

# New Brunswick Paint Stewardship Plan

**For submission to:**

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Fredericton, NB

Originally Submitted: Sept 8, 2021  
Revised Version Submitted: Oct 8, 2021

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# 1 Introduction

The New Brunswick Paint Stewardship Program (“Program”) launched on April 1, 2009. The Program offers collection services through 63 permanent collection sites throughout the province and has collected approximately 3.5 million litres of paint since inception.

This New Brunswick Paint Stewardship Program Plan (Program Plan) is submitted by Product Care Association of Canada (Product Care) to Recycle New Brunswick (RNB), pursuant to the requirements of the New Brunswick *Designated Materials Regulation – Clean Environment Act* (the “Regulation”). Upon approval by the board of RNB, this Program Plan will remain in effect until such time as a new program plan is approved by the board of RNB. This Program Plan will take in effect on the date it is approved by the Board of Recycle New Brunswick and will expire on a date set by the Board (not to exceed 5 years).

## 2 Product Care Association of Canada

The Program is operated and managed by Product Care. Product Care is a federally incorporated, not for profit product stewardship association formed in response to stewardship regulations and is governed by a multi sector industry board of directors. Product Care also operates paint stewardship programs in seven other Canadian provinces -- BC, SK, MB, ON, NS, PEI and NL as well as stewardship programs for other products, such as household hazardous waste, smoke alarms, and lighting products in a number of provinces.

## 3 Program Membership and Program Funding

The Program Plan is submitted by Product Care on behalf of the paint brand owners who have appointed Product Care as their agent under the Regulation (see Appendix A for a list of brand owners as of the date this Program Plan was submitted to RNB for approval.) The Program is open to any brand owner to join subject to agreeing to PCA’s by-laws and membership agreement.

The Program is funded by membership fees, known as Environmental Handling Fees (EHFs), remitted to Product Care by its members based on the quantity of sales of the designated Program Products (as defined in section 5.1 below) sold in New Brunswick. The EHF is not a tax or a refundable deposit. EHF rates are set by Product Care’s Board of Directors and are subject to change as needed to ensure there are sufficient funds to operate the Program. Program revenues fund program operations, including but not limited to program administration, public education and communication, collections, transportation, recycling and responsible disposal of collected products, and establishing and maintaining a reserve fund. The reserve fund is used to stabilize program funding in the case of unexpected collection volume increases, fluctuations in operating costs or reduced revenue due to economic or other factors. The reserve fund is also intended to cover the cost of winding up the Program in the event of regulatory changes. The maximum reserve amount is set by Product Care’s Board of Directors and will not exceed an average of one year’s operating expenses over the life of the

Program Plan. In the event that the reserve exceeds the maximum amount, Product Care will consider making adjustments to the EHF rates.

## 4 Regulatory Requirements

The Program Plan addresses the requirements of section 39 of the New Brunswick *Designated Materials Regulation* (“Regulation”):

- (a) the collection of waste paint in New Brunswick, including the waste paint of other brand owners;
- (b) the management of waste paint in adherence to the following order of preference:
  - (i) reuse;
  - (ii) recycle;
  - (iii) disposal in an engineered landfill; and
  - (iv) recovery of energy;
- (c) the brand owner’s plan for achieving a 70% reuse rate;
- (d) a description of the efforts being made by the brand owner to redesign paint products to improve reusability and recyclability;
- (e) a communications plan for informing consumers of the brand owner’s paint stewardship plan and the location of return depots, in addition to the brand owner’s obligations under section 46;
- (f) the establishment of return depots that will ensure reasonable and free consumer access for the return of waste paint;
- (g) the assessment of the performance of the brand owner’s plan by an independent auditor; and
- (h) the elimination or reduction of the environmental impacts of waste paint.

In addition, the Program advises all obligated brand owners registering with the Program to register with RNB directly in accordance with section 12 of the Regulation.

## 5 Program Products

### **Regulatory Requirement**

***39(a): the collection of waste paint in New Brunswick including the waste paint of other brand owners***

### **5.1 Accepted Products**

The Program is responsible for managing post-consumer residual “paint” sold into the province as defined in the Regulation. The Regulation defines “Paint” as:

- a) a tinted or untinted latex, oil or solvent-based architectural coating used for commercial or household purposes, including stain, and includes the coating’s container, or

- b) a coloured or clear paint or stain sold in an aerosol container and includes the paint's or stain's container, but does not include coatings intended for marine antifouling, industrial or automotive applications.

For further clarity, the following paints and coatings are included as accepted by the Program (Program Products). This list is subject to change by Product Care.

- Architectural paint and related containers (including already empty containers) to a maximum container size of 25L, sold in New Brunswick including:
  - Interior & exterior: latex, acrylic, water-based, alkyd, enamel, oil-based deck coatings and floor paints (including elastomeric)
  - Varnishes and urethanes (single component)
  - Concrete/masonry paints
  - Drywall paints
  - Primers (metal, wood)
  - Undercoats
  - Stucco paint
  - Marine paint (unless registered under Pest Control Product Act)
  - Wood finishing oils
  - Wood preservatives (unless registered under Pest Control Product Act)
  - Melamine, metal & anti-rust paints, stains, shellac
  - Swimming pool (single component)
  - Stain blocking paint
  - Textured paints
  - Block fillers
  - Wood, masonry, driveway sealers or water repellants (non tar-based or bitumen based)
  
- Paint aerosols of all types to a maximum container size of 680g or 24oz
  - Automotive aerosols
  - Craft aerosols
  - Industrial aerosols

## **5.2 Brand Owner of Products**

The Program accepts Program Products sold in New Brunswick regardless of the brand owner.

## **5.3 Type of User**

The Program accepts Program Products sold in New Brunswick from any consumer/user of the program products, including but not limited to, households, businesses, institutions, government (all levels) and commercial painters.

## **5.4 Non-Program Material**

The Program is only responsible for managing Program Products. Products that are outside of the scope

of Program Products are defined as Non-Program Products. Non-program material includes, but is not limited to, the following:

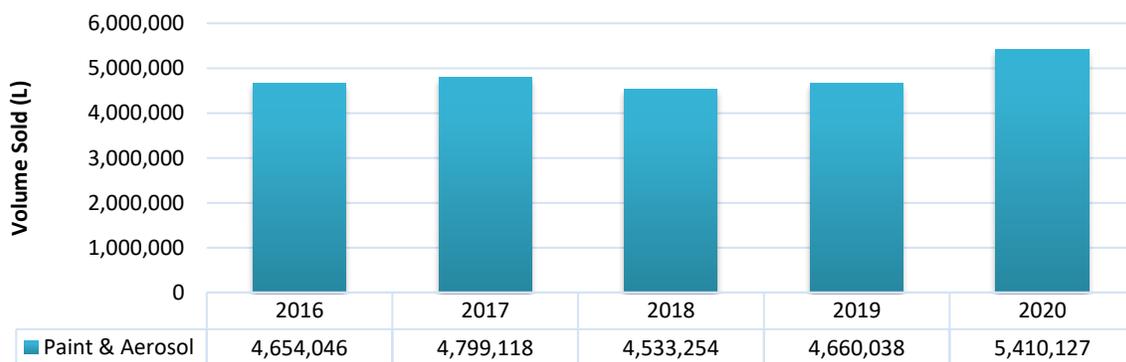
- Paints or wood preservatives that are registered as a pesticide under the Pest Control Products Act (has a P.C.P Registration number on the label)
- Non-Aerosol craft paint
- Non-Aerosol automotive paint
- Two-part or component paints containing a catalyst or activator
- Roofing products (i.e., patch, tar or repair)
- Tar or tar/bitumen-based products
- Traffic or line marking paint
- Resins, fibreglass
- Paint thinner, mineral spirits or solvents
- Deck cleaners
- Colourants and tints
- Caulking compound, epoxies, glues or adhesives
- Nitro-cellulose based paints
- Brushes, rags and rollers
- Paint containers with poor integrity (e.g., badly rusted cans) or leaking

Non-program materials, whether paint that is not included as Program Product (e.g., non-aerosol industrial coatings) or non-paint products (e.g., paint thinners), introduce unfunded costs and safety hazards into the system and are not accepted. Minimization of non-program material is achieved through a comprehensive program of public education, signage, and collection site staff training. Any non-program material that enters the system is segregated at the time of processing for special handling.

## 6 Product Sales

The quantity of paint sold annually varies with market conditions. Table 1 illustrates recent historic sales of paint and aerosol products.

**Table 1: Paint and Aerosol Sales Volumes (Litres) 2016-2020**



## 7 Product Management

### Regulatory Requirement

**39(b): the management of waste paint in adherence to the following order of preference:**

- (i) reuse*
- (ii) recycle*
- (iii) disposal in an engineered landfill*
- (iv) recovery of energy*

### 7.1 Paint Management

The objective of the Program is to eliminate the improper disposal of Program Products and related paint containers in the environment, while recovering the resources. All program products, including paint containers, are managed according to the management option(s) set out in the table below.

	Reuse	Recycle	Energy Recovery	Engineered Landfill	Incineration
<b>Latex Paint</b>	✓	✓		✓	
<b>Oil-based Paint</b>	✓	✓	✓		
<b>Aerosol Paint</b>			✓		✓
<b>Empty Paint Containers</b>		✓		✓	

#### 7.1.1 Paint Exchange (Reuse)

Product Care has implemented a “PaintShare” program, which gives away better quality returned paint (latex and alkyd) to the public at participating collection sites. This is an efficient way to manage leftover paint as the product is used for its originally intended purpose, and does not require transportation and reprocessing. However, this may reduce the average quality of paint available for reprocessing.

Users of the PaintShare program are notified that the suitability of the container contents cannot be guaranteed. Special labels are applied by site staff to each container informing consumers of this. Users are also required to sign a waiver form prior to taking the paint away for reuse.

#### 7.1.2 Residual Paint Management

The Canadian market continues to grow for latex paint, and is influenced by the steady improvement in consumer awareness and the trend to “green” building practices. Approximately 95% of paint sold today is latex-based. However, not all leftover latex paint is of suitable quality for “paint to paint” recycling and the remaining percentage must be processed and sent to an engineered landfill. Recycled paint is marketed through a number of channels in Canada and international markets.

Alkyd paint, today, represents approximately 5% of the architectural paint market and is continuing to decline in sales due to regulations relating to volatile organic compounds and other factors. While

technologies exist for “paint to paint” recycling of alkyd paints, the market is very limited and is in decline due to stricter VOC regulations and the technological advancement of water-based paint. Leftover alkyd paint can be utilized for its energy value (i.e., energy recovery), blended with other hydrocarbons as an alternative fuel in permitted facilities such as cement kilns with high level air quality controls.

### **7.1.3 Aerosol Paints Management**

The residual volumes recovered from paint aerosols are very small and represent a variety of product formulations that limit the options for recycling. Paint aerosols are punctured and the contents drained and the propellant put through a carbon filtration process. The residual paint is typically used for energy recovery and the steel containers are recycled.

### **7.1.4 Empty Paint Containers Management**

The ability to recycle empty paint containers (metal and plastic) is dependent on a number of factors including, but not limited to, availability of recycling technology, reasonable accessibility to recycling facilities, etc.

Steel containers are generally recyclable subject to market conditions. Options to recycle plastic paint containers are more limited. Containers that cannot be recycled are disposed of responsibly.

### **7.1.5 PCB Contaminated Paint and Non-Program Material**

Alkyd/oil-based paints are tested for PCB (Polychlorinated biphenyl) contamination. Where allowable PCB limits are exceeded, the paint is managed as PCB waste in accordance with regulatory requirements.

Non-program material which enters the system is segregated at the processing stage for shipment to a hazardous waste management company for processing. Depending on material type, processing methods for non-program material include landfilling, physical or chemical treatment, energy recovery or incineration.

## **7.2 Product Collection Rates**

### **Regulatory Requirement**

***39(c): the brand owner’s plan for achieving a 70% reuse rate***

No single collection measure is considered an accurate indication of the program’s performance and in some cases the performance measure is influenced by factors that are beyond the program’s control, such as market conditions. Paint is a consumable product, not a durable product, and should not be compared to other products that utilize recovery rate, residual recovery volumes or other metrics as key performance measures. Residual recovery volumes and recovery rates should be used as indicators and in conjunction with other metrics.

### 7.2.1 Residual Recovery Volume and Recovery Rate

Residual Recovery Volume (RRV) represents the actual quantity of paint (excluding containers), measured in litres, collected by the Program over a prescribed period of time. RRV is used in calculating the recovery rate of the residual product. The Recovery Rate compares the volume of product collected in a given year to the volume of product sold in that same year (i.e., collected/sold).

$$\text{Recovery Rate} = \frac{\text{Litres of paint collected}}{\text{Litres of paint sold}}$$

The quantity of paint collected is known to the Program from collection and processing data. The quantity of paint sold is calculated based on sales reports provided by the Program members to the Program. In considering recovery rate as an indicator of program performance, it must be recognized that it is a ratio of two values, which can be influenced by different factors in a given year, such as market conditions and consumer purchasing and consumption behaviour. Despite a higher recovery volume in a given year, the recovery rate can decline in comparison to the previous years if sales have increased at a higher rate. On the other hand, a decrease in the recovery rate may be a reflection of consumers using paint more efficiently. Consequently, it is important to consider recovery rate trends over time in conjunction with other performance indicators.

### 7.2.2 Reuse Rate

Section 34 of the Regulation defines reuse rate as “the amount of paint (excluding containers) reused under a paint stewardship plan divided by the amount of paint (excluding containers) collected that may be reused, expressed as a percentage.” The term “reuse” with respect to waste paint, means to process in such a way it is capable of being used by a consumer as paint. The Regulation requires that the Program must achieve an annual 70% reuse rate. This is the performance target used by the Program.

Factors that can affect the Reuse Rate include:

- Condition of returned paint
- Capacity of paint recycling/reprocessing facilities
- Current technology for paint recycling
- Markets for recycled paint

$$\text{Reuse Rate} = \frac{\text{Reuse volume (Paint Share)} + \text{volume of paint recycled}}{\text{Total volume of paint processed}}$$

The Program uses “paint volume processed” instead of “residual recovery volume” in order to calculate the reuse rate. Paint volume processed reflects the actual volume of paint processed by Product Care’s processors according to the available management options (i.e., reused, recycled, landfilled) in a given period. The residual recovery volume is not used to calculate the reuse rate because not all the paint that is collected in one year is necessarily processed in that same year.

The amount of paint collected by the Program that is reusable and/or recyclable as paint is not within the Program’s control, but rather a function of consumer behaviour, including how long consumers hold

onto the paint, whether they seal and store the paint properly or leave it exposed to dry out, or contaminate it with other materials.

The Program has consistently maintained a reuse rate greater than 70%. This has been achieved through extensive consumer education and outreach activities through Product Care's website and our program partners to make them aware of proper storage techniques for leftover paint and how to return paint to ensure its quality for reuse and recycling. The Program will continue to educate consumers on how to manage leftover paint properly to maximize the potential for reuse and recycling of residuals.

Product Care will continue to report the following on an annual basis:

- Residual Recovery Volume
- Recovery Rate
- Reuse Rate

### 7.3 Design for Environment

#### **Regulatory Requirement**

***39(d): a description of the efforts being made by the brand owner to redesign paint products to improve reusability and recyclability***

***39(h): the elimination or reduction of the environmental impacts of waste paint***

The overall program objective is to reduce the environmental impact of leftover paint through the application of the pollution prevention hierarchy of reduce/reuse/recycle. With respect to the concept of design for environment, there is limited ability for a stewardship program of this scope to influence product design. The paint industry is a consolidating industry and most brand owners manufacture for a market area that includes more than one province or country.

In general, there has been a steady shift in the marketplace from oil-based (alkyd) paints to water-based (latex) paints due to a number of factors, including:

- Consumer preference for more environmentally-friendly products
- Advanced water-based coating technology providing similar product performance as oil-based technology
- Regulatory influences such as Environment Canada's *Volatile Organic Compound (VOC) Concentration Limits for Architectural Coatings Regulation (P.C 2009-1535)*, which sets limits for VOC for a number of coatings including architectural coatings. These new regulations require coatings manufacturers to switch to low VOC formulations.

Market share of waterborne paints continues to increase, currently making up more than 95 per cent of paint products sold. This trend is expected to continue as the consumer preference for latex paint increases and technical specifications improve.

In addition, the Program utilizes the following tools to increase the amount of leftover paint reused and minimize the environmental impact of residual paint where possible:

- Variable fees paid to the Program by brand owners which increase with the size of the container
- Promotion to the consumer of the “B.U.D” rule, i.e., **Buy** what you need, **Use** what you buy and **Dispose** of the remainder responsibly
- Educating the consumer on the proper storage of leftover paint
- Operation of the PaintShare program whereby leftover paint is made available to the public free of charge
- Research into alternative management options for collected materials

## 8 Communications and Public Awareness

### Regulatory Requirement

***39(e): a communications plan for informing consumers of the brand owner’s paint stewardship plan and the location of return depots***

### 8.1 Communications Plan

Product Care maintains a robust communications plan with a range of strategies and tactics to inform consumers about the Program and the location of collection sites. The strategies and tactics are continuously optimized to maximum reach and performance.

To facilitate the coordination of communications activities with RNB, Product Care will also submit a communications plan to RNB annually by December 31<sup>st</sup> for the following calendar year. Annual communication plans will:

- Confirm strategic priorities and decision criteria
- Set out goals and objectives for the year
- Identify promotion and education tactics

### Strategic priorities

Our communication plan includes an integrated marketing communications strategy, focused on delivering a consistent message seamlessly across multiple channels. Strategic priorities include:

- 1. Drive the will to recycle paint:** Communicate a clear and consistent message to drive the will to recycle.
- 2. Extend reach:** Create compelling content that reaches our target audiences in engaging ways – match our platforms to the needs and habits of New Brunswick residents.
- 3. Improve partnerships:** Pursue message consistency. Continue to work collaboratively with Recycle NB to ensure mutual support and maximized efforts. Continue to work with other key stakeholders where synergies exist.

## **Tactics**

Tactics used in the promotion of Product Care’s paint program in NB will be subject to continuous review for their efficacy and long-term viability and may be adjusted over time to better reach target audiences and align with changes in the ways consumers access information. Some of the tactics that will be considered include the following:

## **Program website**

Product Care operates one consolidated website—productcare.org—to provide information to all stakeholders, including consumers, members, and service partners. This website also provides information specific to programming in New Brunswick.

Productcare.org includes the following tools and information:

- Recycling locator with details on hours of operation for recycling locations
- Information on the PaintShare program
- Description of products accepted, and not accepted, by the program
- Details on applicable environmental handling fees
- Information for consumers on buying the right amount of paint, as well as the safe storage and handling of program products
- Insights into what happens to paint after it’s dropped off
- Program FAQs for all stakeholder groups (FAQs will be expanded and updated)
- Environmental and economic benefits of recycling paint
- Annual reports, stewardship plans, reporting and remittance guidelines, regulatory, membership and bylaw information
- Dedicated website pages for both program members and service partners, designed to provide easy access to essential program information
- Program contact information (phone and email).
- A link to Recycle New Brunswick’s Paint Recycling page

## **Website linkages**

In addition to linking with RNB’s website, Product Care continues to coordinate efforts with municipalities and regional governments to include links to their websites.

## **Advertising**

Product Care will implement an advertising campaign visible or audible where appropriate in the province. Examples of advertising tactics include, but are not limited to: Television, digital marketing (including social media), blog, and print advertising.

With regard to social media and digital advertising, the program will continue to leverage popular social media platforms to communicate to both consumers and service providers, complimented by traditional media sources. Platforms may include, but are not limited to Facebook, Instagram, YouTube, and Twitter. The program will consider advertising on other well-known digital platforms, such as Google (display and search ads) and The Weather Network app.

## **Retail presence**

In accordance with section 46(1) of the Regulation, Product Care will continue to make available to retailers educational, consumer-facing materials about the Program, how to access collection sites, and the environmental and economic benefits of participating in the Program.

## **8.2 Consumer Awareness Levels**

As a result of comprehensive and sustained efforts to build public awareness about paint recycling in NB, consumer awareness has increased from 38% in 2013 to 80% in 2019.

The Program conducts consumer awareness surveys every two years to measure public awareness. Product Care conducts its surveys for the majority of provincial stewardship programs in even years. Harmonizing the surveys allows for greater efficiencies. Accordingly, to bring the Program in line with the other provincial stewardship programs operated and managed by Product Care, the Program plans to conduct an awareness survey in 2022, and every two years thereafter, subject to the date of Program Plan approval. Awareness levels and findings will be reported out in the Program's annual report in each year a survey is completed.

Due to the fact that only a portion of the population use paint products infrequently (unlike other more common recyclables, such as beverage containers or electronics, which most residents use frequently), it is expected that paint awareness has reached a peak and will remain stable going forward. As such, Product Care will maintain a minimum awareness level of 75% for the duration of the approved Program Plan.

## **8.3 Annual Reporting**

In accordance with section 45(1)(h) of the Regulation, the Program's annual report will detail the types of consumer information, educational materials and strategies adopted by the brand owner.

## **8.4 Review of Communications Materials**

In accordance with section 46(2) of the Regulation, any educational and consumer materials will be submitted to Recycle NB at least 30 days before release.

# **9 Collection System**

### **Regulatory Requirement**

***39(f): the establishment of return depots that will ensure reasonable and free consumer access for the return of waste paint***

## **9.1 Collection System**

### **9.1.1 Collection Sites**

The success of the Program depends on consumer awareness and program accessibility, meaning convenient access to collection sites. It is an ongoing objective of the Program to make it as convenient as possible for people to dispose of their leftover paint.

Product Care does not directly own or manage any collection sites, but contracts with a variety of collection sites, including Regional Service Commissions (RSCs), redemption centres, and paint retailers. The Program also participates in one day collection events managed by RSCs.

As of August 30, 2021, the Program provided convenient collection services to New Brunswick residents through 63 permanent, year-round collection sites where they could drop off unwanted program products (see Appendix B for a complete list of contracted collection sites.) A number of these collection sites also participate in the PaintShare program. There is no charge to drop off program products. Advance notice of large volumes is requested to ensure capacity to allow for proper storage and handling at the collection site. In addition, the Program participated in a number of collection events operated by RSCs.

The public can find their nearest collection site on Product Care's website using our recycling location locator tool.

The Program will commit to maintaining 60 collection sites. In addition, the Program intends to participate in one day events managed by RSCs. The Program will continue to analyze accessibility for residents throughout New Brunswick, and where gaps are identified, will determine strategies to improve accessibility, in consultation with Recycle NB.

Field staff provide ongoing support to the collection network, ensure that site staff have the proper information, tools and resource materials to operate. The Program will visit all collection sites at least every two years to ensure the site is operating according to guidelines.

## **9.2 Transportation and Consolidation**

An effective transportation system is required to ensure that the collection system operates efficiently. Transporters contracted by the Program attend each collection site, including SWC sites, on a regular basis to pick up full tubskids of collected paint, and to drop off empty tubskids and any related supplies.

Full paint tubskids are transported to a consolidation hub where full trailer loads are assembled for transportation to the processor, and emptied tubskids are stored for redistribution to collection sites.

## **9.3 Tracking and Auditing Mechanisms**

### **9.3.1 Tracking and Audit**

The Program will utilize a database tracking and control system to record and track waste materials managed from point of collection to recycling and disposal.

Data is collected to track volume of paint containers managed by the collection system. In addition, data is required of all processors and recyclers to track residual program product volumes collected by the Program, and how those volumes are managed, with the exception of paint aerosol residual paint volumes which are estimated based on data from other programs. This data is recorded for reporting

purposes. The system employs best management practices and guidelines, including handling and safety requirements.

### **9.3.2 Environmental Risk Management**

A necessary element of a tracking and audit system is environmental risk management. Product Care is cognizant of the need to minimize the potential for environmental incidents. Product Care works with its partners (collection sites, transporters and processors) to ensure compliance with environmental regulations and the application of best environmental practices with respect to collection, transportation and consolidation of leftover paint.

The environmental risk management system includes:

- System-wide shipping documentation and tracking system
- Due diligence reviews of depots, transporters and recyclers to ensure compliance as well as tracking system verification
- Requirement for detailed volume tracking and reporting, inventory control, and use of only established, reputable recyclers
- Development of “recycler standards” as necessary
- Development of best management practices, including training, reporting and guidelines etc. for collection sites and transporters
- Maintaining an environmental impairment insurance policy

### **9.3.3 Clean up and Decommissioning**

The Program takes a preventative approach, as detailed in the Environmental Risk Management section. From Product Care’s experience, the risk of environmental impact at collection sites or consolidation points is minimal because of the following:

- Paint is generally returned to the depots in the original consumer container, on average 1/3 full
- Collection sites and transporters do not open containers
- Containers of paint are stored in leak-proof containers
- Paint tends not to migrate in the ground in the event of a spill
- Dried paint is not considered environmentally hazardous

Unless there is a major incident, the Program does not anticipate any site mitigation required for the closure of collection sites.

## **10 Independent Assessment of Plan Performance**

### **Regulatory Requirement**

***39(g): the assessment of the performance of the brand owner’s plan by an independent auditor***

The performance of this Program Plan has been assessed by an independent auditor in accordance with section 39(g) of the Regulation. See Appendix C.

In addition, Product Care will provide an annual assessment of the performance of the Program conducted by an independent auditor in accordance with section 45(j) of the Regulation.

## **11 Annual Report**

As required by Section 45(1) of the Regulation, the Program will also report on each of the following measures on an annual basis for the previous calendar year:

- The total amount of waste paint collected in New Brunswick by the brand owner;
- The total amount of waste paint processed or in storage;
- The percentage of waste paint collected that was reused, recycled, disposed of in an engineered landfill, recovered for energy, contained, or otherwise treated or disposed of;
- A description of the types of processes utilized to reuse, recycle, dispose of in an engineered landfill, recover energy from, contain, or otherwise treat or dispose of, waste paint;
- A description of efforts to redesign paint products to improve reusability and recyclability;
- The location of collection sites;
- The location of any processing or containment facilities for waste paint;
- The types of consumer information, educational materials and strategies adopted by the brand owner;
- The annual financial statements, as prepared by an independent auditor, of the revenues received and the expenditures incurred by the Program;
- An assessment of the performance of the Program Plan prepared by an independent auditor; and
- Any other information requested by the Board that relates to the paint stewardship program.

## Appendix A: Registered Brand Owners as of August 30, 2021

List of brand owners who have appointed Product Care Association as their Agent for the New Brunswick Paint Stewardship Program, as of June 1, 2021

1	1439174 Ontario Ltd (NLS Products)	35	K-G Spray-Pak Inc.
2	3M Canada Company	36	Kleen-Flo Tumbler Industries Ltd.
3	Acklands - Grainger Inc.	37	Kubota Canada LTD
4	Alexandria Moulding - NB	38	Laurentide Re-sources Inc.
5	Amazon.com.ca, Inc.	39	Lawson Products, Inc.
6	Avanti Sports Group Inc.	40	Les Produits Techniseal
7	BASF Canada Inc.	41	Loop Recycled Products Inc.
8	Bass Pro Canada ULC	42	LPS Canada - Division of LPS Laboratories
9	Behr Process Corp.	43	Martin & Associates Inc.
10	Benjamin Moore & Co. Ltd.	44	Michaels Stores Inc.
11	Bestbuy Distributors Ltd	45	Modern Sales Co-op
12	Canadian Building Restoration Products, Inc	46	Motion Industries (Canada), Inc.
13	Canadian Tire Corporation, Limited	47	Orgill Canada Hardlines ULC
14	Cansel Survey Equipment Inc.	48	Peintures MF Inc.
15	Class C Solutions Group, MSC Industrial Supply LLC	49	PPG Architectural Coatings Canada Inc.
16	Cloverdale Paint Inc.	50	Princess Auto Ltd.
17	Comfort & Stuff imports Ltd.	51	Produits de Plancher Finitec Inc.
18	Costco Wholesale Canada Ltd.	52	RONA Inc.
19	Country Chic Paint	53	Rust-Oleum Consumer Brands Canada
20	Denalt Paints Ltd.	54	Saman Corporation (3777472 Canada Inc.)
21	Diamond Vogel Paints Inc	55	Selectone Paints Inc.
22	Ducan Products Inc.	56	Seymour of Sycamore, Inc.
23	Dynamic Paint Products Inc. DBA Lancaster Canada	57	Sherwin-Williams Canada Inc
24	Essendant Canada Inc	58	Sika Canada Inc.
25	Farrow & Ball Canada Ltd.	59	Soprema Inc.
26	Fastenal Canada Ltd.	60	TENAQUIP Limited
27	Forrest Paint Co. US\$	61	The Houtshop Inc.
28	Groupe BMR inc.	62	The Sansin Corporation
29	Henry Company Canada, Inc.	63	The Sherwin-Williams Company
30	Home Depot of Canada Inc.	64	Timber Pro Coatings Ltd.
31	Home Hardware Stores Limited	65	UAP INC.
32	IRL Supplies (2011) Ltd.	66	UCP PAINT INC
33	John Deere Canada ULC	67	Wal-Mart Canada Corp.
34	Kent Building Supplies	68	Wood Essence Distributing
		69	Wurth Canada

## Appendix B: List of Contracted Collection Sites as of August 30, 2021

Collection Site Name	Address	City	Paint Share
Airport General Store	4105 Loch Lomond Road	Saint John	No
Baie Ste Anne Building Supplies / Castle Building Center	6 Ch Riviere du Portage	Baie Ste Anne	No
Betts Home Hardware	420 Main Street	Doaktown	No
Billy's Bottle Exchange and Salvage Shop	524 Darlington Drive	Dalhousie	No
BMR D.E Landry (formerly RONA #2125)	1976 Rue Commerciale	Saint-Francois-de-Madawaska	No
BMR Parent - Saint-Quentin (formerly RONA #7200)	38 Chemin Labrie	Saint-Quentin	No
BMR Parent - Kedgwick (formerly RONA #7786)	115 rue Notre-Dame	Kedgwick	No
Boyd Brothers Ltd.	#9 - Route 172	St. George	No
Brooks Redemption Center	496 Campbell Settlement Rd	Hartfield	Yes
Caissie Building Supplies	11301 rue Principale	Rogersville	No
Canadian Tire Oromocto	345 Miramichi Road	Oromocto	No
Caraquet Home Hardware	42 Blv St-Pierre Est.	Caraquet	No
Carpet Ranch / Grange a Tapis	1263 Rue Principale	Beresford	No
Centre de Remboursement Bossé Inc.	6418 Route 17	Saint-Quentin	Yes
Centre De Remboursement le Recyclage	13790 Rte 144	Rivière-Verte	Yes
Centre De Remboursement Shippagan Les Iles Inc.	4008 Route 113, Savoie-Landing	Shippagan	No
Centre De Transbordement (CSRPA)	220 rue de L'entreprise	Caraquet	No
Clark's Bottle Exchange	137 Lilloette Drive	Chipman	Yes
CSR 1- Cogerno	248 Clement Roy Rd.	Rivière -Verte	Yes
Department of Transportation & Infrastructure	122 Currie Ave	Fredericton	No
Dupuis Home Hardware	8 Ch Pont Rouge	Memramcook	No
Fredericton Region Solid Waste Commission (District 11)	1775 Alison Blvd	Fredericton	No
Fundy Solid Waste - Crane Mountain Landfill	10 Crane Mountain Road	Saint John	No
Gilbert M Rioux et fils Ltee.	53 rue Beaulieu	Grand Sault	Yes
Golden Mile Redemption Centre Ltd.	35 Linton Road	Saint John	Yes
Gorbers Bottle Exch. Ltd.	216 High Street	Moncton	Yes
Grand Bay Redemption Centre	Colonel Nase Blvd	Grand Bay-Westfield	No

Collection Site Name	Address	City	Paint Share
Greater Miramichi Regional Service Commission	Collection Events	Miramichi	No
Hampton Recycling Centre - Satellite Depot	401 William Bell Drive	Hampton	No
Hebert's Bottle Exchange	293 Wellington Street	Miramichi	Yes
Hillsborough Recycling Depot	110 Steeves St.	Hillsborough	Yes
Horsman's Bottle Exchange Inc.	3493 Route 106	Salisbury West	Yes
Island Waste and Recycling	9 Curling Club Road	Grand Manan	No
J&L Warehousing Inc.	500 Blvd. de L'Acadie, C.P. Box 548	Edmundston	Yes
Keith's Building Supplies Ltd.	169 Route 1	St. Stephen	No
La Société Cooperative de Lamèque Ltee	68 rue Principale	Lamèque	No
Maison Du Tapis	832 Boulides Acadiens	Bertrand	No
Mapleview Redemption Center	182 Route 385	Weaver	Yes
Marina Bottle Exchange	87 Sister Green Rd	Atholville	Yes
Nepisiguit-Chaleur SWC (REDPINE) (District 3) - CSR3	1300 Route 360	Allardville	No
Northside Redemption Centre	40 Albert St	Fredericton	No
Norrad's Express and Redemption Centre Ltd.	213 McFarland Street	Sussex	Yes
Pub's Transfer & Bottle Ex Ltd.	346 Rothesay Ave	Saint John	Yes
Recyclage Chaleur	571 Rue de L'Industrie	Petit-Rocher	Yes
Richibucto Home Hardware	45 Cartier Blvd	Richibucto	No
Roblynn Home Hardware & Home Furniture	257 Restigouche Road	Oromocto	No
RONA Le Rénovateur - Edmundston (Store #8379)	595 Rue Carrier	Edmundston	No
Sainte Antoine Home Hardware Building Centre / Ledger General Store	4612 Rue Principale	Sainte-Antoine	No
Shediac Redeem Center / Eastern Propane	610 Main St	Shediac	Yes
South West Solid Waste Commission (District 10)	5749 Route 3	Lawrence Station	No
Southeast ECO 360 Regional Service Commission	2024 Route 128 Berry Mills	Moncton	No
Southern Valley Transfer Station	155 Moffatt St	Woodstock	Yes
Southside Redemption Centre	70 Timothy Avenue	Hanwell	Yes
Tediche Home Hardware Building Centre	2499 Acadie Road	Cap-Pele	No
Tri-R Redemption Centre	18 Lewis Street	Oromocto	No

Collection Site Name	Address	City	Paint Share
Vail's Bottle Exchange	522 Main St.	Woodstock	Yes
Valley Glass Recycling Ltd.	665 Babin Street	Dieppe	Yes
Valley Glass - Juniper/Collishaw (formerly Tri Province Enterprises (1984) Ltd.)	323 Collishaw St.	Moncton	Yes
Valley Glass - Toombs (formerly Tri Province Enterprises (1984) Ltd.)	1 Market Street	Moncton	Yes
Valley Redemption - Quispamsis	88 Toombs St.	Quispamsis	Yes
Watson's Store Ltd.	2686 Route 3	Harvey	No
Wheaton's All in One	13 Industrial Drive	Sackville	Yes
Wiebe's Home Building Centre	3151 Main Street	Centreville	No

## **Appendix C: Independent Assessment of Plan Performance**

### New Brunswick Paint Stewardship Program Plan – An Independent Assessment

#### BACKGROUND

The New Brunswick Paint Stewardship Plan (Program Plan) developed and submitted by Product Care Association of Canada (Product Care) to RecycleNB in September 2021 is intended to meet the regulatory requirement set forth in the Designated Materials Regulation (2008-19) and to provide strategic direction to the delivery of the paint stewardship initiative in New Brunswick.

The requirements of Product Care to develop and deliver the paint stewardship program are set out in the Designated Materials Regulation (2008-19) – Clean Environment Act. Specifically, section 39 (g) requires “the assessment of the performance of the brand owner’s plan by an independent auditor”. This document is intended to provide a review of the Program Plan and to meet the requirements of the regulation.

The independent auditor that undertook the review of this plan has extensive experience in environmental management and policy development, including matters related to stewardship, waste management and recycling. Additionally, the reviewer has a professional background in strategic planning and operational program implementation processes. This expertise was developed through professional experiences (40+ years) with industry, provincial (NB Environment & Local Government) and federal governments (Canadian Environmental Assessment Agency) and currently as a sustainability consultant.

## REVIEW PROCESS

This review was informed by the existing New Brunswick Paint Stewardship Plan (2016-2021), this New Brunswick Paint Stewardship Plan (September 2021), the regulatory requirements set out in the Designated Materials Regulation (2008-19), discussion with RecycleNB staff, and the professional experiences of the reviewer on waste management and recycling matters.

In general terms, Product Care has been successfully implementing the paint stewardship program in the province of New Brunswick since 2009. Based on this and the lessons learned through similar program implementation in other Canadian provincial jurisdictions Product Care has developed a practical and progressive program plan that will serve to guide operational activities for the life of this plan.

It is important for Product Care and RecycleNB to recognize that section 43 of the regulation provides the opportunity to amend the Program Plan. Should significant advances in paint production and management occur during the life of this document it may become prudent to consider updating the Program Plan.

## PROGRAM PLAN REVIEW

The Program Plan clearly outlines how the regulatory requirements of section 39 in the regulation will be addressed and managed by Product Care on behalf of the paint brand owners.

The Program Plan identifies the approach(es) that Product Care will take to achieve the regulatory requirements and provide a successful paint stewardship program in New Brunswick.

Section 39 of the regulation sets out the requirements and goals of the paint stewardship program;

- The collection of waste paint
- A management hierarchy (reuse; recycle; proper disposal; energy recovery)
- The Stewardship Plan (to meet or exceed the 70% re-use rate target in regulation)
- Innovation to improve reuse and recycling of paint products
- An approach to communications with the public to enable program success
- An extensive province-wide waste paint collection system
- Assessment of the Paint Stewardship Plan (this document)
- And the ultimate goal; elimination or reduction of the environmental impacts of waste paint in New Brunswick.

Specifically, the Program Plan addresses the regulation requirements as follows;

Subsection/requirement	How Program Plan meets requirement
(a) the collection of waste paint in New Brunswick, including the waste paint of other brand owners	Through a province-wide system of collection depots (currently 63 in place)
(b) the management of waste paint in adherence to the following order of preference: (i) reuse; (ii) recycle; (iii) disposal in an engineered landfill; and (iv) recovery of energy	The Program Plan outlines how paint products and containers will be managed following this hierarchy. The document also defines how contaminated paint products and non-program materials will be managed.

Subsection/requirement	How Program Plan meets requirement
(c) the brand owners plan for achieving a 70% reuse rate	The Program Plan speaks specifically to education and outreach and strong participation of program partners as the main factors in ensuring this target will continue to be met.
(d) a description of the efforts being made by the brand owner to redesign paint products to improve usability and recyclability	The Program Plan identifies the “steady shift” from oil-based to water-based paint products. From 90% to 95% over the last Program Plan (2016-2021) cycle. The change as result of consumer demand, industry innovation, regulatory requirements, and an industry-wide approach to stewardship.
(e) a communications plan for informing consumers of the brand owner’s paint stewardship plan and the location of return depots	The approach to communications with program partners and consumers is provided in detail. Communication efforts will continue to evolve and employ effective, innovative tactics and tools to get this information to target audiences.
(f) the establishment of return depots that will ensure reasonable and free consumer access for the return of waste paint	Plan notes that consumer accessibility, along with consumer awareness, as the main factors in support of a successful program. The program supports 63 collection depots around the province to achieve this requirement.

Subsection/requirement	How Program Plan meets requirement
(g) the assessment of the performance of the brand owner’s plan by an independent auditor	This document provides the independent assessment of the Program Plan.
(h) the elimination or reduction of the environmental impacts of waste paint	The Program Plan outlines the stewardship approach that Product Care will follow to accomplish this goal and to meet this regulatory requirement.

It is the opinion of this reviewer that Product Care has prepared a Program Plan that will accomplish these requirements.

The Program Plan (September 2021) has evolved and progressed from the New Brunswick Paint Stewardship Plan (2016-2021). For example, the evolution and improvements to the approach to communications and public awareness show how Product Care has, and plans to, utilize emerging internet based communication tools like social media.

Product Care has developed and supports a robust network of collection depots (with a New Brunswick based program resource) that enables paint product consumers to participate in the program. This is an essential piece of the paint stewardship program in the province.

Additionally, (as stated above) consumer awareness is enhanced through an approach to communications that is very broad in nature and is supported by partners to the program throughout the province. This aspect of program delivery clearly demonstrates how the Program Plan utilizes evolving strategies

and tactics to influence consumer awareness on paint stewardship in New Brunswick.

The Program Plan notes that “there is limited ability for a stewardship plan to influence product design “(7.3 Design for Environment). It is the opinion of this reviewer that stewardship initiatives and program plans like this do indeed influence the development of products that are moving towards achieving the ultimate goal set out in section 39 (h) of the Designated Materials Regulation (2008-19), “the elimination or reduction of the environmental impacts of waste paint”. While not the only factor involved, it is important to consider that brand owners engage Product Care to manage stewardship for them and the awareness of consumer demands, as well as those of the regulatory community are informed by this Program Plan and subsequent annual reports.

Brand owners that are innovators and leaders will continue to develop paint products that have less impact on our world and potentially be more profitable for them.

## CONCLUSION

The New Brunswick Paint Stewardship Plan (September 2021) clearly sets out how Product Care seeks to deliver a paint stewardship initiative to consumers in the province of New Brunswick that meets all regulatory requirements set out in the Designated Materials Regulation (2008-19). Product Care has built on past programs and considered technology and communication enhancements to set the course for program delivery during the time-frame established by this renewed stewardship plan.

Kim Hughes, BSc

22 September 2021