

# Reflections on California Paint Product Stewardship from Sacramento and Tehama Counties



Presenters: Kristina Miller, Tehama County/Red Bluff  
Landfill Management Agency  
Doug Kobold, County of Sacramento



## Background –Sacramento County

- The first draft of PaintCare’s California Municipal Contract released in July 2012;
- Jurisdictions formed a coalition in mid-September 2012 to build a “Template” contract, led by the County Counsel’s Office of Sacramento County;
- By the end of December 2012, the parties were able to reach resolution on most issues except indemnification;
- Cities and the Counties required “ Type I” indemnification;
- By late January 2013, “Template” negotiations were at an impasse;



## Successes –Sacramento County

- February 2013, Sacramento County devised and presented to PaintCare to redefine “Collection”, thereby establishing the starting point of liability;
- May 2013, Sacramento County contracts with Visions Paint Recycling;
- June 2013, Sacramento County amends its existing contract with Clean Harbors;
- August 2013, Sacramento County contracts with PaintCare for Reuse
- Estimated annual cost savings after 6 months, ~\$140K. Still ~ \$25K in costs associated with Non-Program products.



## Background and Jurisdictional Goals – Tehama County

- HD 17 Grant Recipient
  - Paint Product Stewardship Program -Be Paint Wise Partnership
  - Transitional program
  - Recycling Costs covered during the grant term
- Results:
  - 3 retail paint collection locations serviced by Visions Recycling
  - 2 Paint Swap Locations
  - End of grant term April 2011 →2 year gap period



## Challenges

- \$5,000 legal costs
- Nine months of negotiating
- No Jurisdictional Contract
  - Indemnification
  - Title and Risk of Loss
  - Insurance



## Successes -NEW Agreement

- Contract with all three retailers ~01/2013
  - Limited capacity
- PaintCare contracted directly with contractor and sub-contractor –May 24, 2013
  - Side letter of acknowledgement
  - No transport from remote transfer stations



## Successes -NEW Agreement

- Separate side Reuse Agreement -July 12, 2013
  - Mutual indemnification
  - Everything is negotiable



## Results

- Significant financial relief without assumption of risk
- No longer incur paint recycling costs at HHW facilities and retail locations
- May allow Agency to increase operating hours of HHW facility
- Retailers will collect other HHW



## Lessons Learned

- PATIENCE
- PERSEVERANCE
- Everything is negotiable!



## Opportunities

- Mindful in future legislation
  - Indemnification
- Focus more on Reuse
  - Need to collect much more
  - PaintCare costs to process are significant
  - Program costs could be driven down significantly by increasing reuse



Thank you for your time.  
Any questions?

Kristina Miller, Agency Manager

[kmiller@co.tehama.ca.us](mailto:kmiller@co.tehama.ca.us)

530.528.1103

Doug Kobold, Waste Management Program Manager

[koboldd@SacCounty.NET](mailto:koboldd@SacCounty.NET)

916.875.7087

