

AB 1526 and SB 1143 Paint Stewardship Program Data Requests

Background

CalRecycle is in the [informal rulemaking phase](#) for the California Paint Product Recovery Program ([Public Resources Code \[PRC\] sections 48700-48707](#)) to implement the changes made by [Assembly Bill \(AB\) 1526](#) (Committee on Natural Resources, Chapter 848, Statutes of 2023) and [Senate Bill \(SB\) 1143](#) (Allen, Chapter 989, Statutes of 2024). As part of this process, CalRecycle is estimating the costs and benefits associated with the implementation of AB 1526 and SB 1143. Recognizing that certain relevant information may not be readily or publicly available, CalRecycle welcomes any data, estimates, or industry reports that would support the refinement of assumptions and methodologies for the required economic impact assessment for rulemaking, including the [Form STD. 399](#).

Please provide tangible sources or references (e.g., industry reports, internal data). Even partial responses are welcome as limited data can still help CalRecycle improve the analysis. When responding, please indicate the market referenced, (e.g., global, North America, U.S., California), and reference the specific question(s) being addressed.

Please refer to page 5 for guidance on submitting data or information that may be considered confidential, proprietary, or trade secret.

A. Paint Product Volumes, Mass, and Packaging

CalRecycle aims to estimate the total amount, in terms of mass or volume of product, and the number of new containers, to be managed by manufacturers and stewardship organizations through a stewardship program.

1. Aerosol Coating Products (see PRC section 48701(a) for definition)
 - a. Market Estimates
 - i. Of the estimated 4 billion aerosol cans filled in the U.S. annually, what percentage or quantity is used for paint products, specifically?
 - ii. What is the typical market breakdown for different sized aerosol cans? What percentage of the can market is made up of the relative sizes: small, medium, and large capacity cans?
 - iii. What is the total volume or weight of aerosol coating product (excluding packaging) in the market?
 - b. Empty Container Weights and Capacities (small, medium, and large containers)
 - i. What is the average weight of a typical empty aerosol coating can (in grams or ounces) for the relative can sizes?
 - ii. What are the volumetric capacities (e.g., fluid ounces) for the relative can sizes?
 - c. Net Product Weight (small, medium, and large containers)

- i. What is the average net weight or volume of product (pigments, propellants, fillers, etc.) associated with each can size?
 - d. Product Density
 - i. Architectural paint density is often simplified to 10 pounds per gallon. Is this conversion appropriate for aerosol coating products? If not, what is a typical density conversion for aerosol coating products?
 - e. Leftover Product
 - i. What is the typical leftover product amount when an aerosol coating product can is disposed (by weight, volume, or percentage)?
 1. Of the leftover amount, what is the typical proportion of paint product compared to propellant?
2. Coating-Related Products and Nonindustrial Coatings – Please specify the product you are referring to with your response. These products include but are not limited to those provided in Table 1 (see PRC sections 48701(b) and (g) for definitions).

Table 1: List of coating-related products and nonindustrial coatings included in statute

Coating-related products	Nonindustrial coatings
<ul style="list-style-type: none"> • Paint thinners • Paint colorants • Paint additives • Paint removers • Surface sealants • Surface preparation products • Surface adhesive products sold for home improvement 	<ul style="list-style-type: none"> • Arts and crafts paint • Automotive refinish paint • Driveway sealer • Faux finish or glaze • Furniture oil • Furniture paint • Lime wash • Lime paint • Marine paint • Antifouling paint • Road and traffic marking paint • Two-component paint • Wood preservative • Fire retardant paint • Dry fog paint • Chalkboard paint • Conductive paint

- a. Total Volume and/or Weight
 - i. What is the total volume or weight of the product or products listed in Table 1 (excluding packaging) in the California market?

- ii. What is the total count, mass, or volume of coating-related products and nonindustrial coating containers (excluding product) in the market?
 - iii. What product or products best serve as a proxy for estimating the total volume or mass of products listed in Table 1?
 - 1. What is the total volume or weight of those proxy products (excluding packaging) in the market?
- b. Packaging Details
 - i. What are the typical container capacities (volume or mass) for these products?
 - ii. What are the typical container weights of a coating-related product or nonindustrial coating (in grams or ounces) for the relative packaging sizes up to 5 gallons?
 - iii. What is the typical container material composition (e.g., metal, plastic, glass)?
- c. Product Density
 - i. What is the density of the individual products listed in Table 1? Please specify the product with your response.

B. Stewardship Organization(s), Manufacturers, Retailers, Distributors, and Industry

CalRecycle aims to determine how many businesses will be impacted by or subject to the new regulations and in what ways.

1. How many new manufacturers, retailers, distributors, or other entities do you anticipate will be impacted by or subject to the amended paint program?
 - a. What is the breakdown for these newly added participants?
 - i. Aerosol coating product manufacturers and retailers
 - ii. Coating-related product manufacturers and retailers
 - iii. Nonindustrial coating manufacturers and retailers
2. In what ways and by how much are costs expected to differ between manufacturers, retailers, distributors, and other entities?
3. How much time (in hours/year) is required to prepare documents or records required for submittal in the existing paint stewardship program?
 - a. How might this time requirement change with the newly added scope of the program?
4. How many staff members are typically involved in record keeping or document preparation?
 - a. Do you anticipate needing to hire additional staff to support these efforts to meet requirements associated with the proposed regulations? If so, how many?
5. How much time (in hours/year) is spent updating point-of-sale (POS) systems to reflect the correct assessment?

- a. How much time (in hours/year) is spent monitoring and updating product inventories to remove or add compliant and non-compliant products?
- 6. Describe any other component that has the potential to drive costs associated with the proposed regulations. These include but are not limited to:
 - a. Staff-related activities in terms of time or cost
 - b. Technology improvements or upgrades
 - c. Equipment investments

C. Infrastructure and End-of-Life Management

CalRecycle aims to understand the collection, transportation, and processing for newly covered products.

- 1. Drop-off locations
 - a. How many drop-off locations are anticipated to be added to the program?
 - b. What new costs are expected to arise when establishing new drop-off locations? What are the costs associated with the items listed below?
 - i. Permitting
 - ii. Safety considerations
 - iii. Employee training
 - iv. Additional staffing
 - v. Storage and safe handling requirements
 - vi. Dedicated collection bins for specific products
 - vii. Facility expansion or new construction
 - viii. Other – what other cost categories are associated with setting up a collection site? What are the costs associated with each?
- 2. Shipping containers
 - a. What is the capacity of a shipping container that may be used for collecting and transporting aerosol coating products, coating-related products, and nonindustrial coating products in terms of weight and volume?
- 3. Where and in what volumes will aerosol coating products, coating-related products, and nonindustrial coatings be processed?
 - a. In California
 - i. Which facility (or facilities) in California will or already handle these products?
 - ii. How many total locations are there within the state?
 - iii. Approximately how much volume will each location process?
 - b. Outside of California
 - i. Domestic (within the U.S., but outside California)
 - 1. What is the closest known location?
 - 2. Are there any other locations in the U.S. that will process these products?
 - 3. How much volume will each out-of-state location process?
 - ii. International locations

1. Which countries or regions may be used for processing?
2. How much volume may be processed at these locations?
4. What is the expected breakdown (volume or percentage) of processing methods for aerosol coating products, coating-related products, and nonindustrial coatings?
 - a. Reuse
 - b. Product to Product Recycling
 - c. Energy Recovery
 - d. Incineration
 - e. Other – what other methods of processing are anticipated?
5. Describe the kinds of new relationships that are expected to develop between manufacturers, stewardship organizations, and the waste management community for the purposes of product collection, sortation, transportation, and processing of the new products added to the program.
6. Describe any system changes you anticipate being needed to implement the proposed regulations along with their associated costs.
7. What other industries have the potential to be impacted and in what ways? What are the costs associated with these impacts?

D. Benefits

CalRecycle aims to understand the benefits associated with the proper handling of these newly added paint products.

1. Energy Savings
 - a. How much energy (e.g., in kilowatt hours) is saved by recycling a single gallon of paint product compared to producing new paint products?
2. Greenhouse Gas Emissions
 - a. By recycling a gallon of paint product, how many pounds (or kilograms) of carbon dioxide (or carbon dioxide equivalent) emissions are prevented?
3. Raw Materials and Resource Use
 - a. How much water is saved for each gallon of paint product that is recycled instead of manufactured from raw materials?
4. What are the measurable cost savings for local jurisdictions or businesses when postconsumer paint is recycled versus disposed?
5. Describe additional benefits that may be realized with the proper handling of these paint products. Benefits include, but are not limited to:
 - a. Liter reduction
 - b. Waterway pollution reduction
 - c. Safety incident reduction

Submitting Confidential, Proprietary, or Trade Secret Information

Information submitted to CalRecycle is subject to Public Record Act requests pursuant to Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code. Prior to releasing any information, CalRecycle will follow the process outlined in Title 14,

Division 7, Chapter 1, Article 4, Section 17041 *et seq.* of the California Code of Regulations.

The information provided below is given as general guidance. If you have any questions or need further clarification, please reach out to paint@calrecycle.ca.gov before submitting any potentially confidential, proprietary, or trade secret information to CalRecycle.

1. Prepare two versions of your submission (Or Only Redacted if Needed)
 - a. Confidential/Unredacted version: Include all details. Clearly mark each page, data, or section with “Confidential,” “Proprietary,” or “Trade Secret.” Add footers or headers indicating “Contains Confidential Information – Not for Public Disclosure.”
 - b. Public/Redacted Version: Remove confidential details. Provide only enough detail as necessary.
2. Justify Confidentiality
 - a. Include notes explaining why the data qualifies as confidential.
3. Use Aggregated Data Where Possible
 - a. Consider higher-level summaries instead of granular breakdowns that may reveal competitive or trade secrets.
4. Draft a Cover Letter or Confidentiality Statement
 - a. Provide Contact Information
 - i. Include the name, address and telephone number of the individual to be contacted if CalRecycle receives a request for disclosure of or seeks to disclose the information or data claimed to be confidential, proprietary, or trade secret.
 - b. State that you are submitting sensitive information and the purpose of providing it.
 - c. Outline why confidentiality is necessary.
5. Properly Label Email and Attachments
 - a. Add “CONFIDENTIAL” to the email subject line.
 - b. Attach the unredacted file labeled “CONFIDENTIAL.”
 - c. Attach the redacted file labeled “REDACTED.”
 - d. In the email body, reiterate that it contains confidential information and the purpose for submitting the information to CalRecycle.