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Committees: Environment and Transportation

Testimony on: HB127 “Maryland Paint Stewardship”

Position: Support

Hearing Date: January 28, 2021

The Maryland Chapter of the Sierra Club submits this testimony in strong support of HB127. The bill would establish a Maryland Paint Stewardship Program that would work on the principle of Extended Producer Responsibility (EPR), in which producers take responsibility for the end-of-life management of their products. Under this program, manufacturers selling paint in Maryland would have to operate a management system for collection, re-use, recycling, and proper disposal of leftover architectural paint.¹ The Program would be financed by an assessment added to the product price per container sold, depending on container size. It would save local governments the costs of paint disposal and their own paint recycling programs, while offering increased convenience for residents and public oversight. Paint stewardship programs are already operating in nine states, serving a population of 54 million; two additional states adopted them in 2019.²

The Paint Stewardship Program will increase the collection, reuse, and recycling of leftover paint in every Maryland county. Eighteen counties and the City of Baltimore offer paint collection to their residents, but the frequency and convenience of drop-off locations vary. Eleven counties offer collection of latex paint and 19 offer oil-based paint collection, but often at a central location for drop-off or only on a few collection days per year (Appendix, Exhibit 1). Five counties – Dorchester, Frederick, Garrett, Somerset, and Washington – have no paint collection or recycling. Under the Paint Stewardship Program, drop-off sites would be conveniently located at retailers where paint is sold and at special events; pick-up service for large quantities would also be arranged. All counties would realize an increase in reuse and recycling of paint and a reduction in waste. According to the American Coatings Association, in stewardship programs across the country 66% of latex paint can be recycled into new paint, 23% is used as additives, 5% is directly donated, and 6% is unusable and goes to the landfill.³

The Program will save money for local governments. According to the Product Stewardship Institute, about 10% of latex and oil-based paint is leftover or unused, and leftover paint is the most costly component of household hazardous waste (HHW).⁴ The City of Baltimore collects oil paint at HHW events one weekend per month, from April to October, with

¹ The Program would cover latex and oil-based architectural paint, stains, primers, varnishes, and shellacs.

² California, Colorado, Connecticut, Maine, Minnesota, Oregon, Rhode Island, Vermont, and Washington, D.C. have programs up and running; New York and Washington state approved them in 2019. Source: Heidi McAuliffe, American Coatings Association.

³ Heidi McAuliffe from American Coatings Organization in a presentation “Maryland Paint Stewardship Program”

⁴ Product Stewardship Institute - <https://www.productstewardship.us/page/Paint>

average disposal costs of \$3,000-\$4,500 per month, a substantial share of total HHW collection.⁵ In many cases, the cost of collecting and disposing of leftover paint is embedded in the bill for all HHW. However, for two of the Maryland counties where costs could be identified, the Paint Stewardship Program could save more than \$100,000 annually for paint disposal services that they are currently financing (Table 1). All counties would save the costs of land filling or incinerating paint that is disposed of in the trash.

Table 1. Maryland Counties' Current Costs⁶ for Paint Programs

County	Year	Latex Cost	Year	Oil Cost	Total Cost
Anne Arundel	2017	\$60,000 ^a	2019	\$61,085	\$121,085
Baltimore City		^b	Average	\$21,000-\$31,500 ^c	\$21,000-\$31,500
Calvert		^b	2020	\$5,650.40	\$5,650
Cecil	Average	\$16,000		^d	\$16,000
Howard	2020	\$31,000		^d	\$31,000
Prince George's	2019	\$158,400	2019	\$7,200.00	\$165,600

- a. Estimate based on amount of paint collected for recycling in 2017 times the county's tipping fee per ton.
- b. Jurisdiction does not collect latex paint.
- c. Cost of disposal per month x 7 months.
- d. Oil-based paint is collected, but cost could not be calculated.

The Program will create jobs and help businesses. Jobs in the Maryland recycling industry would increase to perform the collection, transit, and processing of the paint under the Stewardship Program. Paint manufacturers and retail sellers of paint support this program: when a store becomes a paint drop-off location, it is offering a community service and benefits from higher foot traffic as people come in to drop off their unused paint.

It will be subject to substantial public accountability and oversight. Paint manufacturers or an organization representing them must present a plan for approval by the program to the Maryland Department of Environment that includes convenient paint collection and acceptance locations; environmentally responsible paint management; goals for reuse, recycling, and proper disposal; an education and outreach plan; and a budget and paint assessment rate to fund the program. The Program must report annually to the state on the total volume of paint collected by type; the method of disposition; an independent financial audit; an evaluation of education and outreach activities; and a report on achievement of Program goals.

In sum, the Paint Stewardship Program is a win for the environment, for the economy, and for local government in increasing collection, reuse, recycling, and proper disposal of architectural point. For these reasons, we respectfully request a favorable report on HB127.

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⁵ Letter of Baltimore Mayor Bernard C. "Jack" Young in support of HB890, Maryland Paint Stewardship Program, February 26, 2020. The total HHW costs per month range from \$10,500 - \$24,000.

⁶ Statistics on costs for counties were obtained from recycling coordinators in each county. See the sources in Appendix Exhibit 1.

APPENDIX

Exhibit 1. Maryland Counties and Their Current Paint Collection Status⁷

County	Type of paint accepted		Collection Frequency	Information Source:
	Latex	Oil		
Allegany	Yes	Yes	Every other year	https://www.alleganygov.org/1639/Too-Toxic-To-Trash-Event recycling@alleganygov.org
Anne Arundel	No	Yes	6 times/year	Rich Bowen, County Recycling Manager, pwbowe63@aacounty.org
Baltimore City	No	Yes	7 weekends /year	Erin Hafner (DPW) erin.hafner@baltimorecity.gov
Baltimore County	Yes	Yes	6 days/week	https://www.baltimorecountymd.gov/departments/publicworks/solid_waste/hhw/acceptedmaterials.html
Calvert	no	Yes	Twice/year	Brianna Pickeral, Brianna.Pickeral@calvertcountymd.gov
Carroll County	No	Yes	Twice/year	Maria T Myers, mtmyers@carrollcountymd.gov
Cecil	Yes	Yes	Latex 6 days/week, Oil-based twice/yr	Tanya Adams Recycling Manager, tadams@ccgov.org
Charles	No	Yes	12 times/year	Meg Romero, Recycling Coordinator, romerom@charlescountymd.gov
Dorchester	No	No		https://www.mdrecycles.org/residents/household-hazardous-waste-drop-off-2/
Frederick	No	No		Rebecca Culler, RCuller@FrederickCountyMD.gov
Garrett	No	No		https://www.mdrecycles.org/residents/household-hazardous-waste-drop-off-2/
Harford	No	Yes	4 times/year	https://www.harfordcountymd.gov/276/Household-Hazardous-Waste
Howard	Yes	Yes	Weekly 8 months Monthly 4 mos.	Alan Wilcom, Chief, Recycling Division awilcom@howardcountymd.gov
Mid-shore program ⁸	Yes	Yes	Twice/year	Richard Turnbull, rturn@menv.com
Montgomery	Yes	yes	7 days/week	Adam Ortiz, adam.ortiz@montgomerycountymd.gov
Prince Georges	Yes	yes	3 days/week	Desmond Gladden, dwgladden@co.pg.md.us ; Denice Curry, Recycling Manager, decurry@co.pg.md.us
Somerset	No	No		https://www.mdrecycles.org/residents/household-hazardous-waste-drop-off-2/
St Mary's	Yes	Yes	Twice/year	Nicholas Zurkan nicholas.zurkan@stmarysmd.com
Washington	No	No		https://www.mdrecycles.org/residents/household-hazardous-waste-drop-off-2/
Wicomico	No	Yes	< Once/ year	https://www.wicomicocounty.org/302/Recycling
Worcester	No	Yes	< Once/year	https://www.co.worcester.md.us/node/392
Total counties with collection:	11	19		

⁷ This table is for county collection only; municipalities may have separate collections.

⁸ Caroline, Kent, Talbot, and Queen Anne's counties