



March 15, 2023

The Honorable Luz Rivas
California State Assembly
1020 O Street, Room 4250
Sacramento, CA 95814

SUBJECT: Support for AB 1526 (Committee on Natural Resources) Aerosol Coatings Management Under California's PaintCare Program

Dear Assemblymember Rivas,

The American Coatings Association (ACA) is pleased to express our support for the Assembly Natural Resources Committee's AB 1526, which makes technical but important changes to California's architectural paint recovery program, among other unrelated changes in the bill. Specifically, the proposed changes in Sections 48701, 48703, 48705 and 48707 of AB 1526 will incorporate spray paint within the definition of architectural paint, as defined, and permit this type of paint to be managed under the scope of California's existing Program.

ACA is a trade association representing paint and coatings manufacturers, suppliers, distributors, and technical professionals. In addition, ACA proudly established PaintCare, a non-profit 501(c)(3) organization, which represents paint manufacturers and operates paint stewardship programs in several states that have passed paint recycling laws. In 2010, ACA supported the passage of California's first stewardship law (AB 1343, Huffman), which established the state's PaintCare program. Since operations began in 2012, PaintCare has offered households and businesses in California convenient options to manage leftover paint, utilizing a network of drop-off locations. Once collected, this leftover paint can largely be diverted from landfills and reused or recycled. To date, PaintCare has established 834 year-round drop-off sites, continues to work with local jurisdictions throughout California and has collected over 30 million gallons of paint from residents.

Under existing law, California's PaintCare Program excludes spray paint from the definition of architectural paint, which means this paint cannot be managed under the existing Program. Language in AB 1526 will fix this issue by removing the prohibition and defining spray paint as "aerosol coatings products" within the existing architectural paint definition in statute. Language will also require PaintCare to submit a plan amendment to CalRecycle to incorporate aerosol coatings within the Program and to have an approved plan in place no later than January 1, 2027, unless CalRecycle determines more time is needed for implementation. Finally, amendments regarding the timing of existing reporting requirements will help to provide a better snapshot of data on the program over the preceding calendar year, rather than fiscal year.

These technical changes are the result of several discussions with stakeholders and legislative staff interested in ensuring aerosol coatings products can be properly managed through PaintCare's existing network, helping to protect the environment, provide convenient recycling access for consumers and

substantially reducing costs spent by local governments to manage these products. ACA believe these technical changes will help build upon the success of California's PaintCare Program and is timely as the Legislature recently passed other important measures focusing on reducing waste. Finally, AB 1526 will make California's PaintCare Program the first in the nation to provide management of spray paint products, which will likely be a model for other states.

ACA appreciates your work and staff's time spent on this important issue and believes the technical changes proposed in the bill will help make the Program even more successful. For all of the reasons listed above, we are pleased to support AB 1526 and if you have any questions, please do not hesitate to contact me at hmcauliffe@paint.org or ACA's lobbyist in California, Lauren De Valencia at lauren@stefangeorge.com.

Best regards,

A handwritten signature in blue ink, reading "Heidi K. McAuliffe". The signature is fluid and cursive, with the first name "Heidi" and last name "McAuliffe" clearly legible.

Heidi K. McAuliffe, Esq.
Vice President, Government Affairs
American Coatings Association

cc: Members of the Assembly Natural Resources Committee
 Elizabeth MacMillan, Principal Consultant, Assembly Natural Resources Committee
 Casey Dunn, Consultant, Assembly Republican Caucus
 The Governor's Office