



Oregon's Paint Product Stewardship Law: 1st in the Nation

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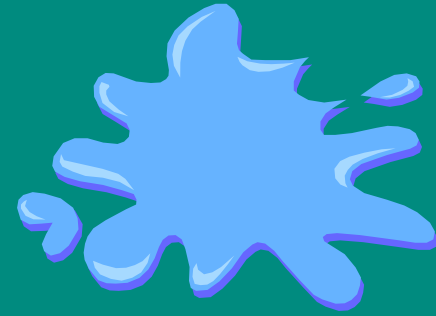
Oregon DEQ

California Paint Webinar 4.29.10





Paint Product Stewardship & Oregon



- 1991-DEQ begins HHW Collection
- 1994- BC Paint Stewardship Program
- 1997-Paint Smart Pilot in Oregon
- 2003-National PPSI begins.
- 2008 & 2009 MN legislation veto x 2
- **2009-OR House Bill 3037 signed by Governor 7.23.09**
- **OR to be the demonstration state**



HB 3037 Overview

The Legislative Assembly finds that an architectural paint stewardship pilot program would allow paint manufacturers to:

- (1) Establish an environmentally sound and cost-effective architectural paint stewardship program;**
- (2) Undertake responsibility for the development and implementation of strategies to reduce the generation of post-consumer architectural paint;**
- (3) Promote the reuse of post-consumer architectural paint; and**
- (4) Collect, transport and process post-consumer architectural paint for end-of-product-life management.**



Key Dates/Provisions

- **No later than March 1, 2010 a stewardship organization must submit a plan to DEQ for approval for a statewide architectural paint pilot program that:**
 - Provides for convenient and available collection of post-consumer paint in urban and rural areas of the state.
 - Identifies each producer and product brand participating in the program.
 - Includes a paint stewardship assessment to fund the program
- **No later than July 1, 2010 a stewardship organization must:**
 - Implement strategies to reduce the generation of post-consumer paint.
 - Promote the reuse of post-consumer paint.
 - Collect, transport, and process the end-of-life management of post-consumer paint, including recycling, energy recovery and proper disposal.



Provisions: Assessment Details

- Uniform consumer paint stewardship fee per container sold
- Approved by DEQ
- Sufficient to recover, but not exceed, the costs of the program
- Added to the cost of paint sold to Oregon retailers or distributors and each retailer or distributor shall add the assessment to the purchase price.
- Cannot be called an “Oregon recycling fee” or charged at the time of return
- Educational materials must make consumers aware that funding for the program has been added to the purchase price of all architectural paint sold in OR



Bill Provisions: additional details

- **Administrative fees paid to DEQ for oversight and enforcement**
- **Limited anti-trust exemption for stewardship organization to develop and implement program**
- **Annual report by stewardship organization to DEQ with:**
 - Collection, transportation and processing information
 - Volume and Type of Paint and Method of Disposition
 - Total Costs and description of Program Costs
 - Evaluation of funding system
 - Evaluation of education/outreach program
 - LCA/CBA
- **DEQ Report to Legislature describing results of the program/recommendations for changes**



Thank you!!!

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