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Senate Education, Health and Environmental Affairs Committee

The Honorable Paul G. Pinsky

2 West Miller Senate Building

Annapolis, Maryland 21401

RE: SB 143 – Maryland Paint Stewardship

Dear Chairman Pinsky and Members of the Committee,

10% of all paint purchased annually in the United States, approximately 78 million gallons goes unused. Postconsumer paint is the largest product by volume and cost processed at Household Hazardous Waste (HHW) sites, at over \$500 million a year. Within Maryland, 1.3 million gallons of postconsumer paint is accumulated annually, costing the state \$10 million each year on proper HHW management and clean-up. Baltimore City alone incurs up to \$27,000 in costs each year from proper paint recycling, and their program operates only 6 months out of the year. However, approximately 80% of these 78 million gallons can be recycled into new paint.

The Maryland Department of the Environment recommends proper recycling of HHW at local collection programs due to the potential health risks associated with HHW. However, local recycling initiatives are infrequent with some counties only collecting HHW once a year.

Senate Bill 143 provides that by January 1st next year, producers of paint sold at retail establishments in Maryland shall prepare a plan for a Maryland paint stewardship program. The plan must provide for convenient statewide collection of paint so that at least 90% of Maryland residents will have a collection site within 15 miles of their homes and additional sites will be established in urbanized areas of the state. The plan may provide that retail stores are designated as paint collection sites, so long as the designated stores volunteer to participate.

Senate Bill 143 will reduce postconsumer paint waste by requiring producers, retailers, and distributors to add a very minimal Paint Stewardship Assessment to the cost of each can of paint sold. It will also establish the set-up of drop off locations for paint cans to be recycled. To pay for the costs of recycling, Senate Bill 143 requires a fee to be assessed by the retailer of paint on each container of paint (1 to 5 gallons) sold. The fees may not exceed the cost of administering the program. States that have adopted similar programs, the fee for a gallon of paint has averaged 75 cents.

This program will also be easy to implement as they have already been established in other states. California, Colorado, Connecticut, the District of Columbia, Maine, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington State have all implemented these

programs with tremendous success. Since 2009, the combined effect of these programs has collected over 50 million gallons of post-consumer paint; saved local governments approximately \$240 million in transportation and recycling costs; and created over 200 new jobs.

Furthermore, paint stewardship legislation is supported by most paint retailers because it provides an opportunity for more customers via paint collection services. This bill should not be seen as a clash between government and the private sector, but a legal “green light” to enhance cooperation with the paint industry on environmental protection.

Plainly, Senate Bill 143 establishes a convenient statewide paint collection and recycling program that has proven to be effective in other states at reducing government costs, protect the environment, and create jobs.

I appreciate the committee’s consideration of Senate Bill 143 and will be more than happy to answer any follow-up questions the Committee may have.