



American Coatings
ASSOCIATIONSM

Prefile Testimony Date of April 11, 2025
Hearing Date of May 20, 2025

Barbara Flynn Currie, Chairman
Illinois Pollution Control Board
2520 W Iles Ave
Springfield, Illinois

RE: Oral Testimony for R25-022 - Standards for Universal Waste Management (Illinois Universal Waste Rules for Paint and Paint-Related Waste)

- Good morning. My name is Suzanne Chang, I work for the American Coatings Association as Counsel in the Government Affairs Division.
- ACA is the trade association that works to advance the needs of the paint and coatings industry and represents approximately 96% of the paint and coatings products manufactured in the United States.
- PaintCare is a not for profit, 501(c)(3) organization created by the American Coatings Association to fulfill the obligations of paint manufacturers under a statute requiring a post-consumer paint stewardship program. PaintCare operates in 12 jurisdictions, and in 2023, Illinois became the 11th state in the U.S. to pass such legislation. Illinois paint stewardship program is expected to launch in late 2025.
- ACA has previously contributed significant comments to several states on their development of universal waste regulations for paint and paint-related waste. Accordingly, ACA submitted substantive written comments to the Illinois Pollution Control Board on R25-022 **Standards for Universal Waste Management** on May 02, 2025.
- These written comments provide recommendations on how to best achieve the department's objective to promote the collection and recycling of universal waste and ease the regulatory burden on retail establishments, local municipalities, and other stakeholders.
 - First, ACA urges the Illinois Pollution Control Board to reconsider and provide an exemption regarding the 50' setback requirement for small quantity handlers. This requirement severely hinders PaintCare's ability to recruit retail locations to voluntarily serve as convenient drop-off and collection sites for leftover paint. ACA recommends that an exemption from the 50' setback rules for small quantity

handlers of universal waste paint and paint-related waste for retail locations participating as voluntary drop-off/collection sites pursuant to an approved paint stewardship program plan.

- Second, ACA also urges the Illinois Pollution Control Board to reconsider the notification requirements when hazardous waste that is not universal waste has been either unintentionally or intentionally dropped off at a retail location participating in the program. ACA is concerned about the requirement to notify the agency when a site receives hazardous non-universal waste. This notification requirement will significantly deter potential drop-off/collection sites from voluntarily participating in the program. ACA proposes an alternative to this and is based on how all of the PaintCare programs currently operate. In all other PaintCare programs, the transporters and downstream processors are required to track and manage any incidental nonprogram products received in accordance with applicable laws as well as contact PaintCare. This procedure is further detailed in ACA's written comments that were submitted on May 2 to the Illinois Pollution Control Board.
- **Our objective is simple:** make it easy for residents, businesses and schools to recycle their unwanted paint.
 - To date PaintCare has
 - Collected an estimated 77.9 Million gallons of paint
 - Provided 12, 266 large volume pickups
 - Hosted 381 paint drop-off events
 - PaintCare is helping communities across the state reduce their waste management costs by supporting municipal household hazardous waste collection events. We're achieving this by paying HHW haulers directly for the cost to transport and process the unwanted paint collected at these events.
- In conclusion, ACA applauds and supports the efforts of the Illinois Environmental Protection Agency to streamline the universal waste management regulations. The recommendations provided are aimed at increasing the recycling of leftover paint as well as easing the regulatory burden on retail establishments and local municipalities, other entities that generate and process these wastes.

Thank you for your time.