



Maryland Chapter
P.O. Box 278
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Committees: Education, Health, and Environmental Affairs

Testimony on: SB143 - Maryland Paint Stewardship

Position: Support with amendment

Hearing Date: February 8, 2022

The Maryland Sierra Club strongly supports SB 143. The Maryland Paint Stewardship Program works 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 is financed by an assessment added to the price per container, depending on its 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 and Washington, D.C., with a tenth state program to be launched in 2022.²

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 is variable. 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). 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 would be available for large quantities. All counties would realize an increase in paint reuse and recycling 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. 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 Baltimore collects oil paint at HHW events one weekend per month, from April to October, with average disposal costs of \$3,000-\$4,500 per month, a substantial share of total HHW collection.⁵ For the few Maryland counties where costs could be identified,

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, Washington state, and Washington, D.C. have programs up and running; New York will launch its program in 2022.

³ Heidi McAuliffe, Vice-President, American Coatings Association, July 2020.

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

⁵ Testimony 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.

the Paint Stewardship Program could save counties more than \$100,000 annually for paint disposal services that they are currently financing (Table 1); all counties would save the costs of landfilling or incinerating paint that is disposed of in the trash.

Table 1. Maryland Counties’ costs 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

Source: Recycling coordinators in each county. See the sources in the Appendix

Notes: (a) Estimate based on amount of paint collected for recycling in 2017 times the county’s tipping fee per ton. (b) Latex paint not collected. (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 be created to perform the collection, transit, and processing of the paint. Paint manufacturers and retailers support this program: when a store becomes a paint drop-off location, it is offering a community service and benefits from higher foot traffic when people drop off their unused paint.

The Program will be subject to substantial public accountability and oversight. Paint manufacturers or an organization representing them must present a plan for approval to the Maryland Department of Environment that includes convenient paint collection and acceptance locations; environmental responsibility 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.

The Sierra Club recommends that the Program Plan be renewable every 4-5 years. A renewable Plan is a standard feature of recent stewardship programs, increasing the programs’ accountability and effectiveness by allowing changes to the Plan as lessons are learned and technology changes. This could be achieved with the addition of the following language: “*A stewardship organization must submit a new plan or plan amendment to the department for approval when there is a change to the amount of the assessment, if required by the department, or every five years, if the department deems it necessary.*”

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 paint. For these reasons, we respectfully request a favorable report on SB 143.

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APPENDIX

Maryland Counties and their current paint collection status

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, 8mos Monthly, 4 mos	Alan Wilcom, Chief, Recycling Division awilcom@howardcountymd.gov
Mid-shore program	Yes	Yes	Twice/year	Richard Turnbell, 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		

- a. This table is for county collection only; municipalities may have separate collections
- b. Caroline, Kent, Talbot, and Queen Anne's counties.