



St. Louis-Jefferson Solid  
Waste Management District  
Recycling Works for St. Louis!



**PRODUCT  
STEWARDSHIP  
INSTITUTE**



**MISSOURI**  
DEPARTMENT OF  
NATURAL RESOURCES

## Missouri Product Stewardship Council & Product Stewardship Institute's *Virtual Paint Stewardship Stakeholder Meeting* June 23 & 24, 2020

### MEETING SUMMARY

#### ATTENDEES

More than 65 local, state, and federal government officials, solid waste district managers, recyclers, university representatives, paint retailers, and other key stakeholders participated in this virtual meeting covering two half-days (see Participants List). Although the focus of the meeting was paint management in Missouri, stakeholders and speakers participated virtually from Missouri, Illinois, Oklahoma, Colorado, Kansas, California, Minnesota, New York, New Hampshire, and Washington, D.C.

#### MEETING MATERIALS

Meeting materials, including a background briefing document, are available on the Missouri Product Stewardship Council (MO PSC) website: <https://missouripsc.org/paint-stewardship-meeting/>. Meeting participants are encouraged to review the meeting slides for more details.

#### Day 1: June 23, 2020

##### SESSION 1: WELCOMING REMARKS/MEETING OVERVIEW

**Sydney Harris**, Senior Associate for Policy and Programs at PSI and coordinator of the MO PSC, kicked off the meeting by welcoming participants to the call and providing tips on successful participation in virtual Zoom meetings.

**Scott Cassel**, PSI's CEO and Founder, provided a brief overview of PSI and presented the agenda.

**Lisa McDaniel**, Chair of the MO PSC and member of the Executive Board for the Mid-America Regional Council (MARC) Solid Waste Management District (MARC SWMD), provided an overview of the MO PSC and discussed the PSC's work on priority products: paint, mattresses, and pharmaceuticals. For more information about the MO PSC, visit <https://missouripsc.org/>.

**Dave Berger**, Executive Director of the St. Louis-Jefferson SWMD and member of the MO PSC Executive Team, provided an overview of recycling and materials recovery in Missouri and outlined the challenges facing SWMDs in managing leftover paint. The St. Louis-Jefferson SWMD provided the funding for this meeting.

#### MEETING GOALS

The aim of the paint stewardship meeting was to:

- Outline the problems caused by paint waste.
- Understand the status of paint management in MO.
- Learn about the MO PSC.
- Discover what PaintCare has achieved in neighboring states.
- Illustrate how paint stewardship programs operate.
- Develop specific next steps to take collaboratively toward paint stewardship.

## **SESSION 2: PAINT MANAGEMENT IN MISSOURI: OPPORTUNITIES AND CHALLENGES**

**Nadja Karpilow** (MARC SWMD) presented on paint management opportunities and challenges in Missouri, outlining the differences in paint programs across different SWMDs and Household Hazardous Waste (HHW) programs. Missouri residents generate 1.3 million gallons of paint waste each year, and many existing HHW programs across the state do not accept latex paint because processing it is cost-prohibitive. As a result, access to proper paint disposal in MO is severely limited, and most leftover paint is simply stored or disposed. In 2018, local governments in MO spent over \$300,000 per year to manage leftover paint, which represents a fraction of what it would cost to manage all 1.3 million leftover gallons that are generated in Missouri. Nadja provided an example of how PaintCare would provide benefits to local governments in the state. In Kansas City, paint management is 75% of the total HHW program cost. If the nearby town of Grandview, MO recycled its paint through PaintCare, annual HHW program costs could be reduced from \$1.07 to \$0.27 per capita, representing a savings of over \$20,000.

**Lelande Rehard** (Mid-Missouri SWMD) spoke about the many ways District H has attempted to manage leftover paint over the past decade, including a mobile paint recycling trailer, a volunteer corps to mix and bulk incoming oil and latex paint, and one-day paint collection events for donation to the Habitat for Humanity ReStore. Paint is the highest volume and most expensive item collected by Mid-Missouri SWMD and is difficult and labor-intensive to reuse/recycle onsite. Lelande also mentioned that when paint collected by District H is not recyclable, it must be incinerated. District H is currently funding work at Missouri University of Science and Technology to incorporate leftover paint into concrete, which can improve the quality and longevity of concrete for construction. However, the amount of leftover paint available used in this process is too small to represent a significant portion of total leftover paint state-wide.

## **SESSION 3: PAINT STEWARDSHIP IN THE U.S.**

**Scott Cassel** (PSI) presented the history of responsible paint management in the US and the evolution of paint EPR in the US, including PSI's role in mediating the model agreement that led to the 11 existing paint stewardship laws in the U.S.

**Heidi McAulliffe** (American Coatings Association, ACA) emphasized the importance of the dialogue process in achieving a Memorandum of Understanding on paint stewardship between all stakeholders. Heidi enumerated the 11 existing states with current paint stewardship statutes: Oregon (2010), California (2012), Connecticut (2013), Rhode Island (2014), Vermont

(2014), Minnesota (2014), Maine (2015), Colorado (2015), Washington D.C. (2016), Washington State (2019), and New York (2019).

#### **SESSION 4: PAINTCARE BASICS & KEY PROGRAM ISSUES**

**Marjaneh Zarrehparvar** (PaintCare) provided an overview of the PaintCare Program. PaintCare aims to make recycling of leftover paint easier for consumers; reduce paint management costs for state and local government agencies; and educate consumers to reduce, reuse, and recycle leftover paint. The program is funded through “eco-fees,” which consumers pay when they purchase paint in states with a paint stewardship law. To manage leftover paint, PaintCare partners with HHW collection programs and retail stores to collect unwanted paint, and also holds collection events and large volume pickups. Paint collected in the program includes latex and oil-based paints, sealers, stains, lacquers, and varnishes. PaintCare contracts with transportation and processing vendors for leftover paint management, and communicates with consumers about proper leftover paint disposal through various platforms (online, social media, in-store brochures). Paint management (transportation, processing, collection bins, etc.) constitutes 75-80% of PaintCare’s total program costs. The rest of the budget goes toward outreach, education, staffing, and administrative support.

While PaintCare does not offer financial incentives to retailers to act as voluntary collection sites, 77% of collection sites are paint retail stores because it is an opportunity to promote their business. PaintCare provides advertising in local publications and lists drop-off sites on its website, which helps drive foot traffic toward participating retailers. Large retailers, such as Home Depot, Lowe’s, and Walmart do not want to serve as a collection site due to concern about having to collect other products they sell. PaintCare’s third-party audit system ensures that collected paint is recycled appropriately to the maximum extent possible.

#### **SESSION 5: LAYING THE GROUNDWORK FOR PAINT STEWARDSHIP IN MISSOURI, PART 1**

**Heidi McAuliffe** (ACA) provided a brief overview of ACA’s process for working on legislative campaigns for paint stewardship. Every state is different, so there is no standard formula to achieve success. Heidi emphasized selecting an appropriate sponsor, educating the state environmental agency on the bill, and gaining support from local governments. She recommended gathering data on paint collections, including volumes and costs. A common obstacle is the misperception that the eco-fee is a tax.

**Emily Kaps** (Colorado Department of Public Health & Environment) provided an oversight agency’s perspective on the paint stewardship program in Colorado, which is the only state in which paint stewardship legislation passed in the first year it was introduced. Emily attributed this to PSI’s work for several years with Colorado stakeholders to lay the groundwork for the bill. Emily emphasized the importance of soliciting stakeholder feedback and ensuring ample time is allotted for the legislative process. Colorado’s PaintCare program has resulted in measurable cost savings for HHW programs; in Boulder County alone in 2019, the program saved \$158,000. State agencies are reimbursed for their oversight expenses.

#### **Facilitated Session**

The following comments were made during the session:

- Local governments should collect their actual program volumes and costs to manage leftover paint, which can be used with legislators to show the cost savings of the program if a stewardship program was implemented in the state.
- Potential allies include: lumber dealers, realtors, water conservation groups, universities, home-owner associations, SWMDs, recycling organizations (e.g, MO Recycling Association), recycled paint manufacturers (e.g., GDB, Amazon, GreenSheen), paint retailers, painting contractors, the construction industry, hazardous waste and waste management specialists, and others.
- The PaintCare program reduces the burden on state and local agencies in managing leftover paint. Since PaintCare implements the program, the state's responsibility is limited to oversight and enforcement. These oversight costs are covered by the PaintCare program.
- Heidi suggested that Missouri stakeholders work with ACA to address any regulatory issues in advance to avoid a delay in program implementation. Participants suggested that our group determine if any regulatory barriers would apply in MO.
- It can be challenging to sustain support within the legislature given mandatory term limits.
- Participants expressed interest in investigating whether other states have used economic development resources to bring paint recyclers to the state after passing paint stewardship laws.

PaintCare provided the following questions for participants to consider:

- Is leftover paint considered hazardous waste, universal waste, or excluded recyclable material?
- Are there regulatory restrictions to collecting leftover paint at retail stores, from both households and businesses?
- Are there storage volume restrictions at collection sites?
- Will permits be required to collect at any locations (e.g., retail site, paint collection event, etc.) and is there a permitting cost?
- Is there an exemption so paint collected at retail and other sites would not be counted towards the site's own hazardous waste generation?

Participants identified the following key messages that would likely resonate in MO to gain support for a paint stewardship program:

- **Municipal cost savings** (direct) and financial savings to local governments (since the cost of the program is covered by consumers as compared to taxpayers – this is more fair). Show what can be achieved with cost savings (e.g., collecting additional HHW, spending the money on other municipal priorities, cutting taxes).
- **Save the Mighty MO!** (Keep boatloads of paint out of waterways!) Emphasizing water quality benefits is likely to be beneficial, as many residents have a connection to water quality (from boating, fishing, swimming).

- **Consumer convenience:** Explain how easy it is to dispose of leftover paint effectively when paint stewardship programs are in place, which is an added municipal service. Having this service means there would be no more hassles to dry/dispose of latex paint, no need to distinguish latex from oil paint, no need to store the paint and take up space at home; instead, there would be an easy/safe way to safely manage paint waste.
- **Paint recycling jobs:** Jobs are created for paint recyclers, haulers, and processors.

The topic of inter-state cooperation and coordination also arose, as many participants had joined the meeting from Illinois, which is also interested in paint stewardship.

Overall, there was greater interest among participants in laying the groundwork for a PaintCare program in Missouri than there was interest in a voluntary stewardship program, even though this is likely to take several years. For example, without groundwork laid by the CO Recycling Association, Boulder County, and PSI, Colorado would not have been ready to pass paint stewardship legislation when the time was right.

## **VIRTUAL NETWORKING**

Participants closed out the day with an optional networking session, in which they debriefed the day and discussed key take-aways in small virtual breakout rooms.

### **Day 2: June 24, 2020**

#### **SESSION 1: WELCOME & DAY 1 RECAP**

**Scott Cassel** (PSI) welcomed participants back to the call and provided a brief re-cap of Day 1.

#### **SESSION 2: INTRODUCTION TO GDB AND THE PAINT RECYCLING PROCESS**

**Sanjeev Bagaria** (GDB International) presented an overview of GDB, the world's largest paint recycler. Sanjeev outlined the paint recycling process, and provided participants with a virtual tour of GDB's facility in Nashville, IL – just one hour's drive from St. Louis, MO.

**Heather Presutti** (GDB International) discussed recycled paint markets and the impacts of the coronavirus pandemic on the paint recycling sector.

**Scott Cassel** (PSI) provided an overview of the International Paint Recycling Association (IPRA), which PSI helped start in 2019 to develop recycled paint markets and showcase recycled paint manufacturers. Sanjeev is IPRA's president. Scott outlined IPRA's Green Standard Paint Certification Program, which is being developed to ensure quality and elevate customer confidence in recycled paint. The program involves performance testing to make sure the paint has proper viscosity, finish, etc. It also includes environmental, health and safety testing (to minimize microbial growth and hazardous constituents). Furthermore, the certification includes collection and sorting requirements.

#### **SESSION 3: LAYING THE GROUNDWORK FOR PAINT STEWARDSHIP IN MISSOURI, PART 2**

Participants continued their dialogue from Day 1 with further discussion, facilitated by Scott Cassel (PSI).

There was interest from Missouri-based participants in learning what other states have done to lay the groundwork for paint stewardship. Representatives from Illinois outlined steps they have taken to date, which include identifying the costs of existing municipal paint management systems and estimating the cost savings due to paint stewardship. Finding a sponsor in the state Senate was also a key step, which was easier to do with specific data on county and state expenses. Additional data that helped garner support from a bill sponsor in IL included the number of residents requesting a paint recycling program, problems HHW programs had faced when managing paint, and the number of participants attending one-day events with leftover paint. The IL PSC created a one-page fact sheet to communicate key points. IL PSC members recounted that emphasizing that retailer participation is voluntary eased many concerns.

In Illinois, the IL PSC and PSI worked together to introduce a paint stewardship bill in 2015, and many local governments supported the legislation, along with ACA. The bill was opposed by a handful of small retailers that had an arrangement with Earth Paints to charge residents for paint collection; the retailers were concerned with losing the small amount of funding they received if a paint stewardship program was enacted. Earth Paints has now been taken over by ePaint Recycling, which is an IPRA member and supportive of paint stewardship. It would be valuable to bring environmental organizations on board to increase their understanding of the program and gain their support.

Missourians expressed concern that it may be challenging to gain support from the state legislature for paint stewardship, but emphasized that there are many likely supporters, including independent paint retailers. Local, independent retailers tend to strongly support PaintCare. However, thus far in MO they have been reluctant to sign support letters for the program and they are generally not well-represented by state retail associations, which usually oppose the legislation.

Haulers and landfill operators were identified as additional key stakeholders. It was also suggested that a statewide survey to gauge public interest in a PaintCare program may provide useful data as well as an opportunity to educate the broader public about paint stewardship and gain further support for the program. A survey directed at the HHW sector was also suggested.

Participants also discussed the potential to develop markets for recycled paint in Missouri. Currently, some latex paint collected by various SWMDs is burned in Covanta's Tulsa, OK plant. Additional latex paint is locally recycled or mixed into concrete. There are opportunities to further develop recycling opportunities for latex paint, including current research on incorporating latex paint into asphalt. Participants agreed that emphasis should be placed on the "highest and best use" of leftover paint – namely, reuse or remanufacturing into recycled paint.

## **NEXT STEPS**

- (1) Organize follow up discussions with the MO Retailers Association, [Orscheln's](#), Paint and Decorating Contractors of America, and Paint and Decorating Retailers of America (both of which are supportive of PaintCare nationally) to start garnering support for a paint stewardship program.
- (2) Research the benefits and drawbacks in using unwanted paint as an ingredient in concrete.
- (3) Follow up with Heritage Environmental Services to determine if additional paint can be recycled, particularly paint now applied as alternative daily cover or incinerated.
- (4) Engage with haulers and landfill operators to include them as stakeholders in the MO PSC paint conversations.
- (5) Set up a meeting with IL PSC members and the MO PSC executive committee to foster connections and share resources.