



June 5, 2019

### **S.4351 (Kennedy)/A.6373 (Englebright)**

**Title:** An act to amend the environmental conservation law, in relation to establishing a postconsumer paint collection program.

**Purpose:** Establishes a postconsumer paint collection program; requires producers of architectural paint sold at retail in the state or a representative organization to submit a plan to the commissioner of environmental conservation for the establishment of a postconsumer paint collection program; prohibits a producer or retailer from selling architectural paint in the state unless the producer or producer's representative organization is implementing an approved program plan.

**Statement of Support:** For every 10 gallons of paint purchased in New York, one gallon is wasted – either poured down the drain, landfilled or incinerated. This wasteful trend has a direct impact on air and water quality, as even latex paint can be toxic to the environment. It harms fish and wildlife, and contaminates the food chain if poured down a storm drain. It can also pollute groundwater if dumped on the ground. While it may be acceptable to clean paint applicators in the sink, pouring excess paint down the drain disrupts microbes and causes sewage treatment to be less effective at greater cost. The burden of responsible disposal of leftover paint has been left to municipalities who spend an estimated \$3.1 million dollars on paint management costs each year through collection days and responsible handling and disposal.

If enacted, S.4351/ A.6373 would create a statewide paint stewardship program that holds the paint industry responsible for collecting and managing leftover paint in New York, reducing the role of government and the burden on taxpayers. Such a stewardship program would mean:

- More recycling opportunities created by the paint industry and paint retailers to offer paint collection in addition to county Household Hazardous Waste (HHW) collection sites and events.
- Reduced government spending on collection events and disposal.
- Creation of recycling sector jobs.
- Less disposal, more recycling – More paint will be diverted from disposal facilities and recycled, reducing volatile organic compound air emissions.
- Less waste – The industry will educate the public to buy the right amount of paint, reduce waste, and use resources more efficiently.

The NYS Legislature has enacted similar extended consumer responsibility take back programs for mercury thermostats, rechargeable batteries and electronic waste. It is time for the Legislature to address paint as well.

**Sierra Club Atlantic Chapter Urges Your Support of A.6373/S.4351**