

VERMONT WASTE PAINT REPORT



*State of Vermont
Agency of Natural Resources
January 1992*





State of Vermont

Department of Fish and Wildlife
Department of Forests, Parks and Recreation
Department of Environmental Conservation
State Geologist
Natural Resources Conservation Council

AGENCY OF NATURAL RESOURCES
Department of Environmental Conservation

STATE OF VERMONT WASTE PAINT COLLECTION AND MANAGEMENT PLAN January 1992

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Plan prepared by the Vermont Solid Waste Management Division
Vermont Agency of Natural Resources

INTRODUCTION

The 1991 Vermont Legislature instructed the Secretary of the Agency of Natural Resources (ANR), in cooperation with manufacturers and wholesalers of paint and coatings sold within the state, and in consultation with the Technical Advisory Committee on Solid Waste, to develop a plan for a comprehensive system for the collection, recovery, recycling, reuse, and treatment or disposal of unused paint and coatings and their containers sold at retail within the state. Implementation of plans shall emphasize responsibility of those manufacturers and wholesalers". (10 V.S.A. 6621a).

ANR has met with manufacturers, distributors, retailers, and a "Waste Paint" subcommittee of the Technical Advisory Committee on Solid Waste (TAC) June 1991- January 1992 to work on the development of this plan.

PLAN SUMMARY

1) The two primary goals of this comprehensive management plan are **toxicity reduction**, (i.e., reducing the total amount of waste paint, reducing the toxicity of paint products, and encouraging the use of less hazardous paint products), and **waste diversion**, (keeping waste paint out of unlined landfills, lined landfills, and municipal solid waste-to-energy facilities, and decreasing the amount of paint requiring management as a hazardous waste). An accompanying program goal is to lessen the financial burden on government for management of waste paint products and containers.

2) A two phased program was determined to be the most effective for management of waste paint products. Phase I, lasting 5 years, will focus on toxicity reduction and the diversion from the solid waste stream of the older more hazardous products. Phase II, an ongoing lower cost program, will focus on toxicity reduction and on the diversion of solvent-thinned paint wastes from the solid waste stream.

3) Since water-thinned paint is no longer being manufactured with the inclusion of mercury, and water-thinned paint has recently been delisted from the Hazardous Materials Management Division Rules, drying out unusable water-thinned products will be considered a form of proper disposal in Phase II. It is also recommended that by Phase II, the one gallon threshold for the legislated landfill prohibition should be eliminated to allow for the inclusion of larger quantities of dried water-thinned waste paints.

4) The collection system for waste paint will be integrated with existing and expanded municipal recycling and unregulated hazardous waste collection programs. Collection for disposal and re-use will also occur at special "paint only" collection events. Short term collection programs at volunteer retail sites will also be included (see Appendix A).

5) The recommended funding option for the costs associated with the disposal of hazardous waste paint products is a quantity based disposal fee to be paid at the retail level. Other funding options were explored, as discussed in Appendix D, and this funding system was determined to best meet the evaluation criteria. The fee required is estimated at \$.60 per gallon for all paint products in Phase I, and \$1.16 per gallon only on solvent-thinned products in Phase II. The paint retail seller has the option of accounting for the fee at the register at the time of sale, or at the time when the retailer originally buys the product. The fee would be collected by the Tax Department and placed in a special fund devoted to waste paint management. While costs will be assessed on materials users, funding will need to be administered through the public sector because of the need to transfer funds collected from paint sellers to those responsible for paying for disposal.

Due to the difficult economic climate facing the State, we are recommending that the disposal fee not be adopted until the 1993 legislative session or later.

6) "Manufacturer responsibility" will primarily take the form of consumer education and program promotion. Manufacturers will also provide technical support through data collection and exploring the feasibility of paint recycling in Vermont. Other forms of manufacturer responsibility, such as direct funding for collection activities, were found to be prohibitively difficult to implement (see Appendix B). Mandated manufacturer take-back was also considered unfeasible and eliminated from program options (see Appendix B).

7) The Agency is awaiting the completion of an unregulated hazardous waste study which may provide some additional recommendations about paint management in lined landfills.

8) Some legislative changes will be necessary to facilitate implementation of the State Waste Paint Management Plan:

A) Impose fee at retail level of \$.60/gallon on all paint products in Phase I.

B) Impose fee at retail level of \$ 1.16/gallon only on solvent- thinned paint products in Phase II.

C) Change language to eliminate the 1 gallon limit for landfill disposal of solidified water-based paint products, in Phase II.

DEFINITIONS

"Comprehensive system" means a 90% or better capture rate of materials targeted in the plan by July 1, 1997.

"Unused paint and coatings" includes but is not limited to:

Architectural coatings and paints- coatings intended for on-site application to interior or exterior surfaces of residential commercial, institutional, or industrial buildings. These coatings and paints may be solvent thinned, or water thinned. Products include paints, tinting bases, enamels, floor enamels, roof paints, waterproofing sealers, undercoats, primers, clear finishes, stains, varnishes, and bituminous paints.

Special Purpose Coatings (including all marine coatings)- these include industrial, new construction and maintenance paints, traffic marking paints, automotive and machinery refinish paints and enamels, marine paints, ship and offshore facility paints and refinish paints, and aerosol paints concentrated and packaged in aerosol containers.

Miscellaneous Allied Paint Products- these include paint and varnish removers, thinners, brush cleaners, etc.

"Solvent-thinned" paints and coatings are those in which the liquid used to dissolve and disperse the film forming constituents is a solvent, as opposed to water.

"Water-thinned" paints and coatings are those in which the liquid used to dissolve and disperse the film forming constituents is water. "Water based" is synonymous with "water-thinned" for the purposed of this plan.

"Waste paint products"- synonymous with "unused paint and coatings".

"Paint users"- include consumers, commercial, and public entities.

"Containers"- the metal or plastic cans that paint, and paint related products are purchased in (includes spent aerosol cans).

"Empty Container"- a paint can which no longer contains any paint product and only may contain a thin dried coating.

"Ongoing program"- program where every consumer paint user can drop off, or have waste paint picked up, for proper management at least 1 day every month, or alternatively, at least 1 time a month for at least 6 calendar months and 12 days total in the calendar year.

"Temporary program"- a collection program, but one that has less collection opportunities than an "ongoing program".

PERTINENT REGULATORY REQUIREMENTS AND CONSIDERATIONS

Landfill Prohibition- No person shall knowingly dispose of the paint, paint thinners, paint remover, and stains and varnishes, in a landfill after July 1, 1992 in any district in which there is an ongoing program to accept these wastes for treatment. After July 1 1993, this prohibition shall apply regardless of whether there is any program in effect to accept these wastes for treatment. An exemption to this prohibition is for solidified water based paint in quantities of less than 1 gallon. (10 VSA 6621a). Empty paint cans would not be subject to the landfill prohibition.

Hazardous Waste Determination- All household generated waste paint products are exempted from Vermont Hazardous Waste Management Regulations regardless of quantity or hazardous characteristics. Commercial generated waste paint products are subject to the hazardous waste rules and will be considered "hazardous waste" if specifically listed or because it demonstrates hazardous characteristics. Listed wastes include "waste organic solvent based paint and inks, and paint varnish remover or stripper including, but not limited to, sludges and skimmings" (Hazardous Waste Management Regulations 7-210). Water-thinned products are not listed but may be "hazardous waste" if they exhibit hazardous characteristics of ignitability, corrosivity, reactivity, toxicity.

Transportation- For purposes of transportation, the following, in waste or usable form, shall not be considered hazardous waste, but shall be handled as solid waste: paint (whether water based or oil based), paint thinner, paint remover, stains and varnishes. This exclusion does not apply with respect to hazardous wastes that are regulated under federal law. (10 VSA 6607c).

The Federal DOT regulations will apply to any commercial transporter who transports "hazardous materials". "Paint" and "paint related material" are included on the Hazardous Materials Table (49 CFR 172.101).

SCOPE AND PLAN STRUCTURE

This plan is for the management of unused paint and coatings and their containers sold at retail in Vermont. It is broken down into 2 Phases. Phase I is a shorter "clean out the basement" campaign in which old paint, which generally contains more hazardous characteristics than new paint, gets cleared out of homes and workshops and is sent for hazardous waste disposal. Phase I will also set the stage for hazardous waste reduction. Phase II addresses future sales and management of waste paint products sold at retail in Vermont. A longer term program, Phase II, will begin when certain provisions are met. Phase II will have a lower annual program cost and will focus primarily on toxicity reduction.

Waste paint products generated from large users will not be addressed in this plan since either the products are not bought at retail, and/or the large users are "hazardous waste generators", and are required to properly manage hazardous wastes under the Vermont Hazardous Waste Management Regulations.

Materials specifically excluded from the plan include: dried paint and dried paint chips, paint-related equipment including applicators (brushes, rollers, sprayers), and accessories (drop cloths, plastic sheeting, newspaper, and clothing).

Fine arts waste paint will be included in collection programs, but will not be discussed in relation to funding or other program particulars. It appears that a relatively small volume of these products are in need of management for disposal.

PAINT PRODUCT AND WASTE GENERATION

This section estimates the amount of waste paint generated in Vermont.

(Conversion used: 1 gallon of paint- 10 lbs.)

Purchases

Purchases of architectural paint and coatings is approximately 2.1 gallons per person per year. 75% is water-thinned product and 25% is solvent-thinned product¹.

Estimates of total Vermont purchases can be derived from the figures (using a Vermont population of 557,045);

877,346 gallons (or 4,387 tons) of water-thinned products are purchased each year.

292,448 gallons (or 1,462 tons) of solvent-thinned products are purchased each year.

1,169,795 gallons or 5,849 tons of water and solvent-thinned products are purchased each year in Vermont.

Waste Generation

Estimates of household waste paint generation range from 7 lbs.² to 15 lbs³ per year. Pending other data, we will use an estimate of 10 lbs (1 gallon) of waste paint products generated household/year. In Vermont (232,102 households), this would translate to 232,102 gallons or 1,160 tons of waste paint generated from households each year in Vermont.

Vermont Exempt Small Quantity Generator (ESQG) survey results for paint wastes (8/19/91) indicate that approximately 197 tons of waste paint product are generated per year from these sources.

(* NOTE- This ESQG estimate is from unreviewed data that included process paint. The estimate will be adjusted when survey data is completed).

By combining the household and the ESQG estimates:

271,400 lbs or 1,357 tons of unregulated waste paint is generated each year in Vermont.

Dana Duxbury and Associates report that the average household has 3 gallons of unwanted paint stored in the average home⁴. We will use this estimate for program cost estimates. In Vermont, this translates to 696,300 gallons of stored, unwanted paint.

Waste Composition

Of the paint products disposed of at collection events, 66% are water-thinned and 34% are solvent-thinned⁵. Other collection activities report a 50%/50% split⁶. It can be expected that as the market continues to move towards water-thinned products, the relative amount of waste water-thinned products will increase, and solvent-based will decrease.

Empty Paint Can Generation

Information provided by the Steel Can Recycling Institute indicates that approximately 1,679,00 steel paint cans were purchased in Vermont in 1990. Collection of these cans could potentially increase the amount of steel can scrap by 3.5%- 4%⁷.

1. Data supplied by National Paint and Coating Association from Bureau of the Census, U.S. Dept of Commerce, Current Industrial Reports, Paint and Allied Products, 1989.
2. King County, Washington data supplied by Catamount Consulting Group, Inc. July 1991.
3. Household Hazardous Products and Wastes in New Hampshire, prepared by Massachusetts Institute of Technology, July 1990, p.82
4. The Waste Watch Center, Household Hazardous Waste News, Spring 1990, "Managing Unwanted Paint"
5. Household Hazardous Products and Wastes in New Hampshire, p.82
6. Solid Waste district "Final Reports" from 1990 and 1991 collection events.
7. Figures derived from The Can Manufacturers Institute as submitted by Paula Thompson, Steel Can Recycling Institute, letter dated October 14, 1991.

PHASE I : "CLEAN OUT THE BASEMENTS" CAMPAIGN

Purpose

Phase I is a focused and hard-hitting program aimed at clearing out the basements and workshops of the large quantities of old waste paint products which have been stored up over many years. These waste products, both water-thinned and solvent-thinned, are likely to contain many constituents (lead, mercury) which make them dangerous to store and/or dispose of in solid waste landfills. Phase I also focuses on toxicity reduction; i.e. reduction of hazardous constituents used in paint manufacturing, source reduction (buying only what one needs, buying the lesser toxic product when possible), and waste reduction (reuse, recycling, and treatment). The intent of this plan is to reduce the amount of waste product that would require future hazardous waste disposal.

Implementation Date

We anticipate that the program will be fully implementable July 1, 1993 if the legislative recommendations are adopted.

Duration

Phase I is expected to last 5 years, or whenever the requirements are met to initiate Phase II, whichever is later.

End Use

End use for collected water-thinned and solvent-thinned waste products will be as follows:

- Products that are listed as hazardous waste, or test as hazardous waste, will be disposed of as hazardous waste. Often, flammable paint products sent for proper disposal are burned for fuel.
- For waste products that do not exhibit hazardous characteristics, other reuse and recycling activity will be implemented to the degree that they are economically feasible. Otherwise, these products will be sent for disposal.

Recycling of useable paint

Paint recycling is different from the more commonly implemented practice of paint reuse. In paint reuse paint is consolidated and filtered on site. Recycled paint is more thoroughly processed, usually off site. In recycling, the paint is finely filtered and solvents, fixers, or pigments, are often added to the mixture.

The decision to recycle paint will be primarily an economic determination based on the relative costs of recycling versus disposal or reuse. Avoided disposal costs and avoided purchasing

costs of "new" paint will factor into the analysis. The State will pursue efforts to expand paint recycling opportunities in the region by:

- 1) Increasing State procurement of "recycled" paint.
- 2) Exploring the feasibility of indemnifying a paint reprocessor against potential liability from reprocessing activities.
- 3) Working with paint manufacturers to explore feasible markets for Vermont generated paint.

Program Goal

90% capture rate of waste paint products.

Collection Points

Convenience and predictability are the most important criteria when creating collection programs. In Phase I, a variety of collection options, not mutually exclusive, will be available to divert waste paint and paint products from the solid waste stream:

- 1) Integration with existing solid waste and unregulated hazardous waste collection activities;
 - One day "paint only" collection and swap events
 - Permanent collection sites with any associated roving facilities and satellite collection points. (To include a swap and drop component).
 - Special one-day mobile collection and swap events.
- 2) Voluntary take-back by participating retail stores;
 - One day collections
 - Short term collections
 - Ongoing collections

For retail collection, the district or municipality will provide equipment and materials, and will integrate retail collection with their other collection activities. Exempt small quantity generators will participate either through the district collection, coordinated "milk-runs", or contract with a private hauler, depending on the district program.

It is expected that with the proposed budget and funding outlined in this Plan, all districts will have the opportunity to have at least four 1-day collection events (or the equivalent) each year that Phase I continues. Under the definitions as stated in this plan, this will constitute a "temporary" , not an "ongoing" program.

Paint Can Recycling

Empty steel cans can be diverted for recycling through these collection programs, after materials are emptied and bulked. Additionally, the State of Vermont and the Solid Waste Districts will be working with the Steel Can Recycling Institute to integrate empty paint and aerosol cans with existing steel can recycling programs. This program will be developed and begin to be implemented in Phase I. All efforts will be made to educate consumers to not improperly dispose of waste paint in order to get an empty can to recycle. This will be facilitated by having convenient waste paint disposal options available.

Education/Promotion

Promotion of the Phase I collection program will be the shared responsibility of the paint industry (manufacturers, distributors), paint retailers, other related industries, the Agency of Natural Resources, and the solid waste management districts. Promotion of the collection activities will also occur through other statewide environmental education activities.

Industry will assume the following educational responsibilities in Phase I:

- 1) Industry to take the lead role in developing and promoting a waste reduction educational campaign. Campaign to include materials for retail sites (handouts), and industry financed public service announcements for Vermont T.V. and radio.
- 2) Industry to provide and promote a paint Hotline 800 number (Vermont or Nationwide). The Hotline would be a highly publicized free industry service, to answer questions about paint use (how much paint should I buy to paint this room?), disposal (what kind of paint can get dried out, how?), etc. Hotline to also provide information about local contacts.
- 3) Industry to develop product-specific disposal guidelines for inclusion into the National Paint and Coatings Association Labeling guide.

Incentives

Participation incentives will include increased collection convenience and accessibility, increased education to promote awareness, and the opportunity for "free" disposal for a limited time through this clean up program. Through the promotional program, consumers will be informed that this massive collection opportunity is focused and short term, and that they should take advantage of the availability of funds and collection opportunities.

Incentives

Participation incentives will include increased collection convenience and accessibility, increased education to promote awareness, and the opportunity for "free" disposal for a limited time through this clean up program. Through the promotional program, consumers will be informed that this massive collection opportunity is focused and short term, and that they should take advantage of the availability of funds and collection opportunities.

Incentives to encourage retailer participation in the program will include positive public relations, increase of traffic into the store, and ease of participation. Wastes collected at retail sites will be funneled through the district collection system and all necessary equipment will be provided by the district. The State will facilitate volunteer participation by clarifying issues about liability, costs, and any regulatory requirements.

Total Costs- Phase I Collection Program (5 year program)

- Assumptions:
- 1) Phase I will last 5 years.
 - 2) There are 5 gallons of waste paint generated from each household over these 5 years (1,160,510 gallons or 5802 tons).
 - 3) 60% of waste product is captured (3481 tons).
 - 4) 1/2 of collected waste is solvent thinned (1741 tons), 1/2 is water thinned (1741 tons).
 - 5) 10% of solvent thinned waste destined for disposal will be PCB contaminated (174 tons).
 - 6) 1/2 of the collected water-thinned can be diverted for re-use (871 tons).
 - 7) ESQG collection will be financed by those users.

NOTES- Waste generation has been estimated taking into account decreases due to reduction educational activities, as well as increases in paint sales.

- Although the capture goal is 90%, a capture rate of 60% was used in order to keep program costs down. 60% is also more realistic, but a 90% capture rate will remain as a program goal.

PHASE I-

Education/Promotion	\$ 30,000
Disposal Costs (3481 tons)	\$ 3,679,425
-1,567 tons solvent thinned disposal (5,698 55 gallon drums X \$375) \$ 2,136,750.	
- 174 tons solvent thinned disposed of as contaminated (632 55 gallon drums X 900) \$ 568,800.	
- 871 tons water thinned diverted for re-use costs for re-use and testing \$ 261,300	
- 871 tons water thinned disposed of as haz. waste (3,167 55 gallon drums X \$225) \$ 712,575	
Operator Training (retailer/district)	\$ 30,000
Administration (State personnel)	\$ 25,000

\$ 3,764,425
or (\$ 752,885 per year)

Funding for Phase I Program

Please see Appendix "C" for a more thorough discussion of funding options. A quantity-based upfront disposal fee, coupled with industry contributions, is the recommended funding option.

Education/Promotion - Combination of Industry, State, other.

Disposal Costs/
Fund Administration 1) Financed through an upfront disposal fee on all paint products sold at retail in Vermont. The fee would be approximately \$.63 per gallon of paint sold. (\$ 3,704,425/ 5,848,975 gallons)
An equivalent fee for the aerosol products would still need to be determined since aerosol paint and coatings are sold by weight, not volume.

Operator Training - Financed through the Solid Waste Management Assistance Fund.

PHASE II- "NOW KEEP THOSE BASEMENTS CLEAN!" CAMPAIGN

Purpose

Phase II is a longer term, more cost sustainable program. Phase II focuses most directly on toxicity reduction including; reduction of hazardous constituents used in paint manufacturing, source reduction (buying only what one needs, buying the lesser toxic product when possible), and waste reduction. The intent is to keep the basements clean and to reduce the amount of waste product that would require hazardous waste disposal.

Implementation Date

Phase II will begin when 1) the Agency determines that 90%, or a reasonable attempt at 90%, of the waste paint backlog was managed through the Phase I program; and, 2) the paint industry supplies the Agency with information demonstrating that water-thinned paint formulations do not exhibit hazardous waste characteristics. Expected to begin July 1, 1997.

Duration

Phase II is to be an ongoing program with no foreseeable end date set.

End Use

In Phase II, waste products will be managed differently than in Phase I due to the decreased toxicity of new products sold. All materials continue to be managed, but they will not all enter the collection system.

- 1) Useable, but unwanted, water-thinned products will be reused or put into swap program.
- 2) Un-useable waste water-thinned products will not be collected but rather, consumers will be educated (see education/incentives section below) to let paint dry out.
- 3) Waste solvent-thinned products may either be reused, swapped, or collected and burned for fuel recovery. (Please note that over time, it is anticipated that the market share of solvent-thinned paint will continue to decline).

Collection Points

As in Phase I, collection in Phase II will occur through district programs and voluntary retail sites. Phase II differs from Phase I in that: 1) the number of "paint only" collection and swap programs will decrease; and, 2) household hazardous waste collection programs do not have to collect unusable water-thinned paints for disposal, thus substantially reducing disposal costs.

Education/Promotion

As in Phase I, program education will be the shared responsibility of many parties. Phase II consumer education will also include industry supplied information sheets that describe the drying out procedures for unused water thinned paints.

Incentives

Economic and educational incentives will exist to promote toxicity reduction in Phase II. A disposal fee on solvent -thinned products will encourage the use of less toxic water-thinned products over solvent-thinned products. The Paint 800# will help consumers reduce waste, as well as learn how to dispose of waste materials in a safe way. Other information will be provided that will point consumers to accessible and convenient collection opportunities for the targeted hazardous materials which will be accepted free-of-charge.

Costs Involved in Phase II Program (per year)

Assumptions:

- 1) Total quantity of waste paint will be one gallon per household. (232,102 gallons or 1,160 tons)
- 2) 1/4 of collected waste is solvent thinned (290 tons)
- 3) A 60% capture rate is expected for solvent thinned paint (174 tons).
- 4) 10% of solvent thinned waste destined for disposal will be PCB contaminated (17 tons)
- 5) 1/2 of water-thinned paint can be diverted for re-use (435 tons).
- 6) ESQG collection will be financed by those users.

Education/Promotion	\$ 30,000
Collection Costs	\$ 269,925
- 157 tons solvent-thinned disposal (571 55 gallon drums X \$375)	\$ 214,125
- 17 tons solvent thinned PCB contaminated (62 55 gallon drums X \$900)	\$ 55,800
Operator Training (retailer/district)	\$ 10,000
Administration (State personnel)	\$ 5,000

Total per year- \$ 314,925

Funding for Phase II Program-

The funding mechanism for Phase II will be a combination of industry and public sector:

Education	Combination of industry, state, districts, environmental associations.
Disposal Costs /Fund Administration	1) Financed through an upfront fee on solvent-thinned products. (\$ 269,925/232,102 gallons). Fee would be approximately \$1.16 per gallon of solvent-thinned paint.
Operator Training	Financed through the Solid Waste Management Assistance Fund.

APPENDIX "A"- TAC Waste Paint Subcommittee Participant List

Gordon Beals	Pittsburg Paint
Mike Bender	Central Vermont Regional Planning Commission
Leonard Buchanan	West River Paint
Jack Coughlin	Valley Home Center
Matthew Dustin	National Paint and Coatings Association
Dave Erkson	Vermont Paint Company
Madelyn Harding	Sherwin Williams Company
Carol Harpster	L & F Products
Nancy Heining	Central Vermont Landfill
Jennifer Holiday	Chittenden Regional Solid Waste Management District
Jim Fournier	Jim's Paint and Wallpaper
Barry Jenkin	Benjamin Moore
Barry Kade	Vermont Greens/NorthWest Vermont Solid Waste Management District
Eric Lapp	Omya, Inc.
William Lapiere	Lapiere & Sons
Ann Lindberg	Vermont Retail Association
Jen Meehan	Vermont Resolution Associates
Bill McQuiggan	True Colors Home Decorating Center
Mike Nelson	Pollution Solutions of Vermont
Steve Parker	Rutland Regional Solid Waste Management District
Armand Perault	Perault's Paint
Larry Perry	Woodstock Ace/The Paint Spot
George Phinney Jr.	Phinneys Paint and Decorating Center
Karen Robinson	Vermont Advocates
Robert Short	The Glass Shop Inc.
Van Stogner	Benjamin Moore
Jack Von Behren	Decart, Inc.
Dave Watson	Acme Paint and Glass

APPENDIX "B" - OTHER OPTIONS EXAMINED, NOT INCLUDED IN THE PLAN

Mandatory "take-back" for retail sellers

In Committee, there was some discussion about requiring retail sellers of paint to take back those waste products. After much discussion this option was eliminated because:

- this would force hazardous waste liability onto retailers;
- retailer insurance costs would increase;
- many stores are not adequately equipped to store "hazardous materials";
- many stores have high staff turnover, and staff could not be adequately trained;
- many retailers have storage space restrictions.

Instead, a voluntary retailer program was selected. Retailers will have the incentive to become involved in the collection program because of the increased visibility and good public relations. Additionally, if it is found to be feasible, any retailers participating in the collection system could be exempted from any fees on the sale of paint as an incentive.

Deposit System to promote participation

In committee, there was some discussion about the use of a deposit system to serve as an incentive for consumers to return unused paint and/or paint container. We have found that experience from the bottle bill is not easily transferable to paint.

- A deposit on paint would be on the return of the container rather than on return of the product.
- One of the main goals of the program is to discourage overbuying of paint. Creating an incentive to have people bring back unused product would be contrary to this goal.
- On the other hand, creating an incentive to have people bring back empty cans may also be troublesome since it may lead to improper disposal practices.

Hazardous Waste Disposal of Water-thinned Products

Since paint manufacturers are no longer adding mercury to either interior or exterior water thinned products, and the Hazardous Materials Management Division has recently delisted latex paint, we have determined that by Phase II, small quantities of dried out water-thinned paint will be relatively benign in a landfill. Many collection programs in other states (Connecticut, Iowa, New Hampshire) already manage water-thinned wastes products in this way.

APPENDIX C- Manufacturer Responsibility

In the TAC subcommittee, it was agreed that manufacturer responsibility should include:

- Technical assistance for planning and ensuring that some type of system is put in place.
- Assistance with labeling, marking, and packaging.
- Product and packaging reformulation

Manufacturer responsibility does not necessarily require that manufacturers "take-back" waste products, although it does not preclude this activity. A "take-back" requirement for paint is not feasible since waste paint does not always remain in original containers and containers may come to hold other types of hazardous wastes which are not paint related. Moreover, it is not economically efficient to have multiple collection streams since there are over 1000 paint manufacturers.

For various reasons, including legal nexus, and enforcement capabilities, we have found that it may not be realistic to assume that manufacturers will assume total responsibility for materials management. In many cases, it is actually most efficient to integrate collection with other existing and planned municipal systems rather than route the materials through an intermediary. While costs should be assessed to materials users, funding will need to be administered through the public sector because of the need to transfer funds collected from paint sellers to those responsible for paying for disposal costs.

For the paint program, manufacturer responsibility will primarily consist of program education/promotion. The industry would take the lead role in developing and promoting a waste reduction campaign (handouts, P.S.A.'s, etc.), providing a paint hotline 800 number to assist consumers about reduction and disposal, and providing consumer information sheets that list procedures for drying out unused water thinned paints.

APPENDIX "D"-

EVALUATION OF FUNDING OPTIONS

RECOMMENDED FUNDING OPTIONS

Background

Since practically all paint used in Vermont is manufactured outside the State, we found our ability to access fees directly on manufacturers was limited. Additionally, it appears that often, the first in-state sale of paint is directly to a retailer, and many distributors/wholesalers are out-of-state.

Evaluation Process

Various funding options were evaluated using the following criteria:

- Whether the option is consistent with the legislative intent of **user fees** for waste disposal.

A user fee requires that the cost of managing the waste is borne by the waste generator. It is important to note that even the purchaser of paint is not necessarily a waste creator. (e.g. a person that buys only what they need). In short, anything less than a user fee at the back end, will not be perfectly equitable. However, user fees discourage people from bringing waste material for disposal.

- If the option is consistent with the legislative intent of **manufacturer responsibility**.

We have determined that manufacturer responsibility includes technical assistance for planning and ensuring that some type of system is put in place, assistance with labeling, marking, and packaging, and product and packaging reformulation. Manufacturer responsibility is not achieved simply by moving up the distribution chain to the wholesale level. The decision between a retail and wholesale scenario was not influenced by the manufacturer responsibility criteria.

- Does the option minimize the relative **administrative and enforcement burden**?

It is generally agreed that the fewer the accounts, the simpler a fee is to administer. This principle is complicated if many of those accounts are out-of-state, which makes it much more difficult to administer and enforce.

The final two options considered were:

Option #1-FINAL RECOMMENDATION. An upfront disposal fee of \$.60 paid at the retail level for all paint products in Phase I, and a \$ 1.16 fee on all solvent-thinned products in Phase II. Under this scenario, the paint retailer may have the option of either accounting the fee at the register at the time of sale, or at the time when the retailer originally purchases the product.

This system was judged as being most inclusive and possibly less administratively burdensome than a fee at the wholesale level. It also is very equitable since paint users would be paying directly for paint disposal.

Option #2 was a combination of district generated funds and state funds from the Solid Waste Management Assistance fund. For this option, districts would have needed to assess a per capita fee or a tipping fee surcharge, and the State would have needed to raise the landfill assessment fee.

This system would have avoided the necessity of creating a new statewide funding infrastructure. This system was judged less equitable than option #1 since all trash generators, not just paint users, would be responsible for payment. Moreover, this fund may have been less secure than a fund dedicated solely for paint management and it is not as consistent with the legislated intent of manufacturer responsibility.

COMPARISON OF A PRODUCT FEE AT WHOLESALE AND RETAIL

For option #1, a fee at the retail level was chosen over a fee at the wholesale level for many reasons:

- There is less ambiguity at the retail level, it is not necessary to figure out when the first instate sale occurred, etc;
- Retailer sellers are easily identifiable, so a fee at this level is more inclusive;
- It is easier to ensure payment from parties more connected to the State;
- Administration would not need to address issues of transfer into the state, a situation common in chain stores sales;
- Enforcement would not need to address compliance of out of state, or out of country, sellers.

OTHER FUNDING OPTIONS NO LONGER BEING CONSIDERED

Other Variations of Fee at Retail Level

Retailer Licensing Flat Fee

A straight flat fee is simpler to administer than a variable fee system based on sales volume. Retailers expressed general preference for a flat fee over a variable fee. The problem is that to cover the costs of the program, the flat fee would have to be so high that it would be extremely objectionable to retailers.

Tiered Retailer licensing fee (based on level of paint sales)

A tiered flat fee would have different flat fees depending on range of paint sales (large sellers, medium seller, small sellers). A tiered flat fee is also simpler to administer than a variable fee system based on sales. The problem is that to cover the costs of the program, the fee would have to be so high that it would be extremely objectionable to retailers.

Variable Retailer fee based on quantity and toxicity of product

This is a very equitable scenario but administratively burdensome. The amount of staff time that would be required to access differential fees for products of different relative toxicity would make this system very objectionable to the party responsible for assessing the fee.

Back End Disposal Fee

Payment by consumers at collection site was eliminated outright since it is a disincentive for program participation.

General Fund Distribution

Many paint retailers preferred a general increase in sales tax over any of the proposed funding options. This option is inconsistent with Act 78 since it is not based on user fees and it offers no reduction incentive.

Stamp System (like cigarette stamp system)

Although this system is very equitable, since most retailers get paint products boxed, the burden would fall on them to stamp each can. Additionally, a stamp disbursement infrastructure would need to be developed and administered. The additional burden on retailers and the creation of a stamp infrastructure makes this option too burdensome.

Voluntary Manufacturer Contribution

Given the complexities of the paint industry, and determination of market share, it is not likely that voluntary industry contributions could carry the collection program.

APPENDIX "E"

RESPONSIVENESS SUMMARY
to comments received on
DRAFT WASTE PAINT REPORT
12/91

PAGE 1- PLAN SUMMARY, #1- GOALS

" Waste diversion should include additional references besides unlined landfills and hazardous waste, i.e. lined landfills and waste-to-energy (if deemed appropriate)".

The waste diversion goal includes all paint sold at retail in the State, which includes that which goes to lined landfills and waste-to-energy facilities. Only paint products going to landfills are included in the 10 VSA 6621 landfill prohibition. If the Agency obtains information that shows that disposal of waste paint products in a waste-to-energy facility is an acceptable management practice, we can revisit the provision that includes this paint in the collection program.

*"...The goals listed are already reflected in all State waste management priorities. The goals should be altered to accommodate the following goals, which were presented by the Canadian Paint Coatings Association (CPCA), in a June 22, 1990 letter to the Ministry of the Environment, Toronto, Ontario:
"Goals of the Program"*

The ultimate goals of the program will be:

- 1. To reduce the volume of waste household paint and its containers which must be disposed through incineration and/or landfill.*
- 2. To lower the financial burden on all levels of government which now must assume responsibility for the disposal of that waste paint and containers.*

...Adopting these goals in Vermont goes a step closer towards fulfilling the Legislative intent of H. 124 by minimizing the role of local and State governments in implementation of State plans for paint management".

The first goal listed here has already been stated in the plan as a primary program goal. The second recommended goal has been used, although not explicitly stated, as recommendations were developed for funding and manufacturer responsibility requirements. We will state this second goal more clearly by including it in the plan summary.

PAGE 2- PLAN SUMMARY #4- COLLECTION SYSTEMS

" All paint collection and management programs should emphasize manufacturer responsibility in implementation of plans, per H. 124. Collection programs should not be the sole responsibility of towns, districts, or facility owners unless: A) the financial incentives are presented to the interested parties by the manufacturers for proper management, B) the interested public or private parties voluntarily agree to participate".

In the plan, implementation of the physical collection of materials is the responsibility of towns and districts. Responsibility for other program elements will rest with the manufacturers and product users. Manufacturer responsibility will take the form of data collection, consumer education, and program promotion. Towns and districts are best suited to the actual task of collection. They are already responsible for the management of solid waste under other statutes and will necessarily have some type of collection infrastructure, and collection program expertise that can be utilized for collection of this material. Utilizing existing infrastructure and integrating collection of these wastes into solid waste collection systems is cost effective. The financial incentives available to towns/districts in this program are solid waste implementation grants for capital expenditures, education/promotion funds from the paint industry and the State, disposal and administration costs from upfront disposal fees, and State supplied operator training. These all serve as incentives for towns and districts to participate.

PAGE 2- PLAN SUMMARY #5- FUNDING

" Funding option #1 (retail fee) is favored over option #2 (districts and SWMAF). Option #1 is more equitable than option #2. Also, with respect to option #2, some districts have already have, while others will have, surcharges on their tipping goes to help cover the costs of unregulated hazardous waste management. In order to maintain or encourage public support of these funding mechanisms, surcharges should be kept to a minimum " .

As a result of further consideration and the comments received, the Agency is recommending option #1, an upfront quantity based disposal fee at the retail level. The recommended fee is \$.60 per gallon for all paint and coatings products in phase I, and \$ 1.16 per gallon only on solvent-thinned products in phase I. The retailer may have the option of accounting the fee at the register at the time of sale, or at the time when the retailer originally buys the product.

" A quantity based fee or tax on the sale to a retailer collected by the wholesaler/distributor-- was among those disapproved by the Architectural Coatings Committee of the Massachusetts Paint Council. Both bodies felt that a tax or fee collected at this level would be extremely difficult to administer and would invite enforcement and apportionment problems. The Committee and the Council have endorsed, however a non-variable, quantity-based tax or fee collected on sales at the retail level. Such a tax or fee would provide up front for the anticipated disposal costs of leftover quantities of the product in as fair and equitable manner as possible, without unduly burdening the retail seller. Being clearly within the power of the state to establish, it would also avoid complicated enforcement issues, such as jurisdiction, nexus, and situs....."

We agree with most of this comment, but will institute a fee in phase II whereby only the solvent thinned products will be subject to the disposal fee. In phase II, only solvent-thinned products will require special collection management and the costs should be borne only by the users of those products.

"... The goals of the Waste Paint Plan are quite laudable and certainly supported by the retailers. VRA's first choice remains federal guidelines. A federal system could require that all paint products be taxed to reflect their harm to the environment and cost of disposal. Collection at the manufacturer level would lessen the administrative burden and would also support the legislative intent to emphasize manufacturer responsibility... A national increase in price would not create incentives to purchase paint from neighboring states without user fees...."

While we agree that a national program would be least burdensome on the retailer, it is not within our authority to institute one. There are some ways that we can communicate to the federal level that a national fee is preferable.

"... VRA's second choice is Option #2 in the Plan, Solid Waste Funding. If Vermont does try to develop a program before uniform guidelines are established, we support the use of solid waste funds. This type of funding may be more tolerable if viewed as interim program only, while awaiting a federal mandate to collect fees at the manufacturer's level...Option #1, the per gallon fee is not supported by the VRA. First, a program that benefits society should be funded by all not just those who happen to need paint in the near future...A user fee will cause a reduction in paint sales as pennywise consumers opt to drive to or order from out of state sellers. The retail paint industry will suffer a huge loss, and Vermont will end up with out of state paint products to dispose of with little state-collected money..."

Funding Option #2, where solid waste district funds and the State Solid Waste Management Assistance Fund, was eliminated from the final plan. Option #2 is less consistent with the goal of manufacturer responsibility, one of the program goals. A product user fee, Option #1, is linked directly to the manufacturers products.

It is accurate to say that the collection and education program will benefit all of society but that does not mean that all are responsible to share in the program costs. The paint users should be the ones who bear the cost of proper management, and paint products should more accurately reflect the costs of use and disposal.

Reduction in paint sales may result if consumers are educated to buy the right amount of paint that is needed for a task, and we believe it is unlikely that people will not buy paint because of the small fee. In regard to loss of sales to neighboring states, a fee of \$.60 a gallon on a \$ 15.00 a gallon can of paint is a 4% increase. We are not able to assess the actual impact on border town retailers from the imposition of this fee, but we will continue to explore ways to keep the fee to a minimum.

"...Retail collection of the user fee is potentially costly. If the fee is incorporated into the price, it will be subject to the state sales tax, if it is separated at the register it would require a machine able to perform such a function..."

Any costs associated with retail collection of the user fee can be minimized by the retailer using the option of accounting the fee when the paint is initially purchased by the retailer, at the time of invoice. We acknowledge that this would make the waste paint surcharge subject to a sales tax.

"... Funding should continue to be made available for towns to hold special "paint only" collection days until other management systems are in place. Moreover, recycling and/or transfer station grants should be expanded to include construction of dry storage space for paints. It is unclear that grants could be used for this purpose, since they currently address only recyclables or transfer stations/MSW functions and not household hazardous wastes"

As written in the draft and final plan, funding will be available for special "paint only" collection days in both collection program phases. In phase II, the number of these days will decrease as an increasing emphasis is placed on permanent and ongoing collection for all types of household hazardous wastes. Storage of paint, other hhw, and all solid waste have always been and continue to be grant eligible. Household hazardous waste is municipal solid waste.

" Paint fee is still high; can be further fine-tuned when survey results are final"

We will continuously finetune all cost accounting as new information becomes available. We will reduce recommended fees as much as possible depending on the volume of materials and associated collection costs.

"... H. 124 sets a precedent in regard to funding by requiring the following under Vermont Statute Section 6621b (c)(3), 'Regulation of Certain Dry Cell Batteries': 'A manufacturer shall ensure that the cost of proper collection, transportation, and processing of waste batteries is included in the sales transaction between the manufacturer and any purchaser'. The state plan should emphasize voluntary or mandatory compliance by manufacturers first. Let's examine how the existing requirements in H. 124 in section 6621b(c)(3), can or already is working in Vermont and Minnesota..."

The consumer will bear the cost of this collection program whether manufacturers pay directly into the program, or if the consumers pay a fee at retail level. Voluntary manufacturer contributions could not be relied upon to carry a long term sustainable program, as indicated in Appendix C, Evaluation of Funding Options. There are numerous barriers with directly involving paint manufacturers, in paying for the program mostly because there are hundreds of paint manufacturers and it would be difficult to ensure involvement

and calculate market share. We have been meeting with paint manufacturers in the development of this plan and looking for voluntary contributions towards paint management. In regard to Vermont and Minnesota battery programs, manufacturer responsibility has primarily taken the form of product reformulation and collection of recyclable batteries that may offer financial awards.

PAGE 2- PROGRAM SUMMARY, #6- MANUFACTURER RESPONSIBILITY

"...Many governments are working cooperatively with manufacturer associations in setting up product stewardship programs for problem wastes;...a) CPCA has worked cooperatively with Laidlaw in the development of their pilot recycling program...Canadian Petroleum Institute members have recently placed \$30 million dollars in a pool to assist municipalities in the collection of used oil...b) Switzerland, Germany, and Austria are other good examples where manufacturers have worked cooperatively with government through their various associations and have voluntarily placed a disposal fee on the sale of problem products...c) Major Paint Company and Mason Paint Company in California have worked cooperatively with local and county government in taking back useable paint from HHW collection events and reprocessing it. True colors paint store in Montpelier, Vermont is also taking in, and in some cases, remixing and reselling latex paint..d) Also in California, the National Paint Coatings Association is working cooperatively with the California Paint Task Force in developing solutions for waste paint and assisting in partially funding a pilot study to recycle paint."

The State of Vermont has been encouraging manufacturer involvement in the planning and implementation of this program and will continue to do so as the program progresses. While all of the examples listed above are interesting and informative, they do not suggest a comprehensive management system for the State of Vermont as required under H. 39. Most of the programs only involve a portion of the management program, like paint recycling. Program costs are not paid in entirety by the product manufacturer, and the government entity often pays for collection and transport. Manufacturer involvement is not guaranteed over time so that an ongoing, sustainable program can not be ensured. As for other examples mentioned, voluntary disposal fees for an entire country are not easily transferable to a single small state. As a result of these suggestions, we will expand the section in the plan on paint recycling to include manufacturer involvement.

Page 4- PERTINENT REGULATORY REQUIREMENTS AND CONSIDERATIONS

"...I have serious problems with the Plan if the State Hazardous Waste Management Section and the Federal Department of Transportation have different opinions about "hazardous waste" status of used paint. Unless those difference are resolved, those people managing water-thinned paint will still have to abide by Federal DOT hazwaste regulations..."

We are not aware that the Federal DOT and the State Hazardous Waste

Management Division have any differences of opinion about the "hazardous waste" status of used paint. Federal DOT uses the Resource Conservation and Recovery Act (RCRA) definition of "hazardous waste" to make determinations. Those people managing water-thinned products may be subject to "hazardous materials" requirements of DOT, but that is only if they are commercial carriers. DOT can offer more information about commercial transport of water-thinned paint products.

"...My ultimate concern is for the liability of towns if they contract with a hauler to manage used paint, and the hauler acts improperly, or has a spill. Will this mean a town becomes a party to the cleanup under the 1986 Superfund Amendments and Reauthorization Act? "

This comment is beyond the scope of the plan, and a thorough answer can not be supplied here. Superfund liability is very complex issue, where potential liability may be even greater if a town/district does not engage in diversion and special management for problem materials.

"... If transfer stations should have to temporarily store paints prior to their collection, would this affect certifications ?"

Transfer station certifications need to be amended if special wastes are added to materials being accepted. The Agency has Special Waste Facility guidelines available. The storage conditions would vary depending on the type and volume of material(s) collected.

Page 5- SCOPE AND PLAN STRUCTURE

" Suggest an additional exclusion of paint-related equipment including applicators (brushes, rollers, sprayers), and accessories (drop cloths, plastic sheeting, newspaper, and clothing). Paint contractors could substantiate considerable volume of the above".

We agree and will add this exclusion to the plan.

Page 5/6- WASTE GENERATION

" The report assumes that all paint in the hands of citizens is waste paint ! This is not necessarily true a good part of this material may be good and usable, and is being saved for touch-up or repainting. The report assumes that every Vermonter has five(5) gallons of paint in his or her cellar. I find this very hard to believe. I have always believed Vermonters were much more frugal than this ! Additionally, much of this material may very well be latex paint products without lead or mercury. Some manufacturers have not used these materials in their products for over twenty (20) years".

In the development of waste generation figures we used the best information available to us. We have heard in subcommittee meetings that many feel the waste generation estimates are high and we hope to adjust our figures when more information becomes available (see below).

"...Assumes that 50% of what is purchased is not used. Is this due to the backlog in homes? "

The report actually shows that about 21% of what is purchased ends up as waste paint. An individual purchases 2.1 gallons per year and generates about 4.4 lbs (.44 gallons) of waste paint per year. As you suggest, the waste generation estimates may incorporate some stored up backlog. We expect future waste generation rates to decrease also due to improved education about buying a more accurate amount of paint for a particular job.

"... Paint cans make up about 4% and aerosol cans make up about 8% of all steel cans made each year. Only about 12% of aerosol cans are paint cans, making aerosol paint cans just less than 1% of total steel cans. We estimate that recycling all paint and aerosol cans could increase steel scrap by 10%; recycling all steel paint cans (both regular and aerosol) could increase steel can scrap by, say, 3.5 to 4% "

We will modify our generation figures to show that recycling of steel paint cans and aerosol paint cans could increase steel can scrap by 3.5- 4 %.

Page 7- COLLECTION POINTS

".... We, (SCRI), are in favor of integrating paint can recycling into existing HHW collection activities, permanent collection points, "rover" and satellite programs (for cans with content), as well as existing and future residential curbside and drop-off programs (for empty cans) and will be glad to assist with this...."

Page 8- PAINT CAN RECYCLING

"... I appreciate that you are recommending that the districts wait to implement residential recycling of empty and dry paint and aerosol cans until there are HHW programs or sites available locally. However education of the district coordinators could begin immediately and continue in parallel with Phase 1. I am concerned that if phase 1 is rolled out separately, the households will become accustomed to sending all paint and aerosol cans to HHW days or sites, thus directing empty cans to the "more expensive" HHW programs. Would it be possible to edit the paragraph titled Paint Can Recycling to clarify that recycling of paint and aerosol cans may occur concurrently with phase I ? "

We agree with this recommendation and will plan to begin education of district coordinators, and scrap metal collectors and dealers in Phase I.

Page 9- EDUCATION/PROMOTION

"...Difficult for industry to do hotline. We can not be experts on each others products. Paints and stains, for example, are very different..."

While we acknowledge the difficulty of knowing everything about each company's products, we believe the industry is the most knowledgeable about its products and proper handling and disposal practices. Simple disposal and use inquiries could be answered and more difficult product-specific inquiries could be referred to the specific product manufacturer.

"... In order to facilitate the proper disposal of leftover quantities of paints and coatings by consumers in the future, the Architectural Coatings Committee of NPCA is in the process of developing product-specific disposal guidelines for possible inclusion in the NPCA Labeling guide..."

We will include this manufacturer activity in the body of the report.

Page 10- COSTS PHASE I

"Are there any off-sets here, (for solvent thinned disposal), due to fuel recovery..?"

At this time we are finding that the private contractors hauling paint for Vermont collection programs are charging more for solvent-thinned drums than water-thinned materials. We will explore other disposal options available which may offer fuel recovery off-sets.

PAGE 13- FUNDING FOR PHASE II.

"... \$ 1.16 per gallon of solvent thinned paint is a problem. Many solvent based products are necessary performance-wise and an increase of \$1.16/container is prohibitive. More education is needed with consumers to balance performance efficiency vs. environmental"

Thus far we have found that this is the fee that will be necessary to properly manage solvent-thinned products in phase II. We should be able to revisit and revise this number when more accurate waste generation numbers can be obtained.

PAGE 14- DEPOSIT SYSTEM

"... Could consider deposit system charged at retail but refunded at collection site".

Please refer to Appendix A for a discussion of why deposit system was not recommended as an incentive for paint collection.

OTHER COMMENTS

"...Economies of scale should be re-evaluated in terms of letting the contract be bid out either on a region-by-region basis or statewide basis and allow the public and private sectors an equal opportunity to compete for available resources to recycle and properly manage paint".

Under this plan it is the towns and districts who will bid for disposal and recycling services. They will be able to decide what conditions and services offered are favorable.

"...A prerequisite for receiving funds for paint management should include a requirement that the selected vender employ a paint can crusher in their operation. This would help ensure the following; that paint is processed in a timely and cost effective manner; almost all paint is removed from cans for either recycling or proper management; and the flattened paint containers could then be efficiently stored and transported for recycling.

This is a worthwhile suggestion that will be considered. We are not prepared to commit to this provision, until we have explored the costs and benefits more thoroughly.

"...Whenever possible, paint should be recycled over disposal, per the State waste hierarchy..."

The decision to recycle paint will be primarily an economic determination based on the relative costs of recycling versus disposal. The State will pursue efforts to expand paint recycling opportunities in the region. The text of the plan has been expanded to include a more detailed discussion about paint recycling.

"...Minimum standards of paint quality should be developed so that the Commissioner of General Services has a guide to follow in evaluating future State bids for the procurement of recycled paint. Secondly, the State should consider conducting a pilot using recycled paint in order to determine appropriate use and performance of the recycled paint over time. The state should also investigate the various other hurdles to overcome, address those, and then send out bid requests for the procurement of recycled paint per requirements in H. 124."

The State has initiated efforts in this area. These activities were not outlined in the plan because the plan scope involves "used paint and coatings and their containers sold at retail within the

state". These suggestions are helpful and will be shared with the State purchasing people involved with this activity.

"...In regard to reducing the volume of waste paint in the future, the State should also investigate the feasibility of requiring retail pricing of paint quantities based on volume sold, rather than on container size where smaller quantities cost more..."

There are many reasons for retail pricing scenarios, and buying in bulk is often less expensive. We can incorporate buying information into our educational program, although we are not considering requiring any volume based pricing.

"...Education information should be posted and available at all retail sales locations indicating how paint may be returned for proper collection and why it is important to buy only the quantities one needs for the job..."

The retail shelf labeling program already has information in paint stores about proper paint use and disposal. This program will be supplemented by industry supplied brochures to be made available at the retail site, industry financed public service announcements for Vermont T.V. and radio, and a industry paint hotline number.

COMMENTS RECEIVED FROM:

National Paint and Coatings Association
Vermont Retail Association
Vermont Paint Company
Steel Can Recycling Institute
L & F Products
Central Vermont Regional Planning Commission
Rutland Regional Planning Commission
Environmental Law Foundation
Bennington County Regional Commission
Southern Windsor/Windham Counties Solid Waste Management District