



New York Paint Stewardship Program Plan



Prepared by:
PaintCare New York LLC
901 New York Avenue NW
Washington, DC 20001
(855) 724-6809
www.paintcare.org

Submitted to:
David Vitale, Director
Division of Materials Management
Department of Environmental Conservation
625 Broadway
Albany, NY 12233

Update Submitted October 7, 2022

Contents

| | |
|---|-----------|
| 1. Introduction | 4 |
| Section Overview | 4 |
| A. Introduction | 4 |
| B. Paint Stewardship in the United States | 4 |
| C. New York Paint Stewardship Program Plan | 5 |
| D. Citations | 6 |
| 2. Stewardship Organization & Program Contacts | 7 |
| Section Overview | 7 |
| A. PaintCare New York LLC | 7 |
| B. Program Contacts | 7 |
| 3. Manufacturers and Program Products | 8 |
| Statutory Citation | 8 |
| Section Overview | 8 |
| A. Manufacturer and Brand Registration | 8 |
| B. Private Label Agreements | 9 |
| C. Registration Lists | 9 |
| D. Program Products | 9 |
| 4. Paint Drop-Off Sites and Services | 10 |
| Statutory Citation | 10 |
| Section Overview | 10 |
| A. Program Audience | 10 |
| B. Paint Drop-Off Sites and Services | 11 |
| C. Convenience Criteria | 18 |
| D. Paint Drop-Off Site Operations | 21 |
| 5. Materials Management | 23 |
| Statutory Citation | 23 |
| Section Overview | 23 |
| A. Paint Transportation | 23 |
| B. Paint Processing | 24 |
| C. Non-Program Products and Empty Containers | 28 |
| D. Legal Compliance | 29 |
| E. Insurance and Financial Assurance | 29 |
| 6. Communications | 31 |
| Statutory Citation | 31 |
| Section Overview | 31 |
| A. Outreach Methods | 31 |
| B. Message Platform | 32 |
| C. Target Audiences | 32 |
| D. Phased Outreach Approach | 34 |

| | | |
|-----------|---|-----------|
| E. | Stakeholder Input from Retailers | 35 |
| F. | Joint Outreach with Local Government Programs | 36 |
| G. | Website and Site Locator | 36 |
| H. | Hotline | 37 |
| I. | Evaluation of Outreach | 37 |
| J. | Examples of Outreach Materials | 37 |
| 7. | Funding and Budget | 38 |
| | Statutory Citation..... | 38 |
| | Section Overview | 38 |
| A. | Funding Mechanism..... | 38 |
| B. | Paint Sales Estimates | 39 |
| C. | Paint Collection Volume Estimates | 41 |
| D. | Budget Description..... | 41 |
| E. | PaintCare Fee..... | 44 |
| F. | Financial Summary..... | 44 |
| 8. | Program Plan Update – October 2022 | 46 |
| A. | Drop Off Sites Established to Date..... | 46 |
| B. | Support of HHW Programs..... | 46 |
| C. | Large Volume Pick Up Requests | 46 |
| D. | Public Communication | 46 |

Appendices

- A. Registered Manufacturers and Brands – Updated October 1, 2022
- B. Definition of Program Products and Sample Product Notices
- C. Examples of Education and Outreach Materials
- D. Drop-Off Site Guidelines and Forms
- E. Independent Audit of the Proposed PaintCare Fee

1. Introduction

SECTION OVERVIEW

This section discusses:

- Introduction
- Paint stewardship in the United States
- Program plan for the New York postconsumer paint collection program (referred to as the New York paint stewardship program in this plan)
- Citations

A. INTRODUCTION

In December 2019, Governor Andrew Cuomo signed Senate Bill 4351 into law. This bill is codified in New York State Environmental Conservation Law, Article 27: Collection, Treatment and Disposal of Refuse and Other Solid Waste, Title 20: Postconsumer Paint Collection Program.

The law requires a producer, either individually or cooperatively, or a representative organization, to submit to the New York State Department of Environmental Conservation (DEC) for the department's approval a plan for the establishment of a postconsumer paint collection program. Throughout this plan, PaintCare refers to the program as the New York "paint stewardship program," rather than the New York "postconsumer paint collection program," as it is referred to in the supporting legislation. This is done to allow for consistency with the names of the other ten paint stewardship programs operated by PaintCare across the country and because the New York law and program encompass more than just paint collection. The New York law requires paint manufacturers to design and operate a program that "will minimize public sector involvement in the management of postconsumer paint by reducing its generation, promoting its reuse and recycling and negotiating and executing agreements to collect, transport, reuse, recycle and properly dispose of postconsumer paint using environmentally sound management practices."

Primarily due to the Covid-19 pandemic, the start of the program was delayed until May 1, 2022.

B. PAINT STEWARDSHIP IN THE UNITED STATES

At the urging of state environmental agencies and government household hazardous waste programs across the United States, the Paint Product Stewardship Initiative began in 2002 to bring about an industry-operated paint stewardship system in the U.S. Facilitated by the Product Stewardship Institute, the initiative involved several years of dialogue and research on paint use habits and recycling opportunities. Participants included the American Coatings Association, paint manufacturers, paint recyclers, the Environmental Protection Agency, and state and local governments across the country.

The initiative resulted in the development of a model state law to establish an economically and environmentally sustainable, industry-designed and implemented postconsumer paint management system. To date, paint stewardship legislation has been signed into law in California, Colorado, Connecticut, the District of Columbia, Maine, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington.

C. NEW YORK PAINT STEWARDSHIP PROGRAM PLAN

The New York law requires the following to be addressed in the program plan:

- (a) Provide a list of each participating producer and brands covered by the program.
- (b) Provide information on the architectural paint products covered under the program.
- (c) Describe how the producer or representative organization will collect, transport, recycle, and process postconsumer paint for end-of-life management, including recycling and disposal, using environmentally sound management practices.
- (d) Describe how it will provide for convenient and cost-effective statewide collection of postconsumer paint in the state. The producer or representative organization may coordinate the program with existing municipal waste collection infrastructure as is mutually agreeable. A paint retailer may participate, on a voluntary basis, as a paint collection site if the paint retailer volunteers to act as such and complies with all applicable laws and regulations.
- (e) Provide geographic modeling to determine the number and distribution of sites for collection of postconsumer paint based on the following criteria (i) at least ninety percent of New York residents shall have a collection site within a fifteen mile radius; and (ii) one additional collection site will be established for every fifty thousand residents of an urbanized area (as defined by the United States Census Bureau), unless the producer is a small business taxpayer as defined in paragraph (f) of subdivision one of section two hundred ten of the tax law or unless otherwise approved by the commissioner.
- (f) Describe the intended treatment, storage, transportation and disposal options and methods for the collection of postconsumer paint. The management of paint under the program shall promote reuse and recycling.
- (g) Describe in detail education and outreach efforts to inform consumers and retailers about the program. These materials should include (i) information about collection opportunities for postconsumer paint; (ii) information about the charge for the operation of the program that shall be included by the producer in the price charged to the retailer of all architectural paint sold in the state; and (iii) efforts to promote the source reduction, reuse, and recycling of architectural paint.
- (h) Set forth the process by which an independent financial auditor will be selected and identify the criteria used by the producer or representative organization in selecting an independent auditor.

(i) Identify, in detail, the operational plans for interacting with retailers on the proper handling and management of postconsumer paint.

(j) Include the targeted annual collection rate.

(k) Be reviewed by an independent financial auditor to assure that any added cost to paint sold in the state as a result of the postconsumer paint collection program does not exceed the costs of the program. The independent auditor shall verify that the amount added to each unit of paint will cover the costs of the postconsumer paint collection program.

In addition to providing the information required under applicable law, this plan discusses additional aspects of the program, which are included for informational purposes only.

Following program implementation, PaintCare intends to submit an annual report in accordance with the requirements of New York State Environmental Conservation Law, Article 27-2005.

D. CITATIONS

To aid the reader, each section of this plan is preceded with the relevant text of the law.

2. Stewardship Organization & Program Contacts

SECTION OVERVIEW

This section discusses:

- PaintCare New York LLC
- Program contacts

A. PAINTCARE NEW YORK LLC

On behalf of participating paint manufacturers, PaintCare New York LLC is pleased to submit to DEC a Paint Stewardship Program Plan for the State of New York.

PaintCare Inc. was formed in 2009 by the American Coatings Association, the primary trade association for the paint and coatings industry. PaintCare Inc. now establishes a separate single-member limited liability company (LLC) as a subsidiary to serve as the representative stewardship organization for architectural paint manufacturers (also referred to as producers) in each state that passes a paint stewardship law. PaintCare New York LLC was formed in 2020. Both organizations are 501(c)(3) non-profit entities.

PaintCare's corporate office is in Washington, D.C. State program staff work in the states in which PaintCare programs operate.

PaintCare Inc. and its subsidiaries are overseen by an 11-member unpaid Board of Directors representing architectural paint manufacturing companies. Per the organization's bylaws, the function and duties of the Board are to manage and control the affairs and property of the corporation.

B. PROGRAM CONTACTS

The primary contact for the New York program:

Andrew Radin
New York Program Manager
(315) 317-4346
aradin@paint.org

The names and titles of PaintCare staff are listed on PaintCare's webpage. PaintCare will notify DEC of changes to any key state personnel.

3. Manufacturers and Program Products

STATUTORY CITATION

New York Environmental Conservation Laws, Article 27: Collection, Treatment and Disposal of Refuse and Other Solid Waste, Title 20: Postconsumer Paint Collection Program. Section 27-2003:

3. The plan submitted by the producer or representative organization to the department under this section shall:

- (a) Provide a list of each participating producer and brands covered by the program.
- (b) Provide information on the architectural paint products covered under the program.

SECTION OVERVIEW

This section discusses:

- Manufacturer and brand registration
- Private label agreements
- 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 New York paint stewardship program. Manufacturers register their company and brands of architectural paint with PaintCare.

PaintCare identified potential manufacturer participants through a variety of sources, including the following:

- Prior registrations with PaintCare for other PaintCare programs
- American Coatings Association
- New York State Department of Environmental Conservation
- Internet research

Starting in January 2020, manufacturers were notified about the New York law and program through email and notices on PaintCare's reporting website.

While national paint manufacturers have already registered for existing PaintCare programs, some local or regional 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. The list of registered manufacturers and brands is expected to change as any additional manufacturers become aware of the program.

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 or 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 ensure the confidentiality of these agreements.

C. REGISTRATION LISTS

PaintCare will post the lists of registered manufacturers and brands on its website to make them available for retailers and distributors. Retailers and distributors will use the brand list to learn which brands may be legally sold in New York upon implementation of the program.

The lists of registered manufacturers and brands as of the submission date of this plan are provided in Appendix A. PaintCare intends to provide DEC with current lists monthly.

D. PROGRAM PRODUCTS

The terms "program products," "PaintCare products," "architectural paint," and paint are used interchangeably in this plan and in PaintCare communications. 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 five gallons in size. They do not include industrial coatings, coatings used for original equipment manufacturing, and other specialty coatings. The full definition and examples of both program and non-program products are provided in Appendix B. This definition is used to determine the products on which manufacturers are to apply the assessment (called the PaintCare fee) to fund the program, as well as to determine which products are accepted by the program.

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. PaintCare posts these product notices on its website and notifies stakeholders, as needed, when such notices are issued. Examples of these notices are also provided in Appendix B.

4. Paint Drop-Off Sites and Services

STATUTORY CITATION

New York Environmental Conservation Laws, Article 27: Collection, Treatment and Disposal of Refuse and Other Solid Waste, Title 20: Postconsumer Paint Collection Program. Section 27-2003:

3. The plan submitted by the producer or representative organization to the department under this section shall:

(d) Describe how it will provide for convenient and cost-effective statewide collection of postconsumer paint in the state. The producer or representative organization may coordinate the program with existing municipal waste collection infrastructure as is mutually agreeable. A paint retailer may participate, on a voluntary basis, as a paint collection site if the paint retailer volunteers to act as such and complies with all applicable laws and regulations.

(e) Provide geographic modeling to determine the number and distribution of sites for collection of postconsumer paint based on the following criteria (i) at least ninety percent of New York residents shall have a collection site within a fifteen mile radius; and (ii) one additional collection site will be established for every fifty thousand residents of an urbanized area (as defined by the United States Census Bureau), unless the producer is a small business taxpayer as defined in paragraph (f) of subdivision one of section two hundred ten of the tax law or unless otherwise approved by the commissioner.

(i) Identify, in detail, the operational plans for interacting with retailers on the proper handling and management of postconsumer paint.

SECTION OVERVIEW

This section discusses:

- Program audience
- Paint drop-off sites and services
- Convenience criteria
- Paint drop-off site operations

PaintCare uses the term paint “drop-off” site in place of paint “collection” site throughout this plan to denote the action of users of the program (which is to drop off paint), rather than the action of drop-off sites (which is to collect paint).

A. PROGRAM AUDIENCE

The New York PaintCare program will serve the state’s households, businesses, schools, government agencies, and other entities that have leftover, unwanted paint, as described below. PaintCare has designed its program to serve the following program audiences to the extent permitted by applicable law. If applicable law changes in the future, PaintCare may modify the program to comply with the new law, which may include

expanding or restricting the type and/or volume of materials that the program accepts from different program audiences.

A1. Households

Households are eligible to drop off any quantity of postconsumer latex or oil-based paint through the program, subject to any quantity limits set by individual drop-off sites.

A2. Very Small Quantity Generators (VSQGs)

Painting contractors, small businesses, and other small- to medium-sized organizations are typical VSQGs (as described in federal rules in 40 CFR 260.10) and CESQGs (analogous term described in New York rules in 6 NYCRR 371.1(f)). VSQGs are eligible to drop off any quantity of postconsumer latex paint through the program, subject to any quantity limits set by individual drop-off sites. VSQGs currently are eligible to drop off oil-based paint through the program in quantities at or below the monthly generation limits that apply to VSQGs subject to any quantity limits set by individual drop-off sites. To qualify as a VSQG, among other criteria, a business/organization must (1) generate no more than 100 kilograms (about 25 gallons or 220 pounds) of non-acute hazardous waste per calendar month, (2) generate no more than 1 kilogram (about 2.2 pounds) of acute hazardous waste per calendar month, and (3) accumulate no more than 1,000 kilograms (about 250 gallons or 2,200 pounds) of hazardous waste at any given time.

A3. Small Quantity Generators (SQGs) and Large Quantity Generators (LQGs)

SQGs and LQGs (as described in federal rules in 40 CFR 260.10 and in state rules in part at 6 NYCRR 370.2(b)(170)) are eligible to drop off any quantity of postconsumer latex paint through the program, subject to any quantity limits set by individual drop-off sites. PaintCare does not allow drop-off sites to accept oil-based paint from SQGs and LQGs because under current law, drop-off sites typically lack the legal permits required to accept oil-based paint from this audience. PaintCare intends to provide a pickup service to SQGs and LQGs for oil-based paint. PaintCare may consider additional or alternative service opportunities for this audience under the program to the extent permitted by applicable law. In lieu of offering service opportunities to SQGs and/or LQGs, PaintCare may alternatively institute a fee exemption or rebate program for this audience.

B. PAINT DROP-OFF SITES AND SERVICES

PaintCare partners with owners and operators of household hazardous waste (HHW) collection facilities and events (referred to as HHW programs in this plan) and increases paint collection by setting up new paint drop-off sites and services. The New York program is expected to include the following:

- HHW programs
- Solid waste management facilities including transfer stations, recycling centers and landfills (referred to as solid waste facilities in this plan)
- Retail stores

- Material reuse stores
- Direct pickup services
- PaintCare events

All eligible locations are invited to participate as paint drop-off sites if they can meet PaintCare's operational and other program requirements. For example, the bin storage space must be secure, inaccessible to the public, have an impermeable surface, and be protected from the elements.

Paint drop-off sites generally must accept all program products, have staff available to accept paint during operating hours, accept paint from households and businesses, and accept paint free of charge from participants who drop off paint. In addition, sites must be willing to be listed on the site locator on PaintCare's website and post and distribute PaintCare point-of-sale outreach materials, including a poster advertising their site as a paint drop-off site.

Some exceptions may be allowed in recognition of pre-existing restrictions on HHW programs and other non-retail sites. Current examples include:

- Non-retail sites with a limited geographical service area due to their funding source (e.g., local tax or utility) will not be required to accept paint from participants outside of their service area.
- Non-retail sites that do not accept waste from businesses will not be required to do so.
- Non-retail sites that accept oil-based paint but do not currently accept latex paint will not be required to change their operations to accept latex paint.
- Programs that already charge a fixed amount to businesses/VISQ to schedule an appointment for paint drop-off may continue this practice as long as it is clear to the customers that the charges do not relate to services funded by the PaintCare program, including paint collection bins, transportation, and processing.

For all sites, PaintCare provides and covers the cost for paint collection bins, paint transportation, and paint processing (end-of-life management). In addition, all drop-off sites other than HHW programs are offered spill kits. All sites are offered signage, training, and training materials.

Prior to the start of the program and on an agreed upon timeframe thereafter, PaintCare will provide DEC with a current list of paint drop-off sites. PaintCare will contact potential sites several times prior to the start of the program to make them aware of the opportunity to be a paint drop-off site. Some may wait until after the program starts to decide to participate. The identification and recruitment of potential paint drop-off sites is an on-going process and will continue after the start of the program.

B1. Household Hazardous Waste Programs

HHW programs are excellent partners because they provide their customers the convenience of dropping off other products at the same time as paint, and they often have regular customers that have used their programs for many years.

HHW Program Recruitment and Outreach Activities

With assistance from DEC, the New York Product Stewardship Council, and other organizations involved with waste management in New York, PaintCare has identified and reached out to all known HHW programs in the state to learn about their services, inform them about the PaintCare program, highlight the benefits, and outline the steps to partnering with PaintCare. These benefits include cost savings, offering expanded services to their community, reducing waste, and increasing paint recycling.

Outreach to HHW programs has included webinars, email updates, virtual and in-person meetings, and site visits to HHW facilities. In addition, PaintCare has participated in the following state conferences attended by HHW and other waste management professionals: New York State Association for Reduction, Reuse and Recycling (NYSAR3), 2020 and 2021; Federation of New York Solid Waste Associations, 2021; and New York State Association of Counties (NYSAC), 2021.

Topics covered when meeting with or presenting to HHW programs includes:

- Overview of the New York law
- The role of DEC and program oversight
- History of the PaintCare program
- Program products
- The program's funding mechanism
- Planned paint drop-off sites and services
- How HHW programs can partner with PaintCare
- How PaintCare works with transporters and paint processors
- Public outreach and education

Fact sheets and an interest form for HHW programs are available on the Waste Facilities page of PaintCare's website. The current versions of these fact sheets are provided in Appendix C.

As of the submission of the plan, PaintCare received interest forms or other statements of intent from the following HHW programs in the state.

- Albany, City of
- Allegany County
- American Recyclers Transfer Station (Hazman)
- Bethlehem, Town of
- Brookhaven, Town of
- Broome County
- Casella Waste Services of Ontario
- Chenango County

- Clifton Park, Town of
- Clinton County (and New England Waste Services of NY)
- Cohoes, City of
- Colonie, Town of
- Columbia County
- Cornell Cooperative Extension (Cayuga County)
- DANC (Jefferson, Lewis & St Lawrence Counties)
- Delaware County
- Dutchess County
- East Greenbush, Town of
- Eastern Rensselaer County Solid Waste Management Authority
- Erie County
- Fulton County
- GLOW Region (Genesee, Livingston, and Wyoming Counties)
- Greene County
- Hempstead, Town of
- Huntington, Town of
- Islip, Town of
- Madison County
- Miller Environmental Group
- Monroe County
- New York City, Department of Sanitation
- Niagara County
- North Hempstead , Town of
- Oneida-Herkimer SWMA
- Onondaga County
- Orange County DPW
- Oswego County
- Otsego County
- Oyster Bay, Town of
- Putnam County
- Schenectady County
- Southampton, Town of
- Southold, Town of
- Tioga County
- Tompkins County
- Troy, City of
- Ulster County
- Westchester County

B2. Solid Waste Facilities (Transfer Stations, Recycling Centers, Landfills)

Solid waste facilities, particularly transfer stations, can be important program partners because, like HHW programs, they provide their customers the convenience of dropping off other products at the same time as paint, and they may also have regular customers that have used their facilities for many years. Solid waste facilities also tend to fill the gap, particularly in rural areas, where there might not be HHW facilities or paint retailers to be drop-off sites.

PaintCare has typically observed that solid waste facilities become more interested in joining the program after retailers and HHW programs have joined. Efforts to identify and recruit both public and private solid waste facilities to be paint drop-off sites will be on-going.

A fact sheet and an interest form for solid waste facilities are available on the Waste Facilities page of PaintCare's website. The current version of the fact sheet is provided in Appendix C.

B3. Retailers

Paint retailers are valuable program partners 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 how to handle them safely. In addition, their customers are likely to have some leftover paint and often ask store staff for advice on what to do with it. Retailer participation as a paint drop-off site is voluntary. Retailers are not compensated for being a drop-off site.

Material Reuse Stores

Material reuse stores, such as Habitat for Humanity ReStores, are a subset of retailers that can offer reuse in addition to serving as paint drop-off sites. When paint is dropped off at these sites, it can be screened for possible reuse and then donated or sold back to the local community. Paint that is not set aside for reuse will be placed in paint collection bins. PaintCare has identified 25 material reuse stores.

Retailer Recruitment and Outreach Activities

PaintCare has identified approximately 1,433 paint retailers in New York including paint, hardware, and home improvement stores. These include large and small independent, co-op, chain, and corporate stores. Of these stores, approximately 1,057 were identified as potential drop-off sites based on PaintCare's experience in other PaintCare programs.

In September 2020, PaintCare began its outreach efforts to paint retailers and material reuse stores with a letter informing them about the new law. Since then, there have been additional outreach efforts including mailings to educate stores about the program, recruit them as drop-off sites, and provide point-of-sale (POS) outreach materials to inform their customers about the PaintCare program. Webinars and store visits have also been conducted. Much of this activity will be on-going.

Topics covered when meeting with or presenting to retailers include the following:

- Overview of the New York law
- Responsibilities of retailer and manufacturers under the law
- Program products
- The program's funding mechanism
- Drop-off sites operations and the benefits of participating as a drop-off site
- How to receive additional POS materials
- Public outreach and education

Fact sheets and an interest form for retailers, as well as an online order form to request additional POS materials, are available on the Retailers page of PaintCare's website.

Current versions of some of the materials included in the mailings are provided in Appendix C.

B4. PaintCare Events

Paint drop-off events may be held by PaintCare, especially in areas of the state that are not within 15 miles of a paint drop-off site or have too few drop-off sites for the population of the area. Participation at PaintCare events will not be restricted by county or other geographical boundaries; participants from any place in New York will be allowed to use the events.

B5. Direct Pickup Services

Large Volume Pickup (LVP) Service

PaintCare plans to offer a free LVP service to painting contractors, other businesses, organizations, and households with large volumes of paint – 100 gallons or more. This service allows approved users to have paint picked up at their business or homes.

Under PaintCare's current practices, in order to utilize the service, users must submit an LVP request form, where they are asked to identify themselves as a household or as a business and provide specific information about their volume of leftover paint, paint type (latex or oil-based), and container sizes. Once approved for pick-up, the user will be put in direct contact with PaintCare's transporter to arrange an appointment.

Recurring Large Volume Pickup (RLVP) Service

PaintCare plans to offer a free RLVP service to painting contractors and other businesses and organizations that generate large volumes of paint on an on-going basis. These sites will be set up and trained by PaintCare staff on program requirements as with public drop-off sites, but they will only use the program for paint from their own operations.

Users of the RLVP service will be asked to provide information about the volume and type of paint they generate on a regular basis, and they must have an agreement for service with PaintCare.

SQG/LQG Pickup Service

PaintCare plans to offer a free SQG/LQG pickup service to SQGs and LQGs with oil-based paint. This service is a pilot program for PaintCare, so volume limits may be changed based on program experience and on whether PaintCare is able to offer other drop-off opportunities to this audience. Any such service that PaintCare provides will be structured to comply with all applicable law.

B6. Additional Activities

Paint drop-off sites permitted by applicable law to conduct specific additional activities that are beneficial to the program can be compensated for their work. Examples of these activities include operating a reuse program, reprocessing latex paint, bulking oil-based paint, and providing local transportation services.

Reuse

Drop-off sites may operate reuse areas in which they place leftover paint that was brought to their site in good condition to be given away or sold “as is” to their customers and local community. This paint management method represents the highest, best use of paint and typically reduces program costs by avoiding the transportation and processing costs that would otherwise be required to manage the paint. To support existing paint reuse programs and to provide incentive for additional sites to do reuse, PaintCare compensates sites for conducting reuse, typically based on the quantity given away or sold.

Latex Paint Reprocessing

Latex paint reprocessing involves color sorting, combining, and mixing leftover latex paint together to make recycled-content paint that is given away or sold locally. Reprocessing is the same thing as paint-to-paint recycling, but PaintCare uses the term reprocessing to distinguish this activity that usually occurs at HHW facilities from the activity that occurs at commercial paint recyclers. As with reuse, latex paint reprocessing typically reduces program costs by avoiding the transportation costs that would otherwise be required to manage the paint. To support existing paint reprocessing programs and to provide an incentive for additional sites to reprocess paint, PaintCare negotiates compensation rates for reprocessed paint that is given away or sold.

Oil-Based Paint Bulking

PaintCare makes paint management simple for paint drop-off sites by allowing them to place program products directly into paint collection bins. However, if a permitted site chooses to bulk oil-based paint, it results in lower transportation costs for PaintCare. To support these sites, PaintCare negotiates compensation rates for this activity.

Transportation

Sometimes it is more cost-effective for a paint drop-off site to transport paint from one of its locations to another, or to transport paint from an event back to its facility, rather than using PaintCare’s contracted

transporter. This is most commonly done by HHW programs. In these cases, PaintCare negotiates compensation for the service (e.g., based on a per-event or per-bin basis).

C. CONVENIENCE CRITERIA

To ensure that the program provides adequate and convenient paint recycling opportunities throughout the state, PaintCare used ArcGIS, a mapping and analytics software, to determine the minimum number and optimal locations for paint drop-off sites in New York. PaintCare recognizes that non-retail sites (e.g., HHW facilities and transfer stations) are not always available to all participants within 15 miles of the site and therefore runs its convenience models using only potential retail drop-off sites because they are available to all households and businesses in the state. The paint stewardship law provides benchmarks for evaluating whether the program has met its convenience goals. More specifically, the law sets forth both distribution and density criteria for evaluating target convenience levels. Applying these criteria, PaintCare will need to provide at least 340 paint drop-off sites in New York. The state's distribution and density criteria are explained further below.

Distribution Criterion

Per NYS ECL §27-2003(3)(e)(i), the plan must include geographic modeling to determine the number and distribution of sites needed for at least 90% of New York's population to have a paint drop-offsite within 15 miles. This criterion can be met with 26 optimally located year-round sites shown as pink triangles on the map at the end of this section. Distribution criterion modeling was done using 2020 Census population data.

Density Criterion

Per NYS ECL §27-2003(3)(e)(ii), the plan must include geographic modeling to determine the number and distribution of sites needed for the program to establish an additional year-round paint drop-off site for every 50,000 individuals of an Urbanized Area, as defined by the United States Census Bureau. This criterion is met with 314 optimally located year-round sites shown as light blue triangles on the map at the end of this section. Density criterion modeling was done using 2010 Census population data because 2020 urbanized area population data has not yet been made available by the Census Bureau.

The following table lists the Census Bureau urbanized areas in New York and the number of drop-off sites needed to meet the density criterion in each such area. (Note: An urbanized area may cross into an adjacent state.)

REQUIRED NUMBER OF PAINT DROP-OFF SITES IN URBANIZED AREAS

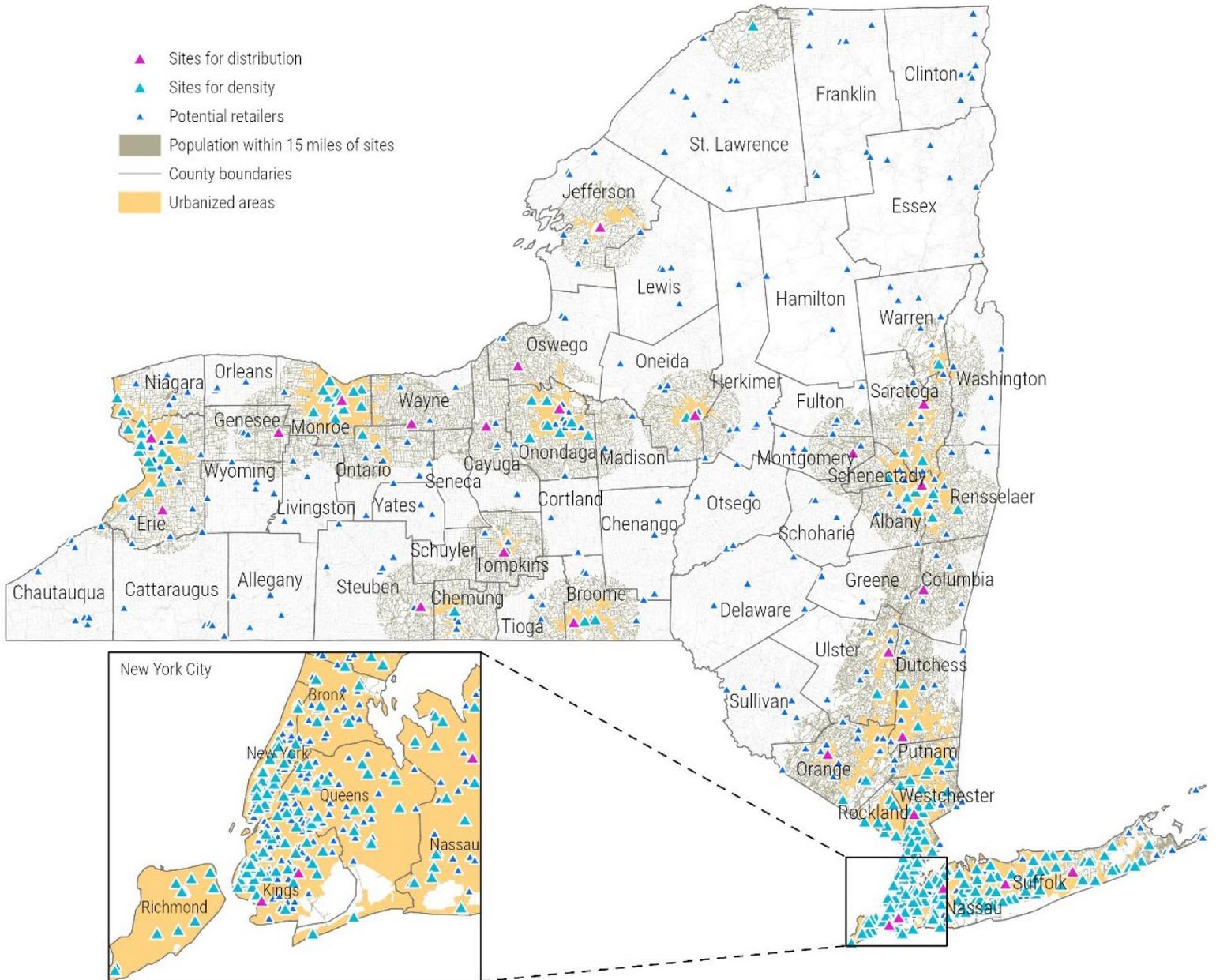
| URBANIZED AREA (Names from Census Bureau) | 2010 POPULATION (NY Only) | NUMBER OF SITES NEEDED |
|--|---------------------------------|---------------------------|
| Albany–Schenectady | 594,962 | 11 |
| Binghamton | 155,662 | 3 |
| Buffalo | 935,906 | 18 |
| Elmira | 67,983 | 1 |
| Glen Falls | 65,443 | 1 |
| Ithaca | 53,661 | 1 |
| Kingston | 57,442 | 1 |
| Middletown | 58,381 | 1 |
| New York-Newark | 12,191,715 | 243 |
| Poughkeepsie-Newburgh | 412,338 | 8 |
| Rochester | 720,572 | 14 |
| Saratoga Springs | 64,100 | 1 |
| Syracuse | 412,317 | 8 |
| Utica | 117,328 | 2 |
| Watertown | 57,840 | 1 |
| Total | 15,965,650 | 314 |

The following table was developed by PaintCare to provide additional detail about the number of sites by county for the New York-Newark urbanized area. (Note: The total number of sites needed decreases by a few when breaking the urbanized area into smaller areas due to rounding.)

NEW YORK-NEWARK URBANIZED AREA BREAKDOWN

| County(ies) | NEW YORK CITY | 2010 POPULATION | NUMBER OF SITES NEEDED |
|--------------------------|------------------|--------------------|---------------------------|
| Bronx | Yes | 1,385,069 | 27 |
| Kings (Brooklyn) | Yes | 2,504,663 | 50 |
| New York (Manhattan) | Yes | 1,585,873 | 31 |
| Queens | Yes | 2,230,722 | 44 |
| Richmond (Staten Island) | Yes | 468,730 | 9 |
| Nassau | No | 1,336,957 | 26 |
| Suffolk | No | 1,429,373 | 28 |
| Rockland | No | 309,451 | 6 |
| Westchester | No | 869,688 | 17 |
| Putnam and Dutchess | No | 71,189 | 1 |
| Total | | 12,191,715 | 239 |

The following map is for illustrative purposes to provide a picture of what an optimal statewide distribution of sites looks like. It does not represent the actual types, number or distribution of sites that may end up participating as paint drop-off sites in the program, but rather the best combination of paint retail sites if PaintCare hand-selected and only used paint retailers to meet the convenience criteria of the New York law. Using this set of sites is not the only way to satisfy the convenience criteria – it can be achieved through many other configurations of sites throughout the state – but it is unlikely to be accomplished with fewer than 340 sites.



D. PAINT DROP-OFF SITE OPERATIONS

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

D1. Drop-Off Site Training

PaintCare intends to offer training by PaintCare staff and a training binder for all drop-off sites. PaintCare typically requires such training for retail drop-off sites and RLVP sites. The binder includes the site guidelines and a training log to be signed by all employees at the site who handle paint for the program. Examples of current 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 pickup
- Screening for generator status to determine if a business qualifies to use the program for oil-based paint
- Recordkeeping

A current version of the site guidelines and related forms are provided in Appendix D.

D2. Collection Volumes

Drop-off sites may set their own limit on the amount of paint they will accept from the public, as long as the limit is no less than five gallons per participant per day and is consistent with applicable law (e.g., legal limits applicable to VSQGs).

D3. Paint Storage

Paint collection bins used in the program may include but are not limited to reusable plastic bins or cardboard bins with liners (approximately 1 cubic yard in size); 55-gallon metal or plastic drums; 30- and 50-gallon cardboard boxes with liners; and 20- and 30-yard roll-off containers.

Drop-off sites will be required to follow PaintCare's bin storage requirements. For example, PaintCare's current practice requires sites to (1) keep paint collection bins in a secure location that does not have public access, (2) place the bins on an impermeable surface, and (3) if stored outdoors, be protected from the elements.

D4. Non-Program Products

The volume of non-program products entering the program will be minimized through public education, signage at drop-off sites, and drop-off site training on product identification.

PaintCare's transporters and downstream processors will track and manage any incidental non-program products that they receive as follows: They will be instructed to notify PaintCare of incidents 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 number of non-program products, PaintCare may do one or more of the following: (1) contact the site to let them know about the incident, (2) provide additional/refresher training on identification of program and non-program products, or (3) in extreme cases, remove the site from the program.

D5. Site Visits

PaintCare plans to visit its drop-off sites on a regular basis. PaintCare will target visiting retail drop-off sites about every six months and target visiting HHW facilities, solid waste facilities, and RLVP sites annually. The purpose of these visits is to ensure compliance with program requirements, provide refresher trainings if needed, address any needs, or concerns the sites may have, check their supplies of outreach materials, and solicit feedback about the program.

5. Materials Management

STATUTORY CITATION

New York Environmental Conservation Laws, Article 27: Collection, Treatment and Disposal of Refuse and Other Solid Waste, Title 20: Postconsumer Paint Collection Program. Section 27-2003:

3. The plan submitted by the producer or representative organization to the department under this section shall:

(c) Describe how the producer or representative organization will collect, transport, recycle, and process postconsumer paint for end-of-life management, including recycling and disposal, using environmentally sound management practices.

(f) Describe the intended treatment, storage, transportation and disposal options and methods for the collection of postconsumer paint. The management of paint under the program shall promote reuse and recycling.

SECTION OVERVIEW

This section discusses:

- Paint transportation
- Paint processing
- Non-program products and empty containers
- Legal compliance
- Insurance and financial assurance

All descriptions in this section refer to current or typical activities as of the submission of this program plan.

A. PAINT TRANSPORTATION

A1. Transportation System

An efficient transportation system is required to move paint from a large number of paint drop-off sites to processing facilities. The transporters hired by PaintCare, which may include both private and public entities, usually have significant experience in scheduling pickups and routing to maximize efficiency – taking into account the number of stops, locations, volume of paint to be transported, and projected weight of the loads. Transporters must comply with all applicable state and federal rules and regulations and must track the paint from the point of collection to its final destination. Transporters, subsequent processors, and their records, are subject to audit by PaintCare.

Following the bid process that began in June 2021, PaintCare selected transporters to provide service to paint drop-off sites, subject to successful negotiation of contract terms with those transporters. It is also common practice for PaintCare to try to negotiate agreements with each transporter providing service to HHW programs so that PaintCare and each HHW program will be able to use the same transporter at each HHW facility or event.

PaintCare requires its transporters to provide service to paint drop-off sites on an on-call basis (e.g., sites call for pickup when their storage capacity is 50% full) or on a set schedule (e.g., every Tuesday) determined on a site-by-site basis. Transporters will deliver empty paint collection bins and spill kits to drop-off sites and pick up full bins in a timely manner. Transporters are typically required to provide service to drop-off sites within five days in urban areas and ten days in rural areas. The longer time period in rural areas is to maximize route efficiency and pick up from multiple locations, yet still serve the location in a reasonable amount of time. For HHW events, transporters are required to deliver empty paint collection bins prior to the start of the event and pick up full bins on the day of the event, unless other arrangements are agreed to prior to the day of the event.

All sites (both rural and urban) will be asked to accommodate a minimum of two paint collection bins because it is less expensive and more efficient to pick up two or more bins from one location than to serve the same location several times and pick up only one bin each time.

A2. Transporters

As of the submission of the plan, the following transporters may be utilized:

- ACV Enviro
- Clean Harbors Environmental Services
- Environmental Enterprises Inc
- GreenSheen Paint
- Loop Recycled Products
- Miller Environmental Group
- Maumee Express, Inc. (MXI)
- Radiac Environmental Service
- The Environmental Services Group (ESG)
- Tradebe Environmental Services
- Veolia ES Technical Solutions

Additional transporters may be added if needed.

B. PAINT PROCESSING

B1. Processing System

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 request for proposal (RFP), PaintCare made reasonable effort to contact all known paint recyclers (both in-state and out-of-state) to inform them of the

RFP and contracting process. PaintCare requires that the following hierarchy be followed when prioritizing management of paint collected through the program. The options are prioritized by highest, best use:

Latex Paint

- 1) Reuse
- 2) Paint-to-paint recycling or recycling into another product
- 3) Energy recovery
- 4) Disposal

Oil-Based Paint

- 1) Reuse
- 2) Paint-to-paint recycling
- 3) Energy recovery
- 4) Incineration

The condition of postconsumer paint when it is received by the program is an important consideration in determining how it will be managed. If paint containers are not sealed well or stored properly (indoors, out of rain or freezing temperatures), latex and oil-based paint can 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 paint unusable or not recyclable.

The following provides a more detailed description of the latex and oil-based paint management methods that may be utilized by the program. With regard to the above hierarchies, PaintCare determines how to classify each management method based primarily on guidance provided by the EPA and the applicable state environmental agency. Due to differing state views on how particular management methods are classified, PaintCare may classify the same management method differently in different states. For all management methods, processors are required to comply with all applicable law. Because legal requirements vary from state to state, some management methods may not be feasible in every state. Likewise, as of the submission of this program plan, some processing methods described below are only available in certain geographic areas but are included to allow for future possibility for the New York program.

B2. Latex Paint Management

Reuse

Latex paint may be managed via reuse, meaning that the collected paint is sold or given away in its original labeled container without any alteration of the container contents.

PaintCare will support reuse of latex paint through partnerships with reuse sites including HHW facilities and material reuse stores. These sites are required to document their reuse activities to receive compensation for

the paint distributed to the public and are encouraged to obtain a participant waiver acknowledging that they accept the material “as is.”

Paint-to-Paint Recycling

Latex paint may be used to make recycled-content latex paint. Drop-off sites (most commonly HHW facilities) that make recycled-content latex paint typically sort the paint by color, then combine and blend the leftover latex paint into a uniform color which will vary from batch to batch. The recycled-content latex paint is then typically given away or sold locally. Commercial latex paint recyclers typically manufacture a color-sorted, blended, and filtered recycled-content paint that is sold domestically and/or internationally. Typically, purchasers of this product either use/re-sell it as is or use it as an input in further paint production.

Lightweight Aggregate

Latex paint may be used as a component in lightweight aggregate. The lightweight aggregate is then offered for sale as lightweight aggregate, used to produce landscape products, or used as a component in various precast concrete products.

Decorative Ground Cover

Dry latex paint may be used as the primary ingredient in a decorative ground cover product.

Energy Recovery

Latex paint unsuitable for recycled-content paint may be processed for energy recovery at a waste-to-energy facility.

Disposal

Dry or solidified latex paint may be sent to a permitted landfill for disposal. Use of a landfill for disposal, including landfill disposal or alternative daily cover, is the least preferred management method for latex paint.

B3. Oil-Based Paint Management

Reuse

Oil-based paint may be managed via reuse, meaning that the collected paint is sold or given away in its original labeled container without any alteration of the container contents.

PaintCare supports reuse of oil-based paint through partnerships with reuse sites including HHW facilities and material reuse stores. These sites are required to document their reuse activities to receive compensation for the paint distributed to the public and are encouraged to obtain a waiver from participants acknowledging that they accept the material “as is.”

Paint-to-Paint Recycling

Oil-based paint may be used to make recycled-content oil-based paint. Commercial oil-based paint recyclers typically manufacture recycled-content oil-based paint in a variety of colors that is sold domestically and/or internationally.

Energy Recovery

Oil-based paint may be processed for energy recovery. Any facility, including cement kilns and waste-to-energy facilities, used to manage materials through the program are required to be fully permitted in accordance with all applicable federal, state, and local requirements for waste management.

Incineration

Oil-based paint may be incinerated. Some hazardous waste incinerators process oil-based paint, flammable liquids, and other hazardous wastes and industrial byproducts as a substitute fuel source because they are readily available and have a high BTU value.

B4. Processors

As of the submission of the plan, the following processors may be utilized by the transporters listed in Section A above:

LATEX PAINT PROCESSORS

| PROCESSOR | LOCATION | PROCESS |
|--------------------------------|---------------------|--------------------------|
| GDB | North Brunswick, NJ | Paint-to-Paint Recycling |
| GreenSheen Paint | Rotterdam, NY | Paint-to-Paint Recycling |
| Loop Recycled Products | Niagara Falls, ON | Paint-to-Paint Recycling |
| Loop Recycled Products | TBD, NY | Paint-to-Paint Recycling |
| MXI | Abingdon, VA | Paint-to-Paint Recycling |
| Safety-Kleen | Cranston, RI | Paint-to-Paint Recycling |
| Covanta | Niagara Falls, NY | Energy Recovery |
| Tradebe Environmental Services | Newington, NH | Energy Recovery |
| Bristol VA Landfill | Bristol, VA | Disposal |
| Seneca Meadows | Waterloo, NY | Disposal |

OIL-BASED PAINT PROCESSORS

| PROCESSOR | LOCATION | PROCESS |
|------------------------|--------------------|--------------------------|
| Loop Recycled Products | TBD, NY | Paint-to-Paint Recycling |
| Loop Recycled Products | Niagara Falls, ON | Paint-to-Paint Recycling |
| Buzzi Unicem | Cape Girardeau, MO | Energy Recovery |
| Essroc | Nazareth, PA | Energy Recovery |
| Green America | Hannibal, MO | Energy Recovery |
| Holcim | Holly Hill, SC | Energy Recovery |
| Lonestar Cement | Greencastle, IN | Energy Recovery |
| Norlite | Cohoes, NY | Energy Recovery |
| Clean Harbors | Sarnia, ON | Incineration |
| Ross | Grafton, OH | Incineration |

Additional processors may be added if needed.

C. NON-PROGRAM PRODUCTS AND EMPTY CONTAINERS

C1. Non-Program Products

Although drop-off sites will be instructed and trained to screen for non-program products, 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. In all cases, non-program products collected through the program will be managed in accordance with all applicable law. The following is a description of typical practices from PaintCare’s other programs as of the submission date of this program plan:

For bins containing a mix of latex and oil-based paint, transporters transport the bins from drop-off sites to sorting facilities that are legally permitted to unpack and sort these materials based on product label before sending them to appropriate downstream processors. If a transporter finds any non-program products during this screening process, they package and send those materials to an appropriate downstream processor to be managed in accordance with applicable law. Transporters do not return non-program products to the drop-off site unless directed to do so by PaintCare.

PaintCare requires its transporters to report to PaintCare all incidents where they discover a non-program product through the transporter or processor’s sorting/screening process. PaintCare monitors incidents of such contamination and reaches out to the originating drop-off sites as appropriate to address contamination issues. Incidents of significant or repeat contamination may prompt PaintCare to schedule a refresher training with drop-off site staff to emphasize appropriate on-site screening practices. In very rare instances when a site is unable or unwilling to address repeat contamination issues, PaintCare may suspend the site from the program pending a satisfactory resolution of issues that cause contamination.

Once materials reach downstream processors, non-program products may be discovered in program product containers. When the contents of a container are inconsistent with the container label, the contents are

identified and repackaged for processing in accordance with applicable law. This contamination is not reported to PaintCare.

C2. Empty Paint Containers

To the extent feasible, empty metal and plastic paint containers will be recycled. PaintCare will work with the program's contracted transporters, processors, and interested recyclers to identify and utilize available opportunities for container recycling, as necessary. Unrecyclable containers will be disposed of as solid waste.

D. LEGAL COMPLIANCE

As part of their contract, all transporters, processors and their subcontractors will be required by PaintCare to have processes in place to ensure compliance with applicable federal, state, and local environmental laws, regulations, and permits. Transporters and processors must require any subcontractors they use to comply with all applicable environmental regulations and other laws relating to the services provided by those subcontractors. Under the contract terms, violations of law constitute a breach and can be grounds for termination.

PaintCare has established procedures for monitoring both transporters and processors that manage materials in connection with the PaintCare program. Such procedures include both routine monitoring of performance by transporters and processors, as well as a vendor audit program. These procedures are designed to provide reasonable assurances that all transporters and processors comply with all applicable laws and engage in appropriate recordkeeping, tracking, and reporting of materials managed through the program.

Examples of typical audit criteria include the following: a review of applicable licenses/permits, emergency response planning, insurance carriage (including environmental insurance for vendors that transport or process hazardous materials in connection with the PaintCare program), data tracking, and reporting practices.

E. INSURANCE AND FINANCIAL ASSURANCE

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

- Commercial General Liability Insurance
- Commercial Automobile Liability Insurance
- Workers' Compensation Insurance
- Environmental Pollution Liability Insurance
- Endorsements to name PaintCare as an additional insured on relevant insurance policies

Because contractors have widely different insurance policies (e.g., commercial insurance vs. self-insurance, differing limits), PaintCare will evaluate (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 and Commercial General Liability Insurance.

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

6. Communications

STATUTORY CITATION

New York Environmental Conservation Laws, Article 27: Collection, Treatment and Disposal of Refuse and Other Solid Waste, Title 20: Postconsumer Paint Collection Program. Section 27-2003:

3. The plan submitted by the producer or representative organization to the department under this section shall:

(g) Describe in detail education and outreach efforts to inform consumers and retailers about the program. These materials should include (i) information about collection opportunities for postconsumer paint; (ii) information about the charge for the operation of the program that shall be included by the producer in the price charged to the retailer of all architectural paint sold in the state; and (iii) efforts to promote the source reduction, reuse, and recycling of architectural paint.

SECTION OVERVIEW

This section discusses:

- Outreach methods
- Message platform
- Target audiences
- Phased outreach approach
- Stakeholder input from paint retailers
- Joint outreach with local government programs
- Website and site locator
- Hotline
- Evaluation of outreach
- Examples of outreach materials

A. OUTREACH METHODS

PaintCare is committed to providing robust and effective statewide education and outreach for the New York paint stewardship program using a variety of communication methods, which typically include:

- Print materials (e.g., brochures, fact sheets, cards, signage)
- Digital media (e.g., streaming audio channels, online video, website banner ads)
- Social media (e.g., organic and paid promotion on Twitter, Instagram, Facebook)
- Traditional media (e.g., newspaper, radio, television)
- Earned media (e.g., articles in news outlets, TV & radio interviews, other press coverage)
- Face-to-face communications (e.g., retail site visits, presentations, tabling at conferences, expos and public events, webinars)

PaintCare intends to hire a professional communications firm to support the effective distribution of its messaging through these media. In July 2021, PaintCare issued a request for proposals from firms with relevant experience and received 22 responses. PaintCare intends to select and contract with one of the responding firms, or another agency, by early 2022.

B. MESSAGE PLATFORM

B1. Paint Smarter – Buy Right, Use It Up, Recycle the Rest

The “Reduce, Reuse, Recycle” message platform has been used by environmental organizations and waste management programs for many years. To reduce the amount of postconsumer paint and to inform the public how and where to recycle their leftover paint, PaintCare uses an instructive, paint-specific version of Reduce, Reuse, Recycle:

- Reduce: Buy Right.
- Reuse: Use It Up. (Also: Store Right and Give It Away)
- Recycle: Recycle the Rest.

“Buy Right” means purchase the right amount of paint for a job to reduce potential waste; “Use It Up” means use up leftover paint whenever possible; and “Recycle the Rest” means if you still have unwanted paint, drop it off at a PaintCare site for management. PaintCare also promotes “Store Right” and “Give It Away” as part of Reuse. “Store Right” means that if you hold on to paint, keep it in good condition for use later, and “Give it Away” means pass it on to other households or organizations in the community in need of paint.

B2. Program Awareness

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

- What is PaintCare and why does the program exist?
- Why was the law passed (e.g., product stewardship, potential cost savings to local government waste collection programs)?
- 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
- Businesses and organizations that generate paint (e.g., professional painters, contractors, property managers, schools and universities, hotels)

- Relevant trade groups (e.g., associations that serve professional painters and builders, realtors, and building managers)
- Paint retailers
- HHW programs and solid waste facilities
- Non-English speakers

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

C1. Households

- Emphasize how to find a drop-off site to recycle paint, the information most often requested.
- Promote using up leftover paint to do-it-yourselfers as a primer or for creative projects.
- Educate consumers on how to buy the right amount of paint by describing factors involved (e.g., square footage of walls, surface texture, coverage rate of paint, whether surfaces have been primed) and prompting consumers to consult with paint professionals.

C2. Businesses that Generate Paint

- Emphasize “Recycle the Rest” as more recycling opportunities will be available than previously, and these will be available statewide.
- Promote using up leftover paint.
- Promote the LVP service so they can request a direct pickup of large quantities of leftover paint, rather than transport paint to drop-off sites a little at a time.

C3. Relevant Trade Groups

Associations of painting and building contractors have proven an effective avenue for PaintCare to reach out to professional painters who use large amounts of paint. In addition to utilizing PaintCare’s services for leftover paint, professionals also often purchase paint on behalf of clients and can make them aware of the PaintCare program.

PaintCare will seek out other professional associations, such as networks of realtors and building managers. Realtors can provide information to home buyers who may find paint left behind by previous owners, or they may work with contractors to paint homes being prepared for sale. Building managers often accumulate leftover paint while maintaining buildings and facilities.

C4. Paint Retailers

PaintCare has developed print materials for use by all paint retailers to educate store staff and the general public about the program, regardless of whether they are drop-off sites. PaintCare will provide these materials at no charge. Examples include:

- Brochures and 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, lists accepted products, and displays how to find a paint drop-off site.
- Fact sheets designed for a variety of audiences and subjects (e.g., general information, how to become a paint drop-off site, how to use the LVP service).

Retailers will be able to download or order printed materials using PaintCare’s website order form or by phone. Drop-off sites will also receive materials from PaintCare staff during site visits.

Retailers will receive several mailed notifications from PaintCare before the start of the program, as well as a starter pack of printed materials. The mailers will include:

- Information about the statutory requirements to include the PaintCare fee in their product price and to only sell registered products.
- Program brochures and LVP service fact sheets to inform their customer about the PaintCare program.
- Information about how to request additional print materials, and how to access them online.

C5. HHW Programs and Solid Waste Facilities

PaintCare provides fact sheets and interest forms to explain how HHW programs and solid waste facilities, including transfer stations, recycling centers, and landfills, can partner as paint drop-off sites and the benefits of participating in the program.

C6. Non-English Speakers

PaintCare has translated its program brochure for all PaintCare programs into Amharic, Arabic, Armenian, Bengali, Chinese, Farsi, French, Haitian Creole, Hawaiian, Hmong, Italian, Japanese, Khmer, Korean, Lao, Polish, Portuguese, Russian, Somali, Spanish, Tagalog, Thai, Turkish, Ukrainian, Vietnamese, and Yiddish. Two widely used fact sheets that provide information about the LVP service and guidance for painting contractors are also available in the aforementioned 27 languages. Translated materials will be available to retailers, HHW program and other stakeholders, and electronic copies are posted on PaintCare’s website. PaintCare will consider translating materials to other languages upon request.

D. PHASED OUTREACH APPROACH

When starting a new program, PaintCare has learned that it is important to balance the need to inform the public about the new program with the need to allow new drop-off sites, retail stores in particular, time to become familiar and comfortable with program operations. To avoid overwhelming new retail drop-off sites with paint and allow them to grow accustomed to program operations, PaintCare will phase in public outreach gradually.

At the start of the program, PaintCare plans to limit outreach activities to providing point-of-sale educational materials to all paint retailers and distributing one or more press releases about the new program. These communications will announce the new program, provide details about the PaintCare fee and products accepted, and describe the network of paint drop-off sites. PaintCare does not plan to use full multi-channel advertising campaigns during this period.

During this period, painting contractors and other consumers who frequently purchase paint will be more likely to notice the new fee than those who do not buy paint frequently. To address this group, PaintCare plans to work with contractors and their associations to inform them of the fee in advance of the start of the program and to provide fact sheets to retailers to insert in their monthly bills to regular customers and make available in the stores so that their customers will not be surprised by the fee.

In the second year of the program, as drop-off sites become comfortable with receiving paint from the public and arranging shipments with transporters, PaintCare plans to phase in a more comprehensive media strategy and advertising campaigns to increase public awareness of the program and encourage households and businesses to use paint drop-off sites. Such campaigns may include digital media such as website ads, streaming audio sponsorship, social media, and online video commercials, as well as traditional media such as print, television, and radio.

E. STAKEHOLDER INPUT FROM RETAILERS

Experience in previous PaintCare state programs demonstrated that retailers were slow to adopt written materials about the PaintCare program, despite PaintCare's efforts to offer 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 several meetings with retailers: in California in June 2012, in Oregon in 2013, and in California and Connecticut in 2019.

At these meetings, retailers reviewed PaintCare POS materials including posters, brochures, window signage as well as ideas for new materials such as counter mats and floor decals. The retailers provided feedback about messaging, design, size, adaptability, and other elements that may factor into their willingness or ability to use the materials. Key feedback from these meetings included:

- Messages should be simple and not abstract in any way (e.g., "Recycle with PaintCare" was recommended as a clear call-to-action).
- Retailers requested a simple, small card to hand to customers to help them contact PaintCare by phone or website to find a paint 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 due to concerns about an oversimplification of the purchasing process that could result in incorrect estimates. Instead, retailers suggested PaintCare educate consumers to seek advice on this topic from store staff.

- It is important for PaintCare and retailers to provide advance notice to professional painters to provide them ample time to prepare for the new fee and incorporate the fee into their bids/estimates prior to the start of the program.
- Based on historic practice, after the first year of the program, there are not many complaints about the fee and the focus is shifted more to information about drop-off sites and other recycling services, and less on the fee.
- Drop-off sites typically see a benefit to being promoted through both print and digital advertising.

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 and manufacturers about the program's print materials and other promotional efforts.

F. JOINT OUTREACH WITH LOCAL GOVERNMENT PROGRAMS

PaintCare plans to promote HHW and other local government drop-off site partners through its outreach efforts if they wish to be promoted. PaintCare has also established a process for local governments to coordinate joint outreach projects, through which PaintCare assists them with funding and developing outreach campaigns focused on paint recycling for digital, print, radio, and other media. To initiate a project, the local government partner will be asked to complete a form describing the project and budget for approval. PaintCare will consider a reimbursement proportional to the amount of the campaign devoted to the PaintCare program services. For example, when staff of the Housatonic Resource Recovery Authority in Connecticut published an annual newspaper advertisement promoting its calendar of HHW events for towns in its region, they devoted half of the page to PaintCare products and information, and PaintCare funded half of the advertisement cost. Local governments may propose any project that includes a PaintCare message using any medium. The current version of the joint outreach fact sheet is provided in Appendix C.

G. WEBSITE AND SITE LOCATOR

PaintCare's website provides public access to information about all key aspects of the program. The site makes it easy for the public to find paint drop-off options, request LVPs, view accepted products, and answer questions about the program. It also provides targeted resources for retailers, manufacturers, painting contractors, and local government waste facilities. State-specific pages for each PaintCare program contain links to program plans, annual reports, laws, and other official documents. The "Paint Smarter" section educates the public about PaintCare's "Buy Right, Use It Up, Recycle the Rest" messages, including useful tips and resources. PaintCare's website is available in Spanish translation.

PaintCare strives to continually provide accurate, up-to-date information regarding paint recycling options available to the public. PaintCare has developed and maintains a national database of paint drop-off sites and makes the information available through a drop-off site locator on PaintCare's website. The locator provides a paint-specific, easy-to-use way to search for the nearest available paint drop-off site. Site-specific information explains who is eligible to use a site and what limitations apply.

The site locator resource is currently organized as follows: for PaintCare states, the locator lists only paint drop-off sites, including HHW programs, that partner with PaintCare. For non-PaintCare states, it lists HHW programs as locations where the public can bring leftover paint.

H. 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 hotline staff speak English and can access live language interpretation in Spanish and a number of other languages when requested.

I. EVALUATION OF OUTREACH

PaintCare typically conducts surveys to evaluate the effectiveness of the education and outreach efforts. The surveys measure awareness of paint recycling among households and painting professionals and include questions about reducing leftover paint, opportunities for reuse and recycling paint, and intention to use those options in the future. Other questions may vary from one survey to another. PaintCare typically reports on the results of each survey in annual reports.

J. EXAMPLES OF OUTREACH MATERIALS

Current versions of the following outreach materials are provided in Appendix C:

- Program trifold brochure
- Fact sheet for HHW programs about becoming a PaintCare partner
- Fact sheet for solid waste facilities about becoming a paint drop-off site
- Fact sheet for retailers describing their responsibility under the new law and providing a program overview
- Fact sheet for retailers about becoming a paint drop-off site
- Fact sheet about the LVP service
- In-store informational poster
- "Recycle Here" poster for paint drop-off sites
- Fact sheet on joint outreach with local governments

7. Funding and Budget

STATUTORY CITATION

New York Environmental Conservation Laws, Article 27: Collection, Treatment and Disposal of Refuse and Other Solid Waste, Title 20: Postconsumer Paint Collection Program. Section 27-2003:

3. The plan submitted by the producer or representative organization to the department under this section shall:

(h) Set forth the process by which an independent financial auditor will be selected and identify the criteria used by the producer or representative organization in selecting an independent auditor.

(j) Include the targeted annual collection rate.

(k) Be reviewed by an independent financial auditor to assure that any added cost to paint sold in the state as a result of the postconsumer paint collection program does not exceed the costs of the program. The independent auditor shall verify that the amount added to each unit of paint will cover the costs of the postconsumer paint collection program.

SECTION OVERVIEW

This section discusses:

- Funding mechanism
- Paint sales estimates
- Paint collection volume estimates
- Budget description
- PaintCare fee structure
- Program budget

A. FUNDING MECHANISM

The PaintCare fee will be applied to qualifying containers of architectural paint sold in New York beginning on the program's start date. The PaintCare fee is set at a rate to cover but not exceed the cost of operating and sustaining the New York program. All revenue generated by the fee on New York paint sales will be spent to support the New York program. The following steps describe the application of the PaintCare fee:

- Manufacturers will add the PaintCare fee to containers of architectural paint sold in New York directly or through dealers (retailers and distributors).
- Retailers and distributors will pass the PaintCare fee to their customers by including it as part of the purchase price of architectural paint they sell in New York. This is how retailers and distributors will recoup the PaintCare fee they paid when purchasing architectural paint from their suppliers.

- When consumers buy architectural paint in New York, the PaintCare fee will be included as part of the purchase price.
- Manufacturers will report sales and remit to PaintCare the PaintCare fee for architectural paint they sold in New York in the preceding month. Manufacturers will have already recouped the PaintCare fee they pay to PaintCare because the fee will be included as part of the price of their architectural paint when they sold it to their dealers. Some companies may be allowed to report sales on a less frequent schedule if their sales are minimal.

B. PAINT SALES ESTIMATES

Paint Sales Volume

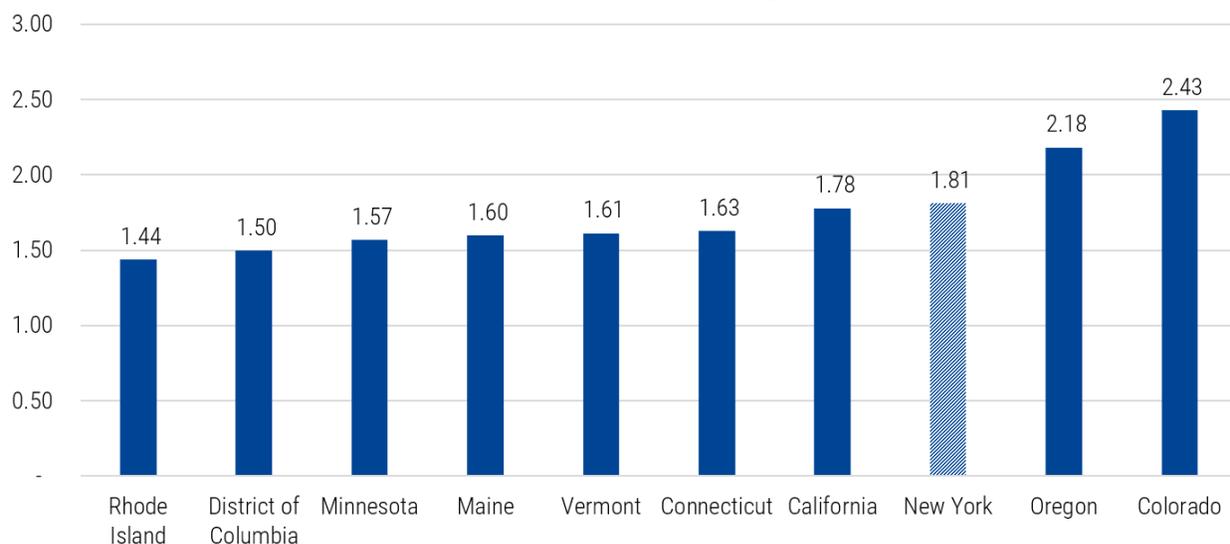
Until PaintCare has a program in a state that requires state-based reporting, many manufacturers do not track their sales based on the state where paint is finally sold to a consumer. This is often due to distribution chains that may involve a number of distributors between the manufacturer and final point of sale. To estimate paint sales in New York for this plan, PaintCare commissioned a study by Decision Metrics, a consulting firm that has been used by the American Coatings Association, PaintCare, and some individual paint companies to project paint sales nationally, in certain states, and in smaller geographic regions (e.g., counties). To assist with the projection model used by Decision Metrics, PaintCare provided actual historical monthly sales totals reported by each size category from January 2015 to August 2021 for each PaintCare program.

The Decision Metrics model projects total gallons sold and container size breakdown (1-gallon vs. 5-gallon) by factoring into consideration many key metrics: housing starts and housing sales, population growth, commercial real estate square footage, demographics (e.g., age and wealth), and economic conditions in each state. Decision Metrics also considered cross-border issues, i.e., paint purchased in one state for use in another state. Due to the unusually high architectural paint sales in 2020 resulting from the stay-at-home factor of the Covid-19 pandemic, sales for 2022 are projected to be closer to 2019 estimates. The projections also indicate a very slight increase in total volume and a slight shift from smaller to larger containers for the subsequent years.

Independent of the work done by Decision Metrics, PaintCare staff examined annual per capita sales for 2017-2019 in PaintCare states to compare with sales per capita in New York projected by Decision Metrics for 2022. Using this data and in consultation with PaintCare's board of directors, PaintCare has projected to the best of its ability the volume of PaintCare products that will be sold in the state.

The following chart shows projected sales per capita for New York relative to average of actual sales in the years 2016-2019 for current PaintCare states (other than Washington, which has not yet had a full year of sales).

Gallons Sold per Capita by Program



Sales by Container Size

PaintCare estimated the share of units sold in each of the three predominant container size categories from the data received from the Decision Metrics and sales data from other PaintCare programs. The following table shows the container mix based on 2019 sales reports for current PaintCare programs along with the container mix projected by Decision Metrics for New York in 2022. In general, the volume of small-container sales as a proportion of total sales tends to be relatively higher in smaller and more rural states. Knowing the container size mix is important in setting the PaintCare fee because the fee (and the resulting revenue) is lower for larger containers on a per-gallon basis.

CONTAINER SIZE MIX (RELATIVE TO VOLUME OF PAINT SOLD IN EACH CONTAINER SIZE)
(Due to rounding totals may be 101%)

| Program | Small <1 Gallon (%) | Medium 1-2 Gallons (%) | Large >2-5 Gallons (%) |
|----------------------|---------------------------|------------------------------|------------------------------|
| District of Columbia | 3 | 28 | 69 |
| Colorado | 3 | 32 | 65 |
| California | 3 | 32 | 65 |
| New York | 2 | 33 | 65 |
| Oregon | 3 | 35 | 62 |
| Minnesota | 5 | 48 | 47 |
| Connecticut | 5 | 53 | 42 |
| Rhode Island | 5 | 55 | 41 |
| Vermont | 6 | 65 | 30 |
| Maine | 7 | 64 | 29 |

When sales reports are received after the program begins, PaintCare will know the actual sales volume and container size mix in New York from manufacturer reporting.

C. PAINT COLLECTION VOLUME ESTIMATES

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 given time is unknown. Consumers purchasing paint may decide to recycle or dispose of their unwanted paint as soon as a painting job is finished, or they may keep it for several years. These factors make it difficult to determine how much postconsumer paint is available for collection.

Collection Volume Projections

Recovery rate is defined as the volume of paint collected divided by volume of paint sold in the same period. EPA estimates that 10% of architectural paint sold remains leftover each year. The recovery rate for PaintCare programs varies from a low of about 4% to a high of about 12%. The volume of paint collected depends on the state’s paint collection infrastructure, recycling habits, extent of outreach, and age of the program. PaintCare has observed in its other program that the recovery rate initially increases each year, with the largest increases in the first few years. After the first few years, the recovery rate stabilizes – with small increases, no increase, or small decreases. PaintCare believes New York is more similar to California, Colorado, Connecticut, and Rhode Island, where the recovery rates reached between 4.5% and 5.6% in the fourth year.

The following table shows projected collection volumes, projected paint sales, and the resulting recovery rates in the first four years of the New York program.

PROJECTED GALLONS COLLECTED, SOLD, AND RECOVERY RATE

| | 2022 (8 MONTHS) | 2023 | 2024 | 2025 |
|---------------------------|--------------------|------------|------------|------------|
| Paint Collected (gallons) | 1,122,000 | 1,750,320 | 1,890,346 | 1,984,863 |
| New Paint Sold (gallons) | 24,408,401 | 36,634,671 | 36,658,753 | 36,658,753 |
| Recovery Rate | 4.6% | 4.8% | 5.2% | 5.4% |

D. BUDGET DESCRIPTION

PaintCare is presenting a budget and proposed a fee structure calculated to fully fund the New York program through its first four years and allow it to accumulate an operating reserve, discussed further below, to help ensure sustainability of the program. The budget reflects PaintCare’s expected revenue and expenses based on the projected sales and paint collection volume described previously. PaintCare will make decisions to manage the finances of the program based on actual program revenue and expenses after the launch of the program. As such, actual expenditures may vary from those set forth in the budget.

The program has already incurred and will continue to incur additional expenses before the program starts and revenue begins to be collected. These expenses are for program planning activities, to educate stakeholders about the program, and to prepare drop-off sites to collect paint when the program starts. Notable examples include personnel, travel expenses, retailer outreach, paint collection supplies and support, and legal costs in connection with regulatory review.

As described in the outreach and education section of this plan, PaintCare plans to take a phased-in approach in promoting the program. As outreach and public awareness increase, paint collection volumes and the related costs for paint collection, transportation, and processing are expected to also increase.

The following describes the primary elements of the budget:

Revenue

The volume of paint sales in New York is based on estimates of past sales and container mix as described previously.

Operations Expenses

Operations includes all in-state expenses (also called direct expenses) specific to operating the New York program. These costs will be borne entirely by the New York program and not shared with other PaintCare programs. They are categorized as follows:

- **Paint processing.** This will be the most significant expense of the program. Costs are based on vendor pricing provided through the RFP process discussed in Section 5, and payments for the additional activities (e.g., reuse) at sites.
- **Paint transportation.** This expense will include the cost of transporting paint bins from paint drop-off sites to paint processing locations.
- **Paint collection supplies and support.** These will include the cost of paint collection bins, spill kits, PaintCare event expenses, training materials, signs, labor to pack paint at LVP sites, and other paint collection-related support.
- **Communications.** These expenses will include advertising and promotional materials to increase awareness of the program and to promote drop-off sites, events, and other services.
- **Personnel, professional services, and other.** These expenses will include the cost of staff working directly to implement the New York program; legal costs for regulatory review and developing contracts; and other logistical, professional support, and office expenses.
- **Loan repayment.** PaintCare has secured a fixed-term loan from the American Coatings Association (ACA) for approximately \$4.5 million to cover expenses incurred prior to the start of the program and until the program revenue is sufficient to cover program expenses. Loan repayment is envisioned to occur within the first five years of the program. The interest rate on ACA's loan to PaintCare is equal to the rate that ACA pays to secure the funds it loans to PaintCare.

Corporate Expenses

Corporate expenses (also called indirect expenses) are those that are not specific to the New York program but support all current and future PaintCare programs. These costs include but are not limited to corporate staffing (e.g., PaintCare’s president, director of operations, communications team); back-office support (e.g., information technology, legal, government affairs, and accounting); company-wide auditing, insurance, outside counsel, and other professional services; software licenses and maintenance of data management systems; occupancy; general communications; and other supplies and services that support all PaintCare programs.

Corporate expenses are allocated among all PaintCare programs based on their relative populations in the most recent census. New programs begin to pay their relative share about six months before program starts. At the time of plan submission, New York represents 22% of the combined population of the PaintCare programs (based on 2020 census data). In future years, PaintCare may update the corporate allocation based on the population estimates published annually by the Census Bureau.

In addition, as additional states pass paint stewardship legislation, those states will be added to the corporate allocation formula and the share of corporate expenses will decrease for each of the current programs.

Operating Reserves

Reserves represent the net assets (cash and investments) of the New York program. Reserves are needed to sustain the program in times of either higher-than-expected paint collection volumes resulting in higher-than-expected expenses, lower-than-expected paint sales resulting in lower-than-expected revenue, or a combination of the two. PaintCare’s reserves policy establishes a target reserve as a percentage of annual expenses and sets a minimum and maximum threshold. If the reserves fall below the minimum threshold or rise beyond the maximum threshold, an evaluation of the program’s expenses and revenue will be performed to determine if changes are needed in operations, outreach, and/or the fee structure to bring the reserve balance within range. Any change in the program’s fee structure will involve an update to the program plan, and Department approval, as required under New York law. PaintCare currently has a target reserve of 100% of annual expenses (i.e., 12-months of operating expenses), with a minimum threshold of 75% (i.e., nine months) and a maximum threshold of 125% (i.e., 15 months).

E. PAINTCARE FEE

Based on the projected paint sales, revenue, and expenses, PaintCare proposes the following fee structure, for DEC's approval, with different amounts for the following four container size categories:

| SIZE | DESCRIPTION | FEE |
|------------|---|---------|
| Very Small | Half pint or smaller | \$ 0.00 |
| Small | Larger than half pint up to smaller than 1 gallon | \$ 0.45 |
| Medium | 1 gallon up to 2 gallons | \$ 0.95 |
| Large | Larger than 2 gallon up to 5 gallons | \$ 1.95 |

Audit of the PaintCare Fee

To help ensure that the program's funding mechanism is appropriate to cover the cost of the program, the New York law requires the proposed PaintCare fee to be reviewed by an independent financial auditor.

PaintCare conducted a search for a qualified financial auditor to review the PaintCare fee as required by law. Criteria for selecting an auditor included: relevant experience; cost; independence (e.g., no conflicts of interest with PaintCare, its related companies, PaintCare's Board member companies); ability to meet PaintCare's contractual requirements (including confidentiality requirements); and approval from DEC. Lydon Fetterolf Corydon, P.A. has conducted the audit, which is included in Appendix E.

F. FINANCIAL SUMMARY

The following table shows anticipated expenses and revenues from pre-program thorough 2025. Pre-program expenses are those from December 16, 2019 to April 30, 2022.

REVENUE AND EXPENSES

| REVENUE | PRE-PROGRAM | 2022 (8 MONTHS) | 2023 | 2024 | 2025 |
|---|----------------|--------------------|--------------|---------------|---------------|
| Small Containers | - | \$ 1,036,427 | \$ 1,545,313 | \$ 1,540,678 | \$ 1,540,678 |
| Medium Containers | - | 7,668,889 | 11,530,320 | 11,591,517 | 11,591,517 |
| Large Containers | - | 6,144,451 | 9,216,244 | 9,201,525 | 9,201,525 |
| Total Revenue | - | 14,849,767 | 22,291,877 | 22,333,720 | 22,333,720 |
| | | | | | |
| EXPENSES | | | | | |
| Paint Processing | - | 5,513,000 | 8,600,000 | 9,567,000 | 10,045,000 |
| Paint Transportation | 60,000 | 1,563,000 | 2,439,000 | 2,713,000 | 2,849,000 |
| Paint Collection Supplies and Support | 604,415 | 1,070,000 | 1,669,000 | 1,856,000 | 1,949,000 |
| Communications | 136,901 | 165,833 | 2,000,000 | 2,500,000 | 2,500,000 |
| Personnel, Professional Fees, Other | 520,076 | 663,599 | 958,980 | 987,750 | 1,017,382 |
| State Agency Administrative Fees | 10,000 | - | - | - | - |
| Loan Interest | - | 120,234 | 123,460 | 126,772 | 90,641 |
| Allocation of Corporate Activity | 605,361 | 985,036 | 1,521,881 | 1,567,538 | 1,614,564 |
| Total Expenses | 1,936,753 | 10,080,702 | 17,312,321 | 19,318,060 | 20,065,587 |
| | | | | | |
| Change in Net Assets | (1,936,753) | 4,769,065 | 4,979,556 | 3,015,660 | 2,268,133 |
| | | | | | |
| Net Assets, Beginning of Year | - | (1,936,753) | 2,832,312 | 7,811,868 | 10,827,528 |
| | | | | | |
| Net Assets, End of Year | \$ (1,936,753) | \$ 2,832,312 | \$ 7,811,868 | \$ 10,827,528 | \$ 13,095,661 |
| Reserve as Percentage of Total Expenses | - | 28% | 45% | 56% | 65% |

8. Program Plan Update – October 2022

SECTION OVERVIEW

Upon receiving DEC's conditional program plan approval on 01/06/22, the New York PaintCare program launched on May 1, 2022. This section summarizes key program achievements as of October 2022.

A. DROP OFF SITES ESTABLISHED TO DATE

A total of **259 drop-off sites** have been established and are now accepting eligible program products. Of these 259 drop off sites, 228 are paint retailers, 21 are at municipally owned locations, seven are reuse stores, two are paint recycling operations, and one is an HHW door-to-door pick up program.

B. SUPPORT OF HHW PROGRAMS

PaintCare is supporting over **131 HHW events** across the state in 2022. In addition, most HHW programs are again inviting residents to drop off latex paint for processing through the paint stewardship program; many had ceased latex paint collection efforts as state grant funding for collection of this non-hazardous material was discontinued over ten years ago.

C. LARGE VOLUME PICK UP REQUESTS

PaintCare has already received 140 requests from across the state, each representing pick of large volume quantities exceeding 100 gallons of program eligible materials. These requests are projected to result in the recovery of over 30,000 gallons of leftover paint.

D. PUBLIC COMMUNICATION

A searchable online site locator, paintcare.org/drop-off-sites/, is now populated with drop off sites available in New York State to make it easy for residents to recycle and properly manage their leftover paint. The locator is updated continuously as new sites come on board.

PaintCare is providing retailers with a wide variety of public education materials, including brochures, posters, mini cards and counter mats to inform customers about the new paint stewardship program.

PaintCare has tracked over 100 media mentions of the program across the state since program launch, and additional press coverage continues to be generated. A New York-based communications firm has been retained, and as discussed in Section 6 Communications, a high profile, multi-platform advertising campaign will be implemented in 2023 and beyond to expand public awareness of the New York PaintCare program.

Appendix A

Registered Manufacturers and Brands



- 1 Ace Hardware Paint Division
- 2 Acrylatex Coatings & Recycling Inc.
- 3 Advanced Protective Products, Inc.
- 4 AFM Safecoat
- 5 Amazon Environmental Inc.
- 6 Amazon Paint
- 7 American Formulating & Manufacturing
- 8 Ames Research Laboratories, Inc.
- 9 Armstrong-Clark Company
- 10 Backdrop Inc
- 11 Basic Coatings
- 12 Behr
- 13 Behr Process Corporation
- 14 Benjamin Moore & Co.
- 15 Betco Corporation LTD
- 16 Beyond Paint
- 17 Bond Distributing, Ltd.
- 18 C&M Coatings
- 19 California Products Corp.
- 20 CBD Group
- 21 Champion Paint Mfg Co Inc
- 22 Clare, Inc.
- 23 Clinical Paints
- 24 Coatings Alliance, LLC
- 25 Conklin Company, Inc.
- 26 Continental Products
- 27 Country Chic Paint Ltd.
- 28 CRC Industries, Inc.
- 29 Custom Building Products, Inc.
- 30 Custom Paint Product Group
- 31 Daly's Wood Finishes
- 32 Diamond Vogel, Inc.
- 33 Dryvit Systems, Inc.
- 34 Dunn-Edwards Corporation
- 35 ECOS Paints
- 36 Emiron Corporation
- 37 Farrow & Ball Ltd
- 38 Farwest Paint Mfg. Company



- 39 Faux Effects International, Inc.
- 40 Fine Paints Of Europe
- 41 Firestone Building Products LLC
- 42 Forrest Paint Co
- 43 Franklin Paint Company, Inc.
- 44 Gardner-Gibson
- 45 Gemini Coatings, Inc.
- 46 Gemini Industries, Inc.
- 47 General Finishes
- 48 Golden Artist Colors, Inc.
- 49 GreenSheen Eco-Friendly Paint
- 50 H. Behlen & Bro.
- 51 Harrison Paint Company
- 52 Heartwood Corp
- 53 Henry Company LLC
- 54 Heron Paint
- 55 Hirshfield's Paint Manufacturing Inc.
- 56 ICP Construction
- 57 Imperial Paints LLC
- 58 Kelly Moore Paint Company, Inc
- 59 Kop-Coat, Inc.
- 60 Laticrete International, Inc.
- 61 Lauzon Distinctive Hardwood Flooring
- 62 Lexington Paint and Supply Co. Inc.
- 63 Lullaby Paints
- 64 Masterchem Industries LLC
- 65 Meoded Paint & Decoration
- 66 Meoded Paints and Plasters
- 67 Mercury Paint Corporation
- 68 Messmer's Inc.
- 69 Mia Colore
- 70 NCH Corporation
- 71 Old Masters
- 72 One Time
- 73 Penofin
- 74 Performance Coatings, Inc.
- 75 Perma-Chink Systems, Inc.
- 76 PPG Architectural Finishes, Inc.
- 77 Premier Finishes Inc.



- 78 Preserva Products, Ltd
- 79 Pure and Original
- 80 Quikrete
- 81 Ready Seal, Inc.
- 82 Recolor Paints, LLC
- 83 Richard's Paint Manufacturing Co Inc.
- 84 Rodda Paint Company
- 85 Roman Decorating Products, LLC
- 86 RPM Wood Finishes Group, Inc.
- 87 Rudd Company, Inc.
- 88 Rust-Oleum Corporation
- 89 SamaN
- 90 Sansin America Incorporated
- 91 Sashco, Inc
- 92 SaverSystems, Inc.
- 93 Sika Corporation
- 94 Starlite Paint & Varnish Co Inc.
- 95 Sto Corp.
- 96 Structures Wood Care, Inc.
- 97 Sutherland Welles Ltd.
- 98 Sydney Harbour Paint Company
- 99 TC Dunham Paint Company
- 100 Tex-Cote LLC
- 101 The Sherwin-Williams Company
- 102 Timber Pro Coatings
- 103 True Value Manufacturing Company
- 104 United Gilsonite Laboratories (UGL)
- 105 Van Sickle Paint Mfg.
- 106 Van Votz USA, LLC
- 107 Vermont Natural Coatings
- 108 Waterlox Coatings Corporation
- 109 Wood Iron Wood Finishes, Inc.
- 110 Wood Kote Products Inc.
- 111 Yenkin-Majestic Paint Corp.

| | | |
|--|--|--|
| Ace Contractor Pro Paints and Primers | Aqua Mix Sealer's Choice Gold | Benjamin Moore Premium Exterior Stain |
| Ace Essence Paints | Aqua Mix Stone Enhancer | Benjamin Moore Pro Finish |
| Ace Great Finishes Interior Stains & Varnishes | Aqua Mix UltraSolv | Benjamin Moore Regal Classic |
| Ace Interior Premium Enamels | AquaSeal™ | Benjamin Moore Regal Select |
| Ace Royal Finest Paint | AquaStone® | Benjamin Moore Satin Impervo |
| Ace Royal Paints and Primers | AquaTex™ | Benjamin Moore Satin Impervo |
| Ace Rust Stop Enamels and Primers | AquaThane™ | Benjamin Moore Studio Finishes (except Chalkboard Paint) |
| Ace Sealtech Waterproofers | Aqua Verdigris™ | Benjamin Moore Super Craft |
| Ace Sensations Paint | Aqua Zar (All Gloss Levels) | Benjamin Moore Super Spec (does not include Super Spec HP) |
| Ace Simply Magic Ceiling Paint | Architect Series | Benjamin Moore Super Spec HP Acrylic Metal Primer |
| Ace Stain | Armstrong Stains | Benjamin Moore Super Spec HP Alkyd Metal Primer |
| Ace Stain Halt | Artistic Finishes | Benjamin Moore Super Spec HP Clear Acrylic Sealer |
| Ace Wood Royal Exterior Stains | Aspire | Benjamin Moore Super Spec HP DTM Acrylic Gloss |
| ACR 4675 Interior Primer | Backdrop | Benjamin Moore Super Spec HP DTM Acrylic Low Lustre |
| ACR 5514 Interior/Exterior Primer | Bakor | Benjamin Moore Super Spec HP DTM Acrylic Semi-Gloss |
| ACR Stain Blocker Primer | Barn & Fence Paints | Benjamin Moore Super Spec HP DTM Alkyd Gloss Enamel |
| AFM Safecoat | Basic Coatings | Benjamin Moore Super Spec HP DTM Alkyd Low Lustre |
| Allpro Commercial Grade Waterproofing Sealer | Basic Coatings Hardwood Floor Refinisher Gloss | Benjamin Moore Super Spec HP DTM Alkyd Semi-Gloss Enamel |
| Allpro Concrete Floor Sealer | Basic Coatings Hardwood Floor Refinisher Satin | Benjamin Moore Super Spec HP Rust Converter |
| Allpro Concrete Waterproofing Paint | Behr | Benjamin Moore Super Spec HP Shop-Coat Alkyd Metal Primer |
| Allpro Masonry Waterproofing Sealer | Behr Premium Plus | Benjamin Moore Super Spec HP Universal Metal Primer |
| Allpro Multi-Surface Water Repellent | Behr Premium Plus Ultra | Benjamin Moore Super Spec HP Urethane Alkyd Gloss Enamel |
| Alumify | Behr Premium Select | Benjamin Moore Sure Seal Primer |
| Amazon Basic | Behr Pro-X | Benjamin Moore Ultra Spec (does not include Ultra Spec HP) |
| Amazon Select Paint | Benchmark | Benjamin Moore Vinyl Latex Flat |
| Ames Block & Wall, acrylic | Benjamin Moore Advance | Benjamin Moore Waterborne Ceiling Paint |
| Ames Block & Wall, rubber | Benjamin Moore Alkyd Dulamel | Benjamin Moore Waterborne Satin Impervo |
| Ames Blue Max | Benjamin Moore Arborcoat | BenMate Danish Tung Oil Finish |
| Ames Clear Seal | Benjamin Moore Aura | Better Homes and Gardens |
| Ames Liquid Granite | Benjamin Moore Ben | Bin Coat Metal Paint |
| Ames Paint & Prime | Benjamin Moore Benwood Finishes | Blacknight |
| Ames Reflective Paint | Benjamin Moore Block Filler | Block Filler |
| Ames Safe-T-Deck Granulated | Benjamin Moore Color Samples | Blue Seal |
| Ames SafeT-Deck Smooth | Benjamin Moore Concepts | BMI 100 Primer |
| Ames Super Elasto Barrier | Benjamin Moore Concrete Waterproof Sealer | Bruce Fresh Finish |
| Ames Super Primer | Benjamin Moore Eco Spec | |
| Ames Vapor Barrier | Benjamin Moore Floor and Patio | |
| Andersons | Benjamin Moore Fresh Start Primers | |
| AquaBond™ | Benjamin Moore Grand Entrance | |
| AquaColor™ | Benjamin Moore Impervex | |
| AquaCrackle® | Benjamin Moore Ironclad | |
| AquaCrackle® Fine Line | Benjamin Moore Kitchen and Bath | |
| Aqua Finishing Paste™ | Benjamin Moore Knockdown | |
| Aqua Finishing Solutions® | Benjamin Moore Marvelux | |
| AquaGard™ | Benjamin Moore Moorcraft Super Craft | |
| Aqua Mix Aqua Stain | Benjamin Moore Moorcraft Super Hide | |
| Aqua Mix Enrich-n-Seal | Benjamin Moore Muresco | |
| Aqua Mix High Gloss Sealer | Benjamin Moore Natura | |
| Aqua Mix Penetrating Sealer | | |
| Aqua Mix ProSolv | | |
| Aqua Mix Seal & Finish Low Sheen | | |

| | | |
|--|--|---|
| BrushLac | California Paints Ox-O-Flow Cal Coater | Coronado Elastite |
| Bunker Hill Ceiling Paint | California Paints Preference | Coronado Final Touch |
| Bunker Hill Classic Exterior | California Paints Prime Touch Primer and Sealer | Coronado Gold |
| Bunker Hill Classic Interior | California Paints ProPaint | Coronado Grand |
| Bunker Hill Demo Color Sample | California Paints Sand Finish | Coronado Grip & Seal |
| Bunker Hill DIKON Barn & Fence | California Paints Texture Finish | Coronado Maxum Stains |
| Bunker Hill Door & Trim | California Paints Trouble Shooter | Coronado Optimum Hide |
| Bunker Hill Drywall Primer | California Paints Ultra 2010 | Coronado Rust Scat |
| Bunker Hill Excellence Exterior | California Paints Ultra Aquaborne Ceramic | Coronado Super Kote 1000 |
| Bunker Hill Excellence Interior | California Paints Ultra Ceiling White | Coronado Super Kote 3000 |
| Bunker Hill Exterior Acrylic Primer | California Paints Ultra High Build Exterior Paint | Coronado Super Kote 5000 (does not include the dry falls) |
| Bunker Hill Exterior Oil-based Primer | California Paints UltraPlate Cabinet & Trim Enamel | Coronado Supreme |
| Bunker Hill Premiere Exterior | California Paints Verde | Coronado Texcrete |
| Bunker Hill Premiere Interior | California Paints WipeOut | Coronado Texcrete WB |
| C&M Coatings | California Paints WipeOut II | Coronado Tough Shield |
| C2 Paint | Casual Spaces | Coronado Tough Tex |
| C-500 SuperUrethane™ | Champion Paint Alpine Latex | Coronado Tough Walls |
| C-500™ | Chemsearch - Conquest | Corotech Electrostatic Enamel Semi-Gloss |
| CAB/Acrylic Clear Topcoat | Chimney Rx Masonry Chimney Water Repellent | Corotech Hammerstone Enamel |
| CAB/Acrylic White Topcoat | Clare Flat White | Corotech Organic Zinc Rich Primer |
| Cabinet, Door& Trim Paint | Clare Interior Eggshell | Corotech Pre-Cat Epoxy Eggshell |
| Cabot | Clare Interior Semi-Gloss | Corotech Pre-Cat Epoxy Semi-Gloss |
| Cabot "The Finish" | Clare Multipurpose Primer | Corotech Prep All Universal Primer |
| Cabot Australian Timber Oil | Clark+Kensington Paints Clear and Clean | Corotech Quick Dry Acrylic Spray DTM |
| Cabot Cabothane | Clear Finishing Paste™ | Corotech Quick Dry Enamel Gloss |
| Cabot Clear solutions | Clinical Paints | Corotech Quick Dry Enamel Semi-Gloss |
| Cabot OVT | Collection of Joy Argente | Corotech Rust Arretor |
| Cabot Problem Solver | Collection of Joy Oro | Corotech Shop Cote Primer |
| Cabot PROVT | Color Decor | Country Chic Paint - Tough Coat Cover & Go |
| California Paints Alkyd Vapor Barrier Primer Sealer & Enamel Undercoater | Color Extra | CrackleAdd™ |
| California Paints AllFlor Porch & Floor Enamel | Color House Premium Ceiling Paint | Crackle Fine Line™ |
| California Paints All Wall & Trim Primer, Sealer and Undercoater | Color Made Simple | Crackle Lacquer Clear |
| California Paints Aquaborne Ceramic Universal Primer | Color Mist™ | Crackle™ |
| California Paints ASAP Enamel Undercoater Primer & Sealer | ColorPlace | CRC® Rust Converter |
| California Paints California Ceiling White | Color Prime - W™ | Crema |
| California Paints CalPro | Color Prime™ | Creme Activator™ |
| California Paints Diamond Ceiling White | ColorSeal™ | Crystal Brush |
| California Paints Drywall Primer | Color Wheel | CrystalFin: Gloss, Semi-Gloss, Satin and Matte |
| California Paints Fres-Coat | Colour Crete | CrystalFin Floor Finish: Gloss and Satin |
| California Paints Grip Coat Bonding Primer | Comex Paint | CT-100 |
| California Paints Malibu | Conco | Daly's Deck Stain |
| California Paints Muralo 268 | Contractor's Edge | Daly's Log Oil |
| California Paints Muralo 563 | Controlz Primers | Daly's Semi-Transparent Exterior Stain |
| California Paints Nextech 2 | Core Essentials | Daly's Waterborne Deck Stain |
| | Coronado Aqua Plastic | Daly's Waterborne Stain |
| | Coronado Ceiling Paint | Daly's Wood Stain |
| | Coronado Crylicote | |

| | | |
|------------------------------------|--|--|
| Dead Flat Varnish™ | Diamond Vogel Quick Dry | Duckback - SuperDeck - Deck & Dock Elastomeric |
| Deft Clear Wood Finishes | Diamond Vogel Red Kote | Duckback - SuperDeck - Exotic Hardwood Stain |
| Deft Deftoil | Diamond Vogel RTU | Duckback - SuperDeck - Log Home Oil Finish |
| Deft Lacquer Sanding Sealer | Diamond Vogel Rural Red | Duckback - SuperDeck - Oil Based Stain |
| Deft Polyurethanes | Diamond Vogel Rural White | Duckback - SuperDeck - Pressure Treated Stain |
| Deft Wood Stains | Diamond Vogel Satinamel | Duckback - SuperDeck - Semi Transparent Stain |
| Defy Clear Wood Finish | Diamond Vogel Special Red | Duckback - SuperDeck - Solid Color Stain |
| Defy Composite Deck Sealer | Diamond Vogel Super Build | Duckback - SuperDeck - Transparent Stain |
| Defy Deck Stain for Hardwoods | Diamond Vogel Super Pro | Duckback - SuperDeck - Waterborne Stain |
| Defy Epoxy Fortified Wood Stain | Diamond Vogel Super Quick | Dunham's (all products except traffic paint) |
| Defy Extreme Wood Stain | Diamond Vogel Super Varnish | Dunn's Paints |
| Defy Marine Seal | Diamond Vogel Sure-Block II | Dunn-Edwards |
| Defy Original Synthetic Wood Stain | Diamond Vogel SureFlo | DuraGard™ |
| Demandit® | Diamond Vogel Sure Grip | DuraSeal Sanding Sealer™ |
| Designer Drylok (all colors) | Diamond Vogel Uni-Fill | DuraSheen™ with UV |
| Designer Foil FX Paste™ | Diamond Vogel Vantage Plus | Dutch Boy |
| Designer Foil FX™ | Diamond Vogel Vantage Primer | Dutchboy Dimensions |
| Designer Metallics™ | Diamond Vogel Vers-Acryl | Dutchboy Dirt Fighter Interior |
| Designer Rust™ | Diamond Vogel Vinyl Kote | Dutchboy Maxbond® |
| Devine | Diamond Vogel Weather Plate | Dutchboy Refresh |
| Diamond Brite | Diamond Vogel Zero Plus | Dutch Metal™ |
| Diamond Vogel Acryl Prime | DIKON Barn & Fence (Bunker Hill) | Dutch Standard (all products) |
| Diamond Vogel Apex | DIKON Dairy Enamel | Easy Care |
| Diamond Vogel Ascend | Dimensional Metals 2 | Easy Color |
| Diamond Vogel Assure | Do It Best | Economy |
| Diamond Vogel Color Plus | Do-It-Best | ECOS Paints |
| Diamond Vogel Diamond Prime | Do It Best Best Look® | Encase |
| Diamond Vogel Dia-Pro | Do It Best Color Solutions® | Enrich |
| Diamond Vogel Double Hide | Drylok Concrete Floor Paint (all colors) | EPIC Ceiling White |
| Diamond Vogel Elevate | Drylok Concrete Protector | EPIC Interior Primer |
| Diamond Vogel Enamel Undercoat | Drylok E1 Floor Paint (all colors) | EPIC Premium Interior Paint and Primer |
| Diamond Vogel Evercryl | Drylok Extreme | Equinox |
| Diamond Vogel Fil-Kote | Drylok Latex Base Masonry Waterproofers (all colors) | Essential Performance |
| Diamond Vogel Filler Finish | Drylok Natural Look Sealer | Excesior Coatings (all products) |
| Diamond Vogel Finium | Drylok Oil Base Masonry Waterproofers (all colors) | E-Z Kare |
| Diamond Vogel Flor Cote | Drylok Water Based 5% Silicone | Fabulon |
| Diamond Vogel Grain Stain | Drylok Wet Look Sealer | Farrow & Ball Dead Flat |
| Diamond Vogel Health-Kote | Duckback | Farrow & Ball Estate Eggshell |
| Diamond Vogel Hide Plus | Duckback - All Purpose Waterproofers | Farrow & Ball Estate Emulsion |
| Diamond Vogel Mil Max | Duckback - Composite Deck Sealer | Farrow & Ball Exterior Eggshell |
| Diamond Vogel Nu Cling | Duckback - Mason's Select - Concrete Clear Sealers | Farrow & Ball Full Gloss |
| Diamond Vogel OptiKote | Duckback - Mason's Select - Epoxacryl Solid Color Concrete Stain | Farrow & Ball Interior /Exterior Wood Primer & Undercoat |
| Diamond Vogel Paramount | Duckback - Mason's Select - Transparent Concrete Stain | |
| Diamond Vogel Permacryl Exterior | Duckback - Premium Translucent Finish | |
| Diamond Vogel Permacryl Interior | Duckback - SuperDeck - Clear Wood Finish | |
| Diamond Vogel Permafil | | |
| Diamond Vogel Permaflex | | |
| Diamond Vogel Plastercyl | | |
| 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 | | |

| | | |
|--|---|---|
| Farrow & Ball Interior Wood Primer & Undercoat | FixAll Kitchen & Bath Enamel | Gemini Coatings Gemini Tone Stain |
| Farrow & Ball Masonry & Plaster Stabilising Primer | FixAll Lacquer | Gemini Coatings Gem Pro |
| Farrow & Ball Masonry Paint | FixAll Lacquer Sanding Sealer | Gemini Coatings Gem Tone |
| Farrow & Ball Metal Primer & Undercoat | FixAll Lacrylic Clear Sealer & Anti-Graffiti Coating | Gemini Coatings Gem Var |
| Farrow & Ball Modern Eggshell | FixAll Latex Block Filler | Gemini Coatings Gulf Synthetics - PermaBond |
| Farrow & Ball Modern Emulsion | FixAll Mason-Cote | Gemini Coatings Master's Magic |
| Farrow & Ball Wall Ceiling Primer & Undercoat | FixAll Masonry Conditioner | Gemini Coatings Storm Shield |
| Farrow & Ball Wood Floor Primer & Undercoat | FixAll Novus | Gemini Coatings Titanium Series |
| Farrow & Ball Wood Knot & Resin Blocking Primer | FixAll Polyurethane | Gemini Coatings Total Wood Preservative |
| Faux Effects® | FixAll PVA Drywall Primer | Gemini Coatings TWP |
| Faux Effects International™ | FixAll Roof Coating | Gemini Coatings WFS |
| Faux Effects World® | FixAll RustPlate Primer | Gemini Coatings Wood Finishers Supply |
| FauxMetal™ | FixAll Sanding Sealer | General Coatings |
| FauxStone™ Pull-Off | FixAll Semi-Transparent Interior Stain | General Finishes Arm-R-Seal Urethane Topcoat |
| FauxStone™ Pull-Off Crusty | FixAll Shop Coat Primer | General Finishes Black & White Undercoat |
| FauxTex™ | FixAll Skid Grip | General Finishes Brushable White Enamel |
| FEI™ | FixAll Spar Varnish | General Finishes Clear Poly Topcoat |
| Field Marking Paints | FixAll Sportmans Camouflage Exterior Paint | General Finishes Enduro |
| Finecoat 2 | FixAll Stain & Odor Barrier | General Finishes Enduro-Var |
| Fine Paints of Europe ECO | FixAll Stopz | General Finishes Enduro-Var II |
| Fine Paints of Europe Eurolux | FixAll Ultimate Universal Primer | General Finishes Enduro-Var Polyurethane |
| Fine Paints of Europe Eurothane | FixAll Ultra Tred | General Finishes Exterior 450 |
| Fine Paints of Europe Hollandlac | FixAll Varnish | General Finishes Exterior 450 Clear Finish & Stain |
| Finishing Paste™ | FixAll Waterborne Alkyd Stain Killer | General Finishes Exterior 450 Stains |
| Fixall (all products) | FixAll WearAll | General Finishes Gel Stains |
| FixAll Acrylic Floor Sealer | Formby's | General Finishes Gel Topcoats |
| FixAll Acrylic Pool Paint | Forrest Paint | General Finishes GF Milk Paints |
| FixAll Acrylic Stain Killer | Franklin Paint - Halftime | General Finishes High Performance Poly |
| FixAll Adhesium Wall Covering Primer | Franklin Paint - Winning Streak | General Finishes Industrial Dye Stains & Concentrates |
| FixAll Alkyd Stain Killer | Fraze | General Finishes Oil Base Wood Stains |
| FixAll Alumithane | Fred Myers | General Finishes Original Seal-A-Cell CLEAR |
| FixAll Aquaborne Ceramithane | French Lac | General Finishes Outdoor Oil |
| FixAll Chlorinated Rubber Pool Paint | Fresco 2 | General Finishes Pigmented Poly |
| FixAll Clear Waterproofing Sealer | GacoDeck (A56, DT, & DK) | General Finishes Pre-Cat Urethane |
| FixAll Elastomeric Coating | Galvanized & Aluminum Primer | General Finishes Pre-Stain Wood Conditioner |
| FixAll Epoxy Pool Paint | Gardner-Gibson Black Jack (white elastomeric coatings only) | General Finishes Pro Image |
| FixAll Everlife Fast Dry Alkyd Enamel | Gardner-Gibson Dynamite | General Finishes RTM Stains |
| FixAll Everlife Urethane Enamel | Gardner-Gibson Eterna Kote | General Finishes Sanding Sealer |
| FixAll Everlife Waterborne Enamel | Gardner-Gibson Gardner | General Finishes Sealer |
| FixAll Everlife Weatherproof Aluminum Enamel | Gardner-Gibson Shur-Stik | General Finishes Stain Blocker |
| FixAll Exposed Concrete Sealer | Gardner-Gibson Sta-Kool | |
| FixAll Field Marking Paint RTU | Gemini Coatings Artisan Effects | |
| FixAll Fix-Rite | Gemini Coatings Craftsman Collection | |
| FixAll Fix Rust Primer | Gemini Coatings Gemini Clear | |
| FixAll Grabber Bonding Primer | Gemini Coatings Gemini Coat | |
| FixAll Gym Seal | Gemini Coatings Gemini Cryl | |
| | Gemini Coatings Gemini Dye | |
| | Gemini Coatings Gemini Glo | |
| | Gemini Coatings Gemini | |

| | | |
|---|---|---|
| General Finishes Water Base Dye Stains | HDP™ Water-Repellent Paint | Hirshfield's Platinum Ceramic |
| General Finishes Water Base Lacquer | Heavy Bodied Glazing Stain (Various colors) | Hirshfield's Platinum Exterior |
| General Finishes Water Base Wood Stains | Hemp Shield | Hirshfield's Premium Select Health |
| Geocel | Henry/Bakor | Hirshfield's Procrylic |
| Glidden Concrete Paint | Henry Acryprime Recoat Primer | Hirshfield's ProWall 1000 |
| Glidden Diamond | Henry Air Bloc 31 Brush/Spray | Hirshfield's ProWall 2000 |
| Glidden Duo | Henry Aquaprime Primer | Hirshfield's ProWall 4000 |
| Glidden Essentials | Henry Aquatac Primer | Hirshfield's ProWall 6000 |
| Glidden Everyday | Henry Binder/Tack Emulsion | Hirshfield's Pro-Z |
| Glidden EZ Track | Henry Grey Elastomeric Roof Coating | Hirshfield's Reserve |
| Glidden Grab-N-Go | Henry Light Tan Roof Coating | Hirshfield's Sanding Sealer |
| Glidden Gripper | Henry Metalshield Rubber Based Gray Roof Coating | Hirshfield's Select 1000 |
| Glidden High Endurance | Henry Metalshield Waterbased Elastomeric Roof Coating | Hirshfield's Top Scrub |
| Glidden High Performance | Henry Premium Elastomeric Base Coating | Hirshfield's Ultra Premium Ceiling Paint |
| Glidden Max-Flex | Henry Premium Non-Fibered Aluminum | Hirshfield's Uni-Prep |
| Glidden Premium | Henry RTC Coat | Hirshfield's Wall Prep |
| Glidden Professional Devflex | Henry Solorflx Tan Elastomeric | Hirshfield's Wash & Wear |
| Glidden Professional Devguard | Henry Special Color Elastomeric | Homax Premixed Popcorn Ceiling Texture |
| Glidden Professional Devoe | HGTV Home | Homax Premixed Wall Texture |
| Glidden PVA Drywall Primer | HGTV Weathershield by Sherwin Williams | Homax Roll-On Texture |
| Glidden Quick Cover | Hirshfield's A.M.P. Acrylic Masonry Primer | Homax Tile Guard |
| Glidden Spred | Hirshfield's Acrylic Concrete Sealer | Homax Wet Look Cure Seal |
| Glidden Vinyl Renew | Hirshfield's Acrylic Woodstain | Homestead |
| Glidden Woodpride | Hirshfield's Athletic Field Marking Paint | Imprint Coat™ |
| Glitsa Gold Seal™ Finish | Hirshfield's Ceiling White | Insl-X Aqua Lock |
| Glitsa Gold Seal™ Lite Scent™ Finish | Hirshfield's Clearcoat | Insl-X Blockout |
| Glitsa Gold Seal™ Stains (various colors) | Hirshfield's ColorMax | Insl-X Cabinet Coat |
| Glitsa High Performance Waterborne Finish | Hirshfield's ColorPro | Insl-X Chlorinated Rubber Pool Paint |
| Glitsa Infinity II LVOOC™ Finish | Hirshfield's Contractor Select | Insl-X Field Marking |
| GlitsaMax™ Finish | Hirshfield's Contractor Select Zero | Insl-X Hot Trax Acrylic Garage Floor Paint |
| Glitsa Quality Seal™ Sealer | Hirshfield's Custom Home | Insl-X Lead Block Encapsulating Paint |
| Glitsa Wood Flour Cement™ | Hirshfield's Drywall Primer | Insl-X Odor Less |
| Glitza TruSeal | Hirshfield's Exterior Oil Primer | Insl-X Prime Lock |
| GlosThane Finish | Hirshfield's Faux Finish Glaze | Insl-X Pro-Plate Enamel - Rust Preventative Coating |
| Golden Paintworks | Hirshfield's Heavy Duty | Insl-X Rubber Based Pool Paint |
| GPM | Hirshfield's House & Trim | Insl-X Seal Lock |
| GreenSheen® (all products) | Hirshfield's Housecoat | Insl-X Stix |
| Grossman's Majic | Hirshfield's Housecoat Exterior Acrylic Primer | Insl-X Sure Step |
| GS88-1 Sealer | Hirshfield's Housecoat II | Insl-X Tough Shield |
| GS99-1 Sealer | Hirshfield's MHB | Insl-X Tuffcrete |
| Guardian Contractor Grade | Hirshfield's Northern Naturals | Insl-X Waterblock |
| Guardian Professional Quality | Hirshfield's Oil-based Woodstain | Insl-X Waterborne Pool Paint |
| H&C | Hirshfield's One Hour Finish | Jel'd Poly Kote |
| H&K Paints All Coat | Hirshfield's Parking Ramp Paint | Jel'd Stain |
| Hammerite | | Kelly-Moore Acry-Lustre |
| Harco | | Kelly-Moore Acry-Plex |
| Harrison Paint (all products) | | Kelly-Moore Acry-Shield |
| HD® Designs | | Kelly-Moore Acry-Shield Stain |
| | | Kelly-Moore Acry-Tred |

| | | |
|---|---|-----------------------------------|
| Kelly-Moore Alkydex | Kelly-Moore Woodcraft | Laticrete StoneTech® Professional |
| Kelly-Moore Block Filler | Kilz | Maximum BulletProof® Sealer |
| Kelly-Moore Color Max | Kilz Casual Colors | Laticrete StoneTech® Professional |
| Kelly-Moore Color Sample | Kilz Pro-X | Natural Stone Countertop Sealer |
| Kelly-Moore Color Shield | Kilz True Tone | Laticrete StoneTech® Professional |
| Kelly-Moore DTM High Performance | Kolor Kote | Paver Sealer & Enhancer |
| Kelly-Moore Dura-Poxy | Kool Seal | Laticrete StoneTech® Professional |
| Kelly-Moore Dura-Poxy + | Krylon | Salt Water Resistant Sealer |
| Kelly-Moore Dura-Poxy + Porch & Floor | Krylon Commercial | Laticrete StoneTech® Professional |
| Kelly-Moore Durapoxy HP | Kwal | Sealer |
| Kelly-Moore Ecoat | Laticrete Granite & Marble | Laticrete StoneTech® Professional |
| Kelly-Moore Elastakote | Countertop Sealer | Semi Gloss Finishing Sealer |
| Kelly-Moore Envira-Crete | Laticrete High Gloss Sealer & Finish | Laura Ashley |
| Kelly-Moore Envira Poxy | Laticrete Paver Armor Pro™ | Lauzon wood Clear Finish |
| Kelly-Moore Enviro Coat | Premium High Gloss Color | Lauzon wood stain |
| Kelly-Moore Enviro Coat - Heat Reflective | Enriching Sealer | Lenmar 350 VOC Polyurethane |
| Kelly-Moore Epic | Laticrete Paver Armor Pro™ | Wood Finish |
| Kelly-Moore EZ Sand | Premium No Gloss Color | Lenmar Aqua-Plastic |
| Kelly-Moore Flo-Cote | Enriching Sealer | Lenmar Echo |
| Kelly-Moore Green Coat | Laticrete Paver Armor Pro™ | Lenmar Evolution |
| Kelly-Moore Industrial | Premium Penetrating Natural | Lenmar Interior Waterborne Wiping |
| Kelly-Moore Kel-Aqua | Look Sealer | Stain |
| Kelly-Moore Kel-Bond | Laticrete Paver Armor Pro™ | Lenmar QuickStain Waterborne |
| Kelly-Moore Kel-Cote | Premium Salt Repelling Natural | Wiping Stain |
| Kelly-Moore Kel-Guard | Look Sealer | Lenmar Spar Varnish |
| Kelly-Moore Kel-Pro | Laticrete Paver Armor Pro™ | Life Cycle Coatings Architectural |
| Kelly-Moore Kel-Tex | Premium Semi Gloss Color | Paint |
| Kelly-Moore Kel-Thane II | Enriching Sealer | Lifeline Accents |
| Kelly-Moore Kel-Tone | Laticrete Paver Armor Pro™ | Lifeline Acrylic |
| Kelly-Moore KM Commercial | Premium Waterproofing Natural | Lifeline Advance |
| Kelly-Moore KM Professional | Look Sealer | Lifeline Endure |
| Kelly-Moore Level 5 Primer | Laticrete Premium Stone Sealer | LifeLine Exterior |
| Kelly-Moore Magnum | Laticrete Premium Stone Sealer & Enhancer | Lifeline Interior |
| Kelly-Moore Mark Right | Laticrete Saltillo Tile Sealer & Finish | Lifeline Ultra-2 |
| Kelly-Moore Modern Wood Finish | Laticrete Semi Gloss Sealer & Finish | Lifeline Ultra-7 |
| Kelly-Moore Multi-Seal | Laticrete Stone Sealer | Lime Paint & Wash™ |
| Kelly-Moore Plasti-Namel | Laticrete Stone Sealer & Enhancer | Liqwid Stain |
| Kelly-Moore Pre-Cote | Laticrete StoneTech® Professional | Long End Seal |
| Kelly-Moore Premium Professional | Enhancer | Lullaby Paints |
| Kelly-Moore Quick Dry Alkyd | Laticrete StoneTech® Professional | LusterSuede™ |
| Kelly-Moore Seasons | Enhancer Pro™ Sealer | Magnolia Home Paint by Kilz |
| Kelly-Moore Shop Coat Primer | Laticrete StoneTech® Professional | Maintenance One |
| Kelly-Moore Silver Shield | Grout Release | Maintenance Paint (Home Depot) |
| Kelly-Moore Stain Lock | Laticrete StoneTech® Professional | Majic Aluminum Paint |
| Kelly-Moore Stainz-Rite | Heavy Duty Exterior Sealer | Majic Barn & Fence Paint |
| Kelly-Moore Stripe & Zone | Laticrete StoneTech® Professional | Majic Barricade |
| Kelly-Moore Stucco-Seal | Heavy Duty Sealer | Majic Basement Paint |
| Kelly-Moore Tred-Cote | Laticrete StoneTech® Professional | Majic Concrete Sealer |
| Kelly-Moore Uni-Prime | High Gloss Finishing Sealer | Majic Diamond Hard Enamel |
| Kelly-Moore Vapor Shield | Laticrete StoneTech® Professional | Majic Diamond Hard Paint |
| Kelly-Moore Wall Prep | High Gloss Lacquer | Majic Easy Spread |
| Kelly-Moore Weather Shield | Laticrete StoneTech® Professional | Majic Exterior/Interior Paint |
| | Impregnator Pro® Sealer | Majic Fence Paint |
| | | Majic Field Marking Paint |

| | | |
|--|---|---|
| Majic Floor Enamel | Mercury Paint Alkyd Primer/Sealer/Stain Killer | Miracle Sealants 511 Seal & Enhance |
| Majic Floor Paint | Mercury Paint Alkyd Semi-Gloss Enamel | Miracle Sealants High Gloss Finish Sealer |
| Majic House & Deck Stain | Mercury Paint Aluminum | Miracle Sealants Matte Finish Sealer |
| Majic Kitchen & Bath Paint | Mercury Paint Aqua Zoom Acrylic Stain Killer | Miracle Sealants Mira Matte |
| Majic Latex Enamel | Mercury Paint Athletic Field Marking Paint | Miracle Sealants Tile, Stone & Grout Sealer |
| Majic Lifestyle | Mercury Paint Athletic Line Marking Paint | ML Campbell |
| Majic Pride | Mercury Paint Conversion Primer | Mono II |
| Majic Primer & Paint | Mercury Paint Direct-to-Metal | Mono II EXT |
| Majic Professional | Mercury Paint Everfresh Zero VOC (various finishes) | Montage Architectural Paint |
| Majic Rust Kill Coating | Mercury Paint Everfresh Zero VOC Acrylic Primer | Multi-Mist Products - Pro Seal Ultra |
| Majic Stain Blocking Primer Sealer | Mercury Paint Mercbond Urethan Barrier Coat | Multi-Mist Products - Qurox |
| Majic Town & Country | Mercury Paint Polyurethane | Multiplex |
| Majic Waterproofing Sealer | Mercury Paint Tropic 7 | MX Primer |
| Majic Water Sealer | Mercury Paint Zoom Stain Killer | Nautica |
| Majic Wood Stain | Mercury Paint Zoom Sure Grip Floor Coatings | NuDeck |
| Majic Wood Varnish | Messmer's Composite Deck Finish | O'Villa® |
| Martha Stewart Living | Messmer's Decking Stain | O'Villa Sabina™ |
| Martin Senour Paints | MetalGlow® | Odds N Ends |
| Marvins | Metallic Finishes | Olde World Crackle Textured™ |
| MasonrySaver #25 Floor Finish | Metal Ready Universal | Olde World Crackle™ Pull Off |
| MasonrySaver Acrylic Waterproofing Sealer | Miaco Latex (various finishes) | Olde World Fresco® |
| MasonrySaver All-Purpose HD Water Repellent | Miaco Latex Primer | Olde World Fresco® Textured |
| MasonrySaver Decorative Concrete Sealer | Minwax Color Wash | Olde World Lime Based Paint™ |
| MasonrySaver Garage Floor Sealer | Minwax Lacquer (all types) | Olde World Lime Paint & Wash™ |
| MasonrySaver Paver Sealer | Minwax Polycrylic | Olde World Lime Slag™ |
| MasonrySaver VOV Compliant Solvent Base Water Repellent | Minwax PolyShades | Olde World Marmorino® |
| MasonrySaver Water Repellent for Brick | Minwax Polyurethane (all types) | Olde World Rust™ Package |
| MasonrySaver Water Repellent for Split-Face Block | Minwax Stain (all types) | Olde World SandStone™ |
| Masterchem | Minwax Tung Oil | Olde World TextureCoat™ |
| Master Dutch Metal™ | Minwax Urethane | Olde World Venetian Sealer™ |
| Master Gel® Finish Clear | Minwax Varnish | Olde World Veneziano™ |
| Master Guard Oil and Spot Primer | Minwax Wipe-On Poly | Olde World™ Quartz Priming Coat |
| Master Guard Sealer | Minwax Wood Effects | Old Masters Brushing Lacquer |
| Master Guard Wood Sealer | Minwax Wood Finish | Old Masters Exterior Water-based Spar Urethane |
| Matte Wall Sealer™ | Miracle Sealants 511 Anti-Slip | Old Masters Fast Dry Stain |
| MBP Flat | Miracle Sealants 511 Glass Tile & Shower Door Sealer | Old Masters Gel Stain |
| McCloskey | Miracle Sealants 511 H2O Plus | Old Masters Graining Base |
| McCloskey Man-O-War | Miracle Sealants 511 Impregnator | Old Masters H2O Wood Stain |
| McCloskey Multi-Use | Miracle Sealants 511 Porcelain & Ceramic Tile Sealer | Old Masters Oil Based Gel Polyurethane |
| McCloskey Special Effects | Miracle Sealants 511 Porous Plus | Old Masters Oil Based Polyurethane |
| McCloskey Stains | Miracle Sealants 511 Quartz Counter Top Sealer | Old Masters Oil Based Quick-Dry Varnish |
| McCoy's | | Old Masters Oil Based Sending Sealer |
| Mercury Paint Acrylic House Paint | | Old Masters Oil Based Spar Marine Varnish |
| Mercury Paint Acrylic Latex (various finishes) | | Old Masters Oil Based Super Varnish |
| Mercury Paint Acrylic Latex Primer | | Old Masters Penetrating Sealer |
| Mercury Paint Acrylic Metal Primer | | Old Masters Penetrating Stain |

| | | |
|---|--------------------------------------|--|
| Old Masters Tung Oil Varnish | PPG Break-Through | Pratt & Lambert® |
| Old Masters Water-based Clear Finish | PPG Builder Performance | Pratt & Lambert Accolade® |
| Old Masters Water-based Polyurethane | PPG Diamond 350 | Pratt & Lambert RedSeal® |
| Old Masters Water-based Sanding Sealer | PPG Flood | Pratt & Lambert RedSeal® Zero VOC |
| Old Masters Wiping Stain | PPG Flood Pro | Pratt & Lambert STAINShield® |
| Old Masters Wood Conditioner | PPG Floor & Porch | Prelude |
| Old Masters Woodgrain Filler | PPG Fortis 350 | Premier Aluminum Roof Coating Fibered |
| Old World Stain | PPG Fortis 450 | Premier Finishes ProKote High Performance Specialty Coating |
| Ollie's Town & Country | PPG Hi-Hide | Premier Finishes SuperPrep Interior PrepCoat |
| Olympic Paint | PPG Kilstain | Premier Finishes Tuff-Kote High Performance Restoration Primer |
| Olympic Stain | PPG Maintenance Paint | Premier Finishes Tuff-Kote Interior HP Restoration SemiGloss |
| One Time Wood Preservative (various colors) | PPG Manor Hall | Premium |
| Optimus | PPG Metallic Tones | Premium Decor |
| Orgill | PPG Monarch | Preserva Wood |
| PAF Primer | PPG Mopako | Pre-Stain Clear Wood Stain |
| Painter's Select | PPG Multi-Pro Maintenance | Prestige |
| Pantone | PPG Paramount | Prime 1 |
| Parks Pro Finisher | PPG Performance | Prime Choice (all products) |
| PD Stain | PPG Perma-Crete | Primer |
| Penofin Concrete & Masonry Stain | PPG Pitt-Cryl Plus | Primer Surfacer™ |
| Penofin Wood Finishes | PPG Pitt-Glaze | Primer with Sand™ |
| Perlas Velvet | PPG Plex-Seal | PrimEtch™ |
| Permax 108 Acrylic Coating | PPG Porter Paints Acri-Pro | Prime Time |
| Permax 115 Acrylic Coating | PPG Porter Paints Acri-Shield Paint | Prime Time Plus |
| Permax 120 Acrylic Coating | PPG Porter Paints Acri-Shield Stains | Pro Best |
| Pittsburgh Paints and Stains | PPG Porter Paints Advantage 900 | Professional Coatings |
| Pittsburgh Paints and Stains Revolution | PPG Porter Paints Blankit | Profin:Gloss and Satin |
| Plastek | PPG Porter Paints Glyptex | ProFX Custom Clear™ |
| Plastek EXT | PPG Porter Paints Permanizer | Pro Good |
| Plastic Kote | PPG Porter Paints Portersept | Pro Grade |
| Plasti-Kote | PPG Porter Pro-Master 2000 | Prymit® |
| PolyWhey | PPG Primatite | Puma |
| PolyWhey Exterior (various colors) | PPG Proluxe Sikken | Puma-XL |
| PolyWhey Floor | PPG Pure Performance | Qualalacq™ Lacquer Gloss |
| PolyWhey MVP Sport Floor Finish | PPG Regency | Qualalacq™ Lacquer Reducer |
| PolyWhey MVP Sport Floor Sealer | PPG Seal Grip | Qualalacq™ Lacquer Satin |
| PolyWhey Series 1000 Infusion Wood Modifier | PPG Silken Touch | Qualalacq™ Sanding Sealer |
| PolyWhey Series 2000 Stain Base | PPG Speed Cryl | Qualarenu™ #1 |
| PolyWhey Series 3500 Wood Floor finish | PPG Speedhide (except Dry Fog) | Qualasole™ |
| PolyWhey Series 3500 Wood Floor Sealer | PPG Sun Roof | QuartzStone™ |
| PolyWhey Wood Cleaner | PPG Synteko | Quick Dry Zar Sanding Sealer (Gloss/Satin) |
| Pore-O-Pac™ Grain Filler (various colors) | PPG Timeless | Quik Hide |
| Pore-O-Pac™ Grain Filler Reducer | PPG Ultra-hide 150 | Quikrete Concrete & Masonry High Gloss Sealer |
| PPG Accent Color Base | PPG Ultralast | Quikrete Concrete & Masonry Waterproofing Sealer |
| PPG Bar-Ox | PPG Wallhide | Quikrete Masonry Waterproofer |
| | PPG Wall Supreme | Quikrete Penetrating Concrete Stain |
| | PPG Weather King | |
| | PPG Wonder Hide | |
| | PPG Wonder Pro | |
| | PPG Wonder Pure | |
| | PPG Wonder Shield | |
| | PPG Wonder Tones | |
| | PPG ZoneMark | |
| | PPI™ Waterborne Finish | |

| | | |
|--|---|--|
| Quikrete Textured Acrylic Concrete | Rodda Color Base | RsGranite® |
| Quikrete Translucent Concrete | Rodda Control Primer | RsPlaster® |
| Stain | Rodda Crystal Clear | RsSandStone® |
| Ralph Lauren | Rodda EZEZ Coat | RsSandStone Flake™ |
| Ramuc | Rodda Fast Dry Floor Finish | RsSeries™ |
| Rapid Roof HV | Rodda First Coat | RsStone® |
| Rapid Roof III | Rodda Horizon | RsTravertino® |
| Reactive Series™ | Rodda Interior Performance | Rubberizeit Dura-Rubber |
| Ready Seal (all products) | Rodda Lasyn | Rubberizeit Primer |
| ReColor™ (All Products) | Rodda Mar Resist | Rudd Acryl Fin™ Finish |
| Recover Recycled Paint Products | Rodda Master Painter | Rudd Aerodry™ (various colors) |
| Reflectit™ | Rodda Metal Master | Rudd Basetoner™ (various colors) |
| Reserve | Rodda Modern Wood Stain | Rudd Catalast™ Lacquer (various colors) |
| Restoration Hardware | Rodda Multi Master | Rudd Chromacat™ Lacquer (various colors) |
| Restore-X | Rodda MultiPrime | Rudd Chromawipe NVO™ Wiping Stain (various colors) |
| Revyvit ® | Rodda pHlextite | Rudd Chromawipe™ Wiping Stain (various colors) |
| Richard's Paint Barricade | Rodda Ply-Coat | Rudd Colorplex™ Lacquer (various colors) |
| Richard's Paint Bondcrete | Rodda PMC 300 | Rudd Colorplex™ Undercoaters (various colors) |
| Richard's Paint Bungalow 47 | Rodda Porsalite | Rudd Colortools™ LH Spray Stain (various colors) |
| Richard's Paint Deck Guard | Rodda Roseal | Rudd Colortools™ Wiping Stain (various colors) |
| Richard's Paint Driveway and Floor Coating | Rodda Rural Manor | Rudd Duracat-V 550 VOC Lacquer |
| Richard's Paint Eternity | Rodda Scotseal | Rudd Duracat-V 550 VOC Sealer |
| Richard's Paint Floor-Tite | Rodda Speed Primer | Rudd Duracat-V Plus™ Lacquer |
| Richard's Paint H2O Fusion | Rodda SR Ultra | Rudd Duracat-V™ Lacquer (various colors) |
| Richard's Paint Holzon | Rodda Super Reflex | Rudd Duracat-V™ Sealer (various colors) |
| Richard's Paint Holzout | Rodda Surfbond | Rudd Durafill™ Wood Filler |
| Richard's Paint Holztite | Rodda Terra | Rudd Duralac™ Lacquers (various colors) |
| Richard's Paint Painter's Pride | Rodda Tuff Deck | Rudd Excelite™ Lacquer (various colors) |
| Richard's Paint Paverseal | Rodda Ultimate II | Rudd Fastwipe™ Wiping Stain (various colors) |
| Richard's Paint Pliolite | Rodda Unique II | Rudd Glaze Stain |
| Richard's Paint PPS | Rodda Vapor Block | Rudd Hi-build™ Fast Dry Finish |
| Richard's Paint Rich Air Zero VOC | Rodda Vapor Shield | Rudd Hycryl™ Waterborne Finish |
| Richard's Paint Rich Classic | Rodda Weather Performance | Rudd Hycryl™ Waterborne Sealer |
| Richard's Paint Rich Flex | Rodda Wood Master | Rudd Hyplex™ Lacquer (various colors) |
| Richard's Paint Rich Pro | Roman ECO-988 Pigmented Primer | Rudd ISC™ Stains (various colors) |
| Richard's Paint Rich Shield | Roman Golden Harvest PRO-988 | Rudd ISS LH™ Spray Stains (various colors) |
| Richard's Paint Rich Tex | Roman PRO-909 Vinyl Prep | Rudd ISS™ Spray Stains (various colors) |
| Richard's Paint Rich Wall | Roman PRO-935 R-35 | |
| Richard's Paint Richwood | Roman PRO-977 Ultra Prime | |
| Richard's Paint Roof Shield | Roman Pro-999 Rx-35 | |
| Richard's Paint Rust Sheild | Roofers Choice | |
| Richard's Paint Shields All | Room & Board by Valspar | |
| Richard's Paint Signature Ceramic | Royal Conditioner™ | |
| Richard's Paint Signature Series | RPM Water Based Grain Filler (various colors) | |
| Richard's Paint Signature Series Plus | RPM Wood -15 Minute Wood Stain (various colors) | |
| Richard's Paint Thor | RPM Wood-8x Wipe On Water Base Urethane Satin | |
| Richard's Paint Wall Guard | RPM Wood -Polyurethane Satin | |
| Rodda Accent Primer | RPM Wood- Vinyl Sealer | |
| Rodda AC Line | RPM Wood Waterborne Urethane Finish Satin | |
| Rodda All Purpose Equipment Enamel | | |
| Rodda Aqua Master | | |
| Rodda Cat-A-Lac | | |

| | | |
|---|---|---|
| Rudd IWST™ Wiping Stains (various colors) | Rustoleum Metallic Paint Collection | Sashco Symphony® Interior Clear Coat |
| Rudd Natuseal™ Stains (various colors) | Rustoleum Multispec | Sashco Transformation Stain® Deck & Fence |
| Rudd Nulustre™ Lacquer | Rustoleum OKON | Sashco Transformation Stain® Log and Timber |
| Rudd Nu-wave™ Lacquer (various colors) | Rustoleum Painter's Touch | Sashco Transformation Stain® Siding & Trim |
| Rudd Nu-wave™ Sealers (various colors) | Rustoleum Peel-Bond | Satin Thane Finish |
| Rudd Nu-wave™ Stains (various colors) | Rustoleum Perma White | SeaFin AquaSpar Gloss and Satin |
| Rudd On-site™ Lacquer | Rustoleum Plastic And Vinyl NT | SeaFin Filler/Stain |
| Rudd Plastiprime™ (various colors) | Rustoleum Prime Start | SeaFin Ship n'Shore Sealer |
| Rudd Primer Undercoater (various colors) | Rustoleum Restore | SeaFin Super Spar Varnish |
| Rudd Prism™ Waterborne Stains (various colors) | Rustoleum Restorz | Seal-Krete Clear-Seal |
| Rudd Problend 350 VOC™ Spray/Wiping Stains (various colors) | Rustoleum Simply Home | Seal-Krete Concrete Colors Low Lustre Sealer |
| Rudd Problend TC™ Spray/Wiping Stains (various colors) | Rustoleum Stop Rust | Seal-Krete Concrete Colors Semi-Transparent Stain |
| Rudd Problend™ Spray/Wiping Stains (various colors) | Rustoleum Studio Color | Seal-Krete DampLock Concrete Waterproofing Paint |
| Rudd Pro-Hibuild™ Lacquer | Rustoleum Sure Color | Seal-Krete Epoxy-Seal Concrete Paint |
| Rudd Pro-Hibuild™ Sealer | Rustoleum Theme Paint | Seal-Krete Epoxy-Seal Low VOC Paint |
| Rudd Pro-Hibuild™ Undercoater (various colors) | Rustoleum Trim Magic | Seal-Krete Floor-Tex |
| Rudd Prothane™ | Rustoleum Varathane | Seal-Krete GraniteFX |
| Rudd Pro™ Lacquer | Rustoleum Watco Danish Oil | Seal-Krete GraniTex |
| Rudd Pro™ Sealer | Rustoleum Watco Exterior Wood Finish | Seal-Krete Heavy Duty Waterproofer |
| Rudd Quickstack™ (various colors) | Rustoleum Watco Lacquer + Color Tint | Seal-Krete Lock-Down Epoxy Bonding Floor Primer |
| Rudd Terraset™ Stain Concentrates (various colors) | Rustoleum Watco Lacquer Clear Wood Finish | Seal-Krete Multi-Surface Water Repellent |
| RUST DESTROYER | Rustoleum Watco Teak Oil + Stain | Seal-Krete Original Waterproofing Sealer |
| RUST DESTROYER FAST DRY | Rustoleum Watco Tung Oil | Seal-Krete Stucco Guard |
| RUST DESTROYER HIGH HEAT | Rustoleum Watco Wipe-On Poly | Sears |
| RUST KNOCKOUT | Rustoleum Wolman | Serena&Lily |
| Rustoleum 360 Grey | Rustoleum X-Seal | Setcoat® |
| Rustoleum 360 Primer | Rustoleum Zehrung | Severe Weather Contractor Finish |
| Rustoleum 900 Clear Coat | Rustoleum Zinsser | Shading/Glazing Stain (various colors) |
| Rustoleum Advanced Technology UMA | SafeChoice | Shake Shield |
| Rustoleum American Accents | Safecoat | Sherwin Williams |
| Rustoleum BIN | Safecoat Naturals | Sherwin Williams A-100 |
| Rustoleum Bulls Eye | Safe Encasement SE110MS | Sherwin Williams Blok-Tite™ |
| Rustoleum Colorfast | Saman hybrid based varnish | Sherwin Williams Bright Life |
| Rustoleum Decorative Painter's Products | Saman hybrid stain | Sherwin Williams Builders Masterpiece |
| Rustoleum Elastomeric Roof Coating | Saman water based stain | Sherwin Williams Builders Solution Int. |
| Rustoleum Epoxy Shield | Saman water based varnish | Sherwin Williams Cashmere Interior |
| Rustoleum Flash Bond 400 | SandStone™ | Sherwin Williams Classic 99 Int |
| Rustoleum Home | Sansin Boracol 20-2 | Sherwin Williams Classic Cote |
| Rustoleum MasterClear Supreme | 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 | |
| | Sapphire Metallic | |
| | Sashco Capture® Log Stain | |
| | Sashco Cascade® Clear Coat | |

| | | |
|--|--|--|
| Sherwin Williams ColorAccents Interior Alkyd | Sherwin Williams Pro Kote | Stanley Steemer |
| Sherwin Williams ColorPlace® | Sherwin Williams ProLine Supreme | Starlite Acrylic Latex (various finishes) |
| Sherwin Williams ConFlex XL | Sherwin Williams ProMar 200 | Starlite Acrylic Latex Primer |
| Sherwin Williams DeckScapes Ext | Sherwin Williams ProMar 400 | Starlite Pro Line Latex (various finishes) |
| Sherwin Williams Design Accents | Sherwin Williams ProMar 700 | Starlite Pro Line Latex Primer |
| Sherwin Williams Design Basics Interior | Sherwin Williams Property Solution | Start Right |
| Sherwin Williams Drywall Primer | Sherwin Williams Red Devil | StoCoat Acryl |
| Sherwin Williams Dura Clad | Sherwin Williams Resilience | StoCoat Acryl Plus |
| Sherwin Williams DuraCraft Acrylic Latex | Sherwin Williams Rich Lux | StoCoat Color |
| Sherwin Williams Duraseal | Sherwin Williams Rust-O-Lastic | StoCoat Color Sand |
| Sherwin Williams Duration | Sherwin Williams Sea Shore | StoCoat DTM Acrylic |
| Sherwin Williams Duron | Sherwin Williams Shellac Primer | StoCoat DTM Metal-Primer |
| Sherwin Williams EasyLiving® | Sherwin Williams Sher-Crete | StoCoat Lotusan |
| Sherwin Williams EcoSelect® Zero VOC | Sherwin Williams SherStripe | StoCoat Lotusan Low VOC |
| Sherwin Williams Emerald | Sherwin Williams Signature Select | StoCoat Metallic |
| Sherwin Williams Eminence® | Sherwin Williams Skylight® | StoCoat Texture Coarse |
| Sherwin Williams Enviropure | Sherwin Williams Solo 100% Acrylic | StoCoat Texture Fine |
| Sherwin Williams EverLast | Sherwin Williams SuperBond | StoCoat Texture Medium |
| Sherwin Williams Faux Impressions® | Sherwin Williams SuperPaint | Sto Hot Prime |
| Sherwin Williams Flex Bon | Sherwin Williams Terminator™ | Stolastic Sand |
| Sherwin Williams Fresh Kote | Sherwin Williams Twist & Try | Stolastic Smooth |
| Sherwin Williams Harmony | Sherwin Williams UltraCrete | Stone & Masonry Conditioner |
| Sherwin Williams Impressions | Sherwin Williams Ultra Deluxe | Stone Mason |
| Sherwin Williams Infinity® | Sherwin Williams Ultra Guard | Stone Mason Ultra Gloss Water Based |
| Sherwin Williams Lok-Tite | Sherwin Williams WithSTAND® | Sto Primer Creativ |
| Sherwin Williams Loxon | Sherwin Williams Wood Classics | Sto Primer Sand |
| Sherwin Williams Luxury Living | Sherwin Williams WoodScapes | Sto Primer Smooth |
| Sherwin Williams Maintenance Pro | Show Kote | Storm Systems (all products) |
| Sherwin Williams Masterline | Sikagard® 510 | StoSilco Lastic |
| Sherwin Williams Master Painters | Sikagard® 550W Elastocolor | StoTique |
| Sherwin Williams Master Touch | Sikagard® 552W Primer | Structures Wood Care NatureColor® |
| Sherwin Williams Maxflex™ | Sikagard® 570 | Structures Wood Care NatureOne® |
| Sherwin Williams Maxwood® | Sikagard® Elastic Base Coat Smooth | Stucco, Masonry & Brick Paint |
| Sherwin Williams Modac | Sikagard® Elastic Base Coat Textured | Sure Shine |
| Sherwin Williams Optima Formula 360 | Simply Glaze | Surmax |
| Sherwin Williams Painters Edge | SkimStone® Protective Sealer | Sutherland Welles Ltd. Marine Spar Varnish |
| Sherwin Williams PalGard® | SkimStone® Select Finish | Sutherland Welles Ltd. Murdoch's Line 500 Floor Finish |
| Sherwin Williams Platinum | Skylight | Sutherland Welles Ltd. Murdoch's Line Hard Oil |
| Sherwin Williams Ply-Mastic | Snow Roof | Sutherland Welles Ltd. Murdoch's Line Hard Sealer |
| Sherwin Williams Ply-Thane | Solar-Lux™ Stain (various colors) | Sutherland Welles Ltd. Murdoch's Line Table Top |
| Sherwin Williams Ply-Tile | Solar-Lux™ Waterborne Dye Stain (various colors) | Sutherland Welles Ltd. Wiping Varnish (Sealer, Low, Medium, High Lustre) |
| Sherwin Williams Porcelain® | Solar-Lux™ Waterborne Glaze (various colors) | Sydney Harbour Alchemy Liquid Gold |
| Sherwin Williams PrepRite | Solar-Lux™ Waterborne Wiping Stains (various colors) | Sydney Harbour Aqua Enamel |
| Sherwin Williams ProBlock | Spar Restoration Varnish | |
| Sherwin Williams ProClassic | SprayLaq | |
| Sherwin Williams ProGreen 200 | SprayLaq 680A Sealer | |
| Sherwin Williams Pro-Hide® Gold | Spraytek I | |
| Sherwin Williams Pro-Hide® Green | Spraytek II | |
| Sherwin Williams Pro-Hide® Silver | Spraytek III | |
| | Stain & Seal™ | |

| | | |
|--|--|--|
| Sydney Harbour Clearcoat | Texture Coat™ | Valspar Professional Exterior |
| Sydney Harbour Duchess Satin | TextureFil™ | Valspar Professional Exterior Primer |
| Sydney Harbour Eggshell Acrylic | The Freshaire Choice | Valspar Professional Interior |
| Sydney Harbour Industrial Lustre | The Paint Drop™ | Valspar Professional New |
| Sydney Harbour Instant Rust Clear Sealer | Thick Husky Primer | Construction Primer |
| Sydney Harbour Interno Lime Wash | Thick SandStone™ | Valspar Professional PVA Primer |
| Sydney Harbour Limeproof Undercoat Sealer | Thompson's WaterSeal | Valspar Restoration Series |
| Sydney Harbour Liquid Copper & Patina Green | TileLab Gloss Sealer & Finish | Valspar Signature Colors |
| Sydney Harbour Liquid Iron & Instant Rust | TileLab Matte Sealer & Finish | Valspar Tractor & Implement |
| Sydney Harbour Liquid Tin | TileLab Sealer/Cleaner/Resealer Combo Pack | Valspar Ultra |
| Sydney Harbour Low Sheen Acrylic | TileLab Stone Enhancer | Valspar Ultra Premium |
| Sydney Harbour Matt Wall Sealer | TileLab SurfaceGard | Valspar Weathercoat |
| Sydney Harbour Original Lime Wash | Timberflex | Value |
| Sydney Harbour Palm Beach Black | Timberflex II | Van Sickle Barn and Outbuilding Paints |
| Sydney Harbour Stone Paint | Timberflex Pro | Van Sickle Exterior Latex (Economy, Premium or Super Premium) |
| Sydney Harbour Ultra Flat Acrylic | Timber Pro UV Crystal Urethane | Van Sickle Exterior Stains |
| Sydney Harbour Universal Primer | Timber Pro UV Deck & Fence Formula | Van Sickle Floor Enamel |
| Sydney Harbour Wood Wash | Timber Pro UV Internal Concrete Sealer | Van Sickle Interior Latex (Economy, Premium or Super Premium) |
| Tack Coat | Timber Pro UV Internal Wood Stabilizer | Van Sickle Multi Purpose Enamel |
| Tag-Out Graffiti Paint | Timber Pro UV Log & Siding Formula | Van Votz Hi-Tech Waterproof |
| Temproof 1200 Stove paint | Timber Pro UV Masonry Top Sealer | Varnish Plus™ |
| Tex-Cote 300 | Top Choice | Verdigris Color™ |
| Tex-Cote 400 | TrueTint Stone™ | Verdigris Package™ |
| Tex-Cote 600 | Tru Seal | Wall Kote |
| Tex-Cote Aluma-Cool® | Tuscan Glaze™ | Wall-Up |
| Tex-Cote Clear-Seal™ | Two Minute Repair Liquid | Walmart |
| Tex-Cote Color Cote™ | UGL Pro Finish (all Gloss Levels) | Waterlox 350 VOC Satin Finish |
| Tex-Cote Color Tex® | Ultra-Fill | Waterlox 350 VOC Sealer/Finish |
| Tex-Cote Cool-Tec® | Ultra Flagship | Waterlox 450 VOC Satin Finish |
| Tex-Cote Cool-Tex® | Ultra Zar Plus (Gloss/Satin) | Waterlox Original High Gloss Finish |
| Tex-Cote Coolwall® | Undercoat | Waterlox Original Satin Finish |
| Tex-Cote Epo-Tex™ | Underhill Paints | Waterlox Original Sealer/Finish |
| Tex-Cote Flex-On® | Uniflex | Waterlox XL88 Gloss Urethane |
| Tex-Cote Graffiti Gard® | UV Plus | Waterlox XL89 Satin Urethane |
| Tex-Cote Kenitex® | UV Plus for Hardwoods | Weather All |
| Tex-Cote Metal-Prime™ | Valspar | Weathercoat™ |
| Tex-Cote Primer 27™ | Valspar Anti-Rust | Weatherlastic® |
| Tex-Cote Rainstopper® | Valspar Climate Zone | Weatherprime® |
| Tex-Cote Reflect-Tec® | Valspar Color Style | White Pickling Stain |
| Tex-Cote Stone-Tex® | Valspar Decorator | Wipe on Zar (Semi Gloss/Satin) |
| Tex-Cote Strata Grip | Valspar Duramax | Wonder Guard |
| Tex-Cote Tex-Dri® | Valspar Elan | Wood Iron Deck, Fence & Siding Stain |
| Tex-Cote Tex-Gard® | Valspar Integrity | Wood Iron Doors & More Finish |
| Tex-Cote Tex-Tura® | Valspar Medallion | Wood Iron Exterior Oil Finish |
| Tex-Cote Top-Cote™ | Valspar Medallion Primers | Wood Iron Generations Water-Based Stain |
| Tex-Cote Trim-Cote® | Valspar Prep-Step Primers | Wood Iron Top Coat Finish |
| Tex-Cote Ty-Cote™ | Valspar Pro 2000 Interior Contractor Finish | Wood Shield |
| Tex-Cote Ultra-Tex™ | Valspar Professional | Woodsmen |
| Tex-Cote XL70® | Valspar Professional Bonding Primer | Woodtone Series (various colors) |



Woodturners Finish
X-O Rust
Yenkin Majestic Start To Finish
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)
Zinsser SmartCoat
Zone Marking Paints

Appendix B

Definition of Program Products and Sample Product Notices

Defining Architectural Paint Products for the Purposes of the Assessment

Updated — January 2020



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 for the purpose of the assessment and what coatings should not be assessed the fee, we are using 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.

In order to determine the products on which the fee is assessed, and the products on which the fee is not assessed, a company should follow these steps:

- A. Start with the type of coating. If the coating is an architectural coating, go to B. If the coating is not an architectural coating, it is not assessed a fee.
- B. If the coating meets the definition of architectural coatings (see below), does not meet the definition of Industrial Maintenance Coatings (also below), and is not specifically excluded, it is assessed a fee.

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 next page).

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, 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.

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 arts and crafts, and automotive refinish coatings. These products should be easier to distinguish, however, as they are clearly called out as non-assessed products on the list below. The fee should not be assessed for these coatings.

Assessed Products (maximum container size of 5 gallons)

- 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-Assessed Products (regardless of container size)

- 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

Drywall Primer-Surfacers

Updated — June 2012



Purpose

The purpose of this notice is to clarify that “Drywall Primer-Surfacers” are covered by the PaintCare program. As part of the program, manufacturers of these products must register with PaintCare and collect and remit the Assessment (PaintCare fee) as with other architectural paints in states with active paint stewardship programs.

Background

In order to assist companies with determining what coatings were architectural coatings subject to the PaintCare fee and what coatings were not, PaintCare developed a fact sheet detailing what factors should be taken into consideration when making these determinations. In addition, the fact sheet listed examples of PaintCare products and examples of non-PaintCare 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 fee is indeed placed on all products subject to the assessment, PaintCare herein clarifies that Drywall Primer-Surfacer is considered a PaintCare product and the PaintCare 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 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 www.paintcare.org or contact:

Taujuana Davis
Registration Coordinator for Manufacturers
tdavis@paint.org
(202) 232-2733

PaintCare
901 New York Ave NW Suite 300 West
Washington, DC 20001
www.paintcare.org

Masonry and Concrete Sealers Labeled “For Professional Use Only”

Updated — January 2013



Purpose

The purpose of this notice is to clarify that masonry and concrete sealers that are labeled “for professional use only” 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 fee”) in states with active paint stewardship programs operated by PaintCare.

Background

In order to assist companies with determining what products are architectural coatings subject to the PaintCare fee 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 PaintCare products and examples of non-PaintCare 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—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 fee is placed on all products subject to the assessment, PaintCare herein clarifies that masonry and concrete sealers labeled for professional use are not considered PaintCare products and the PaintCare 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 www.paintcare.org or contact:

Taujuana Davis
Registration Coordinator for Manufacturers
tdavis@paint.org
(202) 232-2733

PaintCare
901 New York Ave NW Suite 300 West
Washington, DC 20001
www.paintcare.org

Shop Application and OEM

Updated — May 2014



Purpose

This notice is to clarify that architectural paint products are excluded from the PaintCare program when they are used in Shop Application or Original Equipment Manufacturing (OEM). Retailers of these products may remove the Assessment (PaintCare fee) from the purchase price of architectural paint (i.e., PaintCare products) in states with active PaintCare programs.

Background

In order to assist companies with determining what products are architectural coatings subject to the PaintCare fee 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 PaintCare products and examples of non-PaintCare 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 inquiries from a manufacturer. In the case of products used in a shop setting or for the manufacturing of goods or equipment, it has come to our attention that manufacturers and retailers of these products desire clarification on when the fees may be removed and how to keep records.

In order to ensure that all manufacturers and retailers are on a level playing field and the PaintCare fee is placed on all products subject to the assessment, PaintCare herein clarifies that products used in Shop Application and OEM are not considered PaintCare products and the PaintCare fee is not required to be assessed and remitted by manufacturers of these products. Products used "in the field" are not excluded.

EXAMPLES: EXCLUDED (FEES MAY BE REMOVED)

- A furniture shop stains and applies lacquer to furniture at the shop. The stain and lacquer are excluded because they are used in the shop.
- A tool manufacturer paints all of its tools in a factory. The paint is excluded because it is applied in the factory.
- A kitchen cabinet company builds and paints cabinets at their shop. The paint used to finish the cabinets is excluded because it is applied in the shop.
- A company builds pre-fabricated houses and paints the houses at their manufacturing facility. The paints used at the plant are excluded because they are applied at the plant.

EXAMPLES: NOT EXCLUDED (FEES ARE TO BE APPLIED)

- A kitchen cabinet company builds cabinets at the shop, and then the cabinets are installed and finished in a residence. The paint used to finish the cabinets in the field is not excluded because it is applied in the field.
- A pre-fab house is assembled at the final building site. The company that built the house sends a few gallons of paint (known as "loose-ships.") to the final building site for touchups and final painting after the house is assembled. The loose-ship products are not excluded because they are applied in the field.

Record-Keeping

Manufacturers and retailers may exclude the PaintCare fee from products for Shop Application and OEM provided they keep records, subject to audit, to demonstrate that the fees were not charged for a valid reason, e.g., a regular customer is known to be a furniture builder. PaintCare does not have specific requirements about how these records are to be kept and leaves it up to the retailer and manufacturer to develop their own system. PaintCare suggests retailers and manufacturers work together to develop their own record keeping system, and that retailers at a minimum keep a file with copies of invoices showing products sold without the fee and notes regarding their customers.

Credits on Fees Already Paid

Retailers that pay fees on their wholesale invoices may request credits from their suppliers. Suppliers that remit to PaintCare may in turn apply the same credit to a future payment. These credits are also subject to audit.

More Information

For more information about the PaintCare program and the responsibilities of manufacturers and retailers, please visit www.paintcare.org or contact:

Taujuana Davis
Registration Coordinator for Manufacturers
tdavis@paint.org
(202) 232-2733

PaintCare
901 New York Ave NW Suite 300 West
Washington, DC 20001
www.paintcare.org

Appendix C

Examples of Education and Outreach Materials



Recycle

WITH **PaintCare**



PaintCare Products

These products have a fee when you buy them and are accepted for drop-off at no additional cost:

- 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-PaintCare 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-PaintCare products, please contact your garbage hauler, local environmental health agency, household hazardous waste program, or public works department.

NY-BREN-0222



A Program to Manage Leftover Paint

Each year about 800 million gallons of architectural paint are sold in the United States. Did you know that about 10 percent goes unused and is available for recycling?

New York's paint stewardship law requires the paint manufacturing industry to develop a financially sustainable and environmentally responsible program to manage postconsumer (leftover) architectural paint. Paint manufacturers established PaintCare, a nonprofit organization, to run paint stewardship programs in states with applicable laws.

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.

Places to Take Leftover Paint

Paint recycling is more convenient with PaintCare. We set up paint drop-off sites throughout the state. To find your nearest drop-off site, use PaintCare's search tool at www.paintcare.org or call our hotline at (855) PAINT09.

How to Recycle

PaintCare sites accept all brands of leftover house paint, stain, and varnish, whether recently used or many years old. Containers must be five gallons or smaller, and some types of paint are not accepted. See back panel for a list of what PaintCare accepts for recycling.

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

Make sure all paint containers 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 makes sure that your leftover paint is remixed into recycled paint, used as a fuel, made into other products, or is properly disposed if no other beneficial use for it can be found.

Who Can Use the Program?

Households may drop off as much latex or oil-based paint as the site is willing to accept.

Businesses may drop off any amount of latex-based paint the site is willing to accept. To drop off oil-based paint, a business must qualify as an exempt generator under federal and any analogous state hazardous waste generator rules. Please visit www.paintcare.org/VSQG for more information on exempt generator rules. If your business does not qualify as an exempt generator, it can drop off latex products but not oil-based paint at PaintCare sites. PaintCare offers a direct pickup service to collect oil-based paint from businesses that are ineligible to drop it off at PaintCare sites.

Do You Accept Large Volumes of Paint?

If you have at least 100 gallons of paint to recycle at your business or home, ask about our free large volume pickup service. Please visit www.paintcare.org for more details or to request a pickup.



PaintCare Fee

PaintCare is funded by a fee paid by paint manufacturers for each can of paint sold in the state. Manufacturers pass the fee to retailers, who then apply it to the price of paint. The fee is based on the size of the container as follows:

| | |
|--------|---|
| \$0.00 | Half pint or smaller |
| \$0.45 | Larger than half pint up to smaller than 1 gallon |
| \$0.95 | 1 gallon up to 2 gallons |
| \$1.95 | Larger than 2 gallons up to 5 gallons |

Not a Deposit

The fee is not a deposit—it is part of the purchase price. The fee is used to fund the costs of running the program, including recycling, public education, staffing, and other expenses.

Contact Us

To learn more or find a drop-off site, please visit www.paintcare.org or call (855) PAINT09.

How Does the New York Paint Stewardship Program Affect Paint Retailers?

Updated — August 2022



New York's paint stewardship law requires a fee to be applied to all new paint sold. Retail stores must pass the fee on to consumers and may volunteer to be a drop-off site.

START DATE: MAY 1, 2022

PaintCare

PaintCare is a nonprofit organization established by the American Coatings Association to implement manufacturer-led paint stewardship programs in states that pass paint stewardship laws. PaintCare currently operates programs in California, Colorado, Connecticut, District of Columbia, Maine, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington.

Paint Drop-Off Sites

The primary requirement of paint stewardship laws is for paint manufacturers to set up paint drop-off sites at retail and other locations, where households and businesses can take postconsumer (leftover) architectural paint, free of charge. PaintCare has established more than 2,000 paint drop-off sites across its programs. Most sites are paint and hardware stores, as well as government run waste collection facilities. PaintCare is planning for several hundred retail and other drop-off sites in New York.

Participation as a Drop-Off Site is Voluntary

Paint retailers are encouraged to participate as drop-off sites. Participating as a drop-off site can increase foot traffic and provide an environmentally responsible service for their community by making it convenient for their customers to recycle leftover paint.

Store staff will screen and accept paint from the public. All supplies, including reusable collection bins, as well as transportation and recycling of the paint, and site training, will be provided by the PaintCare program. PaintCare also promotes sites to the local community.

Become a Paint Drop-off Site

Retailers interested in becoming drop-off sites can fill out the Interest Form available at www.paintcare.org/drop-off-site-interest-form/.



REQUIREMENTS OF RETAILERS

1. Check Registered Manufacturers and Brands

Once the program starts, retailers may not sell architectural paints in New York that are not registered. Paint manufacturers must register their company with PaintCare, and they must register all architectural paint brands they sell in the state. PaintCare publishes 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/manufacturers for current registration lists.

2. Pass on the PaintCare Fee

State law requires that a stewardship fee (PaintCare fee) is applied by manufacturers to the wholesale price of all architectural paint sold in store and online in New York. This fee funds all aspects of running the program. The fee is not a tax.

The fee is remitted by manufacturers to PaintCare. Manufacturers will then pass the fee to their dealers and retailers by adding it to the wholesale price of covered products. Retailers should see the PaintCare fee on

invoices from suppliers. The law also requires that retailers and distributors include the fee in the price of architectural paint they sell. The fee paid by the customers to the retailers will offset the fee charged to the retailers by their suppliers. This ensures a level playing field for all parties.

COMMON QUESTIONS

How much is the fee?

The fee is based on container size, as follows:

\$0.00 – Half pint or smaller

\$0.45 – Larger than half pint up to smaller than 1 gallon

\$0.95 – 1 gallon up to 2 gallons

\$1.95 – Larger than 2 gallons up to 5 gallons

How is the fee calculated?

The fee is set to cover the cost of a fully operating program. PaintCare estimated the annual program expenses and sales of architectural paint in New York and determined a fee structure that will provide the revenue needed to fund the program. PaintCare is a nonprofit organization and operates programs on a state-by-state basis, so the fee may increase or decrease in the future and is different from state to state.

Is the fee a deposit to be returned to customers?

The fee is not a deposit. The fee will be used entirely to cover the expenses of running the program. The fee is not given back as a deposit for dropping off PaintCare products or empty paint cans, which are not accepted by the PaintCare program.

Is sales tax applied to the fee, itself?

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

Do we 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 weren't billed the fee by our supplier?

Yes, retail stores must add the fee on all covered products sold on or after the first day of the program, regardless of when (before or after program launch) they were purchased from the supplier.

How does the public know about the fee?

PaintCare provides materials for retail stores to distribute to the public to help explain the purpose of the fee, how the program works, and how to find a paint drop-off site. Translated materials are available in Spanish and over two dozen other languages, provided upon request. Additional materials can be ordered as needed for no charge. In addition to retailers, PaintCare works with associations to inform professional painting contractors and will conduct general outreach campaigns that may include digital and online advertising, direct mail, newspaper, radio, and television.

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 PaintCare and non-PaintCare products, please contact PaintCare or visit www.paintcare.org.

Contact

Andrew Radin
New York Program Manager
(315) 317-4346
aradin@paint.org

Information for HHW Programs in New York

Updated — November 2021



New York's paint stewardship law will benefit household hazardous waste programs.

START DATE: MAY 1, 2022 (PENDING APPROVAL)

A state law passed in December 2019 requires paint manufacturers to set up and operate a paint stewardship program in New York. Program funding will come from a paint stewardship fee (PaintCare fee) applied to each container of architectural paint sold in New York when the program begins May 1, 2022 (pending approval). Household hazardous waste (HHW) programs that participate as leftover paint drop-off sites will be able to save money on paint management costs.

PaintCare

PaintCare is a nonprofit organization established by the American Coatings Association to implement manufacturer-led paint stewardship programs in states that pass paint stewardship laws. PaintCare currently operates programs in California, Colorado, Connecticut, District of Columbia, Maine, Minnesota, Oregon, Rhode Island, Vermont, and Washington, and is developing a program for New York.

Designing a Program for New York

The law requires PaintCare, on behalf of paint manufacturers, to submit a comprehensive program plan to the New York State Department of Environmental Conservation. In spring 2020, PaintCare began holding meetings to present the program's goals and design and to receive input from HHW programs and other stakeholders.

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. In areas where HHW programs do not accept water-based paint, households 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 paint—is recycled to the maximum extent possible.

Paint Drop-Off Sites

The primary requirement of paint stewardship laws is for paint manufacturers to set up paint drop-off sites at retailers and other locations where households and businesses can take leftover architectural paint, free of charge. PaintCare has established more than 2,000 paint drop-off sites across its programs. While most sites are paint and hardware stores, solid waste facilities including transfer stations, recycling centers, and landfills, as well as HHW collection programs are also important partners and may participate as paint drop-off sites and have their paint transportation and recycling costs paid by PaintCare.

Become a Drop-Off Site

HHW programs that would like their facilities and/or events to become drop-off sites can fill out the interest form at www.paintcare.org/drop-off-site-interest-form/.

Benefits of Partnering with PaintCare

- Save on paint management (supplies, transportation, and recycling) and public outreach costs
- Help your state conserve resources, keep paint out of the solid waste stream, and prevent the improper disposal of paint in your community
- Make recycling of leftover paint more convenient for your community



PaintCare Partners Receive

- Training materials and staff training at your site
- Paint collection bins
- Paint transportation and recycling services
- Site signage
- Compensation for value-added services including paint reuse programs, bulking of oil-based paint, and other optional services
- Publicity of HHW site or event (optional)

Drop-Off Site Responsibilities

- Provide secure storage area for paint collection bins
- Accept all brands of leftover PaintCare products from the public during operating hours
- Place only PaintCare products in paint collection bins
- Keep paint collection bins neat and properly packed
- Complete minimal paperwork related to tracking outgoing paint shipments
- Ensure all staff maintain training on PaintCare program guidelines and operating procedures

How do billing and payments work?

- In the most common scenario, when your site ships out PaintCare products, the hauler sends PaintCare an invoice for paint management costs directly. This avoids the need for reimbursement.
- If your site also contracts with PaintCare for value-added services such as paint reuse, your program sends an invoice to PaintCare for reimbursement.

Will Becoming a PaintCare Drop-off Site Require Operational Changes?

No. Your HHW program may continue to put restrictions on who can access the paint collection program at your site. If your program (facility and/or events) 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 program 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 households and businesses.)

Our Program Would Like to Partner with PaintCare, What Are Our Next Steps?

- Contact PaintCare to begin contracting discussions as early as possible
- Analyze your current operations so you can describe them in detail to PaintCare to help determine the most appropriate type of contracting approach for your program
- Reach out internally to those who will be involved with the contracting process to understand their needs and time constraints
- Consult with staff involved with paint management operations to ensure they understand how partnership with PaintCare works and to address any questions and concerns with PaintCare staff
- Review the Fact Sheet: Contracting with PaintCare for more details on contract types and other considerations as you prepare. Get a copy by contacting PaintCare or find the fact sheet in the Waste Facilities section of www.paintcare.org.

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 PaintCare and non-PaintCare products, please contact PaintCare or visit www.paintcare.org.

Contact

Andrew Radin
New York Program Manager
(315) 317-4346
aradin@paint.org



Information for Solid Waste Facilities Including Transfer Stations, Recycling Centers, and Landfills in New York

Updated — May 2022

New York's paint stewardship law benefits solid waste facilities.

START DATE: MAY 1, 2022

A state law passed in December 2019 requires paint manufacturers to set up and operate a paint stewardship program in New York. Program funding comes from a paint stewardship fee (PaintCare fee) applied to each container of architectural paint sold in New York. Solid waste facilities that participate as leftover paint drop-off sites will be able to save money on paint management costs and provide a community service.

PaintCare

PaintCare is a nonprofit organization established by the American Coatings Association to implement manufacturer-led paint stewardship programs in states that pass paint stewardship laws. PaintCare currently operates programs in California, Colorado, Connecticut, District of Columbia, Maine, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington.

Paint Drop-Off Sites

The primary requirement of paint stewardship laws is for paint manufacturers to set up paint drop-off sites at retailers and other locations where households and businesses can take leftover architectural paint, free of charge. PaintCare has established more than 2,000 paint drop-off sites across its programs. While most sites are paint and hardware stores, solid waste facilities including transfer stations, recycling centers, and landfills, as well as household hazardous waste (HHW) facilities, may participate as paint drop-off sites.

Become a Drop-off Site

Solid waste facilities that would like to become a drop-off site can fill out the interest form available at www.paintcare.org/drop-off-site-interest-form/.

Benefits to Solid Waste Facilities and Their Customers of Becoming a Paint Drop-Off Site

There are many benefits to becoming a paint drop-off site. The cost of paint transportation and recycling will be paid by PaintCare. As a participating drop-off site, you will:

- Make recycling of leftover paint more convenient for your customers
- Help relieve local government of their cost of managing leftover paint
- Help your state conserve resources, keep paint out of the solid waste stream, and prevent the improper disposal of paint in your community
- Optional: offer paint in good condition collected at your site to the public for reuse and receive a reimbursement of \$1.60 per gallon. See our fact sheet, Reuse Program – Compensation and Reporting, for more information.

PaintCare Drop-Off Sites Receive

- Training materials and staff training at your site
- Reusable paint collection bins
- Paint transportation and recycling services
- Program brochures, signage, and customer education materials
- Optional: publicity in ads and promotional materials

Drop-Off Site Responsibilities

- Provide secure storage area for reusable paint collection bins
- Accept all brands of leftover PaintCare products from the public during operating hours
- Place only PaintCare products in paint collection bins, taking care not to open containers
- Keep paint collection bins neat and properly packed
- Complete minimal paperwork related to tracking outgoing paint shipments
- Ensure all staff maintain training on PaintCare drop-off site guidelines and 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. In areas where HHW programs do not accept water-based paint, households 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 paint—is recycled to the maximum extent possible.

Will Becoming a PaintCare Drop-Off Site 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 households and businesses.)

Benefits of PaintCare to Solid Waste Facilities

Solid waste facilities that generate leftover paint but are not PaintCare drop-off sites can still participate in the PaintCare program.

- Solid waste facilities, like other entities, will be able to drop off leftover paint at PaintCare sites. All PaintCare drop-off sites will accept up to 5 gallons of paint, but some PaintCare sites will accept more. To find a site, visit www.paintcare.org/drop-off-sites.
- PaintCare will offer a free pickup service for households, businesses, and organizations that have accumulated 100+ gallons of paint measured by container size (not volume). Learn more about this in our fact sheet titled Large Volume Pickup (LVP) Service or at paintcare.org/pickup/.
- For entities that generate large volumes of unwanted paint on a regular basis, a service for recurring direct pickups will be available. Contact PaintCare for additional information.

What Products Are Covered?

The products accepted at PaintCare drop-off sites will be the same products that will have a fee when they are sold. PaintCare products include interior and exterior architectural coatings sold in container sizes of five gallons or less. 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
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes
- 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

Large Volume Pickup (LVP) Service

Updated — November 2021



PaintCare offers a free pickup service to painting contractors, property managers, and others with large amounts of leftover architectural paint.

Who Is PaintCare?

PaintCare is a nonprofit organization established by the American Coatings Association to operate paint stewardship programs on behalf of paint manufacturers in states that pass paint stewardship laws.

Paint Drop-Off Sites

In states with a paint stewardship program, PaintCare's primary effort is to set up conveniently located drop-off sites—places where households and businesses may take their unwanted paint for no charge. Sites set their own limits on the volume of paint they accept from customers per visit (usually from 5 to 20 gallons). To find a drop-off site near you, please use PaintCare's site locator at www.paintcare.org or call (855) PAINT09.

Large Volume Pickups

For those who have accumulated a large volume of paint, PaintCare offers a pickup service. Large volume means 100+ gallons, measured by container size (not liquid volume). On a case-by-case basis, PaintCare may approve a pickup for less than 100 gallons. After two or three pickups, you may be switched to a repeat pickup service (see next page).

Drums and Bulked Paint Are Not Accepted

PaintCare only accepts paint in containers that are 5 gallons or smaller in size. Leave paint in original cans with original labels; do not combine or bulk paint from small cans into larger ones. If you have unwanted paint in drums or containers larger than 5 gallons, please contact a paint recycling company or a hazardous waste transportation company to assist you.

HOW TO REQUEST A LARGE VOLUME PICKUP

- 1. Sort and count your paint**
Tally the number of each container size and the type of products you have, sorted into two categories: (1) water-based paints and stains, and (2) oil-based paint and stains and any other program products (sealers and clear top-coat products, such as varnish and shellac).
- 2. Fill out the LVP Request Form**
Fill out the Large Volume Pickup Request Form on our website. Upon request, the form is also available as a PDF and can be returned to PaintCare by email, fax, or regular mail. Visit www.paintcare.org/pickup or call PaintCare for the form.

Scheduling

After reviewing your form, PaintCare staff will either approve your site for a pickup or inform you of the best place to take your paint if you do not meet the requirements. If approved, you will be put in contact with our licensed hauler to schedule a pickup. It may be several weeks before your pickup occurs.

On the Day of Your Pickup

Sort your products into the two categories noted above and store them in an area that has easy access for the hauler. If the paint is far from where the hauler parks, the path between should be at least four feet wide to accommodate movement of the boxes.



The hauler is responsible for packing the paint into the shipping containers. Once your paint is properly packed and loaded onto the hauler's truck, you will sign a shipping document and receive a copy for your records. Your paint will then be taken to an authorized processing facility for recycling.

Repeat Service for Large Volume Pickups

For businesses that generate large volumes of unwanted paint on a regular basis, a service for recurring direct pickups is available. With this service, you will be provided with empty bins and can request a pickup when at least three bins are filled. Your full bins will be swapped with empty bins each time a pickup occurs. You will be required to sign a contract with PaintCare, and PaintCare will provide onsite training on how to properly pack the paint.

Business Limits

To use the PaintCare program for oil-based paint, a business must qualify as an exempt generator under federal and any analogous state hazardous waste generator rules. Please visit www.paintcare.org/VSQG for more information on exempt generator rules. If your business does not qualify as an exempt generator, it will not be able to use the program for oil-based paint, but it can still use the program for latex products. (Non-exempt generators will be able to use the program under development in New York. Contact PaintCare for details about the New York program.)

If You Have Products We Don't Accept

PaintCare does not accept all paints (such as aerosols and automotive finishes) or other hazardous waste. If you have solvents, thinners, pesticides, or any non-PaintCare products (see list to right for examples), we recommend that households contact their local household hazardous waste (HHW) program. Businesses should contact their local HHW program to determine if they are eligible to participate. Some HHW programs allow businesses to use their program for a modest fee. Otherwise, businesses should contact a licensed hazardous waste transportation company.

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 container sizes of five gallons or less. 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
- Primers, sealers, undercoaters
- Stains
- Shellacs, lacquers, varnishes, urethanes
- 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



PaintCare™

RECYCLING MADE EASY

About the Paint Recycling Program

Paint manufacturers created PaintCare, a nonprofit organization, to provide convenient places for households and businesses to recycle leftover paint. PaintCare sets up paint drop-off sites throughout states that pass paint stewardship laws.

✔ PAINTCARE PRODUCTS

These products have a fee when you buy them and are accepted for drop-off at no additional cost:

- 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.

PAINTCARE FEE

The PaintCare fee is applied to the purchase price of architectural paint as required by law. The fee funds collection, transportation, and processing costs. The fee is based on container size as follows:

| | |
|--------|---|
| \$0.00 | Half pint or smaller |
| \$0.45 | Larger than half pint up to smaller than 1 gallon |
| \$0.95 | 1 gallon up to 2 gallons |
| \$1.95 | Larger than 2 gallons up to 5 gallons |

For more information or to find a place to take your unwanted paint for recycling, please ask for the PaintCare brochure, visit paintcare.org, or call (855) PAINT09.

✘ NON-PAINTCARE 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



Recycle Paint at This Store



✓ PAINTCARE PRODUCTS

Paint must be in sealed, original container with original manufacturer label.

- House paint and primers (latex or oil-based)
- Stains
- Deck and concrete sealers
- Clear finishes (e.g., varnishes, shellac)

✗ NON-PAINTCARE PRODUCTS

- No leaking, unlabeled, or empty containers
- No aerosol spray paints
- No drums or containers larger than 5 gallons
- We cannot accept other hazardous waste or chemicals such as paint thinner, solvents, motor oil, spackle, glue, adhesive, roofing tar, pesticides, cleaning chemicals

Paint is accepted during business hours only. Staff will check all products before accepting.

For a complete list of PaintCare Products, please ask for the PaintCare brochure, visit www.paintcare.org, or call **(855) PAINT09**.



Joint Outreach Projects

Updated — July 2021



The Basics

If you are a local government that has partnered with PaintCare, we offer limited funding support for outreach activities that promote the PaintCare program. We are most interested in partnering with you when setting up new PaintCare sites, where participation is low, or to promote one-day household hazardous waste events to boost the amount of paint collected. We support radio, newspaper, social media, and direct mail, 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. All projects must include PaintCare's website address and logo and mention that other PaintCare drop-off sites can be found at www.paintcare.org.

PROPOSAL FORM

Please complete our Proposal Form for Joint Outreach Projects on the Waste Facilities page at www.paintcare.org/joint-outreach/, or email brodgers@paint.org with questions.

IMAGES

We have artwork and photos you can borrow for creating drafts at www.flickr.com/photos/paintcare/, but please be sure to request permission to use them in your final design.

Your Responsibilities

At the start of each project, we request that you provide PaintCare with draft text, dimensions and/or specs, and due dates for the materials.

PRINT (BROCHURES, POSTCARDS, ETC.)

You are responsible for sending artwork files to your printer, coordinating mailings, and distribution. After the project is completed, we request a description of how, when, and where the piece was distributed and an electronic copy of the final piece.

NEWSPAPER

You are responsible for scheduling and sending artwork files to the newspaper. After the project is completed, we request a list of run dates for each newspaper and a scan of each ad.

RADIO

You are responsible for providing the pre-approved scripts to the stations and handling scheduling. After the project is completed, we request you provide text of the final script with a list of run dates and times.

DIGITAL MEDIA & OTHER

We are open to other types of projects such as digital advertising and social media campaigns, as well as other forms of outreach. Please coordinate details in advance 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 for print and digital projects. 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 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 costs for pre-approved projects proportional to the amount of the project dedicated to PaintCare information. Funding amounts may also differ depending on budgets available and our other outreach taking place in your area. To be reimbursed after the project is completed, send an invoice from your government agency, samples of final pieces, and copies of invoices from your vendors to paintcare@bill.com and copy Brett Rodgers at brodgers@paint.org. The "To:" space

on the invoice should be addressed to PaintCare Inc., 901 New York Ave NW, Suite 300 West, Washington DC, 20001. In the space for purchase orders please write "6369 Communications: Other, Joint Projects." See sample invoice below.

{SAMPLE INVOICE}

Environmental Services Program

Washington County
123 Government Way
Anytown, State 55776

June 24, 2017

Invoice: 2452187

Purchase Order: 6369 Communications: Other, Joint Projects

Outreach Department
PaintCare Inc.
901 New York Ave NW #300W
Washington DC, 20005

Description:

- Newspaper ad promoting one day event held in Anytown on May 1, 2017
- Three 5x5 ads ran on April 13, 2017 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

Appendix D

Drop-Off Site Guidelines and Forms



New York Specific Guidelines

This document is provisional and currently in development.

Storage Time Limit: 365 days

Site/Program Certification:

To collect the full array of PaintCare Products, all drop-off sites must complete the NYS Postconsumer Paint Collection Program Paint Collection Site Certification Form. Drop-Off sites should maintain an executed copy of this form in their training binder.

Spill Reporting: Report any spill or release of a program product, which, if not recovered, may cause pollution of waters to:

- Your local environmental enforcement agency;
 - Local offices can be found here: <https://www.dec.ny.gov/about/558.html>
- NYS Spill Hotline: 1-800-457-7362; and
- PaintCare within 24 hours of any report

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 | |

These New York Specific Guidelines are not intended to replace or supersede the requirements that Drop-Off Sites must follow pursuant to their state-issued permits, registrations, or other applicable law. For example, HHW facilities and collection events should follow applicable laws and regulations, including those requirements for HHW events in 6 NYCRR 362-4.2 and those for HHW facilities in 6 NYCRR 362-4.4. Applicable laws and regulations take precedence if there is a conflict with these New York Specific Guidelines



Drop Off Site Guidelines

This document contains detailed information on PaintCare's program guidelines and operations procedures. In combination with the state-specific guidelines, it is designed to be used by new staff for self-training and for site refresher training without PaintCare staff.

Note: The supplemental training slides included in this binder summarize only the most important information from these Drop-Off Site Guidelines. The slides are used during training by PaintCare staff and can also be used to supplement refresher training.

Adherence to these guidelines is critical for drop-off sites participating in the program. Exceptions to these guidelines can be made only with PaintCare's express written permission. If your site is unable to comply with any of these guidelines, please contact your PaintCare representative so that we may try to find a solution that works for your site but still achieves compliance with applicable legal and operational requirements for the program.

Contents

| | |
|--|-----------|
| Section 1. Training and Safety | 2 |
| Section 2. General Guidelines | 3 |
| Section 3. Collection Bins and Storage Area | 4 |
| Section 4. Identifying and Accepting PaintCare Products | 6 |
| Section 5. Participant Paint Volume | 10 |
| Section 6. Working with Transporters | 11 |
| Section 7. Spill Response | 12 |
| Section 8. Inspections and Records | 13 |

Section 1. Training and Safety

Training

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

Training helps ensure that employees conduct PaintCare products collection activities in a safe manner that protects workers and the environment.

Ensure that drop-off site employees are equipped for and understand hazards associated with PaintCare products.

Maintain training plans and records for each employee. Record staff training using the form included in this binder.

Safety

Store personal protective equipment (PPE) and spill response equipment in an accessible location adjacent to the collection bins. Ensure those materials are protected from impacts of weather.

The drop-off site must be equipped with appropriate emergency response equipment including a fire extinguisher, spill kit, and PPE. Monthly inspections of equipment are recommended.

PaintCare products collection activities need to follow general safety practices including proper lifting techniques.

Post emergency procedures and emergency contact numbers including police, fire department, and emergency services by a phone and in close proximity to the collection bins, if possible.

If applicable, develop and maintain an 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 PaintCare products handled at your facility, and evacuation routes.

Section 2. General Guidelines

PaintCare Provides Your Site:

- Training binder with recordkeeping logs/forms
- Signage identifying your site as a PaintCare drop-off site
- Printed educational materials for the public

PaintCare's Transporter Provides Your Site:

- Paint collection bins and liners for cardboard/single-use collection bins
- Labels and/or markings for paint collection bins
- Spill kits (excluding HHW programs)

General Guidelines for Drop-Off Sites

Each PaintCare drop-off site has unique logistical and operational considerations. 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:

- Have appropriate signage that informs the public of the hours of operation
- Accept PaintCare products from participants during your regular advertised or posted operating hours
- Display PaintCare signage to identify you as a drop-off site; signage should be posted in a highly visible area, at the entrance of your site
- Assist and supervise participants when they visit to drop off PaintCare products. Site staff should greet participants and must verify eligibility of the participant and their leftover paint products as PaintCare products
- **IMPORTANT:** Never allow a participant to open a PaintCare product container
- Have adequate space, staffing, and training to collect and store PaintCare products
- Provide a secure space for empty and full collection bins
- Place all PaintCare products immediately in collection bins approved for use by PaintCare and its transporters
- Pack only PaintCare products into collection bins
- Schedule shipments of PaintCare 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

Section 3. Collection Bins and Storage Area

Storage Area and Collection Bin Placement

Establish a dedicated storage area for collection bins and PaintCare products.

Place collection bins on an impermeable surface (i.e., paved asphalt, concrete, or other surface) at all times.

Place collection bins away from ignition sources, storm drains, and floor drains.

Ensure there is adequate ventilation if bins are stored indoors.

If stored outdoors, protect collection bins from the elements (e.g., precipitation, temperature extremes, rain, and snow). Keep collection bins under cover to prevent exposure to precipitation to protect against temperature extremes. If you store collection bins outdoors, you may need approval from your local fire or hazardous materials oversight agency.

Comply with any local fire codes or other regulations that might pertain to your storage of collection bins at your site.

Maintain enough space around collection bins to inspect for leakage and emergency access.

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

Setting Up, Packing and Maintaining Collection Bins

Collection bins must be set up, used, and closed according to the manufacturer's instructions. PaintCare's transporters should set up the collection bins that they provide, unless otherwise requested by the drop-off site staff.

Ensure liners are inserted in cardboard collection bins. The liners provide secondary containment to contain liquids in the event a can leaks while in storage or transit. Reusable plastic bins that are leak-proof by design don't need liners.

Collection bins must be structurally sound. If you see any evidence of damage to bins (or liners) that may cause a leak or spill, notify PaintCare immediately.

Mark the collection bin with the date the first PaintCare product is placed in it.

Place PaintCare products in bins immediately upon receipt. Keep collection bins closed except when adding PaintCare products.

Pack 5-gallon buckets on the bottom layer of the collection bins for stability.

Pack all PaintCare products (cans, buckets) upright and as tight as possible in the collection bins to protect contents from shifting and leaking in transit.

Do not open containers to verify product.

Do not overfill collection bins; allow enough space for a lid to fit securely.

Do not take PaintCare product out of the bin.

Security

Never allow "self-serve," public access to the collection bins.

The collection bin storage area must be secured and locked when not attended.

Only drop-off site staff should have access to the collection bins and storage area until the collection bins are ready for pick-up by PaintCare's transporter.

Section 4. Identifying and Accepting PaintCare Products

What are PaintCare Products

PaintCare drop-off sites should accept only PaintCare products (architectural paint products) for management under the PaintCare program.

Listed below are the primary examples of architectural paint products accepted by the PaintCare program and paint or paint-related products not accepted by the PaintCare program.

Generally, PaintCare products 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
- On the list of specifically excluded products for some other reason

PaintCare products are 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 processed. Knowing how to tell the difference between latex- and oil-based products is also important in determining which types of businesses/organizations can use the PaintCare program (if your site accepts paint from this audience).

PaintCare Products and Non-PaintCare Products

Acceptable products (PaintCare 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-PaintCare 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

For more information, please see www.paintcare.org/products

If non-PaintCare products end up in a drop-off site's bin, such products will not be returned to the drop-off site and will be managed by PaintCare's transporter. Transporters identify non-PaintCare products and report all instances to PaintCare. PaintCare staff will notify the site of any contamination in the bins. If the problem persists, additional training may be provided.

Acceptable Containers vs. Unacceptable Containers

Before accepting products from participants for management under the PaintCare program, drop-off site staff must (1) check the condition of the container for acceptance in the program, and (2) check the product label to verify that it contains a PaintCare product.

Acceptable

- The PaintCare product must be in its original container*
- The container is labeled as containing one of the designated PaintCare products listed above*
- The container must be in good condition and not leaking*
- The container must be 5 gallons in size or smaller
- The container contains dry latex paint

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 gallons
- The container is empty

*Drop-off sites permitted to accept household hazardous waste may accept unlabeled and leaking containers by following the procedures described below.

Unlabeled and Leaking Containers

A drop-off site permitted to accept household hazardous waste may, at its discretion, choose to accept unlabeled and/or leaking containers if it follows the protocols below and otherwise complies with all applicable laws:

Unlabeled Containers

A drop-off site may accept containers that do not have an original label if a staff person appropriately trained in identifying unknown wastes (1) identifies the material in the container as a PaintCare product, and (2) applies a label identifying the contents to the container before placing it in a collection bin.

Leaking Containers

A drop-off site may accept a leaking container or a container with no lid if an appropriately trained drop-off site staff person (1) verifies that the container contains a PaintCare product, (2) places the contents of the leaking/open container into an appropriate substitute container (which can include bulking such PaintCare products into 55-gallon drums), and (3) applies an appropriate label to the substitute container.

Refusing an Unacceptable Product or Container

Do not accept non-PaintCare products from any participant unless they are received as part of normal site operations and are not placed in PaintCare collection bins.

When refusing a PaintCare product, drop-off site staff must explain why the PaintCare product cannot be accepted (e.g., material is not part of the program, cannot accept material from non-exempt generator, etc.). If a participant tries to drop off products that your location cannot manage, refer the participant to an appropriate alternative resource, such as their local household hazardous waste disposal program, garbage transporter, environmental health agency, or public works department. Local contact information is provided at the front of this binder.

Paint Volume Acceptance Rules

The program accepts PaintCare products from households and businesses/organizations.

Households. Households may drop off any volume of PaintCare product, subject to the volume limit set by the site.

Businesses/Organizations. Non-households may also drop off any volume of latex PaintCare product, subject to the volume limit set by the site. Non-households may only drop off oil-based PaintCare products if they comply with federal and state hazardous waste generator rules that, among other criteria, require that the business/organization (1) generates no more than 100 kilograms (about 25 gallons or 220 pounds) of hazardous waste per calendar month, and (2) does not accumulate more than 1,000 kg (about 220 gallons or 2,200 pounds) of hazardous waste at any time. Painting contractors and commercial property owners typically meet these criteria. For more information about these criteria, please visit www.paintcare.org/vsqq

Each business or organization is responsible for determining its own generator status under applicable law.

When a business/organization has oil-based PaintCare products to drop off at your site, it must sign the Paint Drop-Off Log/Form included in this binder to verify that it qualifies to use the program for oil-based paint. The log/form includes an explanation of the requirements. If a business/organization has only latex paint, it does not need to sign the log/form.

Once a business/organization signs the Paint Drop-Off Log/Form, you may accept oil-based paint from that business/organization. (HHW sites and other waste collection programs may need a permit and/or to meet additional legal requirements in order to collect oil-based paint from businesses.) To help ensure legal compliance, unless you're specifically permitted to accept more, you should not accept more than 25 gallons of oil-based paint per calendar month from a qualifying business. Paint Drop-Off Logs/Forms may be reviewed by PaintCare or government agencies and compared with a list of registered hazardous waste generators to verify that only qualified businesses/organizations are using the program for their oil-based paint.

Section 5. Participant Paint Volume

How Much Paint to Accept from Participants

While the PaintCare program intends to collect as many PaintCare products as possible, we recognize that your drop-off site may have storage limitations. PaintCare drop-off sites, in agreement with PaintCare, may limit the amount of PaintCare products they accept per participant, however, drop-off sites must accept up to 5 gallons at a minimum per participant.

What if Bins are Full?

If your collection bins are completely full, inform the participant that you are temporarily unable to accept PaintCare products and redirect them to the nearest alternative PaintCare drop-off site. Refer them to the site locator at www.paintcare.org or the **PaintCare hotline at 855-724-6809**, or ask them to come back at a later date. Contact the PaintCare transporter immediately to have collection bins picked up and replaced.

If a participant has a significant amount of PaintCare products that your location cannot manage, ask the participant to contact PaintCare directly for additional assistance. PaintCare may direct the participant to another drop-off site or offer our Large Volume Pickup service.

Large Volume Pickup (LVP) Service

PaintCare offers a free pick-up service to painting contractors, property managers, households, and others with a large quantity of leftover PaintCare products. Typically, a minimum of 100 gallons (by container size) is required to qualify for the LVP service.

To refer a participant to the LVP service:

- Provide the participant a LVP fact sheet
- Ask the participant to request a pick-up using the online LVP form
- The LVP fact sheet and online form are available at www.paintcare.org (select the “Request a Pickup” button on the homepage)
- For additional questions, refer the participant to PaintCare for assistance

Section 6. Working with Transporters

PaintCare contracts with transporters for the delivery of supplies, delivery of empty collection bins, and pick-up of full collection bins.

Scheduling the Transporter to Pick Up Collection Bins

When you anticipate your collection bins will be full within your site's pick-up timeframe (generally 5 business days in urban areas, 10 business days in rural areas), call your transporter to schedule a pickup, or use their online order system if they have one. The name and contact information of your transporter is provided at the front of this binder.

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

- Your site 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
- Number of empty collection bins needed for replacement

Preparing Collection Bins for Pickup

On the scheduled pickup day, collection bins and the loading area must be readily accessible to the transporter for quick and efficient loading. Complete the following steps:

- Identify which bins are full and ready for pickup
- Make sure the path between your bins and the transporter's vehicle is clear and at least 4 feet wide to accommodate movement of bins
- Sign and keep copies of any shipping documents for your records

The transporter is responsible for labeling, loading/off-loading collection bins, and preparing shipping documents.

Section 7. 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 and the environment.

Reporting

Report spills as required by law, summarized in the state-specific guidelines. Contact PaintCare within 24 hours of making such a report.

Spill Response Procedures

Always follow all applicable spill response procedures set forth in your operating permit or as otherwise required by applicable law.

- 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 and place it in plastic bag(s) or spill kit container, along with the leaking container and contaminated PPE, seal the bag(s), label it and place in the collection bin
- Remove any clothing that may be contaminated, wash thoroughly to remove spilled material from your hands or body
- Document the date, location, and amount and type of material spilled
- Replace any used spill control supplies as soon as possible

Section 8. 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 and include any necessary labeling. Please report any damaged bins or other problems to PaintCare immediately so PaintCare may arrange for prompt replacement or repair.

Maintain the following records for a minimum of 3 years:

- Internal and external inspection records
- Paint Drop-Off Logs/Forms (copy provided in this binder)
- Direct Reuse and Reprocessed Paint Waivers (copy provided in this binder; only for sites that do reuse and/or reprocess paint)
- Employee training records (copy provided in this binder)
- Shipping documents and/or other documentation required by applicable law for outgoing shipments of PaintCare products

PAINT DROP-OFF LOG (for businesses and organizations)

Eligibility: A business or organization may use the PaintCare program to manage program-eligible hazardous waste products (e.g., unwanted oil-based paint, varnishes, solvents) only if it provides the information below and certifies that all hazardous waste it provides to the PaintCare program qualifies as exempt under federal (40 CFR § 262.14) and analogous state/local hazardous waste generator rules for very small quantity generators. Among other criteria, each business/organization responsible for generating waste at a site must, at that site, (1) generate no more than 100 kilograms (about 25 gallons or 220 pounds) of hazardous waste per calendar month, (2) generate no more than 1 kilogram (about 2.2 pounds) of acute hazardous waste per calendar month, and (3) accumulate no more than 1,000 kilograms of hazardous waste at any given time.

Because generator status can vary from month to month, your organization must sign and date this log sheet each time that it seeks to manage hazardous waste through the PaintCare program.

Certification Statement: By signing this document, I certify that all hazardous waste being provided to the PaintCare program qualifies as exempt waste under applicable federal and state/local laws. My organization releases and holds harmless the entity accepting this waste, as well as PaintCare Inc., its sole member and related companies, and their agents, employees, member companies, officers, directors, successors, and assigns from any liability, claim, injury, losses or damages arising from my organization's provision of any materials to the PaintCare program.

[This log sheet may be provided to state agencies upon their request.]

| Date | Oil-Based Paint Gallons | Name of Business/Organization | Address of Business/Organization | Name of Person Dropping Off Paint | Signature | Phone Number |
|------|-------------------------------|----------------------------------|-------------------------------------|--------------------------------------|-----------|-----------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Appendix E

Independent Audit of the Proposed PaintCare Fee

PAINTCARE NEW YORK, LLC

**FORECASTED SUMMARY SCHEDULE OF ACTUAL AND
BUDGETED REVENUES, EXPENSES (COSTS) AND
FINANCIAL RESERVE FUND**

AND

**CALCULATED AVERAGE UNITIZED PAINT STEWARDSHIP FEE
FOR THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021, Projected Pre-Operational Period from September 1, 2021 through April 30, 2022, and Forecasted Periods Covering May 1, 2022 through December 31, 2025

PAINTCARE NEW YORK, LLC

FORECASTED SUMMARY SCHEDULE OF ACTUAL AND BUDGETED REVENUES, EXPENSES (COSTS) AND FINANCIAL RESERVE FUND AND CALCULATED AVERAGE UNITIZED PAINT STEWARDSHIP FEE FOR THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
Projected Pre-Operational Period from September 1, 2021 through April 30, 2022, and
Forecasted Periods Covering May 1, 2022 through December 31, 2025

| CONTENTS | PAGE(S) |
|--|----------------|
| Independent Accountant's Examination Report | 1-2 |
| Forecasted Financial Information: | |
| Forecasted Summary Schedule of Actual and Budgeted Revenues, Expenses (Costs) and Financial Reserve Fund (A) | 3 |
| Forecasted Detail Schedule of Actual and Budgeted Revenues, Expenses (Costs) and Financial Reserve Fund (A) | 4 |
| Calculated Average Unitized Paint Stewardship Fee for the New York State Department of Environmental Conversation (A) | 5 |
| Notes to Forecasted Financial Information | 6-15 |

(A) Includes actual pre-operational startup period from December 19, 2019 through August 31, 2021, and forecasted periods covering September 1, 2021 through December 31, 2025.



INDEPENDENT ACCOUNTANT'S STEWARDSHIP FEE EXAMINATION REPORT

Marjaneh Zarrehparvar, Manager
PaintCare New York, LLC

Pursuant to PaintCare New York, LLC's (PCNY) engagement letter dated on October 20, 2021, we have examined the accompanying forecasted summary of budgeted revenues, expenses (costs), and financial reserve fund prepared by the management of PCNY with regard to operating a paint recycling program required by the Title 20: Section 27-2003 (3)k of the Consolidated Law of New York, and the calculated average unitized paint stewardship fee that PCNY has proposed to fund the program for the multi-year operational period covering May 1, 2022 through December 31, 2025, including actual pre-operational startup costs that PCNY has incurred from December 19, 2019 through August 31, 2021 and projected pre-operational startup costs from September 1, 2021 through April 30, 2022, (collectively the forecasted budget), based on the guidelines for the presentation of a forecast established by the American Institute of Certified Public Accountants (AICPA). PCNY's management is responsible for preparing and presenting the forecasted budget in accordance with guidelines for the presentation of a forecast established by the AICPA. The forecasted budget was prepared for the purpose of complying with Title 20: Section 27-2003 (3)k of the Consolidated Law of New York. Our responsibility under Title 20: Section 27-2003 (3)k of the Consolidated Law of New York is to express an opinion on the forecasted budget statement based on our examination.

Our examination was conducted in accordance with attestation standards established by the AICPA. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the forecast is presented in accordance with the guidelines for the presentation of a forecast established by the AICPA, in all material respects. An examination involves performing procedures to obtain evidence about the forecast. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material misstatement of the forecast, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

In our opinion, the accompanying forecasted budget is presented, in all material respects, in accordance with the guidelines for presentation of a forecast established by the AICPA, and the underlying assumptions are suitably supported and provide a reasonable basis for PCNY's forecasted budget. Also, in our opinion the PCNY's proposed uniform paint stewardship assessment fee of \$0.00, \$0.45, \$0.95, and \$1.95 by each container size (half pint or smaller, larger than half pint to smaller than 1 gallon, 1 gallon up to 2 gallons, and larger than 2 gallons up to 5 gallons, respectively) charged on all paint containers sold at retail to New York State consumers starting May 1, 2022 is reasonable, within the meaning of Title 20: Section 27-2003 (3)k of the Consolidated Law of New York, to cover the expenses (costs) of operating the architectural paint stewardship program and maintain financial reserves sufficient to operate said program over the multi-year period from May 1, 2022 through December 31, 2025, and recover actual pre-operational startup costs that the PCNY has incurred from December 19, 2019 through August 31, 2021 and forecasted pre-operational startup costs from September 1, 2021 through April 30, 2022.

(1)

INDEPENDENT ACCOUNTANT'S STEWARDSHIP FEE EXAMINATION REPORT
(continued)

There will usually be differences between forecasted and actual results because events and circumstances frequently do not occur as expected and those differences may be material. We have no responsibility to update this report for events and circumstances occurring after the date of this report.

The accompanying forecasted budget statement and our report are intended solely for the information and use of the New York State Department of Environmental Conservation and management of the PCNY, and are not intended to be used and should not be used by anyone other than these specified parties.

Sydon Festeroff Crayton, P.A.

December 1, 2021

PAINTCARE NEW YORK, LLC

FORECASTED SUMMARY SCHEDULE OF ACTUAL AND BUDGETED REVENUES, EXPENSES (COSTS) AND FINANCIAL RESERVE FUND FOR THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021, Forecasted Pre-Operational Startup Period from September 1, 2021 through April 30, 2022, and Forecasted Periods Covering May 1, 2022 through December 31, 2025

FORECASTED REVENUES

| | | |
|--|----------------------|-----|
| Paint stewardship (recycling) fee - NOTE B | <u>\$ 81,809,084</u> | (1) |
| TOTAL REVENUES | 81,809,084 | |

FORECASTED EXPENSES

| | | |
|---|-------------------|-----|
| Collection, transportation and processing - NOTE C | \$ 50,497,415 | |
| Communications - NOTE D | 7,302,734 | |
| Corporate overhead allocation - NOTE E | 6,294,380 | |
| Salaries and benefits, state agency administrative fees, travel and administrative - NOTE F | 4,157,787 | |
| Interest expense - NOTE G | <u>461,107</u> | |
| TOTAL EXPENSES | <u>68,713,423</u> | (2) |

| | | |
|--|----------------------|-----|
| CHANGE IN FORECASTED RESERVE BALANCE, BEFORE LOAN PROCEEDS AND PRINCIPAL PAYMENTS - NOTE G, H | 13,095,661 | |
| LOAN PROCEEDS TO FUND PRE-OPERATIONS - NOTE G | 4,500,000 | (3) |
| PRINCIPAL PAYMENTS ON LOAN - NOTE G | <u>(3,000,000)</u> | (3) |
| NET LOAN BALANCE AT DECEMBER 31, 2025 - NOTE G | <u>1,500,000</u> | (3) |
| FORECASTED NET RESERVE AND LOAN BALANCE DECEMBER 31, 2025 - NOTE H | <u>\$ 14,595,661</u> | |

(1) Retailers will collect a \$0.00 fee for each half pint or smaller paint container unit sold, \$0.45 fee for each larger than half pint up to smaller than one gallon paint container unit sold, \$0.95 fee for each one gallon up to two gallons paint container unit sold, and \$1.95 fee for each larger than two gallons up to five gallons paint container for units sold in New York state beginning May 1, 2022.

(2) Includes actual pre-operational startup period from December 19, 2019 through August 31, 2021, projected pre-operational startup period from September 1, 2021 through April 30, 2022, and forecasted periods covering May 1, 2022 through December 31, 2025.

(3) Proceeds from and the repayment of the pre-operational loan were used to fund pre-program costs incurred prior to the implementation of the stewardship fee.

CONTAINS DATA WHICH IS RESTRICTED FOR USE BY PCNY AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

PAINTCARE NEW YORK, LLC
FORECASTED DETAIL SCHEDULE OF ACTUAL AND BUDGETED REVENUES, EXPENSES
(COSTS) AND FINANCIAL RESERVE FUND
FOR THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
Forecasted Pre-Operational Startup Period from September 1, 2021 through April 30, 2022, and
Forecasted Periods Covering May 1, 2022 through December 31, 2025

| | Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021, Forecasted Pre-Operational Startup Period from September 1, 2021 through April 30, 2022 | Forecasted Periods covering May 1, 2022 through December 31, 2025 | Total |
|--|--|---|-----------------|
| FORECASTED REVENUES | | | |
| Paint stewardship (recycling) fee - NOTE B | \$ 0 | \$ 5,663,095 | \$ 5,663,095 |
| Larger than half a pint to smaller than a gallon | 0 | 42,382,243 | 42,382,243 |
| One to two gallons | 0 | 33,763,746 | 33,763,746 |
| Larger than two gallons to five gallons | | | |
| TOTAL REVENUES | 0 | 81,809,084 | 81,809,084 (1) |
| FORECASTED EXPENSES | | | |
| Collection, transportation and processing - NOTE C | 664,415 | 49,833,000 | 50,497,415 |
| Communications - NOTE D | 136,901 | 7,165,833 | 7,302,734 |
| Corporate overhead allocation - NOTE E | 605,361 | 5,689,019 | 6,294,380 |
| Salaries and benefits, state agency administrative fees, travel and administrative - NOTE F | 530,076 | 3,627,711 | 4,157,787 |
| Interest expense - NOTE G | 66,073 | 395,034 | 461,107 |
| TOTAL EXPENSES | 2,002,826 | 66,710,597 | 68,713,423 (2) |
| TOTAL FORECASTED SURPLUS/(DEFICIT) BEFORE LOAN PROCEEDS AND PRINCIPAL PAYMENTS | \$ (2,002,826) | \$ 15,098,487 | \$ 13,095,661 |
| LOAN PROCEEDS TO FUND PRE-OPERATIONS - NOTE G | 4,500,000 | 0 | 4,500,000 (3) |
| PRINCIPAL PAYMENTS ON LOAN - NOTE G | 0 | (3,000,000) | (3,000,000) (3) |
| FORECASTED NET RESERVE BALANCE - NOTE H | \$ 2,497,174 | \$ 12,098,487 | \$ 14,595,661 |

(1) Retailers will collect a \$0.00 fee for each half pint or smaller paint container unit sold, \$0.45 fee for each larger than half pint up to smaller than one gallon paint container unit sold, \$0.95 fee for each one gallon up to two gallons paint container unit sold, and \$1.95 fee for each larger than two gallons up to five gallons paint container for units sold in New York state beginning May 1, 2022.

(2) Includes actual pre-operational startup period from December 19, 2019 through August 31, 2021, projected pre-operational startup period from September 1, 2021 through April 30, 2022, and forecasted periods covering May 1, 2022 through December 31, 2025.

(3) Proceeds from and the repayment of the pre-operational loan were used to fund pre-program costs incurred prior to the implementation of the stewardship fee.

CONTAINS DATA WHICH IS RESTRICTED FOR USE BY PCNY AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

See Notes to Forecasted Financial Information and Accountant's Report

PAINTCARE NEW YORK, LLC
CALCULATED AVERAGE UNITIZED PAINT STEWARDSHIP FEE
FOR THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
 Forecasted Pre-Operational Startup Period from September 1, 2021 through April 30, 2022, and
 Forecasted Periods Covering May 1, 2022 through December 31, 2025

FORECASTED CALCULATED AVERAGE UNITIZED PAINT STEWARDSHIP FEE

| | (1) Proposed Unit Fee | (2) Forecasted Units Sold | (3) Actual & Forecasted Operations December 19, 2019 - April 30, 2022 | (4) Forecasted Operations May 1, 2022 - December 31, 2025 | Total Forecasted Revenue |
|---|-----------------------------|---------------------------------|--|--|-----------------------------|
| REVENUE | | | | | |
| Larger than half a pint to smaller than a gallon | \$ 0.45 | 12,584,655 | \$ 0 | \$ 5,663,095 | \$ 5,663,095 |
| One to two gallons | 0.95 | 44,612,888 | 0 | 42,382,243 | 42,382,243 |
| Larger than two gallons to five gallons | 1.95 | 17,314,742 | 0 | 33,763,746 | 33,763,746 |
| TOTAL REVENUES | | | 0 | 81,809,084 | 81,809,084 |
| LESS: EXPENSES | | | (2,002,826) | (66,710,597) | (68,713,423) |
| TOTAL FORECASTED SURPLUS/(DEFICIT) BEFORE LOAN PROCEEDS AND PRINCIPAL PAYMENTS | | | (2,002,826) | 15,098,487 | 13,095,661 |
| LOAN PROCEEDS TO FUND PRE-OPERATING DEFICIT | | | 4,500,000 | 0 | 4,500,000 |
| PRINCIPAL PAYMENTS ON LOAN | | | 0 | (3,000,000) | (3,000,000) |
| FORECASTED RESERVE BALANCE, AFTER LOAN PROCEEDS AND PRINCIPAL PAYMENTS | | | \$ 2,497,174 | \$ 12,098,487 | \$ 14,595,661 |

SUMMARY FORECAST TOTALS

| | |
|---|---------------|
| TOTAL FORECASTED REVENUE | \$ 81,809,084 |
| TOTAL FORECASTED EXPENSES AND RESERVE | 83,309,084 |
| DEFICIT BEFORE OUTSTANDING LOAN BALANCE | (1,500,000) |
| NET LOAN BALANCE DECEMBER 31, 2025 | 1,500,000 |
| NET FORECASTED SURPLUS / (DEFICIT) - AFTER EXPENSE AND RESERVES AT DECEMBER 31, 2025 | \$ 0 |

(1) Retailers will collect a \$0.00 fee for each half pint or smaller paint container unit sold, \$0.45 fee for each larger than half pint up to smaller than one gallon paint container unit sold, \$0.95 fee for each one gallon up to two gallons paint container unit sold, and \$1.95 fee for each larger than two gallons up to five gallons paint container for units sold in New York state beginning May 1, 2022.

(2) Forecasted unit sales for the initial program operational period starting for the period, May 2022 through December 2022, plus the years ending December 31, 2023, 2024 and 2025.

(3) Includes actual pre-operational startup period from December 19, 2019 through August 31, 2021 and projected pre-operational startup period from September 1, 2021 through April 30, 2022.

(4) Includes projected operating revenue and expenses for the periods covering May 1, 2022 through December 31, 2025.

CONTAINS DATA WHICH IS RESTRICTED FOR USE BY PCNY AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SEE NOTES TO FORECASTED FINANCIAL STATEMENTS AND ACCOUNTANTS REPORT

(5)

PAINTCARE NEW YORK, LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
Projected Pre-Operational Period from September 1, 2021 through April 30, 2022, and
Forecasted Periods Covering May 1, 2022 through December 31, 2025

NOTE A – SUMMARY OF SIGNIFICANT ASSUMPTIONS AND ACCOUNTING POLICIES

The accompanying forecasted summary schedules of budgeted revenues, expenses (costs) and financial reserve fund and calculated average unitized paint stewardship fee for the New York State Department of Environmental Conservation presents, to the best of management's knowledge and belief, the PaintCare New York, LLC's (PCNY) expected budgeted revenues, expenses (costs) and financial reserve fund and calculated average unitized paint stewardship fee for the New York State Department of Environmental Conservation for the forecasted period. The forecast reflects the actual costs to set up and implement and expected costs to operate a paint stewardship (recycling) program required by Title 20: Section 27-2003 (3)k of the Consolidated Law of New York, and the calculation of the average unitized paint stewardship fee per container size sold at retail that PCNY has proposed to fund the program, which covers the multi-year period which includes both pre-operational program startup from December 19, 2021 through April 30, 2022, and operation of the paint stewardship program from May 1, 2022 through December 31, 2025. Accordingly, the forecast reflects management's assumptions as of December 1, 2021, the date of this forecast, of the actual and forecasted expenses of startup and expected forecasted expenses of operation of the program, and the proposed unitized paint stewardship fee per container size sold at retail that would be needed to cover these expenses and to establish a financial reserve. The forecast is designed to provide information to the New York State Department of Environmental Conservation regarding the calculation of the paint stewardship fee and whether it is a reasonable amount to cover the expenses of the program and to establish a reserve fund for program expenses as of December 31, 2025. Accordingly, this presentation should not be used for any other purposes. The assumptions disclosed herein are those that management believes are significant to the forecast. The forecasted revenues and expenses are presented on an accrual basis, and there will usually be differences between the forecasted and actual results because events and circumstances frequently do not occur as expected, and those differences may be material.

NOTE B – PAINT STEWARDSHIP (RECYCLING) FEE REVENUE

The Paint Stewardship (Recycling) Fee collected will provide the revenue to fund the expenses for the paint stewardship (recycling) program. Based on the recalculation of the fee required, retailers will collect a \$0.00 fee for each half pint or smaller paint container unit sold, \$0.45 fee for each larger than half pint up to smaller than one gallon paint container unit sold, \$0.95 fee for each one gallon up to two gallons paint container unit sold, and \$1.95 fee for each larger than two gallons up to five gallons paint container unit sold beginning May 1, 2022 (see table below).

CONTAINS DATA WHICH IS RESTRICTED FOR USE BY PCNY AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

PAINTCARE NEW YORK, LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
Projected Pre-Operational Period from September 1, 2021 through April 30, 2022, and
Forecasted Periods Covering May 1, 2022 through December 31, 2025

NOTE B – PAINT STEWARDSHIP (RECYCLING) FEE REVENUE (continued)

Until PaintCare has a program in a state that requires state-based reporting, many manufacturers do not track their sales based on the state where paint is finally sold to a consumer. This is often due to distribution chains that may involve a number of distributors between the manufacturer and final point of sale. To estimate paint sales in New York, PCNY commissioned a study by Decision Metrics, a consulting firm that has been used by the American Coatings Association, PaintCare, and some individual paint companies to project paint sales nationally, in certain states, and in smaller geographic regions (e.g., counties). To assist with the projection model used by Decision Metrics, PaintCare provided actual historical monthly sales totals reported by each size category from January 2015 to August 2021 for each PaintCare program.

The Decision Metrics model projects total gallons sold and container size breakdown (1-gallon vs. 5-gallon) by factoring into consideration many key metrics: housing starts and housing sales, population growth, commercial real estate square footage, demographics (e.g., age and wealth), and economic conditions in each state. Decision Metrics also considered cross-border issues, i.e., paint purchased in one state for use in another state. Due to the unusually high architectural paint sales in 2020 resulting from the stay-at-home factor of the Covid-19 pandemic, sales for 2022 are projected to be closer to 2019 estimates. The projections also indicate a very slight increases in total volume and a slight shift from smaller to larger containers for the subsequent years.

Using this data and in consultation with PCNY's board of directors, PCNY has projected to the best of its ability the volume of PCNY products that will be sold in the state. PCNY estimated the share of units sold in each of the three predominant container size categories from the data received from the Decision Metrics and sales data from other PaintCare programs. In general, the volume of small-container sales as a proportion of total sales tends to be relatively higher in smaller and more rural states. Knowing the container size mix is important in setting the PCNY fee because the fee (and the resulting revenue) is lower for larger containers on a per-gallon basis.

When sales reports are received after the program begins, PaintCare will know the actual sales volume and container size mix in New York from manufacturer reporting.

PAINTCARE NEW YORK, LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
Projected Pre-Operational Period from September 1, 2021 through April 30, 2022, and
Forecasted Periods Covering May 1, 2022 through December 31, 2025

NOTE B – PAINT STEWARDSHIP (RECYCLING) FEE REVENUE (continued)

PCNY 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. The fee will be based on the size of the container as follows:

| <u>Container Size</u> | <u>Fee</u> |
|---|-------------------|
| Half pint or smaller | \$0.00 |
| Larger than half pint up to smaller than 1 gallon | \$0.45 |
| 1 gallon up to 2 gallons | \$0.95 |
| Larger than 2 gallons up to 5 gallons | \$1.95 |

Revenue from the paint stewardship fee for the forecasted period is estimated to be \$81,809,084.

NOTE C – COLLECTION, TRANSPORTATION, AND PROCESSING EXPENSES

Units collected and collection expenses:

Program products are architectural paints in containers no larger than five gallons in size. They do not include industrial coatings, coatings used for original equipment manufacturing, and other specialty coatings.

In the development of management’s paint collection infrastructure expense model for New York, management considered the following factors and assumptions:

- Household hazardous waste (HHW) facilities and events:
HHW facilities and events provide their customers the convenience of dropping off other products at the same time as paint, and they often have regular customers that have used their programs for many years. PCNY has identified and reached out to all known HHW programs in the state to learn about their services, inform them about the PCNY program, highlight the benefits, and outline the steps to partnering with PCNY. At the commencement of this examination, PCNY had held a webinar for HHW programs and had approximately 60 participants.

PAINTCARE NEW YORK, LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
Projected Pre-Operational Period from September 1, 2021 through April 30, 2022, and
Forecasted Periods Covering May 1, 2022 through December 31, 2025

NOTE C – COLLECTION, TRANSPORTATION, AND PROCESSING EXPENSES (continued)

- Solid waste facilities (transfer stations, recycling centers, and landfills):
Solid waste facilities provide their customers the convenience of dropping off other products at the same time as paint, and they also have regular customers that have used their facilities for many years.
- Retail stores:
Retailer participation as a paint drop-off site is voluntary. Retailers are not compensated for being a drop-off site. PCNY has identified approximately 1,435 paint retailers in New York, of which approximately 1,030 stores were identified as potential drop-off sites.
- Material reuse stores:
Sites may operate reuse areas in which they place leftover paint that was brought to their site in good condition to be given away or sold “as is” to their customers and local community. This paint management method represents the highest, best use of paint and typically reduces program costs by avoiding the transportation and processing costs that would otherwise be required to manage the paint.
- Direct pick-up or large volumes:
Large Volume Pick-up (LVP) Service is free to the customer and will be offered to New York painting contractors, other businesses, organizations, and households with large volumes of paint within a minimum quantity, currently 100 gallons. The service allows approved users to have paint picked up at their business or home.

Recurring Large Volume Pick-up (RLVP) Service is a free service also offered to painting contractors and other businesses and organizations that generate large volumes of paint on an on-going basis.

SQG/LQG Pickup Service is a pilot program for PaintCare to offer pickup service for volumes less than 100 gallons.

- PaintCare events:
Paint drop-off events may be held by PCNY in areas of the state that are not within 15 miles of a paint drop-off site or have too few drop-off sites for the population of the area, and participants from any place in New York will be allowed to use the events.

CONTAINS DATA WHICH IS RESTRICTED FOR USE BY PCNY AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

PAINTCARE NEW YORK, LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
Projected Pre-Operational Period from September 1, 2021 through April 30, 2022, and
Forecasted Periods Covering May 1, 2022 through December 31, 2025

NOTE C – COLLECTION, TRANSPORTATION, AND PROCESSING EXPENSES (continued)

Collection expenses:

Expenses to operate the program and various key assumptions include:

- a. Paint processing: This is the most significant expense of the program, approximately 49% of total forecasted expenses. PCNY will contract for processing and proper end-of-life management of postconsumer paint collected in the program.
- b. Paint transportation: These expenses include the cost of transporting paint bins from paint drop off sites. See further details on transportation expenses below.
- c. Collection supplies and support: These expenses include the cost of paint collection bins, spill kits, PaintCare event expenses, labor to assist LVP sites to pack their paint, and payments for additional activities at sites (reuse). Management estimates there will be more than 300 drop off sites. The number of bins at each drop off site will vary depending on the relative capacity of the stores. Retail drop-off sites will receive site visits semi-annually, HHW, solid waste facilities and RLVP sites will be visited annually.

Transportation and processing expenses:

Transportation and processing costs include fees paid to vendors to (1) transport discarded paint container units from drop-off sites to the recycler's processing facility, and (2) processing those units for recycling and proper end-of-life management. As of the date of this audit report, PCNY has eleven transporters under consideration, this provides management reasonable estimates of transportation and processing expense. Under the terms of these agreements, transportation costs will be computed based on zones and processing costs will be computed by weight, these estimates were used for projecting this expense over the forecasted period.

Management has made certain assumptions to develop the forecasted collection, transportation and processing expenses. Management has forecasted \$7.26/gallon as the average program cost per gallon of paint recycled for the years 2022 and 2023, which is forecasted to increase by 3% in 2024 to \$7.48. The cost per gallon is forecasted to stay at \$7.48 through the end of 2025 since costs and gallons collected are projected to level out.

PAINTCARE NEW YORK, LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
Projected Pre-Operational Period from September 1, 2021 through April 30, 2022, and
Forecasted Periods Covering May 1, 2022 through December 31, 2025

NOTE C – COLLECTION, TRANSPORTATION, AND PROCESSING EXPENSES (continued)

Management has estimated that approximately 73% of the initial program year expenses will be related to collection, transportation and processing costs. The forecasted allocation of collection, transportation and processing (CTP) costs is modeled after other stewardship state's actual data, including the average CTP per capita of \$.66, which computes to an average CTP per pound of \$.53. The total CTP cost was then allocated by actual other stewardship state data and the percentage of collection, transportation and processing expense to total CTP, which average 14%, 17% and 69 % of collection expense to total CTP, transportation expense to total CTP and processing expense to total CTP, respectively.

The total actual and forecasted collection, transportation and processing costs for the period covering December 19, 2019 through December 31, 2025 are estimated to be \$50,497,415.

NOTE D – COMMUNICATIONS EXPENSES

Communications :

These expenses include advertising and promotional materials to increase awareness of program, with PCNY performing education and outreach efforts to promote the paint stewardship program in New York. PCNY will utilize various outreach methods, including print materials, digital materials, and social media to promote the New York paint recycling program to a widespread audience and increase overall awareness of the program as it is introduced in the state. Communications costs are based on current written contracts with public relations agencies to promote and manage marketing for the recycling program. Costs also include expenses incurred to obtain third-party products and services such as advertising space, public education, point of sale marketing outreach, website maintenance, conferences and events, and customer service. Management estimated marketing outreach, point of sale, and advertising costs based on anticipated costs in 2022-2025.

PAINTCARE NEW YORK, LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
Projected Pre-Operational Period from September 1, 2021 through April 30, 2022, and
Forecasted Periods Covering May 1, 2022 through December 31, 2025

NOTE D – COMMUNICATIONS EXPENSES (continued)

The forecasted communications expense is calculated using a model based on the actual historical communication costs incurred by established paint stewardship programs in other states. This historical per-capita communications expense in these other established programs was found to be between \$.12 to \$.15 per capita. Communications expense is expected to cost \$.10 per capita beginning in 2023 as the program is phased in, increasing to \$.12 per capita in 2025. The per capita factor is multiplied by the estimated population of the state of New York according to the 2020 US Census. The total actual and forecasted communications expenses for the period covering December 19, 2019 through December 31, 2025 is estimated to be \$7,302,734.

NOTE E – CORPORATE OVERHEAD ALLOCATION

Overhead expenses are those that are not specific to New York but support all current and future PaintCare state stewardship programs. These costs include:

- a. Corporate staffing, such as PaintCare’s president, director of operations, and communications team.
- b. Back-office support, such as information technology, government affairs, legal, and accounting
- c. Company-wide auditing and insurance policies.
- d. Outside counsel and other professional services.
- e. Software licenses and maintenance of data management systems.
- f. Occupancy, general communications, and other supplies and services that support all PaintCare programs.

Corporate expenses are allocated among all PaintCare state stewardship programs based on their relative populations in the most recent census and begin to be assessed in New York about six months before the program starts. New York represents approximately 22.3% of the combined population of the PaintCare programs. The portion of overhead costs allocated to New York are estimated to be \$6,294,380 for the period covering November 1, 2021 through December 31, 2025.

PAINTCARE NEW YORK, LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
Projected Pre-Operational Period from September 1, 2021 through April 30, 2022, and
Forecasted Periods Covering May 1, 2022 through December 31, 2025

NOTE F – SALARIES, TRAVEL, ADMINISTRATIVE AND STATE ADMINISTRATION

Total actual and forecasted salaries, state administration, travel, administration (including legal costs), include costs required to develop and run the paint stewardship program from the period June 1, 2019 through December 31, 2023 and include the following:

Direct expenses are allocated to New York's paint stewardship program based upon direct effort where they can be specifically identified. These costs include:

- a. Personnel: These expenses include the cost of staff working directly to implement and subsequently run the management of the program. Management assumes the forecast period will include the salaries and benefits of five full time employees. Salary and benefits are forecasted to be \$2,942,378.
- b. Travel: Management has developed forecasted travel expense with the assumption that four regional coordinators will each visit approximately 100 sites per year. The program manager and the regional coordinators will travel to hold paint collection events and participate in conferences and meetings throughout the year. The travel costs associated with these activities will include airfare, lodging, mileage and meals, and are estimated to be \$916,536.
- c. Professional services: These expenses include the legal costs for regulatory review and developing contracts, and other logistical, professional support. Management modeled forecasted professional fees on the actual costs of other state programs. Costs for professional services are forecasted to be \$205,671.
- d. Administration: These expenses include supplies, printing, subscriptions and other general expenses that are forecasted based on other state programs. Costs for administrative expenses are forecasted to be \$83,202.
- e. State Administrative Fee: This expense was paid by PCNY to the New York State Department of Environmental Conservation for program plan review. PCNY incurred a one-time fee of \$10,000.

The total actual and forecasted salaries, state administration, salaries, administration, and legal expenses for the period covering December 19, 2019 through December 31, 2025 are estimated to be \$4,157,787.

PAINTCARE NEW YORK, LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
Projected Pre-Operational Period from September 1, 2021 through April 30, 2022, and
Forecasted Periods Covering May 1, 2022 through December 31, 2025

NOTE G – PRE-OPERATING WORKING CAPITAL LOAN

On November 4, 2021, PCNY entered into a loan agreement with American Coatings Association to borrow \$4,500,000. The proceeds of the loan are to fund the pre-program costs of implementing the paint stewardship program in the state of New York. The loan is to be repaid in five years with interest accruing at the three, four, and five-year swap rate plus an operating fee of 1.75%, for a total rate of 2.78%, 2.96%, and 3.07%, respectively. There is no collateral on the loan. Principal payments of \$1,500,000 are due at the end of years three (2024), four (2024), and five (2026). Total interest expense for the forecasted period is \$461,107.

Future loan principal payments are as follows:

For the Year Ending December 31,

| | |
|-------|--------------------|
| 2022 | \$ 0 |
| 2023 | 0 |
| 2024 | 1,500,000 |
| 2025 | 1,500,000 |
| 2026 | <u>1,500,000</u> |
| TOTAL | <u>\$4,500,000</u> |

NOTE H – OPERATING (FINANCIAL) RESERVE FUND

The PCNY financial policies require an operating (financial) reserve to sustain the program in times of either higher than expected paint collection volumes resulting in higher expenses, lower than expected paint sales resulting in less revenues, or a combination of the two. PCNY management and staff use prudent financial management in allocating net asset funds between unrestricted (necessary for working capital needs and current operations) versus board-designated financial reserves (necessary for the long-term viability of the recycling program). We also note that unlike a governmental entity, PCNY cannot bridge cash flow shortfalls by accessing additional working capital (cash) or other financing from other governmental sources. Therefore, PCNY has taken the position that having operating cash on hand, as well as a reserve, is fiscally responsible. PCNY's reserves policy establishes a target reserve as a percentage of annual expenses and sets a minimum and maximum threshold. PCNY currently has a target reserve of 100% of annual expenses twelve-months of operating expenses), with a minimum threshold of 75% (nine-months) and a maximum threshold of 125% (fifteen-months).

CONTAINS DATA WHICH IS RESTRICTED FOR USE BY PCNY AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

PAINTCARE NEW YORK, LLC

NOTES TO FORECASTED FINANCIAL INFORMATION

For the Actual Pre-Operational Startup Period from December 19, 2019 through August 31, 2021,
Projected Pre-Operational Period from September 1, 2021 through April 30, 2022, and
Forecasted Periods Covering May 1, 2022 through December 31, 2025

NOTE H – OPERATING (FINANCIAL) RESERVE FUND (continued)

Management estimated that the forecasted paint stewardship (recycling) fee of \$0.00 for each half pint or smaller paint container unit sold, \$0.45 for each larger than half pint up to smaller than one gallon paint container unit sold, \$0.95 for each one gallon up to two gallons paint container unit sold, and \$1.95 for each larger than two gallons up to five gallons paint container unit sold, effective May 1, 2022 through December 31, 2025, will allow the net reserve fund before net loan balance of \$13,095,662 to be 65% of twelve-month's of 2025 operating expenses of \$20,065,593 by December 31, 2025. The forecasted net reserve of \$13,095,662 at December 31, 2025 will be 65.3% of total forecasted operating expenses, and will not be within the target reserve threshold of a minimum of 75% and maximum of 125% of operating expenses. PCNY can utilize the 2025 forecasted working capital loan outstanding balance of \$1,500,000 as discussed at **NOTE G**, this will raise the reserve balance to 73% of operating expenses as of December 31, 2025.