



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senate Environmental Conservation Committee approves O'Mara legislation establishing paint recycling program: O'Mara urges Assembly action in 2017, says measure would cut costly burden on local governments and foster government-industry cooperation

THOMAS F. O'MARA February 14, 2017

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Albany, N.Y., February 14—The State Senate Environmental Conservation Committee today approved legislation sponsored by Senator Tom O'Mara (R,C,I-Big Flats) to establish an industry-sponsored "Paint Stewardship Program" to reduce a costly burden on local governments that are currently responsible for collecting and disposing of most post-consumer, unused paint.

The legislation will now go before the full Senate for a vote.

The Senate has approved O'Mara's legislation (**S881/A1038**) with strong bipartisan support for the past two years, but the Assembly has not acted on it. It received unanimous Senate approval in 2016. Assemblyman Al Stirpe (D-Syracuse) sponsors the measure in the Assembly. It is currently in the Environmental Conservation Committees in the Assembly.

O'Mara, who chairs the Senate Environmental Conservation Committee, said that the legislation would create local jobs, provide relief to local property taxpayers, and encourage environmentally sound recycling and disposal of unused paint in New York State. He pointed to the initiative as an example of how government and industry can work together to implement effective environmental policies and programs.

"This legislation exemplifies how much we can accomplish by working together with industry on important environmental concerns. Seeking common ground and cooperation, rather than government cramming unreasonable demands down the throat of industry, can help give New York State a more business-friendly environment and actually result in better, more workable laws," O'Mara said. "Working together can go a long ways on reaching an end result on other important issues that would benefit our state fiscally, economically and environmentally. The Assembly Democratic leadership should take action this session."

The national **Product Stewardship Institute** has estimated that approximately 3.1 million gallons of paint go unused each year in New York State -- with the costs of collecting and managing the paint's disposal mostly falling on local governments. Under O'Mara's legislation, through which paint manufacturers would be responsible for managing the recycling and disposal of unused paint, local governments would save approximately \$25 million annually.

The measure has drawn the support of a range of environmental advocacy organizations, paint industry representatives, and municipal agencies. The joint, bipartisan New York State Caucus of Environmental Legislators has also identified it as a priority. In addition to reduced costs on local taxpayers, O'Mara said, a Paint Stewardship Program will create convenient recycling opportunities and green sector jobs, reduce disposal in favor of recycling, and result in less waste as consumers will become smarter and more efficient shoppers for paint.

Under the legislation, the state Department of Environmental Conservation (DEC) is directed to develop a plan for paint manufacturers and sellers to form and cover the costs of a statewide, not-for-profit Paint Stewardship Program. The plan would seek to minimize the involvement of local governments in the management of post-consumer paint by reducing its generation and establishing agreements to collect, transport, reuse, recycle, and/or burn for energy recovery post-consumer paint at appropriately licensed collection sites and facilities using environmentally sound management practices. The measure further specifies that the plan include annual program audits and reports, education and outreach to consumers, and details on how post-consumer paint would be collected, treated, stored, transported and disposed.

States that have implemented comparable programs are showing impressive results. Oregon

has collected and recycled over 1,000,000 gallons of paint since implementing its program in July 2010. California launched its program in 2012 and has over 350 new collection locations accepting paint for recycling.