

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Materials Management, Bureau of Waste Reduction & Recycling

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[www.dec.ny.gov](http://www.dec.ny.gov)

January 6, 2022

Mr. Andrew Radin  
New York Program Manager  
PaintCare New York LLC  
901 New York Avenue NW  
Washington, DC 20001

## **Re: PaintCare's New York Paint Stewardship Program Plan, dated December 1, 2021**

Dear Andrew Radin:

The New York State Department of Environmental Conservation (DEC) has completed its review of PaintCare's New York Paint Stewardship Program Plan (Plan), dated December 1, 2021, a revised submission of the plan originally submitted July 3, 2020. The revised plan was reviewed for compliance with Section 27-2003 of the NYS Environmental Conservation Law (ECL).

While DEC notes and commends PaintCare on its progress toward presenting a program plan that meets the requirements of Title 20 of the ECL, PaintCare's revised Plan does not fully demonstrate that it will provide for a statewide collection network that meets the collection site criteria set forth in ECL § 27-2003(3)(e). However, in consideration of the revisions made in the revised Plan and with the understanding that PaintCare's recruitment of collection sites is likely to increase in the months closer to the program start date, DEC will conditionally approve the December 1, 2021 revised Plan in the interest of moving the program forward to a May 1, 2022 implementation date. This conditional approval is subject to the following additional requirements:

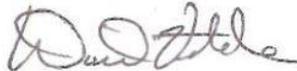
- This conditional approval is issued with the requirement that PaintCare submit monthly reports to DEC beginning February 1, 2022, detailing the successful recruitment of collection sites towards the goal of fulfilling the convenience criteria noted above.
- Beginning May 1, 2022, PaintCare will submit a monthly report to DEC listing the collection sites in operation, as well as detailing ongoing recruitment efforts to add additional collection sites.
- This conditional approval will be reviewed when the first annual report is submitted, due October 15, 2022, or when PaintCare demonstrates to DEC that the collection site convenience criteria of the ECL has been met.

Under this conditional approval, the Plan will be considered effective immediately and will be posted to DEC's website, along with a copy of this letter. PaintCare must also post the same to its website.

Thank you for your continued efforts to move this important program forward to implementation in New York State. DEC looks forward to a successful start of the PaintCare program in New York on May 1, 2022.

Please contact Peter van Erp of the Division of Materials Management's Product Stewardship Section at [peter.vanerp@dec.ny.gov](mailto:peter.vanerp@dec.ny.gov) or (518) 402-8706 with any questions you may have regarding DEC's approval or the ongoing implementation of PaintCare's Program.

Sincerely,

A handwritten signature in black ink, appearing to read "David Vitale". The signature is fluid and cursive, with the first name "David" and last name "Vitale" clearly distinguishable.

David Vitale  
Director  
Division of Materials Management