

Minutes of the Association of New Jersey HHW Coordinators
November 6, 2013
Lunchentos, Millstone, NJ

Call To Order:

ANJHHWC President JoAnn Gemenden called the meeting to order at 10:43. JoAnn said the topic must be important as this is the largest attendance at a meeting in a very long time. All participants at the meeting introduced themselves.

Approval of Minutes:

Minutes will be put on the web from the July 24 meeting and will need to be placed forth for approval at the next meeting

Treasurer's Report:

ANJHHWC Treasurer Chris Sikorski provided a Treasurer's Report. He reported that ANJHHWC's current balance as of this morning is \$18,051.70. Chris mentioned that National Bulb became a new member and the money will be placed in ANJHHWC's account. Finally, Chris announced that the Association will be providing one free lunch for each member at this meeting.

PaintCare Legislation Discussion

Alison Keane, Vice President of American Coatings Association (ACA), which was the entity that created Paint Care, provided an overview of the proposed paint recycling program. She explained ACA is an advocacy association for the paint vendors/industries in the U.S. The ACA represent about 95% of paint manufacturers in the U.S and there is no other group like them.

Today's discussion is about architectural paint. Paint Care gets involved in getting rid of the paint. Alison stated that educating residents to dry out latex paint for disposal is not only difficult, but is not practical and does not lead to the recycling of paint. In 2003, the ACA began addressing the issue of paint recycling. This type of product stewardship program ran in Canada and helped provide the template for the legislation being adopted at the state level around the U.S. The paint industry saw the writing on the wall that stewardship programs would be established and unless Paint Care designed and implemented the programs themselves, they may be forced to participate and pay for a program they don't believe in. In 2009 Paint Care formed as a nonprofit organization. Paint Care people operate the programs and implement them where ACA is still only an advocacy group, separate from Paint Care.

Alison opines that legislation is needed because voluntary participation isn't a model that would work. Mandates/regulations are needed and legislation also provides a sustainable financing system to keep the program going. There is also an anti-trust element to the

legislation, allowing for one company (Paint Care) to do this work on behalf of the consumers. Therefore the state agencies must enforce and the program must be approved by NJDEP, as part of the anti-trust exemptions elements of the legislation. Additionally, there is an annual reporting and audit requirement to make everything transparent. Programs are scheduled to come online in 2014 in Maine, Minnesota, Rhode Island and Vermont. They hope 2015 for NJ if the legislation gets passed.

During implementation, ACA will reach out to the local government entities that currently do the work and the ACA program will try to fit into whatever the current situation is and provide funding for the handling of the covered paints. They will start with a “do not disturb” motto to try to make it work best. They will also begin working with retailers. They will fill in the gaps with retail drop-off locations. Paint Care programs have traditionally accepted latex from businesses while NJ programs have not. This is an issue we will have to work out with the counties that preclude businesses. Paintcare will even potentially pickup directly from businesses with large quantities. They anticipate contracting with the current HHW vendors working in NJ.

With respect to education, they will either do a soft or a full blown launch of the program, it is up to us. If there is a lot of demand (especially in counties that do not accept latex paint), they will conduct county-wide “paint only” events before barraging municipal programs with all the pent up paint programs.

The group inquired about the status of NJ’s paint legislation. Alison replied that there were two bills introduced, one in the Senate (Beach) S-2958 and Spencer in Assembly (A-4470). She noted that after the election, we will have sponsors, so we are happy about this. Senator Beach would like to do this quickly. These bills will most likely be heard during the beginning of 2014, as opposed to during 2013 lame duck session.

Of note, in Oregon latex paint gets recycled, but we are not sure it will happen in NJ. There is some hope this program will invigorate the recycled paint market locally once established. Oil-based is always recycled and used for fuel blending. Paintcare will be looking to recycle the latex paint and would not want to incinerate it as it will seek the highest use for recycling the materials.

With respect to retailer participation, most big box stores (Lowes, Home Depot) do not participate in Paint Care. They have a problem with the program in that they do not want to become a recycling facility. They are forced to do so in Canada but don't participate in U.S programs. Alison prefers pushing people to small paint retailers like Sherwin Williams, Benjamin Moore, Ace, etc. as opposed to the big box stores just to give them the foot traffic. JoAnn mentioned that outdoor storage is sometimes difficult for small stores like this. Alison says they do frequent pickups to handle these situations. Many of the ANJHHWC member’s concerns regarding the pending legislation are in response to the problems currently going on the NJ’s E-waste programs. Members asked for ACA to consider also including aerosols and marine paints in the list of covered paints, since these are generated residentially, especially down the shore. She said the once a material is added in one state it is included for all states. She said aerosols are likely to be added

in the future and they will look into marine coatings as more east coast states come on board.

JoAnn thanked Alison for traveling from Washington D.C. to provide this update to the group. JoAnn said ANJHHWC's next step is to review other state's legislation and propose some modifications to NJ's so we can have a unified support of a bill.

Adjournment:

The meeting was adjourned at 12:30pm