-Pac™ Grain Filler Reducer
Portersept®
Power Hide (all products)
PP™ Waterborne Finish
Pratt & Lambert®
Pre-Stain Clear Wood Stain
Preference (all products)
Premier
Premium
Premium Ceiling White
Premium Decor
PrepRite
Prestige
Prime Choice (all products)
PRIME START
Prime Time
Prime Time Plus
Prime Touch (all products)
PRIME-N-SEAL
Pro Flat
Pro Grade
Pro Kote
Pro Paint (all products)
Pro Siding PlusTM
Pro SupremeTM
Pro Var
Pro-Hide® Gold
Pro-Hide® Green
Pro-Hide® Silver
Pro-MasterTM 2000 Latex (Including Primer)
Proceed Decorative Paints
ProClassic
Professional Coatings
Profin:Gloss and Satin
ProGreen 200
Progress (all products)
ProLine Supreme
ProMar 200
ProMar 400
ProMar 700
Property Solution
ProVantageTM Sundries
Puma
Puma-XL
Pure Performance®
Qualalaqc™ Lacquer Gloss
Qualalaqc™ Lacquer Reducer
Qualalaqc™ Lacquer Satin
Qualalaqc™ Sanding Sealer
Qualarenu™ #1
Qualasole™
Quart testers (all products)
Quick Dry Zar Sanding Sealer (Gloss/Satin)
Quik Hide
Quik-Tred Floor Enamel
Quikrete
Quikrete Concrete & Masonry High Gloss Sealer
Quikrete Concrete & Masonry Waterproofing Sealer
Quikrete Masonry Waterproofer
Quikrete Penetrating Concrete Stain
Quikrete Textured Acrylic Concrete
Quikrete Transluscent Concrete Stain
RADCON (VARIOUS COLORS)
Rainstopper
Ramuc
Rapid Roof HV
Rapid Roof III
Ready to Spray Athletic White
Red Athletic Field Marker
Red Devil
RedSeal®
RedSeal® Zero VOC
Refresh
Resilience
Restore-X
RESTORZ
Rich Lux
Richard's Paint
Richard's Paint Barricade
Richard's Paint Bondcrete
Richard's Paint Deck Guard
Richard's Paint Driveway and Floor Coating
Richard's Paint Eternity
Richard's Paint Floor-Tite
Richard's Paint H2O Fusion
Richard's Paint Painter's Pride
Richard's Paint Paverseal
Richard's Paint Pliolite
Richard's Paint PPS
Richard's Paint Rich Air Zero VOC
Richard's Paint Rich Classic
Richard's Paint Rich Flex
Richard's Paint Rich Pro
Richard's Paint Rich Shield
Richard's Paint Rich Tex
Richard's Paint Rich Wall
Registered Brands

Rhode Island Paint Stewardship Program as of 2/28/2014

Richard's Paint Richwood
Richard's Paint Roof Shield
Richard's Paint Rust Shield
Richard's Paint Shields All
Richard's Paint Signature Ceramic
Richard's Paint Signature Series
Richard's Paint Signature Series Plus
Richard's Paint Traffic Paint
Richard's Paint Wall Guard
Roman ECO-988
Roman PRO-909 Vinyl Prep
Roman PRO-935 R-35
Roman PRO-977
Roman Rx-35
Roofers Choice
RPM Water Based Grain Filler (various colors)
RPM Wood Waterborne Urethane Finish Satin
RPM Wood -15 Minute Wood Stain (various colors)
RPM Wood -Polyurethane Satin
RPM Wood -Teak Oil
RPM Wood- Vinyl Sealer
RPM Wood-8x Wipe On Water Base Urethane Satin
Rudd Acryl Fin™ Finish
Rudd Aerodry™ (various colors)
Rudd Basetoner™ (various colors)
Rudd Catalast™ Lacquer (various colors)
Rudd Chromacat™ Lacquer (various colors)
Rudd Chromawipe NVO™ Wiping Stain (various colors)
Rudd Chromawipe™ Wiping Stain (various colors)
Rudd Colorplex™ Lacquer (various colors)
Rudd Colorplex™ Undercoaters (various colors)
Rudd Colortools™ Base Toner Dye Stain (various colors)
Rudd Colortools™ Colorants (various colors)
Rudd Colortools™ Colorants (various colors)
Rudd Colortools™ Dye Concentrates (various colors)
Rudd Colortools™ LH Spray Stain (various colors)
Rudd Colortools™ Wiping Stain (various colors)
Rudd Duracat-V 550 VOC Lacquer
Rudd Duracat-V 550 VOC Sealer
Rudd Duracat-V Plus™ Lacquer
Rudd Duracat-V™ Lacquer (various colors)
Rudd Duracat-V™ Sealer (various colors)
Rudd Durafill™ Wood Filler
Rudd Duralac™ Lacquers (various colors)
Rudd Excelite™ Lacquer (various colors)
Rudd Fastwipe™ Wiping Stain (various colors)
Rudd Glaze Stain
Rudd Hi-build™ Fast Dry Finish
Rudd Hycrey™ Waterborne Finish
Rudd Hycrey™ Waterborne Sealer
Rudd Hyplex™ Lacquer (various colors)
Rudd ISC™ Stains (various colors)
Rudd ISS LH™ Spray Stains (various colors)
Rudd ISS™ Spray Stains (various colors)
Rudd IWS™ Wiping Stains (various colors)
Rudd Natuseal™ Stains (various colors)
Rudd Nu-wave™ Lacquer (various colors)
Rudd Nu-wave™ Sealers (various colors)
Rudd Nu-wave™ Stains (various colors)
Rudd Nulustré™ Lacquer
Rudd On-site™ Lacquer
Rudd Plastprime™ (various colors)
Rudd Primer Undercoater (various colors)
Rudd Prism™ Waterborne Stains (various colors)
Rudd Pro-Hibuild™ Lacquer
Rudd Pro-Hibuild™ Sealer
Rudd Pro-Hibuild™ Undercoater (various colors)
Rudd Problend 350 VOC™ Spray/Wiping Stains (various colors)
Rudd Problend TC™ Spray/Wiping Stains (various colors)
Rudd Problend™ Spray/Wiping Stains (various colors)
Rudd Prothane™
Rudd Pro™ Lacquer
Rudd Pro™ Sealer
Rudd Quickstack™ (various colors)
Rudd Terraset™ Stain Concentrates (various colors)
Rudd Oleum
Rudd-O-Lastic
Rust-Stop (all products)
*Rusticide (rust remover)
Saman hybrid based varnish
Saman hybrid stain
Saman water based stain
Saman water based varnish
Sand Finish
Samsin Boracol 20-2
Samsin Classic
Samsin DEC
Samsin ENS
Samsin Foundation RTU
Samsin MDF Primer
Samsin Precision Coat
Samsin Purity Interior
Samsin Roof Tec
Samsin SDF
Samsin Timber Tec
Satin Thane Finish
Sea Shore
SeaFin AquaSpar Gloss and Satin
SeaFin Filler/Stain
SeaFin Ship n’Sore Sealer
SeaFin Super Spar Varnish
SeaFin Teak Oil
Seal Grip® Primers (Acrylic &Oil)
Seal-One - Composite Decking
Seal-One - Concrete/Masonry
Seal-One - Exotic Wood Protection
Seal-One - Marine Concrete/Masonry
Seal-One - Marine Wood
Seal-One - Multi Surface Concentrate
Seal-One - Total Wood Protection
Seal-One - Total Wood Protection
Seal-One Marine - Multi Surface Concentrate
Sealer XL Formulated with Trek Technology
Sears
Severe Weather Contractor Finish
Shading/Glazing Stain (various colors)
Sher-Crete
SherStripe
Shimmer Stone
Shizen
Show Kote
Signature Select
Silken Touch®
Silken Touch® Ceiling White
SILOX SEAL “A” SIDE
Simply Glaze
Skd Grip (all products)
Skim Stone
SkimStone® Protective Sealer
Registered Brands

Rhode Island Paint Stewardship Program as of 2/28/2014

SkimStone® Select Finish
Skylight
Skylight®
Snow Roof
Solar-Lux™ Stain (various colors)
Solar-Lux™ Waterborne Dye Stain (various colors)
Solar-Lux™ Waterborne Glaze (various colors)
Solar-Lux™ Waterborne Wiping Stains (various colors)
Solo 100% Acrylic
SoyCrete Architectural Concrete Stain
Spar Restoration Varnish
Speed Cryl
Speedhide®
Speedhide® Latex Block Filler
Speedhide® MaxBuild™
Speedhide® WB Alkyd (New Tech.)
SpeedLine Lacquers
Speedpro®
Sport Poly
Sport Poly 350
Stainless Steel Coating
Stainmaster
STAINShield®
Start Right
Sto Hot Prime
Sto Primer Creativ
Sto Primer Sand
Sto Primer Smooth
StoCoat Acryl
StoCoat Acryl Plus
StoCoat Color
StoCoat Color Sand
StoCoat DTM Acrylic
StoCoat DTM Metal-Primer
StoCoat Lotusan
StoCoat Lotusan Low VOC
StoCoat Metallic
StoCoat Texture Coarse
StoCoat Texture Fine
StoCoat Texture Medium
Stolastic Sand
Stolastic Smooth
Stone & Masonry Conditioner
Stone Care International
Stone Mason
Stonite (all products)
Stop Rust
Storm Shield
Storm Systems (all products)
StoSilco Lastic
StoTique
Stucco, Masonry & Brick Paint
Sun Proof® Paint
Sun Proof® Stains
Sunyside Waterproofer
Sunyside Wood Protectant
Super Scrub (all products)
Super-Tred Industrial Enamel (all products)
SuperBond
Superdeck - Clear Wood Finish
Superdeck - Deck & Dock Elastomeric
Superdeck - Exotic Hardwood Stain
Superdeck - Log Home Oil Finish
Superdeck - Pressure Treated Stain
Superdeck - Semi Transparent Stain
Superdeck - Solid Color Stain
Superdeck - Transparent Stain
Superdeck - Waterborne Stain
Superfinish (all products)
SuperPaint
Sutherland Welles Ltd. Marine Spar Varnish
Sutherland Welles Ltd. Murdoch’s Line 500 Floor Finish
Sutherland Welles Ltd. Murdoch’s Line Hard Oil
Sutherland Welles Ltd. Murdoch’s Line Hard Sealer
Sutherland Welles Ltd. Murdoch’s Line Table Top
Sutherland Welles Ltd. Wiping Varnish (Sealer, Low, Medium, High Lustre)
SWC NatureColor® Base Coat (various colors)
SWC NatureColor® Recoater (various colors)
SWC NatureOne Renew
SWC NatureOne® 100% Acrylic Exterior (various colors)
Tack Coat
Temproof 1200 Stove Paint
Terminator™
Tex Cote
Texture Effects
Texture Paint
Theme Paint
Thompsons
Tile Guard
TileLab Gloss Sealer & Finish
TileLab Matte Sealer & Finish
TileLab Sealer/Cleaner/Resealer Combo Pack
TileLab Stone Enhancer
TileLab SurfaceGard
Timberflex
Timberflex II
Timberflex Pro
TimberSoy Penetrating Natural Wood Stain
Titanium Series
Tite Waterproofing Paint
Top Choice
Total Wood Preservative
Total-ProTM
Trek Plus Next Generation Wood Floor Finish
TRIM MAGIC
Tru Seal
Tuf-On (all products)
Two Minute Repair Liquid
TWP
TWP MILDEW SEALER
UGL Pro Finish (all Gloss Levels)
Ultimate House Paint (all products)
Ultra (all products)
Ultra Deluxe
Ultra Guard
Ultra XT
Ultra Zar Plus (Gloss/Satin)
Ultra-Tred Epoxy (all products)
UltraCrete
Universal Stain Killing Primer
Uptraplate (all products)
URA-FLOOR GLOSS WB URETHANE
UV Plus
UV Plus for Hardwoods
Valspar
Valspar Anti-Rust
Valspar Climate Zone
Valspar Color Style
Valspar Decorator
Valspar Duramax
Valspar Elan
<table>
<thead>
<tr>
<th>Registered Brands</th>
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<tbody>
<tr>
<td><strong>Rhode Island Paint Stewardship Program as of 2/28/2014</strong></td>
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<table>
<thead>
<tr>
<th>Brand Name</th>
<th>Description</th>
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<tbody>
<tr>
<td>Valspar Integrity</td>
<td>Wipe on Zar (Semi Gloss/Satin)</td>
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<tr>
<td>Valspar Medallion</td>
<td>WithSTAND®</td>
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<tr>
<td>Valspar Medallion Primers</td>
<td>Wolman</td>
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<tr>
<td>Valspar Prep-Step Primers</td>
<td>Wood Classics</td>
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<tr>
<td>Valspar Pro 2000 Interior Contractor Finish</td>
<td>Wood Finishes Supply</td>
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<tr>
<td>Valspar Professional</td>
<td>Wood Shield</td>
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<tr>
<td>Valspar Professional Bonding Primer</td>
<td>Woodline Poly</td>
</tr>
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<td>Valspar Professional Exterior</td>
<td>Woodline Poly 350</td>
</tr>
<tr>
<td>Valspar Professional Exterior Primer</td>
<td>WoodScapes</td>
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<tr>
<td>Valspar Professional Interior</td>
<td>Woodsman</td>
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<tr>
<td>Valspar Professional New Construction Primer</td>
<td>Woodturners Finish</td>
</tr>
<tr>
<td>Valspar Professional PVA Primer</td>
<td>X-200 Primer (all products)</td>
</tr>
<tr>
<td>Valspar Restoration Series</td>
<td>X-O Rust</td>
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<tr>
<td>Valspar Signature Colors</td>
<td>X-OUT PLUS</td>
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<tr>
<td>Valspar Tractor &amp; Implement</td>
<td>X-SEAL</td>
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<td>Valspar Ultra Premium</td>
<td>XL70</td>
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<tr>
<td>Valspar Weathercoat</td>
<td>Yellow Athletic Field Marker</td>
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<tr>
<td>Value</td>
<td>ZAP Primers</td>
</tr>
<tr>
<td>Vanex (brands are included in PPG Brands)</td>
<td>Zar Ultra Exterior Polyurethane (all gloss Levels)</td>
</tr>
<tr>
<td>Varathane</td>
<td>Zar Classic (all Gloss Levels)</td>
</tr>
<tr>
<td>Vinyl FlatTM</td>
<td>Zar Clear Wood Sealer</td>
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<td>Vogue Deep Colors</td>
<td>Zar Clear Wood Sealer Toner Base</td>
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<tr>
<td>Vogue from Muralo Deep Color finishes</td>
<td>Zar Deck &amp; Siding Stains Solid and Semi-Transparent (all colors)</td>
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<tr>
<td>Wall Kote</td>
<td>Zar Exterior Polyurethane (Gloss/Satin)</td>
</tr>
<tr>
<td>Wall SupremeTM</td>
<td>Zar Exterior Water Base Polyurethane (Gloss/Satin)</td>
</tr>
<tr>
<td>Wall-Up</td>
<td>Zar Interior Polyurethane (all Gloss Levels)</td>
</tr>
<tr>
<td>WallHide*</td>
<td>Zar Ultra Interior Polyurethane (all Gloss Levels)</td>
</tr>
<tr>
<td>Walmart</td>
<td>Zar Ultra Max OMU (all gloss Levels)</td>
</tr>
<tr>
<td>Watco</td>
<td>Zar Ultra Max Rejuvenator</td>
</tr>
<tr>
<td>Waterlox 350 VOC Satin Finish</td>
<td>Zar Ultra Max Sanding Sealer</td>
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<tr>
<td>Waterlox 350 VOC Sealer/Finish</td>
<td>Zar Ultra Max Wipe On</td>
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<tr>
<td>Waterlox 450 VOC Satin Finish</td>
<td>Zar Ultra Max Wood Stains (all colors)</td>
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<tr>
<td>Waterlox Original High Gloss Finish</td>
<td>Zar Wood Stains (all colors)</td>
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<tr>
<td>Waterlox Original Satin Finish</td>
<td>Zehrung</td>
</tr>
<tr>
<td>Waterlox Original Sealer/Finish</td>
<td>Zinsser</td>
</tr>
<tr>
<td>Waterlox XL88 Gloss Urethane</td>
<td>Zip Guard Clear Polyurethane Wood Finish</td>
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<tr>
<td>Waterlox XL89 Satin Urethane</td>
<td>Zip Guard Clear Waterborne Wood Finish</td>
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<tr>
<td>WB Floor Poly</td>
<td>Zip Guard Heritage Wood Stain</td>
</tr>
<tr>
<td>WB Floor Poly HD</td>
<td>Zip Guard Oil n H2O Marine &amp; Door Spar Varnish</td>
</tr>
<tr>
<td>Wear-All (all products)</td>
<td>Zone Marking Paints</td>
</tr>
<tr>
<td>Weather All</td>
<td>ZoneLine™ Zone Marking Paint</td>
</tr>
<tr>
<td>Weatherplate (all products)</td>
<td>ZoneMark™ Athletic Field Marking Paint</td>
</tr>
<tr>
<td>Weathershield</td>
<td>WFS</td>
</tr>
<tr>
<td>White Athletic Field Marker</td>
<td>White Pickling Stain</td>
</tr>
</tbody>
</table>
Appendix C
Architectural paint is defined under the Paint Stewardship Program as:

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

Architectural paint does not include:

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

In order to distinguish between what is an architectural coating under the Paintcare program, definitions and terminology from the U.S. Environmental Protection Agency, California Air Resources Board and other state and local Architectural and Industrial Maintenance (AIM) rules were used to develop the following list. The decision table page 2 uses the definitions on page 3.

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

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

**Non-Program Products (regardless of container size):**

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

**for Manufacturers and Collection Sites**

1. **Is it a coating?**
   - If YES, go to 2.
   - If NO, it is not in the program.

   *These non-coatings are excluded:*
   - Paint thinner
   - Wood preservatives
   - Wood treatment oils
   - Drywall compounds
   - Roof patch, stucco patch
   - Caulking compounds

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

2. **Is it an architectural coating?**
   - If YES, go to 3.
   - If NO, it is not in the program.

   *These non-architectural paints are excluded:*
   - Auto paint
   - Marine paint
   - Aerosols

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

3. **Is it an industrial maintenance (IM) coating?**
   - If NO, go to step 4
   - If YES, then it is not in the program.

   *Products with these labels are excluded:*
   - Professional use only
   - Not for residential use
   - For industrial use only

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

4. **Is it for Original Equipment Manufacturing (OEM)?**
   - If NO, go to step 5
   - If YES, then it is not in the program.

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

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

5. **Is it a specialty coating or specifically excluded?**
   - If NO, then it is in the program
   - If YES, then it is not in the program.

   *These are excluded:*
   - Products in containers larger than 5 gallons
   - Aerosol (spray) cans
   - Craft paints
   - Two component coatings (epoxy)
   - Tar, asphalt, bitumen-based coatings
   - Resins
   - Paint tints, colorants, additives
   - Wood preservatives containing pesticides

   **Manufacturers:** Excluded products are not assessed a fee
   **Collection Sites:** Excluded products are not acceptable at collection sites.
DEFINITIONS

I. Architectural Coatings

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

II. Industrial Maintenance Coatings

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

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

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

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

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

III. Original Equipment Manufacturer (OEM) Coatings

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

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

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

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

IV. Specialty Coatings

Lastly, in order to identify Specialty or Special Purpose Coatings, we have used the definition from the Federated Society of Coating Technology’s Coatings Encyclopedic (since AIM rules don’t have a definition), which states that these coatings include aerosols, crafts paints.
Purpose
The purpose of this notice is to clarify that “Drywall Primer-Surfacers” are included in the PaintCare Program. As part of the Program, manufacturers of these products must register with PaintCare and collect and remit the Assessment (“PaintCare Recovery Fee”) as with other architectural paints in states with active Paint Stewardship programs (Oregon is currently active, California is anticipated to start in Fall 2012, Connecticut is anticipated to start in 2013).

Background
In order to assist companies with determining what coatings were architectural coatings subject to the PaintCare Recovery Fee for the Oregon program and what coatings were not, PaintCare developed a factsheet detailing what factors should be taken into consideration when making these determinations. In addition, the factsheet listed examples of program products and examples of non-program products (products that should not be assessed the fee). PaintCare, however, relies on individual manufacturers to determine what products are part of the program and what products are not, depending on their specific product lines. In some cases, PaintCare helps with this determination based on individual calls with manufacturers. In the case of Drywall Primer-Surfacers, based on these calls, it has come to our attention that some manufacturers were assessing the fee believing they were program products and some were not assessing the fee believing that they were non-program products. It appears that confusion arose when trying to distinguish drywall primer from drywall compound.

In order to ensure that all manufacturers are on a level playing field and the PaintCare Recovery Fee is indeed placed on all program products subject to the assessment, PaintCare herein clarifies that Drywall Primer-Surfacer is considered a program product and the PaintCare Recovery Fee must be assessed and remitted by all manufacturers of Drywall Primer-Surfacers. The reason for including this category under the architectural coatings that are subject to the program is as follows:

- The Drywall Primer-Surfacer products are primers. Primers are considered architectural coatings.
- MSDS sheets, either in their title and or elsewhere in the product description, for these products indicate that they are paint or primers.
- MSDS sheets indicate that they contain some type of binder or resin.
• Marketing information published by manufacturers for their own products indicate that they are vapor barriers or coatings.
• Information published by manufacturers for their own products indicate that they are vinyl, acrylic, and/or latex-based.
• Competitors have reported that they make and sell equivalent products that are not excluded by PaintCare.
• Consumers with leftover/unwanted Drywall Primer-Surfacers may bring them to a PaintCare collection site for proper recycling/disposal.

**Action**
Starting August 1, 2012, manufacturers of “Drywall Primer-Surfacers” need to ensure that these products are registered with PaintCare and add the PaintCare Recovery Fee to the wholesale price of these products to all distributors and retailers. Manufacturers are not required to pay the fee on past sales because the fees were not charged to distributors, retailers, or consumers.

**More Information**
For more information about the PaintCare Program and the responsibilities of manufacturers, please visit PaintCare.org or contact:

Paul Fresina, State Programs Director
pfresina@paint.org
(415) 606-3211

Marjaneh Zarrehparvar, Executive Director
mzarrehparvar@paint.org
(855) 724-6809

PaintCare® Inc.
1500 Rhode Island Avenue NW
Washington, DC 20005
www.paintcare.org
Masonry and Concrete Sealers labeled “For Professional Use Only”

Purpose
The purpose of this notice is to clarify that masonry and concrete sealers that are labeled “for professional use” are excluded from the PaintCare Program. Manufacturers of these products are not required to register with PaintCare and they are not required to collect and remit the Assessment (“PaintCare Recovery Fee”) in California or Oregon, the two states with active Paint Stewardship programs implemented by PaintCare.

Background
In order to assist companies with determining what products are architectural coatings subject to the PaintCare Recovery Fee for the Oregon and California programs and what products are not, PaintCare developed a definition of architectural paint detailing what factors should be taken into consideration when making these determinations. In addition, the definition lists examples of program products and examples of non-program products (products that should not be assessed the fee). PaintCare relies on individual manufacturers to determine which, if any, of their products are part of the program. In some cases, PaintCare helps with this determination based on individual calls with manufacturers. In the case of products used as sealers for masonry and concrete — and based on inquiries from many industry representatives and manufacturers of these products — it has come to our attention that manufacturers of these sealers desire clarification on whether their products are considered architectural coatings for the purposes of active and future state PaintCare programs.

In order to ensure that all manufacturers are on a level playing field and the PaintCare Recovery Fee is placed on all program products subject to the assessment, PaintCare herein clarifies that masonry and concrete sealers labeled for professional use are not considered program products and the PaintCare Recovery Fee is not required to be assessed and remitted by manufacturers of these products. Excluding these products from the definition of architectural coatings is based on the following:

- Originally PaintCare’s definition excluded products that are both (1) Industrial Maintenance Coatings and (2) labeled “for professional use only.” [Other acceptable phrases are (a) for industrial use only, (b) not for residential use, and (c) not intended for residential use].

- The definition of an IM coating varies somewhat from one state to another and from one regulatory air district to another. Generally, determining if a coating meets the criteria for IM is
based on the manufacturers recommended use for the product and whether it meets any one of certain criteria (simply put these criteria are: regular exposure to heat, chemicals, moisture, or abrasion). Masonry sealers are intended to act as waterproofing agents and are applied where water exposure is anticipated. Thus as a category they can generally be considered by manufacturers to be IM coatings and therefore meet the first criteria.

- Some manufacturers label these products for professional use. Others do not label them for professional use. There is no prohibition on a manufacturer from labeling a product for professional use. Therefore if a manufacturer chooses to change the product label on a product that they consider IM in order to also comply with the second criteria above (in the first bullet), they may do so in order have these products excluded from the PaintCare Program. The manufacturer may change their regular container label or use an additional sticker.

- If PaintCare finds that manufacturers start to change their labels on other products that are clearly not for professional use or industrial maintenance coatings (e.g. house paint), the professional use labeling will not exclude such products.

- An important purpose of the paint stewardship programs is to collect and recycle unused paint, stains, and coatings that are normally managed through government-sponsored household hazardous waste (HHW) programs. Sealers for masonry and concrete are not known to be a problem at HHW programs.

**Conclusion**

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

**More Information**

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

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

Marjaneh Zarrehparvar  
Executive Director  
mzarrehparvar@paint.org  
(202) 462-8549

PaintCare Inc.  
1500 Rhode Island Avenue NW  
Washington, DC 20005  
info@paintcare.org  
(855) 724-6809  
www.paintcare.org
Appendix D
RE: Rhode Island Paint Stewardship Law

Dear Rhode Island Paint Retailer:

Enclosed are materials to inform you and your customers about a new law and a new program that will make it more convenient to recycle paint in Rhode Island. PaintCare currently operates similar programs in California, Connecticut and Oregon, and we are developing programs for Vermont, Minnesota and Maine to start in the next year. The Rhode Island program is expected to start on June 1, 2014.

Factsheet and Webinars for Retailers. The enclosed retailer factsheet introduces you to how the PaintCare program works and how it affects your business. In addition to providing retailers with print materials about the program, we are hosting two webinars to further explain the program, review the responsibilities of retailers under the law, and provide you with an opportunity to ask questions. The webinars will take place:

   Wednesday, January 22, 10-11 am
   Tuesday, January 28, 10-11 am

To sign up for a webinar, please go to: www.paintcare.org/nextstates/#rhodeisland

Factsheet for Trade Painters. Also enclosed are copies of a factsheet we developed at the request of paint retailers in other states to help answer common questions from professional painters. Some retailers hand these out at the counter; others insert them with monthly statements. A common question you may receive will be about the new fees that will be applied to the purchase price of paint when the program starts.

The fee amounts will not be known until the Rhode Island Department of Environmental Management approves the Program Plan that PaintCare will submit to them next month. However, we anticipate the fees to be similar to those in the other states – 35 cents per quart container; 75 cents per one-gallon container, and $1.60 per five-gallon container.

Although it would be better to inform your customers (and the general public) about both the approved fee amounts and how the program works at the same time, the time that it takes for the Program Plan to be approved leaves too little lead time for professional painters to learn about the program because they plan jobs well ahead of time. Therefore, while we work out what the actual fees will be, we are starting outreach to trade painters now, and as the factsheet notes, we suggest that they discuss the anticipated fees in advance with their customers to allow for an adjustment to any quotes or job bids for future projects.

We look forward to working with you to establish a successful and convenient postconsumer paint management program for Rhode Island. Feel free to contact me directly at (203) 747-4494 or lpanciera@paint.org with any questions, or visit our website at www.paintcare.org.

Sincerely,

Laura Panciera
Program Manager
Rhode Island’s Paint Stewardship Program starts in June 2014

How will the Rhode Island Paint Stewardship Program Affect Paint Retailers?

Paint Stewardship Programs in the United States
For several years the American Coatings Association (ACA) has worked with stakeholders interested in the management of leftover paint. This work has led to development of an industry-led paint stewardship program for the United States.

PaintCare Inc., a nonprofit organization, was established by ACA to implement this program on behalf of paint manufacturers in each “PaintCare State” (those that adopt paint stewardship laws). PaintCare currently operates in Oregon, California, and Connecticut and is planning programs for Rhode Island, Vermont, Minnesota, and Maine.

Starting on June 1, 2014 Rhode Island paint retailers will be required to add a fee to the architectural paint products they sell and make sure they are not selling unregistered brands. Serving as a drop-off site is optional.

Convenient Paint Recycling
PaintCare’s major effort is to establish paint drop-off sites throughout each PaintCare state — at paint retailers and other locations — in order to provide convenient recycling opportunities for the public. Other locations include waste transfer stations and municipal household hazardous waste facilities and events. As of January 2014, there are more than 100 paint drop-off sites in both Oregon and Connecticut, and more than 500 in California.

Participation as a Drop-Off Site is Voluntary
Most retailers who wish to serve as drop-off sites are able to do so if they have space and can provide minimal staff time to accept paint from the public. By doing so, retailers increase foot traffic and sales, and they provide an environmentally-beneficial service to their community. They make recycling of leftover paint convenient for their customers and help relieve local governments that manage leftover paint. PaintCare provides storage bins, site training, and support; promotes the sites to the local community; and pays for paint transportation and recycling.

Requirements of Retailers
1. Check Registered Manufacturers & Brands
Under the program, paint manufacturers must register their company with PaintCare and list the brands they sell in Rhode Island. Retailers may not sell architectural paints that are not registered. PaintCare and the Rhode Island Department of Environmental Management will publish lists of registered brands and manufacturers on their websites so that retailers can confirm that the products they sell are registered.

2. Pass on the Assessment Fee
As required by law, when the program starts, a fee must be assessed and added to the wholesale price of architectural paint sold in Rhode Island. This fee pays for all aspects of running the program. The fee is paid by manufacturers to PaintCare and then passed to their dealers. Retailers will see the “PaintCare Recovery Fee” on invoices from suppliers starting on the first day of the program. The law also requires that retailers and distributors add the fee to the purchase price of architectural paint. The fee paid by the customer to the retailer offsets the fee charged by the manufacturer or distributor to the retailer. All retailers, distributors, and manufacturers selling architectural paint in the state must pay and pass through the fee, ensuring a level playing field for all parties.
COMMON QUESTIONS ABOUT FEES

How much are the fees?
Although fees may change and vary by state, fees in the three states with active programs are the same.

CONTAINER SIZE   FEE
half pint or less  $ 0.00
more than half pint to less than 1 gallon  $ 0.35
1 gallon       $ 0.75
more than 1 gallon up to 5 gallons  $ 1.60

Note: The fees in Rhode Island may be different than those of the three current states.

When will fees for Rhode Island be known?
Fees will be proposed in PaintCare’s Program Plan to be submitted by March 1, 2014. The Rhode Island Department of Environmental Management is expected to approve the Plan on or before May 1, 2014.

How will the fees be calculated?
Fees are set to cover the cost of a fully operating program on a state-by-state basis. PaintCare estimated the annual sales of architectural paint in Rhode Island and divided the estimated total cost of the program by the number of containers to be sold in the state — taking into account the typical amount of leftover paint for each size container. Since PaintCare is a nonprofit organization, the fees may be decreased in the future if they were set at a level higher than what is needed to cover expenses, or fees may be increased if they were set too low and do not cover expenses.

How do I know which products have fees?
Your supplier’s invoice will indicate that you are being charged a fee for the program products, so you simply pass on the fee for those items. PaintCare and the Department of Environmental Management will also post lists of registered paint manufacturers and brands on their websites — fees should be included on listed products. Please visit www.paintcare.org for examples of registration lists of active state programs.

Is the fee a deposit to be returned to customers?
No, the fee is not a deposit. Fees are used entirely to cover the cost of running the program and not given back as a deposit for the return of paint or empty paint cans — a common misunderstanding.

Must we show the fee on receipts?
No, but in other states, most stores do show the fee in order to explain the price increase. PaintCare encourages retailers to show the fee and list it as “PaintCare Recovery Fee” to ensure consistency and transparency and to aid in customer education.

Do we return the fee if a product is returned?
Yes, the fee should be returned because it is part of the purchase price.

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.

Do we apply the fee to sales on the first day of the program for inventory purchased before the first day of the program, even though we didn’t pay a fee for the product to the distributor or manufacturer?
Yes, retailers must add the fee on all covered products sold on or after the first day of the program, regardless of when they were purchased from the distributor or manufacturer.

How will the public know about the fee?
PaintCare provides printed 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 provides a free “starter pack” of public information materials to all paint retailers. Additional materials can be ordered as needed for no charge.

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

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PAINTCARE INC.
1500 RHODE ISLAND AVENUE N.W.
WASHINGTON, DC 20005
What Products Are Covered?

Architectural paints ("Program Products") are defined as interior and exterior architectural coatings sold in containers of 5 gallons or less. However, they do not include aerosol products (spray cans), industrial maintenance (IM), original equipment manufacturer (OEM), or specialty coatings.

Program Products

These products have fees and are accepted at drop-off sites:

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

Non-Program Products

These products have no fees and are not accepted at drop-off sites:

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

Note: Leaking, unlabeled and empty containers are not accepted at drop-off sites.
Use this form to let us know that your store is interested in becoming a drop-off site for leftover paint from the public. To obtain publications for retailers for your state, please visit www.paintcare.org or call 855-724-6809.

<table>
<thead>
<tr>
<th>RETAILER</th>
<th>Store Name: ______________________________________________________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Street Address: __________________________________________________________________</td>
</tr>
<tr>
<td></td>
<td>City / State / Zip: __________________________________________________________________</td>
</tr>
<tr>
<td></td>
<td>Mail Address, if different: _________________________________________________________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FIRST CONTACT</th>
<th>SECOND CONTACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: __________</td>
<td>Name: __________</td>
</tr>
<tr>
<td>Phone: __________</td>
<td>Phone: __________</td>
</tr>
<tr>
<td>Email: __________</td>
<td>Email: __________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TYPE OF STORE</th>
<th>INDEPENDENT</th>
<th>FRANCHISE</th>
<th>CHAIN</th>
<th>CO-OP</th>
<th>BIG BOX</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>PARENT COMPANY</th>
<th>Company Name: __________________________________________________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Contact Person: __________________________________________________________________</td>
</tr>
<tr>
<td></td>
<td>Phone: __________________________________________________________________________</td>
</tr>
<tr>
<td></td>
<td>Email: __________________________________________________________________________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STORAGE SPACE</th>
<th>Each bin uses the floor space of a pallet (3’ x 3’)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you have space to store 1, 2, 3 or more cubic yard bins?</td>
<td>□ YES □ NO</td>
</tr>
<tr>
<td>If yes, please indicate how many:</td>
<td>□ 1 □ 2 □ 3 □ MORE THAN 3</td>
</tr>
<tr>
<td>Where is your storage space?</td>
<td>□ INDOORS □ OUTDOORS</td>
</tr>
</tbody>
</table>

SEND COMPLETED FORM TO:  
Email: info@paint.org  
Fax: 855-385-2020  
Mail: PaintCare, 1500 Rhode Island Avenue N.W., Washington DC 20005

For more information, please give us a call: 855-724-6809
 Rhode Island Paint Stewardship Program

Information for Transfer Stations

Rhode Island’s paint stewardship law supports paint collection activities at waste transfer stations.

Paint Stewardship Program in Rhode Island
Rhode Island’s paint stewardship law was passed in June 2012. The new law requires manufacturers of paint to implement a comprehensive postconsumer paint management program in Rhode Island that includes making paint recycling easier for the public. The Rhode Island program will begin June 1, 2014.

Waste transfer stations can participate in the program by serving as paint drop-off sites for their customers. The cost of transportation and recycling of program products (e.g., paint, stains, varnish) will be paid by PaintCare. Funding for the Program will come from a “PaintCare Recovery Fee” applied to the sale of architectural paint sold in Rhode Island starting when the program begins.

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

Rhode Island was the fourth state to pass a paint stewardship law. PaintCare currently operates programs in Oregon, California and Connecticut, and programs are being planned for Rhode Island, Vermont, Minnesota, and Maine.

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

Benefits to Transfer Stations
- Make recycling of leftover paint more convenient for your community
- Help your state conserve resources and keep paint out of the solid waste stream
- Save money on municipally generated leftover paint
- Optional: Offer paint in good condition to the public for reuse, and receive a reimbursement of $0.25 per container

[Image of paint cans]
PaintCare Drop-off Sites Receive

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

Drop-off Site Responsibilities

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

What Products Are Covered?

Architectural paints (“Program Products”) are defined as interior and exterior architectural coatings sold in containers of 5 gallons or less. However, they do not include aerosol products (spray cans), industrial maintenance (IM), original equipment manufacturer (OEM), or specialty coatings.

PROGRAM 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 (single component)
- Waterproofing concrete/masonry/wood sealers and repellents (not tar or bitumen-based)
- Metal coatings, rust preventatives
- Field and lawn paints

NON-PROGRAM PRODUCTS

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

To Be a PaintCare Partner for Paint Collection

Use this form to let us know that your transfer station is interested in becoming a PaintCare drop-off site. For the fact sheet for Transfer Stations for your state, please visit www.paintcare.org or call 855-724-6809.

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

| FIRST CONTACT | SECOND CONTACT |
| Name: ________________________________ | Name: ________________________________ |
| Title: ________________________________ | Title: ________________________________ |
| Phone: ________________________________ | Phone: ________________________________ |
| Email: ________________________________ | Email: ________________________________ |

| OPERATED BY: | STORAGE SPACE |
| □ Town or City | Each bin uses the floor space of a pallet (3’ x 3’) |
| □ Private Company: | How many cubic yard bins do you have space to store? |
| ________________________________ | □ 2 □ 3 If more than 3, how many? ________ |

Would you like to: □ accept paint from your customers □ accept paint from the general public □ manage paint from municipal departments □ both public and municipal

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

SEND COMPLETED FORM TO: Email: info@paint.org Fax: 855-385-2020 Mail: PaintCare, 1500 Rhode Island Avenue N.W., Washington DC 20005

For more information, please give us a call: 855-724-6809
Appendix E
The following GIS analysis was undertaken to establish the optimal number of sites that satisfy a service area-based distance criterion (95% state-wide population with access to a paint collection site) and a population density criterion (one site per 50,000 persons). Additionally, Golder has evaluated these criteria using the set of 13 current committed paint retailers as of February 28, 2014.

To complete these analyses, service areas were defined as 15 mile driving distances from a paint retail drop-off sites. Once all sites were located, and service areas were established, the distance criterion was evaluated based on the coverage of all combined service areas and a population distribution layer. Based on past experience conducting this type of analysis for PaintCare in other states, the authors determined that a fine-grained population distribution with sub-county-scale urban-population ranges was required to complete this analysis.

To create this layer, the authors settled upon the creation of a population coverage layer comprised of 2010 Census Blocks (The finest-scale geographic definition of population from the Census Bureau). Additionally, this coverage has been clipped to a distance of 400m from road edges to more adequately represent population distribution. Using these data, it was established that if an entire populated place was entirely covered by the combined service areas, the authors assumed that 100% had access to a collection site. If 90% of a populated place was covered by combined service areas it was assumed that 90% of its residents had access to a collection and so on.

The service level (or population density) criterion was evaluated by counting the number of intersecting service areas within each populated place. For instance, if a populated place had a population of 100,000 people and had access to five overlapping service areas, its level of service would be one site for every 20,000 persons.

To complete this analysis, the authors used a GIS algorithm to find the optimal amount of sites that satisfied each of the two respective criteria, one for distance and one for population density. It should be noted that two criterion types are mutually exclusive and have been evaluated separately. The authors additionally evaluated the current committed paint retailers as of February 28, 2014. The analyses yielded the results displayed below in the following table.
The table below shows the results of the four scenarios:

**Table 1: Analysis Results**

<table>
<thead>
<tr>
<th>Site Count</th>
<th>Population within 15 miles</th>
<th>Average Service Level</th>
<th>Population</th>
<th>With Access To A Site</th>
<th>With No Access To A Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>99.5%</td>
<td>88,000</td>
<td></td>
<td>1,043,329</td>
<td>5,433</td>
</tr>
<tr>
<td>22</td>
<td>99.5%</td>
<td>48,200</td>
<td></td>
<td>1,043,811</td>
<td>4,951</td>
</tr>
</tbody>
</table>

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

**GOLDER ASSOCIATES LTD.**

 Kyle Izatt  
 GIS Analyst  

 Bryan Waller, B.Sc.  
 Associate, Senior Consultant  

AL/KI/BW/eb


Appendix F
Retailer Collection Facility Guidelines
May 2014

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Contact Information

| Site Name: |
| Site Address: |
| Mailing Address (if different): |
| Site Contact 1. Name/Phone: |
| Site Contact 2. Name/Phone: |
| PaintCare Contact Name: |
| PaintCare Contact Phone/Email: |
| Transporter Company and Contact Name: |
| Transporter Contact Phone/Email: |
Section 1  PaintCare Collection Facilities

Legislation

In June 2012, Governor Chafee signed Senate Bill 2083A, Proper Management of Unused Paint, establishing the process for the development of the Rhode Island Paint Stewardship Program (“Program”). This bill is codified in Chapter 24.12 of Title 23 (Health and Safety) of the Rhode Island General Laws.

That law provides for the establishment of a permanent statewide paint stewardship program to accomplish the following:

1. Establish an environmentally sound and cost-effective architectural paint stewardship program;

2. Undertake responsibility for the development and implementation of strategies to reduce the generation of post-consumer architectural paint;

3. Promote the reuse of post-consumer architectural paint; and


This law requires the program to have a system in place for the end-of-product-life management for paint that includes the recycling, energy recovery and disposal using sound management methods.

About PaintCare and Post-Consumer Paint Management

The law allows for the formation of a non-profit stewardship organization to implement the program. To serve this purpose, PaintCare Inc. was formed by the American Coatings Association (ACA), the non-profit trade association for the paint and coatings industry. PaintCare submitted a management plan to the Rhode Island Department of Environmental Management (DEM) in March of 2014 with a scheduled launch date in June 2014.

Various studies have demonstrated that between 3 and 10% of all paint purchased is “leftover” – goes unused. To capture this paint, PaintCare will pay for storage containers, transportation and recycling/proper disposal for leftover paint delivered to contracted collection locations like yours. PaintCare will also conduct extensive public outreach about the Program, and promote your site as a Collection Facility.

Before the PaintCare Program (“Program”), Rhode Island residents and businesses recycled or disposed of paint primarily through government-sponsored household hazardous waste (HHW) programs or through a private hazardous waste management company. The PaintCare Program increases recycling opportunities for Rhode Island consumers by partnering with retail and reuse stores throughout the state to serve as paint Collection Facilities, as well as with solid waste transfer stations and existing HHW programs.
Once a contract is established between PaintCare and the Collection Facility, the Program will provide the following:

- Paint storage Collection Containers (usually 1 cubic yard containers)
- Labels for paint Collection Containers
- Spill kit
- Recordkeeping forms and/or log book
- Signage identifying your site as a PaintCare Collection Facility
- Educational print materials for your customers

The Program does not provide personal protective equipment (PPE) or gear that may be required by the Occupational Safety and Health Administration (OSHA). It is your site’s responsibility to provide appropriate PPE for your workplace.

PaintCare has no authority and disclaims any responsibility to manage, direct, or supervise your employees, representatives, or agents, including how they perform the work and achieve compliance with applicable Law. PaintCare does not have responsibility for making day-to-day and critical decisions regarding the Services that you provide.

PaintCare Collection Facilities may be any of the following:

- Municipal household hazardous waste collection facilities (permanent and temporary)
- Paint retailers including paint, hardware and home improvement stores, and reuse stores (i.e., stores that sell salvaged or excess building materials)
- Solid waste transfer stations, landfills, public works yards, and other appropriate, publicly accessible facilities
Below are general guidelines for a typical Collection Facility. However, we recognize that each location will have unique logistical and operational considerations. PaintCare Collection Facilities must make their own decisions and use their best judgment to operate in the safest manner possible in accordance with applicable Law. To be a Collection Facility, you must:

- Register your facility under the Rhode Island Department of Environmental Management Notification Form (PaintCare will do this on your behalf)
- Accept Program Products from customers during your regular advertised or posted operating hours
- Have appropriate signage that informs customers of the hours of operation
- Display PaintCare signage to identify you as a Collection Facility – signage should be posted in a highly visible area, preferably at the entrance of your Collection Facility
- Have adequate space, staffing and training to collect and store Program Products and consolidate them only in Collection Containers provided by or approved for use by PaintCare or its contractors to hold and transport Program Products
- Provide a secure space for empty and full Collection Containers
- Pack only Program Products into Collection Containers (see Section 3 for a description of Program Products)
- Schedule shipments of Program Products from your Collection Facility
- Maintain records
- Train staff to be familiar with the requirements and practices of this guide
- Have adequate comprehensive liability, commercial general liability, and/or environmental pollution liability insurance to cover potential risks and liability associated with activities on premises
- Know and comply with applicable federal, state and local laws as they pertain to your Collection Facility and train staff accordingly – these may include zoning requirements for your activities, state permit requirements (air, hazardous waste, water quality, solid waste, storm water) and OSHA requirements

For additional information on state law regarding collection of the Program Products, visit the Department of Environmental Management’s website at www.dem.ri.gov.
Establish a dedicated storage area for Collection Containers and Program Products.

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

Store Collection Containers away from ignition sources.

Place Collection Containers away from storm drains and floor drains.

Label the Collection Container with the words “Hazardous Waste” and the date on which the first Program Product is placed in it and ensure that no Collection Container with content is stored for more than one (1) year.

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

If you store Collection Containers outdoors, you may need approval from your local fire or hazardous materials oversight agency.

A maximum of 1,100 gallons of Program Products may be stored at the Collection Facility at any given time.

The Collection Facility should be secured and locked when it is closed or not attended.

Only Collection Facility staff should have access to the Collection Containers and storage area.

Keep Collection Containers closed except when adding Program Products.

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

Do not overfill Collection Containers.

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

Pack all Program Products (cans, buckets) upright and as tight as possible in the Collection Containers to protect contents from shifting and leaking in transit. Use safe practices for handling, storage and management of Program Products.

Use good housekeeping standards; keep paint storage areas clean and orderly.
Section 2  Accepting Program Products

What Is Architectural Paint

It is an important responsibility of PaintCare Collection Facilities to only accept Program Products for management under the PaintCare Program. Section 3 includes the primary examples of architectural paint products accepted by the PaintCare Program (“Program Products”) and paint or paint-related products not accepted by the PaintCare Program (“Non-Program Products”). Collection Facilities that accept Non-Program Products will be responsible for managing all Non-Program Products at the Collection Facilities’ expense.

Generally, architectural paints include latex and oil-based house paint, stains, and clear coatings (varnish, shellac, etc.). The Program excludes anything that is (a) in an aerosol spray can, (b) intended and labeled “for industrial use only,” (c) mostly used in the manufacture of equipment, or (d) on a list of specifically excluded products for some other reason.

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

Who Can Drop Off Program Products

The Program accepts paint from the following:

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

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

CESQG Businesses. Among other criteria, businesses that qualify as “Conditionally Exempt Small Quantity Generators” under state and federal rules must generate less than 100 kilograms (about 20-30 gallons) of hazardous wastes per month. Small painting contractors or commercial property owners often qualify as CESQGs. CESQG businesses may drop off any Program Product.

SQG and LQG Businesses. Businesses that generate more than 100 kilograms (220 pounds or about 20-30 gallons) of hazardous waste per month are classified as either “Small Quantity Generators” or “Large Quantity Generators” under state and federal rules. Larger painting contractors or big manufacturing businesses typically are classified as SQGs or LQGs. These businesses are more heavily regulated and must use a hazardous waste management company to manage their hazardous waste, including oil-based paint. They may, however, drop off latex-based Program Product at PaintCare Collection Facilities.
How to Know If a Business Qualifies

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

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

Once a business signs the CESQG Certification Log, you may accept up to 100 kilograms of oil-based paint from that CESQG.

Certification logs may be reviewed by PaintCare to see that only CESQG businesses are using the Program for their oil-based paint.

Can Facilities Charge Fees?

Program participants should never be charged a fee; as a PaintCare Collection Facility you may not charge residents and qualifying businesses that are dropping off Program Products.
## Section 3  What Is Acceptable

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

<table>
<thead>
<tr>
<th><strong>Acceptable Containers and Unacceptable Containers</strong></th>
<th><strong>Acceptable</strong></th>
<th><strong>Not Acceptable</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The Program Product must be in its original container</td>
<td>The container is not original (e.g., paint was transferred into a jar)</td>
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<td></td>
<td>The container is labeled as containing one of the designated Program Products listed below</td>
<td>The container does not have an original label</td>
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<tr>
<td></td>
<td>The container must be in good condition and not leaking</td>
<td>The container is leaking or has no lid</td>
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<td></td>
<td>The container must be 5 gallons in size or smaller</td>
<td>The container is larger than 5 gallon</td>
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<td>The container is empty</td>
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</table>

<table>
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<tr>
<th><strong>Program Products and Non-Program Products</strong></th>
<th><strong>Acceptable Products (Program Products)</strong></th>
<th><strong>Unacceptable Products (Non-Program Products)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Interior and exterior paints: latex, acrylic, water-based, alkyd, oil-based, enamel (including textured coatings)</td>
<td>Paint thinner, mineral spirits, solvents</td>
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<td></td>
<td>Deck coatings and floor paints (including elastomeric)</td>
<td>Aerosol paints (spray cans)</td>
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<td>Primers, sealers, undercoaters</td>
<td>Auto and marine paints</td>
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<td>Stains</td>
<td>Art and craft paints</td>
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<td></td>
<td>Shellacs, lacquers, varnishes, urethanes (single component)</td>
<td>Caulking compounds, epoxies, glues, adhesives</td>
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<td></td>
<td>Waterproofing concrete/masonry/wood sealers and repellents (not tar or bitumen-based)</td>
<td>Paint additives, colorants, tints, resins</td>
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<tr>
<td></td>
<td>Metal coatings, rust preventatives</td>
<td>Wood preservatives (containing pesticides)</td>
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<td></td>
<td>Field and lawn paints</td>
<td>Roof patch and repair</td>
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<td></td>
<td></td>
<td>Tar and bitumen-based products</td>
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<tr>
<td></td>
<td></td>
<td>2-component coatings</td>
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<tr>
<td></td>
<td></td>
<td>Deck cleaners</td>
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<td></td>
<td></td>
<td>Traffic and road marking paints</td>
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<tr>
<td></td>
<td></td>
<td>Industrial Maintenance (IM) coatings</td>
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<tr>
<td></td>
<td></td>
<td>Original Equipment Manufacturer (OEM) (shop application) paints and finishes</td>
</tr>
</tbody>
</table>
Section 4  Operations

Greet the Consumer

Participants must be assisted and supervised when they come to drop off Program Products. Collection Facility staff should greet participants and verify eligibility of the participant and their leftover paint products as Program Products.

Examine the Product

Screen products to ensure that only the following are accepted:

- Container is 5 gallons in size or smaller
- Original container has original label that is readable
- Container has a lid and is not leaking
- Latex paint from anyone
- Oil-based paint from households and CESQG businesses
- IMPORTANT: Never open or allow a customer to open a Program Product container

Screen products to ensure that the following are not accepted:

- Non-Program Products
- Oil-based paint from SQG or LQG businesses

Collection Facility Limits

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

If your Collection Containers are completely full, inform the participant that you are temporarily unable to accept Program Products and redirect them to the nearest alternative PaintCare Collection Facility (see: www.paintcare.org) or ask them to come back at a later date. Contact the PaintCare transporter immediately to have your Collection Containers picked-up and replaced.

If you have a participant with a significant amount of Program Products that your location cannot manage, contact PaintCare directly for additional assistance. We may direct the participant to another PaintCare Collection Facility that can manage the large load or offer a direct pickup.
**Refusing an Unacceptable Product**

Do not accept into the PaintCare program any Program Products in unacceptable containers, and do not accept Non-Program Products from any participant.

When refusing a Program Product, Collection Facility staff must explain why the Program Product cannot be accepted (e.g., not part of Program, leaking, from SQG/LQG, etc.).

Refer the public to the Rhode Island Resource Recovery Corporation (RIRRC) for assistance with Non-Program Products. RIRRC runs the state's HHW program.

**Storing and Packing Collection Containers**

Place Program Products into Collection Containers immediately upon acceptance to minimize the possibility of spills.

Place 5 gallon containers at the bottom of Collection Containers to provide stability for second layer of 1 gallon and smaller cans.

Place all Collection Containers upright to prevent leaks or spills.

Pack the Program Products as tightly as possible inside the Collection Containers. This helps to keep paint products from shifting during transit.

If being stored outside, keep lids on Collection Containers to keep out rain.

Make sure the Collection Container lid sits flat on top the Collection Container.

All Program Products must be stored in Collection Containers at all times.

Never overfill Collection Containers.

**Closing a Collection Facility**

Please notify PaintCare in writing at least 60-days before stopping collection services to give us adequate time to remove your information from Program promotional materials.

As soon as possible, remove PaintCare signage from the Collection Facility and post a new sign at the entrance to the site to notify the public that you will no longer be accepting Program Products.

Before your last pick-up, verify that all Program Products and Collection Containers are returned to PaintCare.
Section 5  Working with Transporters

PaintCare contracts with private transporters for the delivery of supplies, empty Collection Containers and pick-up of full Collection Containers.

Scheduling the Transporter to Pick Up Collection Containers

When half of your Collection Containers are full or you anticipate that your Collection Containers will be full within five (5) days, call your Transportation Service Provider to schedule a pickup, or use the online order system. The name and contact information of your Transportation Service Provider is provided at the front of your training binder and should also be filled in on the cover of these guidelines.

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

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

Preparing Collection Containers for Removal

On the scheduled pickup day, Collection Containers should be readily accessible to the transporter for quick and efficient loading. The transporter will bring shipping documents and Collection Container labels. Please assist the transporter with Collection Container loading and off-loading and keep a copy of the shipping documents for your records.
Section 6  Inspections and Records

Inspections  At the end of each day, staff should:

- Inspect the Collection Facility and storage area to ensure Collection Containers are closed properly and the area is secured.
- Inspect Collection Containers for damage and report any damaged Collection Containers to PaintCare for replacement or repair.
- Inspect Collection Container for damaged or missing labels and correct as necessary.
- Inspect the spill kit monthly to make sure that it is complete and not damaged. Contact transporter to request additional spill kit supplies. Materials will be provided at the next Collection Container pickup.

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

- Inspection records
- CESQG Certification log (see: Appendix A)
- Employee training records (see: Appendix B)
- Bills of lading and/or other documentation required by applicable Law for outgoing shipments of Program Products.
Section 7  Training and Safety

Training

All employees handling Program Products must receive training in product identification, acceptance, handling, packaging, inspection and emergency response procedures before collecting Program Products or engaging in any PaintCare Program activities.

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

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

Ensure Collection Facility employees are equipped for and understand hazards associated with Program Products.

Maintain training plans and records for each employee.

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

Safety

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

Ensure the Collection Facility is equipped with appropriate emergency response equipment including a fire extinguisher, spill kit and PPE. Monthly inspections of equipment are recommended.

Ensure emergency procedures and emergency contact numbers including police, fire department and emergency services are posted by phone near the Collection Facility area.

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

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

A form for recording emergency contacts is included in Appendix C.
Section 8 Spill Response

Spills

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

Collection Containers should be kept in a clean, accessible area. Avoid spills through good housekeeping, safe handling techniques, proper storage and best management practices.

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

Reporting

Any spill or release of Program Product to the environment through a storm drain, waterway or soil contamination of more than 2 gallons must be immediately reported to the appropriate governmental authority, including the Rhode Island Department of Environmental Management – see emergency contact list in Appendix C for spill contact numbers. Contact PaintCare within 24-hours of making such a report.

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

Spill Kits

PaintCare provides each Collection Facility with a spill kit containing:

- Latex gloves
- Safety glasses
- Absorbent

Any material used should be replaced immediately after it is used. Contact PaintCare for replacement items.
If a spill is small enough to be managed by Collection Facility staff, follow these steps:

- Isolate the area and restrict access to the spill
- Ensure personal safety, put on protective gear (glasses and gloves) provided in the spill kit
- Stop the movement of paint by placing the leaking container upright or in a position where the least amount will spill, and place leaking container in plastic bags provided in spill kit, or into the spill kit container
- Contain the spill by placing absorbent pads or granular absorbent around and on the spill – if outdoors, place barriers around storm drains to prevent a release to the environment
- Collect the contaminated absorbent material and place it in plastic bag(s) or spill kit container, along with the leaking container and contaminated PPE, seal the bag(s) and place in the Collection Container
- Remove any clothing that may be contaminated, wash thoroughly to remove spilled material from your hands or body
- Replace any used spill control supplies
- Document the date, location and amount and type of material spilled
- If required, report the spill to the appropriate governmental authority
Appendix A. CESQG Certification

Any individual or business may drop off latex paint Program Products at this Collection Facility, but you may only use this Program for oil-based Program Products if you are a household or a Conditionally Exempt Small Quantity Generator (CESQG) under applicable state and federal rules, including the requirement that your business generates less than 100 kilograms (about 20-30 gallons or 220 pounds) of hazardous waste (e.g., solvents) per month. If you do not qualify as a CESQG, you must use a licensed hazardous waste hauler for managing your oil-based paint products.

By signing this document, I certify that my organization is as a CESQG. I also understand that the Collection Facility accepting this waste and PaintCare Inc., its sole member, and their agents, employees, member companies, officers, directors, successors, and assigns do not assume liability for my waste and that liability remains with my organization. By signing below, I waive, release and hold harmless the entities and persons referred to in this paragraph from any liability, claim, injury, losses or damages arising from the provision of these materials to the Collection Facility.

<table>
<thead>
<tr>
<th>Date</th>
<th>Business or Organization (please print)</th>
<th>Name of Person Dropping Off Program Product (please print)</th>
<th>Gallons (estimated total volume)</th>
<th>Signature</th>
<th>Phone Number</th>
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Appendix B. Training Record for Collection Facility Staff

Training for Collection Facility personnel is based on the PaintCare Municipal Collection Facility Guidelines and other materials provided to Collection Facilities as part of their training requirement. Training includes information on the following:

- PaintCare Collection Facilities
- Accepting Program Products
- What is and is not acceptable
- Program operations
- Working with transporters
- Inspections and records
- Training and safety
- Spill response

<table>
<thead>
<tr>
<th>Date</th>
<th>Trainee (Print Name) and Signature</th>
<th>Trainer Initials</th>
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Appendix C. Emergency Contact Information

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

Basic Local Emergency Contacts

Facility Emergency Coordinator (name/phone): ____________________________________________

Alternate Emergency Coordinator (name/phone): __________________________________________

Fire Department Phone Number: _______________ 911____________________________________

Police Phone Number: _______________ 911______________________________________________

Hospital Phone Number: ______________________________________________________________

For Spills of Program Product:

Report any spill or release of Program Product to the environment (air, water or soil) greater than 2 gallons or any release of any Program Product to the storm drain or waters of the State to the appropriate local and state enforcement agencies immediately, and to PaintCare within 24 hours.

Local enforcement agency (name/phone): ______________________________________________

State agency (name/phone): ___________________________________________________________

Rhode Island Department of Environmental Management

___________________________________ 401-222-1360 (daytime) or 401-222-3070 (24 hours)

PaintCare: ______________________ 1-855-PAINT09____________________________________

Other (name/phone): ________________________________________________________________

Other (name/phone): ________________________________________________________________
Appendix G
February 20, 2014

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

RE: INDEPENDENT AUDIT, PAINT STEWARDSHIP PROGRAM, RHODE ISLAND (HRP #PAI2001.SW)

Dear Ms. Bernardo:

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

Paint Processing Services Bids

To accomplish the goals of the Paint Stewardship Program, PaintCare developed a Request for Proposal for Paint Processing for both the Connecticut and Rhode Island Programs. HRP reviewed the bids that were received and a total of eleven bids were received from the solicitation. The bids ranged from facilities that currently process paint to companies who would propose to build and permit a new processing facility within the State of Connecticut or Rhode Island to service both States.

The Lowest Responsible Bidder was chosen based upon their qualifications, relevant past experience, and technical understanding. In addition, the Lowest Responsible Bidder was capable of handling both latex and oil-based paints unsorted, which is a key component of handling materials from retail pick-up locations. Of the bidders, the Lowest Responsible is also one of two responders with the infrastructure in place in the greater Rhode Island area. The existing infrastructure will reduce operating costs for the start-up and permitting of a new facility to accept these collected materials.

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

The calculations and assumptions made to determine the program costs were reviewed and found to be reasonable. HRP reviewed the calculations for the first year of the program which consists of a 13-month period (6/1/2014 - 6/30/2015).

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

Corporation expenditures were allocated to the Rhode Island Program based upon a weighted average of the population of each State that PaintCare is operating a Paint Stewardship Program. Based upon Rhode Island’s relatively small population, the State is allocated only 2% of the total Corporate costs. HRP reviewed these calculations and they are accurate.

Paint Assessment

The anticipated volume of paint containers expected to be collected in Rhode Island and the number of each type of paint container sold were based off of market research. The amount of actual paint collected was derived from Paint Stewardship Programs that have already been implemented. A reasonable estimate of the percent of postconsumer paint to be recycled was developed based upon experience from previous programs and industry studies. The Contractor prices were then used to analyze the actual operating costs as well as the Program Administrative Costs.

HRP independently reviewed the calculations performed by PaintCare for accuracy and the calculations were deemed sufficient. Based on our review, we find the Paint Stewardship Assessment, determined by PaintCare, to be reasonable and not to exceed the actual operational costs to administer the Paint Stewardship Program. The Paint Stewardship Assessment (fee structure) is identical to the fee assessed in California, Connecticut and Oregon.

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

Sincerely,

HRP ASSOCIATES, INC.

Adam G. Fox, P.E.
Project Manager

AGF