



Department of
Environmental
Conservation

NYS Postconsumer Paint Collection Program Update

Federation of NY Solid Waste & Recycling Conference
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Today's Topics

- Waste paint management
- Overview of the law
- Implementation Challenges
- HHW grant impacts
- Next steps



Current Waste Paint Management

- Cost of HHW collection to municipalities and the state
- Outreach to residents on proper disposal of paint
- Latex paint is difficult for consumers to dispose/handle but is not HHW
- HHW events are infrequent or inconvenient for residents
- HHW collection not available to all communities in the state
- Postconsumer paint is highly recyclable

NYS Postconsumer Paint Collection Program

- Requires a producer implemented post consumer paint collection program for architectural coatings
- Reduces financial burden for municipalities
- Funding provided through a paint assessment
- Provides for consumer convenience
- Promotes the collection of postconsumer paint for recycling/reuse
- Promotes the reduction of postconsumer paint via consumer education
- Requires establishment of targeted annual collection rate and reporting of various metrics
- Per the law, program must be implemented within six months of plan approval

Implementation Challenges

- Law as passed in 2019 was vague and lacked clarity
 - Undefined terms and specificity
 - No enforcement provisions
 - Did not consider existing regulations
 - Agency administrative costs neglected
 - Much is left to resolve in the submitted plan
- Passed in July 2019, Signed in December 2019, Chapter Amendments February 2020.
- Pandemic complications



Implementation Challenges (continued)

- Existing regulations conflicted with program intent
- Adding paint as Universal Waste a long-term process
- Department issued Enforcement Discretion Language



HHW Grants Impact

- Upon implementation of the Postconsumer Paint Collection Program
 - Per 6 CRR NY 369-4.4, HHW architectural paints will no longer be eligible for funding through the DEC HHW grant program once the program is implemented
 - Latex and oil-based architectural paints will be collected at PaintCare drop-off site locations and events
 - Municipalities can participate in the PaintCare program and PaintCare will cover certain costs

Next Steps

- Department continues to work closely with PaintCare to develop an approvable plan
- Department is assisting PaintCare with outreach efforts
- Initiate development of an EO4 specification for recycled-content paint.
- Solid Waste Management and HHW Facilities interested in working with PaintCare should reach out to Emily Carino at: ecarino@paint.org



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