



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

February 18, 2020

The Honorable Amanda Gourgue
Chair, House Environment & Agriculture Committee
Legislative Office Building, Room 303
Concord, NH 03301

RE: HB 1570-FN, An Act Establishing an Architectural Paint Recycling Program

Dear Chair Gourgue and Members of the Committee:

Thank you for the opportunity to testify on HB 1570-FN. This bill would establish an architectural paint take back program to provide for the collection, transport, reuse, recycling and disposal of postconsumer paint funded by a fee added to the retail price of paint at the point of sale. While the NH Department of Environmental Services (NHDES) supports efforts to establish a paint take back program in New Hampshire, the Department has concerns about the resources necessary to implement the various regulatory requirements associated with this bill.

As introduced, HB 1570-FN would require NHDES to adopt administrative rules, review and approve plans to establish the program, monitor compliance, pursue enforcement, maintain a website, and review financial audit reports and annual reports. Because NHDES does not have existing program resources dedicated to such product stewardship activities, the Department would have to hire additional staff to meet its obligations under this bill. The fiscal note prepared for this bill reflects the potential impact to NHDES and the General Fund for an additional part-time employee at an annual cost of approximately \$48,500 to \$52,500. During the first couple years of implementation there would likely be additional costs associated with developing the program, coordinating rules between the Hazardous Waste and Solid Waste Programs, travel related to compliance monitoring, investigating complaints and fielding stakeholder inquiries.

NHDES is concerned that this bill would require the Department to undertake new and expanded responsibilities for which it is not currently resourced. NHDES believes further study is needed in order to examine details regarding implementation, to ensure that such a program would make best use of limited state resources while meeting the needs of the consumers and small businesses that would be impacted. NHDES would welcome the opportunity to participate in further study.

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Thank you again for the opportunity to comment on HB 1570-FN. Should you have questions or need additional information, please feel free to contact either John Duclos, Administrator, Hazardous Waste Management Bureau (John.Duclos@des.nh.gov, 271-1998) or Michael Wimsatt, Waste Management Division Director (Michael.Wimsatt@des.nh.gov, 271-1997).

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Scott". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert R. Scott
Commissioner

cc: Sponsors of HB 1570-FN Representatives Buchanan, Read