Colorado Architectural Paint Stewardship Program Plan

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1. Introduction

A. Introduction

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

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

(a) Provides substantial cost savings to household hazardous waste collection programs;

(b) Significantly increases the number of postconsumer paint collection sites and recycling opportunities for households, businesses and other generators of postconsumer architectural paint; and

(c) Exemplifies the principles of a product-centered approach to environmental protection, also referred to as product stewardship.

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

B. Paint Stewardship in the United States

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

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

C. Paint Stewardship Program Plan

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

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

9. Include an education and outreach program that: (a) targets consumers, painting contractors, and paint retailers; (b) reaches all architectural paint markets served by the participating producers; and (c) includes a methodology for evaluating the effectiveness of the education and outreach program on an annual basis, including methods for determining the percentage of consumers, painting contractors, and retailers who are aware of ways to reduce the generation of postconsumer architectural paint opportunities available for the reuse and recycling of postconsumer architectural paint.

10. Demonstrate sufficient funding for the postconsumer architectural paint program described in the Plan through the imposition of a paint stewardship assessment that each producer shall charge retailers and distributors for each container of the producer's architectural paint sold in Colorado. Each producer shall remit the paint stewardship assessment collected to the Program. Each retailer and distributor shall add the amount of the paint stewardship assessment to the purchase price of a container of the producer's architectural paint sold in Colorado. The Program must not impose any fees on customers for the collection of postconsumer architectural paint. To ensure that the Program's funding mechanism is equitable and sustainable, the funding mechanism must provide a uniform paint stewardship assessment that does not exceed the amount necessary to recover program costs and require that any funds generated by the aggregate amount of fees charged to consumers be placed back into the program.

11. Include a proposed budget and description of the process used to determine the Program's paint stewardship assessment.

D. Citations

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

2. Stewardship Organization & Program Contacts

Statutory Citation

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

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

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

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

A. PaintCare Inc.

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

PaintCare Inc. ("PaintCare") – a 501(c)(3) non-profit organization – was created by the American Coatings Association, the primary trade association for the paint and coatings industry.

PaintCare was formed in 2009 to serve as the 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 190 paint manufacturers in its active state paint stewardship programs and will represent participating manufacturers in the Colorado program.

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

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

B. Program Contacts

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

Primary Contact

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

Secondary Contact

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

3. Registered Manufacturers and Brands

Statutory Citation

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

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

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

Section Overview

This section discusses:

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

A. Manufacturer and Brand Registration

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

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

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

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

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

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

B. Private Label Agreements

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

C. Posting and Purpose of Registration Lists

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

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

D. Program Products

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

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

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

4. Collection Infrastructure

Statutory Citation

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

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

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

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

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

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

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

Section Overview

This section discusses:

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

A. Program Audience

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

Residential Generators/Renters and Homeowners

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

Conditionally Exempt Small Quantity Generators (CESQGs)[1]

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

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

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

B. Collection Infrastructure

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

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

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

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

[1]CESQG is defined under the federal rules at 40 CFR 261.5

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

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

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

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

C. Household Hazardous Waste Programs

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

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

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

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

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

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

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

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

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

Value Added Services

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

<u>Reuse</u>

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

<u>Latex Paint Reprocessing</u>

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

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

Oil-Based Paint Bulking

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

Internal Transportation

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

Exceptions for Household Hazardous Waste Programs

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

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

D. Paint Retailers

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

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

Although retail participation is entirely voluntary and sites are not compensated, more than150 paint retailers across Colorado have already expressed interest in participating in the program and close to

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

Retail Mailings and Webinars

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

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

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

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

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

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

E. "Reuse" Stores

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

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

F. Transfer Stations, Recycling Facilities, Landfills

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

Exceptions for Transfer Stations, Recycling Facilities and Landfills

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

G. One-Day Paint Collection Events

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

H. Large Volume Pick-Up Service

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

LVP Service is determined by PaintCare. Users of the service will be asked to provide specific information about their volume of paint, paint type (latex vs. oil-based), and container sizes. Once an entity is approved for pick-up, they will be put in direct contact with PaintCare's transporter to schedule an appointment.

I. Convenience Criteria

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

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

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

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

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

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

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

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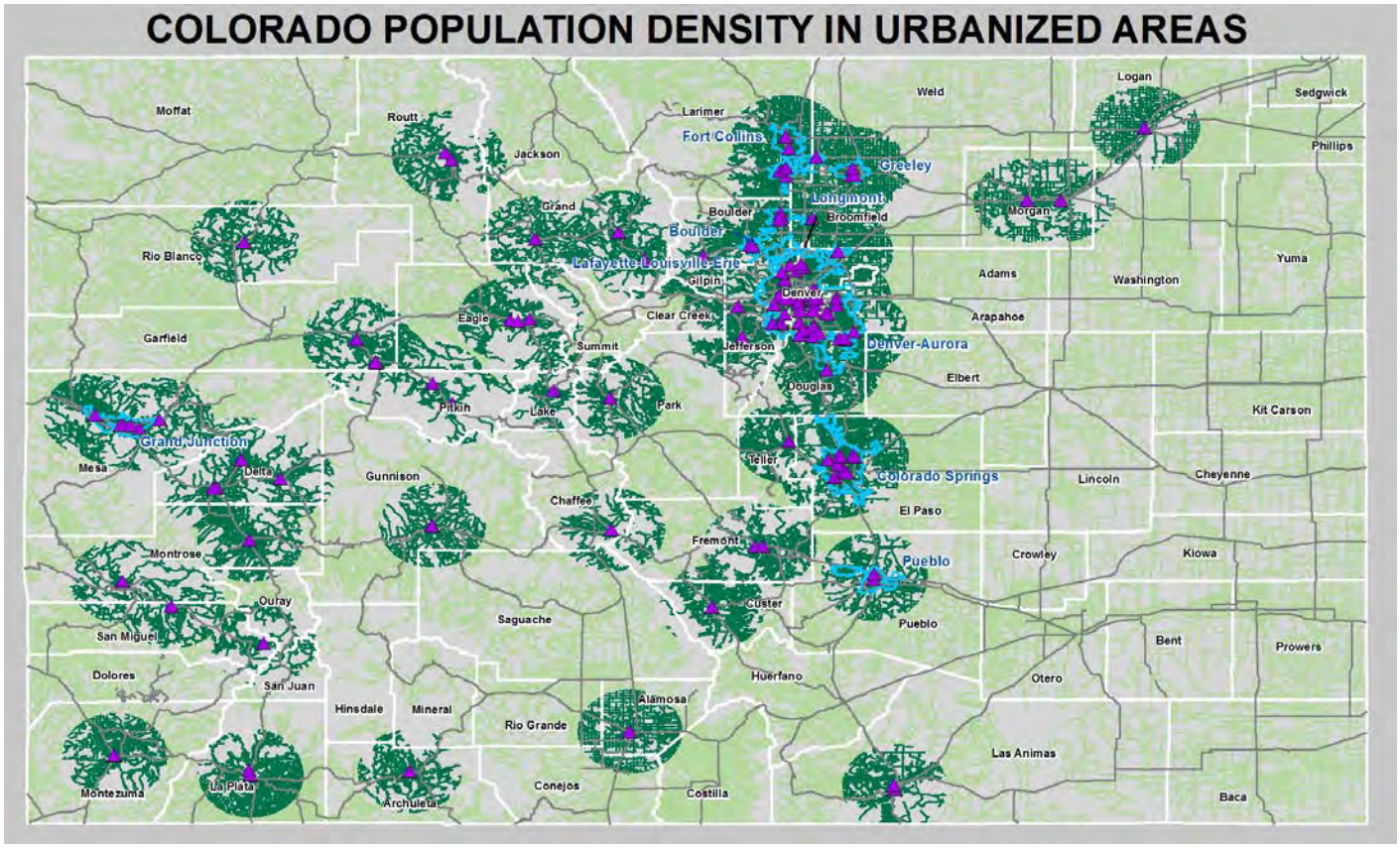
[2]The map in Appendix I illustrates the optimal 172 locations (based on addresses of actual, potential, retail partners) needed to meet the distribution and density criteria. The map is for illustrative purposes to provide an approximation of what a statewide convenient distribution of sites may look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

PaintCare Retail Drop-Off Sites



Reading the Map

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

Baseline Goal

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

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

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

J. Site Visits and Monitoring

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

K. Drop-Off Site Operations

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

Drop-Off Site Training

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

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

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

Collection Volumes

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

Paint Storage Bins

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

Non-Program Products

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

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

5. Materials Management

Statutory Citations

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

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

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

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

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

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

Section Overview

This section discusses:

- Paint transportation
- Paint processing
- Insurance and financial assurance

A. Paint Transportation

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

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

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

Transporters will service drop-off sites on either an on-call basis (sites call for pick-up when their storage capacity is 50% full), or on a set schedule – whichever method is best for each drop-off site. Transporters will deliver empty paint storage bins and other supplies (e.g., spill kits) to PaintCare drop-off sites and events and pick up full bins in a timely manner –five days in urban areas and ten days in rural areas. The longer time period in the rural areas is to maximize the efficiency of the route and pick up from multiple locations, yet still serve the location in a reasonable amount of time.

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

B. Paint Processing

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

Oil-based paint processors. Clean Harbors and Veolia

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

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

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

Latex Paint

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

Oil-Based Paint[3]

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

[3] While it is possible to recycle oil-based paint back into paint, no processor offers this option at this time.

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

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

Latex Paint Management

Reuse**.** As discussed previously, the program will implement and support latex paint reuse programs where possible and provide monetary compensation to sites that give away (or sell) reusable paint to the public. Paint reuse programs return good quality paint to the local community without moving the paint through a costly network of transporters and processors. This is also an important opportunity to reduce the environmental impacts of the program. As with other second-hand products, users of "previously-owned" latex paint will be notified that the suitability of the product cannot be guaranteed. Drop-off sites will seek to obtain participant acknowledgement through a waiver or logbook entry before the paint is taken for reuse.

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

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

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

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

Oil-Based Paint Management

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

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

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

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

C. Non-Program Products and Empty Containers

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

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

D. Insurance and Financial Assurance

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

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

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

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

6. Education and Outreach

Statutory Citation

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

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

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

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

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

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

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

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

Section Overview

This section discusses:

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

A. Methods

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

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

B. Messages

Reduce, Reuse, Recycle

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

Program Awareness

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

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

C. Target Audiences

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

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

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

Households

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

Businesses that Generate Paint

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

Real Estate Agents

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

HHW Programs, Transfer Stations, Recycling Facilities and Landfills

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

Paint Retailers

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

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

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

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

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

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

Translated Materials

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

D. Phasing in Outreach

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

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

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

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

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

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

E. Stakeholder Meetings with Retailers

Experience in other PaintCare states demonstrated that it is difficult to get retailers to use written materials about the PaintCare program, despite offering and delivering them free of charge. To address this, PaintCare worked with retail stakeholders to learn what would make them more willing or interested in utilizing PaintCare's materials and promoting the benefits of the program.

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

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

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

F. Joint Outreach with Municipal Programs

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

G. Site Locator Tool

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

H. PaintCare Hotline

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

I. Evaluation of Outreach

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

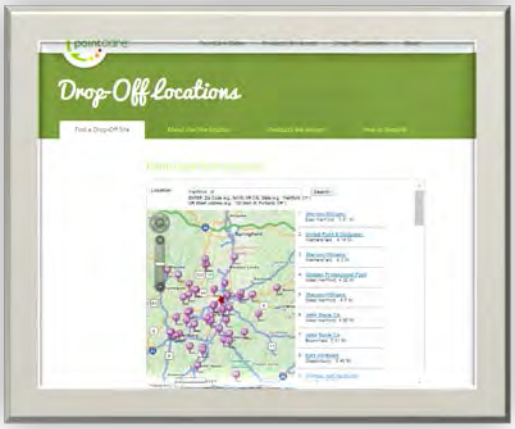
J. Promotion of (Paint) Waste Reduction and Reuse

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

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

K. Examples of Outreach Materials

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



7. Program Budget & Paint Stewardship Assessment

Statutory Citation

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

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

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

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

Section Overview

This section discusses:

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

A. Introduction

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

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

B. Funding Mechanism

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

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

(2) Retailers and distributors pass the PaintCare Fee to their customers by including it in the price of architectural paint they sell in Colorado.

(3) When consumers buy architectural paint in Colorado, the PaintCare Fee is included in the purchase price. This is how retailers (and distributors) recoup the PaintCare Fee they paid when purchasing architectural paint from their suppliers.

(4) Within a designated timeframe (generally monthly), manufacturers report sales and remit to PaintCare the PaintCare Fees for architectural paint they sold in Colorado in the preceding reporting period. Manufacturers have already recouped the PaintCare Fees they pay to PaintCare because the Fees were included in the price of their architectural paint when they sold it to their dealers.

C. Paint Sales

Due to complex distribution chains that may involve layers of distributors between the manufacturer and final point of sale, most manufacturers do not know the volume of their paint sold into each individual state. To address this, PaintCare commissioned a study in 2012 with updates in 2014 by Decision Metrics, Inc., a research firm that specializes in coatings industry analysis and economic forecasting. Decision Metrics utilizes key indicators including existing home sales, housing starts, state-level employment rates and commercial vacancy rates to build a national and state-level model for predicting annual sales of architectural paint. The 2012 study estimated sales for 2010-2013. The 2014 study estimated sales for 2013-2016.

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

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

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

D. Paint Collection Volumes

Paint is designed to be fully consumed through application to walls, buildings and other surfaces. Although the amount of postconsumer paint received through collection programs is measurable, the actual quantity of postconsumer paint that is leftover, unwanted and available for collection at any one time is unknown. The lag time between the purchase of paint and the decision that the remaining volume is unwanted, and the additional time taken to recycle or dispose of it, can vary greatly. In addition, architectural paint products have a long shelf-life, so consumers purchasing paint in one year may not decide that the unused portion is "unwanted" for several years. All of these factors make it difficult to determine how much postconsumer paint is available for collection.

Postconsumer Paint Volume Studies and Projections

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

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

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

Projected Collection Volumes and Recovery Rate

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

E. Program Budget and Paint Stewardship Assessment

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

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

Revenue

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

Operational (In-State) Expenses

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

- Personnel, professional fees and other expenses include the cost of two full-time, in-state employees of PaintCare Colorado, professional fees for GIS analysis, legal costs for developing contracts, and other logistical, professional support, and miscellaneous office expenses. These add up to approximately 3% of program costs.

- State administrative and oversight fees will be paid by PaintCare to the CDPHE annually. These fees are estimated to be $120,000 annual – approximately 2% of program costs.

Administrative (Corporate or Indirect) Expenses

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

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

Paint Stewardship Assessment

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

Container Size	Fee
Half pint or smaller	$ 0.00
Larger than half pint to smaller than 1 gallon	$ 0.35
1 gallon	$ 0.75
Larger than 1 gallon up to 5 gallons	$ 1.60

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

Audit of the Stewardship Assessment

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

HRP reviewed (a) the transportation and processing RFP and bid results; the proposed budget and assumptions used to determine costs for paint collection, paint transportation, paint processing,

outreach and education, personnel, legal fees, corporate costs and other budget elements; and assumption made about paint sales and the resulting revenue. HRP Associates' audit results are available in Appendix M and conclude with:

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

Program Budget

Revenue	
Container size: Larger than half pint to smaller than 1 gallon	$ 795,200
Container size: 1 gallon	4,047,000
Container size: Larger than 1 gallon up to 5 gallons	2,635,520
Total revenue	7,477,720
Expenses	
Paint transportation and processing	5,489,846
Storage containers/collection support	497,256
Communications	650,000
Personnel, professional fees and other	249,670
State administrative fees	120,000
Total direct expenses	7,006,772
Allocation of corporate activity (indirect expenses)	258,000
Total expenses	7,264,772
Change in net assets	$ 212,948

8. Annual Report and Financial Audit

Statutory Citation

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

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

(I) A description of the method or methods used to reduce, reuse, collect, transport, recycle, and process postconsumer architectural paint.

(II) The total volume, in gallons, and type of postconsumer architectural paint collected, with the data broken down by: (A) Collection site; and (B) Method of waste handling used to handle the collected postconsumer architectural paint, such as reuse, recycling, energy recovery, or waste disposal.

(III) The total volume, in gallons, of postconsumer architectural paint sold in Colorado by the producer or producers participating in the paint stewardship program.

(IV) For the education and outreach program implemented in compliance with section 25-17-404 (2)(i): (A) Samples of any materials distributed; and (B) A description of the methodology used and the results of the evaluation conducted pursuant to section 25-17-404 (2)(i)(III). The results must include the percentage of consumers, painting contractors, and retailers made aware of the ways to reduce the generation of postconsumer architectural paint, available opportunities for reuse of postconsumer architectural paint, and collection options for postconsumer architectural paint recycling.

(V) The name, location, and hours of operation of each facility added or removed from the list developed in accordance with section 25-17-404 (2)(f).

(VI) Any proposed changes to the paint stewardship program plan. The executive director shall review any proposed changes set forth in the annual report in accordance with the review procedures for a revised plan, as set forth in section 25-17-404 (3).

(VII) A copy of an independent third party's report auditing the paint stewardship program. The audit must include a detailed list of the program's costs and revenues.

Section Overview

This section discusses:

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

A. Annual Report

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

The Annual Report will include, at a minimum:

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

B. Financial Audit

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

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

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

Appendix A

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

An Act

SENATE BILL 14-029

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

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

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

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

PART 4
ARCHITECTURAL PAINT STEWARDSHIP PROGRAMS

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

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

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

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

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

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

(b) SIGNIFICANTLY INCREASES THE NUMBER OF:

(I) POSTCONSUMER ARCHITECTURAL PAINT COLLECTION SITES; AND

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

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

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

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

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

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

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

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

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

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

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

(a) RECORD KEEPING;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) IDENTIFY THE FOLLOWING:

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

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

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

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

(I) ENERGY RECOVERY AND DISPOSAL; AND

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

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

(I) PROVIDE CONVENIENT COLLECTION SITES THROUGHOUT THE STATE;

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

(A) AT LEAST NINETY PERCENT OF COLORADO RESIDENTS MUST

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(I) REDUCING THE GENERATION OF POSTCONSUMER ARCHITECTURAL PAINT;

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

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

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

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

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

(III) INCLUDE A METHODOLOGY FOR EVALUATING THE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) COLLECTION SITE; AND

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

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

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

(A) SAMPLES OF ANY MATERIALS DISTRIBUTED; AND

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25-17-407. Violations - enforcement - administrative penalty. (1) IN ADDITION TO OTHER PENALTIES PRESCRIBED BY THIS PART 4 OR ANY OTHER LAW, A PRODUCER OR STEWARDSHIP ORGANIZATION THAT VIOLATES THIS PART 4 IS LIABLE FOR AN ADMINISTRATIVE PENALTY ASSESSMENT NOT TO EXCEED ONE THOUSAND DOLLARS PER DAY FOR THE FIRST VIOLATION AND FIVE THOUSAND DOLLARS PER DAY FOR A SECOND OR SUBSEQUENT VIOLATION.

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

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

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

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

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

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

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

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

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

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

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

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

(a) $74,937 and 0.9 FTE for the solid waste control program; and

(b) $9,108 for the purchase of legal services.

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

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

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

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

Morgan Carroll PRESIDENT OF THE SENATE	Mark Ferrandino SPEAKER OF THE HOUSE OF REPRESENTATIVES
Cindi L. Markwell SECRETARY OF THE SENATE	Marilyn Eddins CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES

APPROVED_____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO

Appendix B

PaintCare Board of Directors

Barry Chadwick, Chairman, Benjamin Moore and Co.

Scott Sinetar, Vice Chairman and Treasurer, PPG Industries

Karl Altergott, Dunn-Edwards Corporation

Steve Devoe, Kelly-Moore Paint Company

John Gilbert, BEHR

Mike Kenny, Henry Company

Drew McCandless, Sherwin-Williams

Steve McMenamin, California Products Corporation

Drew Vogel, Vogel Paint, Inc.

Mike Weber, Hirshfield's Paint

Tom White, UGL

Appendix C

Registered Manufacturers

Colorado Paint Stewardship Program as of 6/11/2015

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

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

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

Registered Brands

Colorado Paint Stewardship Program as of 6/11/2015

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

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

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

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

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

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

Qualalacq™ Sanding Sealer
Qualarenu™ #1
Qualasole™
Quick Dry Zar Sanding Sealer (Gloss/Satin)
Quik Hide
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
Rain-X® Multi-Surface Clear Water Sealer
Rain-X® Wood Protector (all colors)
Rain-X® Wood Protector Extended (all colors)
Ralph Lauren
Ramuc
Rapid Roof HV
Rapid Roof III
Ready Seal (all products)
Recover Recycled Paint Products
Red Devil
RedSeal®
RedSeal® Zero VOC
Refresh
Res-Cure DS
Reserve
Resilience
Restore-X
Rich Lux
Rohan paint
Roofers Choice
Room & Board by Valspar
RPM Water Based Grain Filler (various colors)
RPM Wood -15 Minute Wood Stain (various colors)
RPM Wood-8x Wipe On Water Base Urethane Satin
RPM Wood -Polyurethane Satin
RPM Wood -Teak Oil
RPM Wood- Vinyl Sealer
RPM Wood Waterborne Urethane Finish 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 Hycryl™ Waterborne Finish
Rudd Hycryl™ 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 Nulustre™ Lacquer
Rudd Nu-wave™ Lacquer (various colors)
Rudd Nu-wave™ Sealers (various colors)
Rudd Nu-wave™ Stains (various colors)
Rudd On-site™ Lacquer
Rudd Plastiprime™ (various colors)
Rudd Primer Undercoater (various colors)
Rudd Prism™ Waterborne Stains (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 Pro-Hibuild™ Lacquer
Rudd Pro-Hibuild™ Sealer
Rudd Pro-Hibuild™ Undercoater (various colors)
Rudd Prothane™
Rudd Pro™ Lacquer
Rudd Pro™ Sealer
Rudd Quickstack™ (various colors)
Rudd Terraset™ Stain Concentrates (various colors)
Rusticide (rust remover)
Rust-O-Lastic
Rust Oleum
Rust-Stop (all products)
SafeChoice
Safecoat
Safecoat Naturals
Sansin Boracol 20-2
Sansin Classic
Sansin DEC
Sansin ENS
Sansin Foundation RTU
Sansin MDF Primer
Sansin Precision Coat
Sansin Purity Interior
Sansin Roof Tec
Sansin SDF
Sansin Timber Tec
Seal-Krete Clear-Seal High Gloss Sealer
Seal-Krete Clear-Seal Low Gloss Sealer
Seal-Krete Clear-Seal Premium High Gloss Sealer

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

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

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

Appendix D

IDENTIFYING ARCHITECTURAL PAINT PRODUCTS UNDER PAINTCARE
For Manufacturers and Collection Sites

Architectural paint is defined under the Paint Stewardship Program as:

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

Architectural paint does not include:

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

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

Program Products (maximum container size of 5 gallons):

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 continaing pesticides
15. Tar, asphalt or bitumen based products
16. Two-component coatings (epoxy)
17. Deck cleaners
18. Other non-coating products (motor oil, pesticides, cleaning solutions)

Decision Table for Identifying Architectural Paint Products

for Manufacturers and Collection Sites

1. Is it a coating?

If YES, go to 2.

If NO, it is not in the program.

These non-coatings are excluded:

Paint thinner	Solvents
Wood preservatives	Mineral spirits
Wood treatment oils	Deck cleaners
Drywall compounds	Epoxies, glues
Roof patch, stucco patch	Wood patch
Caulking compounds	Adhesives

Manufacturers: Non-coatings are not assessed

Collection Sites: Non-coatings are not acceptable.

2. Is it an architectural coating?

If YES, go to 3.

If NO, it is not in the program.

These non-architectural paints are excluded:

Auto paint Marine paint Aerosols

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

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

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

If NO, go to step 4

If YES, then it is not in the program.

Products with these labels are excluded:

Professional use only Not for residential use

For industrial use only

Manufacturers: IM coatings are not assessed.

Collection Sites: IM coatings are not acceptable.

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

If NO, go to step 5

If YES, then it is not in the program.

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

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

5. Is it a specialty coating or specifically excluded?

If NO, then it is in the program

If YES, then it is not in the program.

These are excluded:

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

Manufacturers: Excluded products are not assessed a fee

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

DEFINITIONS

I. Architectural Coatings

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.

PaintCare Product Notice #1

Drywall Primer-Surfacers

June 2012

Purpose

The purpose of this notice is to clarify that "Drywall Primer-Surfacers" are included in the PaintCare Program. As part of the Program, manufacturers of these products must register with PaintCare and collect and remit the Assessment ("PaintCare Recovery Fee") as with other architectural paints in states with active Paint Stewardship programs (Oregon is currently active, California is anticipated to start in Fall 2012, Connecticut is anticipated to start in 2013).

Background

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

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

- The Drywall Primer-Surfacer products are primers. Primers are considered architectural coatings.
- MSDS sheets, either in their title and or elsewhere in the product description, for these products indicate that they are paint or primers.
- MSDS sheets indicate that they contain some type of binder or resin.

- Marketing information published by manufacturers for their own products indicate that they are vapor barriers or coatings.
- Information published by manufacturers for their own products indicate that they are vinyl, acrylic, and/or latex-based.
- Competitors have reported that they make and sell equivalent products that are not excluded by PaintCare.
- Consumers with leftover/unwanted Drywall Primer-Surfacers may bring them to a PaintCare collection site for proper recycling/disposal.

Action

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

More Information

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

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Masonry and Concrete Sealers labeled "For Professional Use Only"

Purpose

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

Background

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

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

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

- The definition of an IM coating varies somewhat from one state to another and from one regulatory air district to another. Generally, determining if a coating meets the criteria for IM is

based on the manufacturers recommended use for the product and whether it meets any one of certain criteria (simply put these criteria are: regular exposure to heat, chemicals, moisture, or abrasion). Masonry sealers are intended to act as waterproofing agents and are applied where water exposure is anticipated. Thus as a category they can generally be considered by manufacturers to be IM coatings and therefore meet the first criteria.

- Some manufacturers label these products for professional use. Others do not label them for professional use. There is no prohibition on a manufacturer from labeling a product for professional use. Therefore if a manufacturer chooses to change the product label on a product that they consider IM in order to also comply with the second criteria above (in the first bullet), they may do so in order 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:

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Appendix E

PaintCare Sites In Colorado Currently Being Set Up

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

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

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

PaintCare Sites In Colorado Currently Being Set Up

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

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

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

PaintCare Sites In Colorado Currently Being Set Up

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

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

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

PaintCare Sites In Colorado Currently Being Set Up

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

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

Appendix F

FACT SHEET FOR HHW PROGRAMS
JANUARY 2015

Colorado Paint Stewardship Program

Information for HHW Programs

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

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

Paint Stewardship Program in Colorado

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

Designing a Program for Colorado

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

Making Paint Recycling Convenient

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

Benefits of Partnering with PaintCare

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

PaintCare Partners Receive

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

Drop-Off Site Responsibilities

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

Will PaintCare Require Operational Changes?

- If your program does not currently accept latex paint, PaintCare will not require you to do so. If you wish to start accepting latex, PaintCare will cover the transportation and processing costs.
- If your program does not currently accept paint from businesses, PaintCare will not require you to do so. If you wish to start accepting paint from businesses, PaintCare will cover the transportation and processing costs.
- HHW programs may continue to put restrictions on who can use their programs, e.g., to residents of certain towns or cities. (PaintCare retailers accept paint from anyone in the state.)

Water-Based (Latex) Paint is a Resource

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

What Products Are Covered?

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

PaintCare Products

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

Non-PaintCare Products

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

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

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

Interest Form

Household Hazardous Waste Programs

To Be a PaintCare Partner for Paint Collection

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

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

SPONSOR

Municipality	
Street Address	
City/State/Zip	
Mail Address	

CONTACT 1

Name	
Title	
Phone	
Email	

CONTACT 2

Name	
Title	
Phone	
Email	

SITE TYPE

☐ HHW Facility ☐ HHW Events - How many events per year?

STORAGE SPACE

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

PROGRAM DESCRIPTION

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

PROGRAM OPERATIONS

Do you currently service businesses? ☐ YES ☐ NO

Are you interested in serving businesses? ☐ YES ☐ NO

Do you currently accept latex? ☐ YES ☐ NO

Are you interested in accepting latex? ☐ YES ☐ NO

How do you currently manage paint? ☐ BULK PAINT ☐ LOOSE PACK PAINT

Who is your current transportation service provider?

SEND COMPLETED FORM TO

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

Appendix G

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

December 2014

RE: New Colorado Paint Stewardship Law

Dear Colorado Paint Retailer:

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

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

Enclosed are the following items:

- **Fact Sheet for Retailers.** This fact sheet introduces you to how the PaintCare Program works and how it affects your business.

- **Fact Sheet for Trade Painters.** Also enclosed is a copy of a fact sheet we developed at the request of paint retailers in other states to help answer common questions from professional painters. Some retailers hand these out at the counter; others insert them with monthly statements.

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

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

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

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

Sincerely,

Marjaneh Zarrehparvar
Executive Director

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

January 2015

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

Dear Colorado Paint Retailer:

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

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

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

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

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

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

2. **Fact Sheet — How the Program Affects Retailers**
   This fact sheet introduces you to how the PaintCare program works and how it affects your business. It is similar to the fact sheet you may have received in our first mailing in December.

3. **Fact Sheet — How to Become a Drop-Off Site (with Interest Form)**
   Becoming a drop-off site is optional. This fact sheet explains how easy it is to become a PaintCare drop-off site. Many retailers volunteer to take back paint because of the potential for increased foot traffic and to provide an additional service to their customers and community. Please fill out and return the form if you are interested.

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

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

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

Sincerely,

Cathy Lurie
Colorado Program Manager

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

June 2015

Dear Colorado Paint Retailer:

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

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

This packet includes:

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

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

Tuesday, June 23 10:00–11:00 AM MT
Thursday, June 25 10:00–11:00 AM MT

Please visit www.paintcare.org/colorado to sign up for the webinar.

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

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

Thank you,

Cathy Lurie
Colorado Program Manager

Colorado Paint Stewardship Program

How Will the Colorado Paint Stewardship Program Affect Paint Retailers?

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

START DATE: JULY 1, 2015

Paint Stewardship Program in Colorado

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

Convenient Paint Recycling

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

Participation as a Drop-Off Site is Voluntary

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

REQUIREMENTS OF RETAILERS

1. Check Registered Manufacturers and Brands

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

2. Pass on the Stewardship Fee

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

3. Provide Information to Customers

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

COMMON QUESTIONS ABOUT FEES

How much are the fees?

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

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

When will the fees for Colorado be known?

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

How are the fees calculated?

Fees are set to cover the cost of a fully operating program on a state-by-state basis. PaintCare estimates the annual sales of architectural paint in each state, divides the estimated annual expenses of the program by the estimated number of containers to be sold, adjusts for container size, and determines a fee per size that will provide the budget needed to fund the program. In future years, fees may be adjusted if they are set too high or too low to cover program expenses.

Is sales tax applied to the fee, itself?

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

Must we show the fee on receipts?

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

Is the fee a deposit to be returned to customers?

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

Do we refund the fee if a product is returned?

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

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

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

How will the public know about the fee?

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

What products are covered?

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

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

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

What Products are Covered?

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

Program Products

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

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

Non-Program Products

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

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

Note: Leaking, unlabeled and empty containers are not accepted at drop-off sites

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

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

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Colorado Paint Stewardship Program

Information for Painting Contractors

Colorado's paint stewardship law affects painting contractors.

START DATE: JULY 1, 2015

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

Paint Stewardship

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

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

Fees and Funding

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

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

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

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

Notice for Painting Contractors

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

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

New Paint Drop-Off Sites

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

Use of Retail Drop-Off Sites by Businesses

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

Larger businesses (those that generate more than 220 pounds of hazardous waste per month) may use the drop-off sites for their water-based program products only; they are not able to use the sites for oil-based paint or other solvent-based products.

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

Pick-Up Service for Large Volumes

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

Contact

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

What Products Are Covered?

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

PAINTCARE PRODUCTS

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

NON-PAINTCARE PRODUCTS

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

Colorado Paint Stewardship Program

Become a Retail Drop-Off Site for Paint

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

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

Paint Stewardship Program in Colorado

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

Convenient Paint Recycling

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

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

Benefits to Retailers

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

As a participating retailer, you will:

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

PaintCare Provides

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

Drop-Off Site Responsibilities

- Provide secure storage area for paint storage bins
- Accept all brands of leftover program products from the public during operating hours
- Place unopened program products in storage bins
- Keep storage bins neat and properly packed
- Assist PaintCare's hauler with loading and unloading of full and empty storage bins
- Complete minimal paperwork related to tracking outgoing paint shipments
- Ensure staff are trained in PaintCare program guidelines and operating procedures
- Display "drop-off site" signs in store window and display consumer education materials

WHAT PRODUCTS ARE COVERED?

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

PaintCare Products

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

Non-PaintCare Products

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

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

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

Retailer Interest Form

To Be a PaintCare Drop-Off Location

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

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

SPONSOR

Store Name	
Street Address	
City/State/Zip	
Mail Address	
Business Hours	

CONTACT 1

Name	
Title	
Phone	
Email	

CONTACT 2

Name	
Title	
Phone	
Email	

STORE TYPE

☐ Independent ☐ Franchise ☐ Chain ☐ Co-op ☐ Big Box

PARENT COMPANY

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

Company Name	
Contact Person	
Phone	
Email	

STORAGE SPACE

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

Each bin uses the floor space of a pallet, 3'x3'.
Normally, participating retailers are required to have at least two bins.

STORAGE LOCATION

☐ Indoors ☐ Outdoors (secured away from public)

QUESTIONS / COMMENTS

Use this space to ask questions or provide additional information:

SEND COMPLETED FORM TO

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

COLORADO START DATE
JULY 1, 2015

Paint Recycling Program

About the PaintCare Program

PAINTCARE

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

PROGRAM PRODUCTS

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

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

NON-PROGRAM PRODUCTS

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

FEES

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

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

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

www.paintcare.org • (855) 724-6809

Recycle with PaintCare

Colorado Paint Stewardship Program

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

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

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

PaintCare Products

These products have fees when you buy them and are accepted for free at drop-off sites:

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

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

Non-Program Products

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

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

paintcare®

Recycle with PaintCare

COLORADO

Places to Take Old Paint

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

How to Recycle

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

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

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

What Happens to the Paint?

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

Who Can Use the Program?

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

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

Large Volume Pick-Up

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

PaintCare Recovery Fee

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

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

Not a Deposit

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

Contact Us

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

paintcare®

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

Recycle with PaintCare

Find a drop-off site near you:

(855) 724-6809 • www.paintcare.org

Buy right.
Use it up.
Recycle the rest.

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

LEARN MORE

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

PRINT MATERIALS ORDER FORM

For free PaintCare brochures, factsheets, posters and other items

COLORADO

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

Store Name	
Street Address	
City/State/Zip	

Contact Person	
Phone	
Email	

PROGRAM BROCHURE

General information about the PaintCare Program

Quantity

	English
	Spanish

PROGRAM POSTER

General PaintCare information on 1 page (8.5 x 11)

Quantity

	English

MINI-CARD

Quick reference to help customers find drop-off sites

Quantity

	English
	Spanish

PAINTING CONTRACTOR FACT SHEET

General information for painting contractors

Quantity

	English
	Spanish

BROCHURE HOLDER

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

☐ Yes

☐ No

LARGE VOLUME PICK-UP FACT SHEET

How to request a pickup for 300 gallons or more

Quantity

	English
	Spanish

SEND COMPLETED FORM TO:

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

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

Appendix H

Colorado Paint Stewardship Program

Information for Solid Waste Transfer Stations, Recycling Facilities and Landfills

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

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

Paint Stewardship Program in Colorado

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

Designing a Program for Colorado

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

Making Paint Recycling More Convenient

PaintCare will establish drop-off sites statewide for residents and businesses to take leftover architectural paint. Although most drop-off sites will be at paint retailers, household hazardous waste (HHW) facilities, solid waste transfer stations, recycling facilities, and landfills may also volunteer to be PaintCare drop-off sites and have their paint transportation and recycling costs covered by PaintCare.

Benefits to Drop-Off Sites

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

PaintCare Partners Receive

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

Drop-Off Site Responsibilities

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

Water-Based (Latex) Paint is a Resource

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

Will PaintCare Require Operational Changes?

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

What Products Are Covered?

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

PaintCare Products

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

Non-PaintCare Products

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

Interest Form

Transfer Stations, Recycling Facilities and Landfills

To Be a PaintCare Partner for Paint Collection

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

SPONSOR

Organization
Street Address
City/State/Zip
Mail Address

CONTACT 1

Name
Title
Phone
Email

CONTACT 2

Name
Title
Phone
Email

OPERATOR

Operator's Name

Operator is a ☐ Town, City or County ☐ Private Company

SPACE

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

WHAT WOULD YOU LIKE TO DO?

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

PROGRAM DESCRIPTION

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

SEND COMPLETED FORM TO

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

Appendix I

TECHNICAL MEMORANDUM

DATE December 28, 2014 **PROJECT No.** 1214410013-10000-001-TM-RevB

TO PaintCare Inc.

FROM Danielle Lang **EMAIL** danielle_lang@golder.com

TECHNICAL MEMO TO PAINTCARE: GIS METHOD USED TO CALCULATE SERVICE DISTRIBUTION AND POPULATION DENSITY OF THE PAINTCARE SERVICE LOCATIONS IN COLORADO

Introduction

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

Evaluation Process

Criterion 1: Service Area-Based Distribution

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

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

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Table 1: Service Area-Based Distribution

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

Criterion 2: Population Density

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

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

Table 2: Population Density in Urbanized Areas

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

Criterion 3: Unserved Areas

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

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

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

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

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

Table 3: List of Unserved Areas

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

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

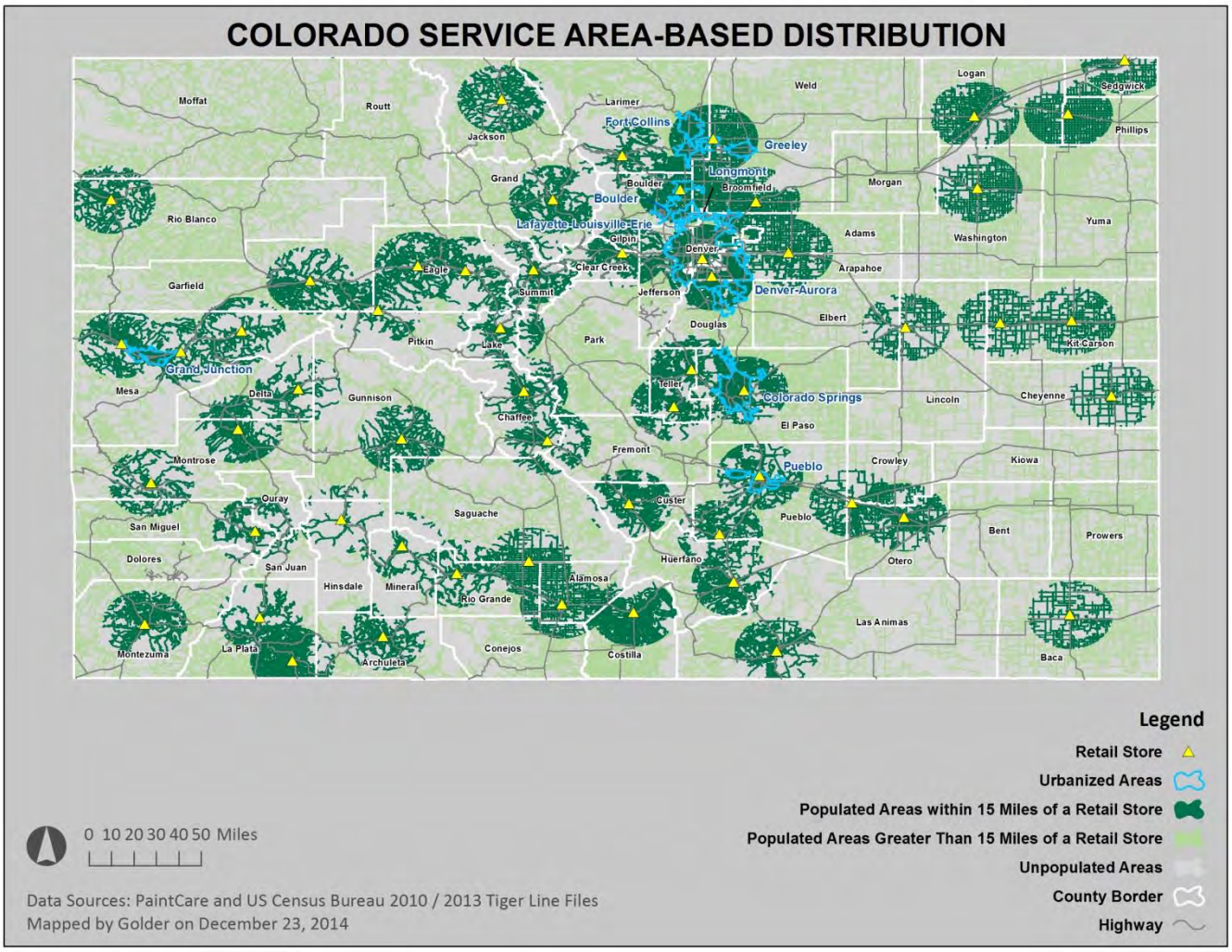

Figure 1: Colorado Service Area-Based Distribution

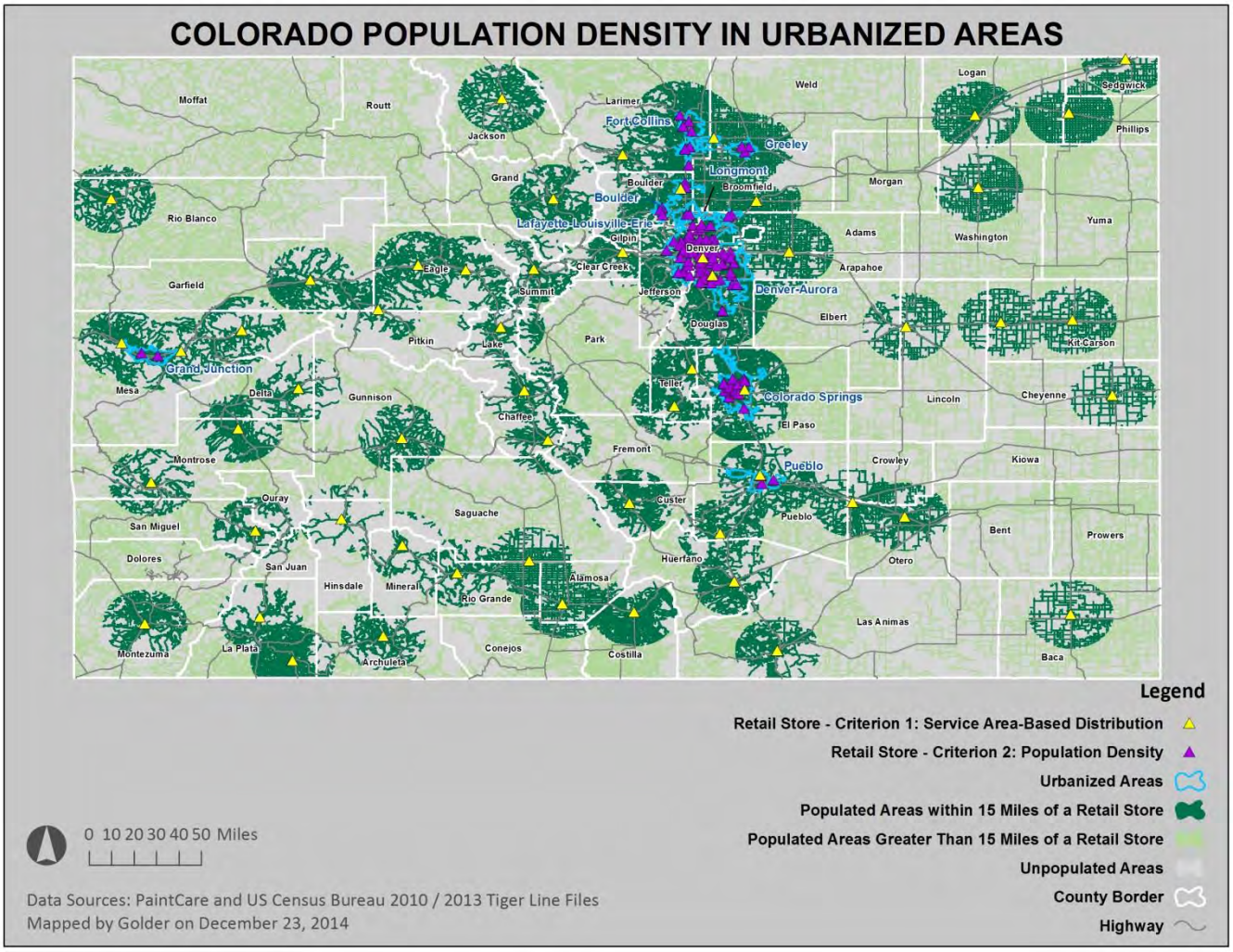

Figure 2: Colorado Population Density in Urbanized Areas

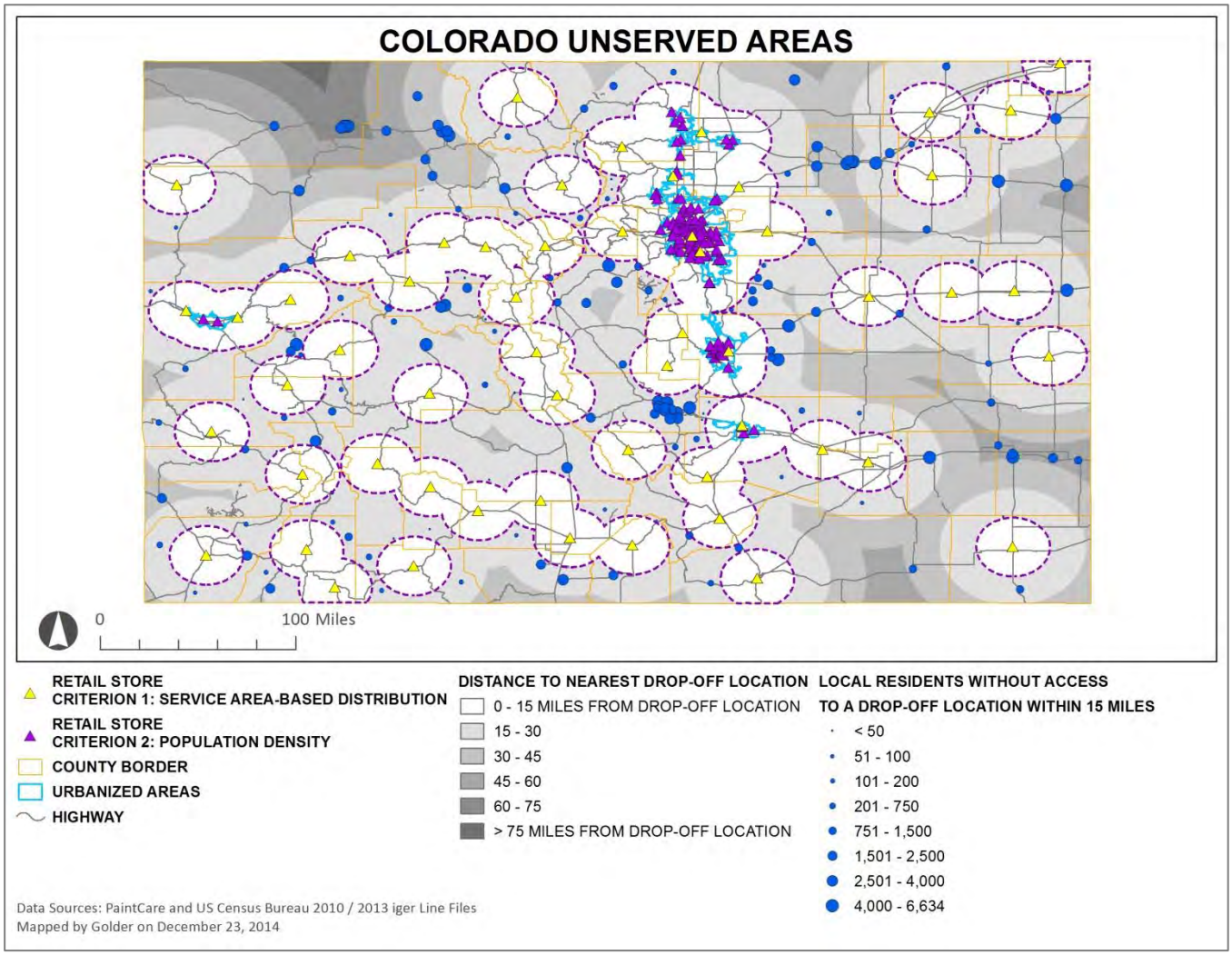

Figure 3: Colorado Unserved Areas

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

GOLDER ASSOCIATES LTD.

Danielle Lang
GIS Analyst

Bryan Waller, B.Sc.
Associate, Senior Consultant

DL/AL/BW

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

Appendix J

COLORADO ARCHITECTURAL PAINT RECOVERY PROGRAM

Questions: Contact your State's Program Manager
This information can be found at
www.paintcare.org

Retail Drop-Off Site Guidelines

May 2015

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

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1. PaintCare Drop-Off Sites 2
2. Accepting Program Products 4
3. Container Conditionand Approved Product Types 6
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6. Inspections and Records 10
7. Training and Safety 11
8. Spill Response 12

Appendices

A. CESQG Certification 14
B. Training Record for Drop-Off Site Staff 15
C. Emergency Contact Information 16

Contact Information

Site Name:	
Site Address:	
Mailing Address (if different):	
Site Contact 1. Name/Phone:	
Site Contact 2. Name/Phone:	
PaintCare Contact Name:	
PaintCare Contact Phone/Email:	
Hauler Company and Contact Name:	
Hauler Contact Phone/Email:	

Section 1. PaintCare Drop-Off Sites

PaintCare Provides

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

General Guidelines for Drop-Off Sites

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

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

Paint Collection Bin Area

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

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

Store Collection Bins away from ignition sources.

Place Collection Bins away from storm drains and floor drains.

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

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

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

Security

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

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

Packing and Maintaining Collection Bins

Keep Collection Bins closed except when adding Program Products.

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

Please do not overfill Collection Bins.

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

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

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

Section 2. Accepting Program Products

What Is Architectural Paint

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

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

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

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

The Program excludes anything that is:

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

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

Who Can Drop Off Program Products

The Program accepts paint from the following:

Households. Residents may drop off any Program Product.

Non-Households. (Businesses and other organizations)

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

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

How to Know If a Business Qualifies

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

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

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

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

Section 3. Container Condition and Approved Product Types

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

Acceptable Containers vs. Unacceptable Containers

Acceptable

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

Not Acceptable

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

Program Products and Non-Program Products

Acceptable Products (Program Products)

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

Unacceptable Products (Non-Program Products)

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

Refusing an Unacceptable Product

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

Section 4. Drop-Off Site Limits

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

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

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

Section 5. Pick-Ups and Scheduling

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

Scheduling the Hauler to Pick Up Collection Bins

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

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

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

Preparing Collection Bins for Removal

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

Section 6. Inspections and Records

Inspections and Record Keeping

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

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

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

Section 7. Training and Safety

Training

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

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

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

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

Maintain training plans and records for each employee.

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

Safety

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

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

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

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

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

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

Section 8. Spill Response

Spills

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

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

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

Reporting

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

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

Spill Kits

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

- Latex gloves
- Safety glasses
- Absorbent
- Plastic bags

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

Spill Response Procedures

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

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

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

Appendix A. CESQG Certification

Any individual or business may drop off latex paint Program Products at this Drop-Off Site, but you may only use this Program for oil-based Program Products if you are a household or qualify as 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 220 pounds or 20-30 gallons) of hazardous waste (e.g. solvents or oil-based paint) 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 a CESQG. I also understand that the Drop-Off Site 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 Drop-Off Site.

Date	Business or Organization (Please Print)	Name of Person Dropping Off Program Product (Please Print)	Signature	Phone Number

Appendix B. Training Record for Drop-Off Site Staff

Training for Drop-Off Site personnel is based on the PaintCare Retail Drop-Off Site Guidelines and other materials provided to Drop-Off Sites as part of their training requirement. Training includes information on the following:

- PaintCare Drop-Off Sites
- Accepting Program Products
- What is and is not acceptable
- Program operations
- Working with Haulers
- Inspections and records
- Training and safety
- Spill response

Date	Trainee (Print Name) and Signature	Trainer Initials

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

Local enforcement agency (name/phone):	
State agency (name/phone):	**Colorado Department of Public Health and Environment, 1-877-518-5608 (24-hour)**
PaintCare:	**1-855-PAINT09**
Other (name/phone):	
Other (name/phone):	

PaintCare Retail Training

May 2015

Recycle with PaintCare

About the PaintCare Program

What's the Problem with Paint?

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

Model Paint Stewardship Law

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

- Oregon (2009) program started 2010
- California (2010) program started 2012
- Connecticut (2011) program started 2013
- Rhode Island (2012) program started 2014
- Vermont (2013) program started 2014
- Minnesota (2013) program starts 2014
- Maine (2013) program starts 2015
- Colorado (2014) program starts 2015
- ashington DC ( ) programs starts

Colorado's Program begins July 1, 2015

What the Law Requires

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

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

About PaintCare

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

PaintCare Funding

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

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

- Manufacturers collect the fees, report sales, and pay the fee to PaintCare

- Funding covers the cost of paint collection, transportation and recycling, as well as outreach and administration

Potential Uses for Collected Paint

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

Site Guidelines

Starter Kit

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

Posters

paintcare®
Recycle your paint here.
[DURING BUSINESS HOURS ONLY]
We accept all brands of house paint, stain and varnish. We do not accept paint thinner, oil, aerosols or other chemicals. For a complete list of acceptable products, please ask for the PaintCare brochure, call (855)724-6809 or visit www.paintcare.org.
LATEX CEILING PAINT
Interior flat
Oil-Based PAINT
PAINT
Kitchen & bath PAINT
Recycle with PaintCare
Leaking, unlabeled, and empty containers are not accepted.

paintcare®
Program Products
These products have fees and are accepted at drop-off sites:
Interior and exterior architectural paints: latex, acrylic, water-based, alkyd, oil-based, enamel (including textured coatings)
Deck coatings, floor paints (including elastomeric)
Primers, sealers, undercoaters
Stains
Shellacs, lacquers, varnishes, urethanes (single component)
Waterproofing concrete/masonry/ wood sealers and repellents (not tar or bitumen-based)
Metal coatings, rust preventatives
Field and lawn paints
Products must be in original containers with original labels.
Latex paint that is dried out and "rock hard" is also acceptable.
Non-Program Products
These products do not have fees and are not accepted at drop-off sites:
Paint thinners, mineral spirits, solvents
Aerosol paints (spray cans)
Auto and marine paints
Arts and crafts paints
Caulking compounds, epoxies, glues, adhesives
Paint additives, colorants, tints, resins
Wood preservatives (containing pesticides)
Roof patch and repair
Tar and bitumen-based products
2-component coatings
Deck cleaners
Traffic and road marking paints
Industrial Maintenance (IM) coatings
Original Equipment Manufacturer (OEM) (shop application) paints and finishes
Leaking, unlabeled, and empty containers are not accepted at drop-off sites.
LATEX CEILING PAINT
Interior flat
Oil-Based PAINT
PAINT
Kitchen & bath PAINT
To learn more, please call (855) 724-6809 or visit www.paintcare.org

Consumer Materials – translations available

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Recycle with PaintCare

About the PaintCare Program

Funding

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

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

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

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

Paint Recycling

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

Who is PaintCare?

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

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

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Paint Drop-Off Sites

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

Consumer Brochure

paintcare

Find a paint drop-off site near you by visiting paintcare.org

Recycle with PaintCare

Mini Card

Where to Put Your Bins

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

Program Products

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

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

Non-Program Products

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

Paint Can Condition

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

Limits on Volume Accepted

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

Acceptance Rules

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

CESQG Certification

Any individual or business may drop off latex paint Program Products at this Drop-Off Site, but you may only use this Program for oil-based Program Products if you are a household or qualify as 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 220 pounds or 20-30 gallons) of hazardous waste (e.g. solvents or oil-based paint) 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 a CESQG. I also understand that the Drop-Off Site 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 Drop-Off Site.

Date	*Business or Organization (Please Print)*	*Name of Person Dropping Off Program Product (Please Print)*	*Signature*	*Phone Number*

Where Should Customers Take Non-Program Products?

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

Non-Program Products in the Bin

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

Safely Storing Paint

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

Receiving Paint Pick-Ups and Supplies

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

Spill Preparedness

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

Spill Clean-Up

Clean up any spill or release of program products immediately:

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

Spill Reporting

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

Employee Training

- Any employees accepting paint from the public, placing it in the bins, or calling for pick-ups should be trained on the PaintCare Site Guidelines

- Maintain a record showing that all staff handling PaintCare materials have received this training, and are re-trained annually

Training Record for Drop-Off Site Staff

Training for Drop-Off Site personnel is based on the PaintCare Retail Drop-Off Site Guidelines and other materials provided to Drop-Off Sites as part of their training requirement. Training includes information on the following:

- PaintCare Drop-Off Sites
- Accepting Program Products
- What is and is not acceptable
- Program operations
- Working with Haulers
- Inspections and records
- Training and safety
- Spill response

Date	Trainee (Print Name) and Signature	Trainer Initials

Record Keeping

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

Keep all records on site for a minimum of three years

Closing a Drop-Off Site

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

FAQs

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

FAQs

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

Appendix K

Joint Outreach Projects

THE BASICS

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

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

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

WHAT WE ASK OF YOU

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

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

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

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

DESIGN ASSISTANCE

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

REIMBURSEMENT

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

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

{Sample Invoice}

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

January 9, 2015

Invoice: 2452187

Purchase Order: 5839

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

Description:

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

Invoice Amount: $750.00

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

Proposal Form for Joint Outreach Projects

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

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

Appendix L

Postconsumer Paint Volume Studies and Key Findings

Postconsumer Paint Studies

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

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

Key Findings

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

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

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

Appendix M

MOVE YOUR ENVIRONMENT FORWARD

March 27, 2015

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

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

Dear Ms. Bernardo:

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

Paint Processing Services Bids

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

HRP reviewed the contract prices received from the hazardous waste service providers. The providers under consideration have been prequalified and have extensive experience handling, transporting, and disposing of hazardous waste and paint; the primary provider is able to service the entire state. In order to accommodate a statewide program, more than one qualified company may be contracted to implement the Stewardship Program. The names of the vendors discussed in letter are being withheld, as contracts have not yet been established between them and PaintCare.

The hazardous waste service providers will collect paint from retail stores, waste transfer stations, and household hazardous waste programs throughout the state. This anticipated distribution of services and corresponding pricing structure was used in PaintCare's calculations of the Paint Stewardship Assessment, discussed below.

Program Costs

The calculations and assumptions made to determine the anticipated program costs were reviewed and found to be reasonable and consistent with other state programs.

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

Paint Assessment

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

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

Container Size	Amount
Half pint or smaller	$0.00
Larger than half pint to smaller than 1 gallon	$0.35
1 gallon	$0.75
Larger than 1 gallon up to 5 gallons	$1.60

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

Sincerely,
HRP ASSOCIATES, INC.

Adam G. Fox, P.E.
Project Manager

Thomas J. Seguljic, P.E.
Vice President
Colorado PE #0048574