



June 12, 2024

The Honorable Ben Allen
California State Senate
1020 O Street, Room 6610
Sacramento, CA 95814

SUBJECT: Support for SB 1143 (Allen) Household hazardous waste: producer responsibility – PaintCare Expansion

Dear Senator Allen,

The American Coatings Association (ACA) is pleased to express our support for your SB 1143, as amended on 6/10/2024, which makes technical but important changes to PaintCare, California’s architectural paint recovery program. Specifically, the proposed changes incorporate non-industrial coatings and coatings-related products as product categories that can 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 773 year-round drop-off sites, continues to work with local jurisdictions and retailers throughout California and has collected over 33 million gallons of paint from residents.

Under existing law, California’s PaintCare Program does not include certain non-industrial coatings and coatings-related products such as automotive refinish paint, marine and antifouling paints, adhesives, sealants and caulks, among others. Aerosol coatings were also excluded from the Program until the Governor signed AB 1526 (Committee on Natural Resources) in 2023, which added aerosol coatings as a product managed under the PaintCare law through a program plan amendment due to CalRecycle by July 1, 2026. SB 1143 follows the same process by adding remaining products under the existing Program and requires PaintCare to report on the management of these products accordingly. To ease the burden of implementation under SB 1143, PaintCare would be required to submit a revised plan to incorporate new products in the Program on the existing timeline for the aerosol coatings plan amendment as required under AB 1526. This means a more manageable workload for CalRecycle and PaintCare as they work towards an approved plan, which must be in place no later than January 1, 2027.

As the bill continues to move, we are committed to working with your office and CalRecycle to refine the language to make technical refinements that will create a smooth path for implementation. Ensuring that PaintCare and CalRecycle can successfully update and approve PaintCare’s existing Plan will benefit everyone, including residents and the environment.

The changes to PaintCare’s Program under SB 1143 are the result of collaboration with stakeholders and legislative staff interested in ensuring all coatings and related products can be properly managed through PaintCare’s existing network, helping to protect the environment and provide convenient end-of-life management access for consumers. Further, including these remaining non-industrial coatings and coatings related products under California’s existing PaintCare program will substantially reduce the financial and logistical burden to local governments by managing

paint and allied products in a single program. 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 focused on reducing waste. Finally, SB 1143 will make California's PaintCare Program the first in the nation to provide management of these remaining products, which will likely be a model for other states.

ACA appreciates all the time stakeholders have spent on this important issue and believes the changes proposed in the bill, with forthcoming refinements, will help make the Program even more successful. For all of the reasons listed above, we are pleased to support SB 1143 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 written in a cursive style and is contained within a light blue rectangular border.

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

cc: Chair and members of the Assembly Environmental Safety and Toxic Substances Committee
Chair and members of the Assembly Natural Resources Committee
Assembly Republican Caucus
The Governor's Office
CalRecycle