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MAYOR

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SB143

February 8, 2022

TO: Members of the Environment and Transportation Committee
FROM: Natasha Mehu, Director of Government Relations
RE: SENATE BILL 143 – Maryland Paint Stewardship
POSITION: SUPPORT

Chair Barve, Vice Chair Stein and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 143.

SB 143 would require certain producers of architectural paint sold at retail in the State or a certain representative organization to submit a plan for the establishment of a “Paint Stewardship Program” to the Maryland Department of the Environment for approval. It would establish a “Paint Stewardship Assessment” to be added to the purchase price of the architectural paint sold in the State that is necessary to cover the Paint Stewardship Program’s cost of collecting, transporting, and processing postconsumer paint statewide. The plan for the Paint Stewardship Program shall include measures to minimize public sector involvement and financial responsibility for the management of postconsumer paint; reduce paint generation; promote reuse and recycling of paint; and execute agreements to collect, recycle, and dispose of the postconsumer paints.

Unused paint and improper disposal of paint can result in serious negative impacts to health and the environment, as paint contains toxic chemicals including lead and mercury. The establishment of a program to encourage the reduction, reuse, recycling, and proper disposal of paint will minimize the potential for improper disposal of hazardous chemicals, protecting public health and the environment.

This type of paint stewardship program has a successful track record in 10 other states, including New York and Washington, D.C. The Baltimore City Department of Public Works, Bureau of Solid Waste welcomes such a program that establishes producer responsibility and promotes source reduction and recycling. This could set a positive precedent for other types of products that are difficult and expensive to properly dispose.

The paint stewardship program proposed in SB143 would result in a cost savings for the City. The Bureau of Solid Waste hosts Household Hazardous Waste (HHW) events for residents one weekend a month from April to October at the City’s Northeast Residential Drop-Off Center. The materials dropped off at these events are then collected by a vendor who safely collects and disposes of the material, following RCRA requirements. Paint is consistently the largest expense of all the materials collected. The cost to dispose of paint is \$3,000 to \$4,500 per month. For context, the total cost of the HHW material disposal ranges from \$10,500 to \$24,000 per month, so paint is a substantial portion of that expense.

Bureau of Solid Waste crews will collect dried latex paint during weekly curbside trash collection. However, the paint is often not completely dry when residents put it in their trash cans, which results in paint leaking out into the collection truck and at times onto the street. On multiple occasions, paint has leaked out of trash trucks onto residential streets. While this is not a significant cost, it does disrupt operations and there is an expense for staff time and materials to address these issues. It is also disruptive to residents to see spilled paint on the street or sidewalk. The latex paint that is collected is brought to the municipal landfill or the waste to energy facility for disposal, both of which have a disposal and operational cost.

SB143 eases the disposal burden off local government and assigns the implementation of the proposed Paint Stewardship Program to the producers or a representative non-profit organization. The creation of this program has the potential to generate local jobs, while leveraging the existing infrastructure of retail locations where paint is generally purchased – reflective of similar programs in states across the country. It would also provide a more convenient method for residents to properly dispose of unwanted paint at various drop-off points.

We respectfully request a **favorable** report on Senate Bill 143.