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Statewide Stewardship

written by HEIDI SANBORN

Owners can now save time and money thanks to a new law that requires the paint industry to recycle leftover paint for free.



When former Governor Arnold Schwarzenegger signed AB 1343 (Huffman) into law in 2010, California became only the second state in the nation to pass stewardship legislation for the management of leftover architectural paint. This means big improvements are on the horizon for apartment residents and owners in California.

Landfilling leftover liquid paint is banned in California, so local governments have been collecting paint through household hazardous waste (HHW) facilities since the early 1990s. Although the facilities see only a small percentage of leftover paint—approximately 5% of what is leftover—they collect two million gallons each year. These two million gallons cost approximately \$27 million annually to manage. With low recovery rates and high costs, California needed a better option for leftover paint, which is why the state looked to product stewardship as a sustainable solution.

Starting July 1, 2012, the paint industry will begin operating a statewide stewardship program for paint through a nonprofit called PaintCare. PaintCare was already responsible for Oregon's paint stewardship program, which started July 2010 and provided the foundation for California's program.

The statewide program will target "architectural paint," which the law defines as interior and exterior architectural coatings sold in containers of five gallons or less for commercial or homeowner use. It does not include aerosol spray paint or architectural coatings purchased for industrial or original equipment manufacturer use.

Contractors and do-it-yourselfers alike will benefit from the new program. "Our goal is to create a network of take-back sites throughout the state to make it easier for do-it-yourselfers and contractors to recycle leftover paint," explains PaintCare Executive Director Alison Keane.

The program will include many existing HHW programs and is expected to increase the total number of collection sites throughout the state significantly, giving consumers convenient, local options for paint recycling. "Ideally, we'd like you to be able to recycle leftover paint at the same place you purchase new paint," adds Keane.

Consumers can expect a slight increase in the cost of new paint in order to fund the take-back program. California's fee structure hasn't been determined yet, but is expected to be similar to Oregon's fee structure. Oregon's per-container assessment fee is: \$0.35 for pints and quarts; \$0.75 for one-gallon containers; and \$1.60 for two- to five-gallon containers.

Abby Boudouris, household hazardous waste coordinator with the Oregon Department of Environmental Quality, explains the program's benefits: "Local governments are saving money, we're seeing collection sites in places where there previously was no service, and the services that were already in place are now more convenient for consumers."

Product Care is the nonprofit organization that manages Oregon's paint stewardship program on behalf of PaintCare. Product Care President Mark Kurschner says that some painting contractors were wary of the new system at first. "It's not unusual for people to be concerned about how a new system will actually play out. But the response has been very positive and we've been able to help many painting contractors properly recycle large quantities of paint."

Steve Dearborn, president and CEO of Miller Paint, has experience with Oregon's program both as a retailer and as a private label paint manufacturer. "We're offering the community a solution for all the paint that's been stored in garages. We're also selling recycled paint in the store, which shows that we're closing the loop. And, as a manufacturer, we feel

like we're properly managing our product," he says. Dearborn adds that his stores are seeing new visitors who come in to recycle paint and that represents an opportunity to convert those people into future customers.

Apartment managers and owners will also benefit from the program. Although you'll pay more up front because the cost of recycling the paint is now built into the product price, that up-front charge comes with the benefit of free recycling at local paint retailers, making proper management much more convenient. It also insures taxes and garbage rates won't climb due to paint management costs. To find local San Francisco paint take-back locations, go to www.sfenvironment.org/ecofinder.

"This is an exciting time for product stewardship," comments Kimbra Andrews, management analyst with San Joaquin County Public Works. "California local governments are finally going to see some financial relief. Paint alone accounts for about 50% of most household hazardous waste programs' disposal costs, so this program will have tremendous statewide impact." The county received a \$400,000 grant from CalRecycle to set up a pilot paint stewardship program and established the Be PaintWi\$e Partnership in collaboration with Tehama County and the City and County of San Francisco.

Environmental stewardship, convenience and cost savings for taxpayers and garbage ratepayers may not even be the most exciting benefits to come out of the program. Andrews points out, "We also expect to see an increase in green jobs as California's paint recyclers gear up to handle more paint, so the statewide program is really a win-win."

Heidi Sanborn has worked in the solid waste industry in California for 20 years—as a consultant, advisor to the Chair of the California Integrated Waste Management Board, and now as the founding director of the California Product Stewardship Council.