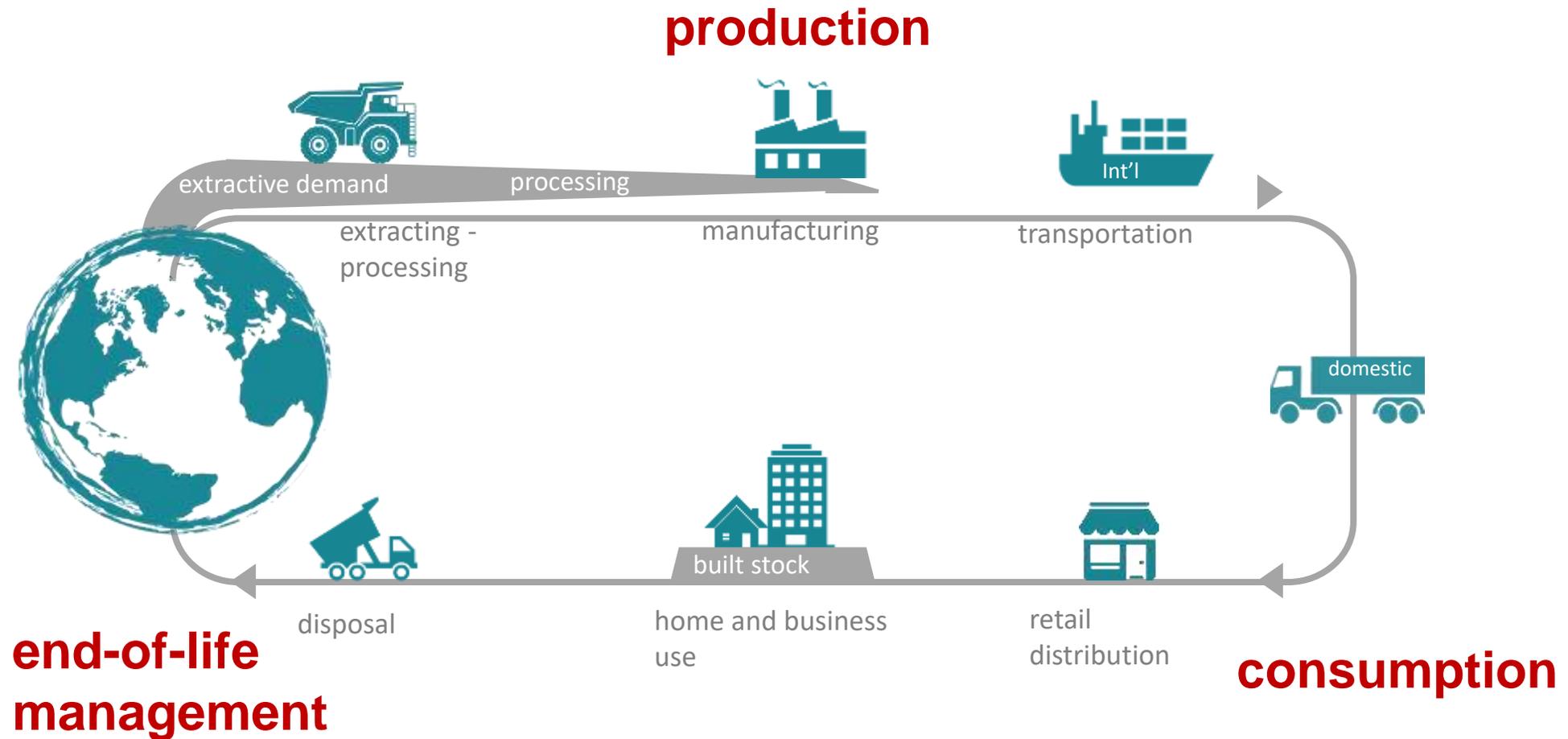


Item D: Recycling Updates 2023 Rulemaking Materials Management Program

Sept. 22, 2022

Environmental Quality Commission

What is Extended Producer Responsibility?



New Legislation in 2021

Oregon's Plastic Pollution and Recycling Modernization Act

- Senate Bill 582, 2021
- Shared and new responsibilities for local governments, processing facilities, producers
- Comprehensive reform and modernization



Root Challenges....

and New Solutions

Public confusion over what can be recycled

One statewide collection list

Unstable markets, unfavorable economics

Commodity Risk Fee

Inequities in the recycling system

Social equity elements

No assurance of responsible recycling

Responsible End Markets
and Processor Permitting

Root Challenges...

and New Solutions

More waste and less recycling

Waste prevention programs

Increasing plastic pollution and waste

Reducing lifecycle impacts

Reduction goals accountability

Plastic packaging and recycling goals

More waste and less recycling

Ease and accessibility increases recycling

How it will Work



Recycling Council Members

Name	Organization
Dan Felton	Ameripen
Dylan de Thomas	The Recycling Partnership
Sergio Garcia-Cruz	Centro Cultural
Sen. Bill Kennemer	Oregon Senate
Scott Keller	Beaverton
Steve Kramer	Wasco County
Laura Leebrick	Rogue Waste Systems
Angie Marzano	Lane County
Rep. Susan McLain	Oregon House of Representatives
Celeste Meiffren-Swango	Environment Oregon

Recycling Council Members

Name	Organization
Gary R. Panknin	Pak Tec
Pam Peck	Metro
Jason Pierzina	International Paper
Joan Popowics	Procter & Gamble
Alando Simpson	City of Roses Disposal & Recycling
Vinod Singh	Far West Recycling
Elizabeth Start	Start Consulting Group
Carolyn Stein	BRING Recycling
Taylor Cass Talbott	Trash for Peace

Key Obligations



PRODUCERS

- Join PRO
- Report annual sales
- Evaluate life cycle impacts (large producers only)
- **Pay annual fees**



LOCAL GOVERNMENTS

- Identify opportunities for service expansion
- Participate in the needs assessment
- **Expand recycling services to encompass uniform statewide collection list materials**



LOCAL WASTE MANAGEMENT



MATERIAL PROCESSORS

- Permitting (processors)
- **Send materials for recycling to responsible end markets (processors)**

Key Obligations of the PROs



Social Equity Elements

- Living wages and benefit requirements
- Investments in education and outreach
- More equitable access to recycling services

Rulemaking 1

- Two phases
- 17 member Rulemaking Advisory Committee (RAC)
- 5 RAC meetings
 - Presenting topics and subtopics for technical and fiscal considerations



Rulemaking Advisory Committee

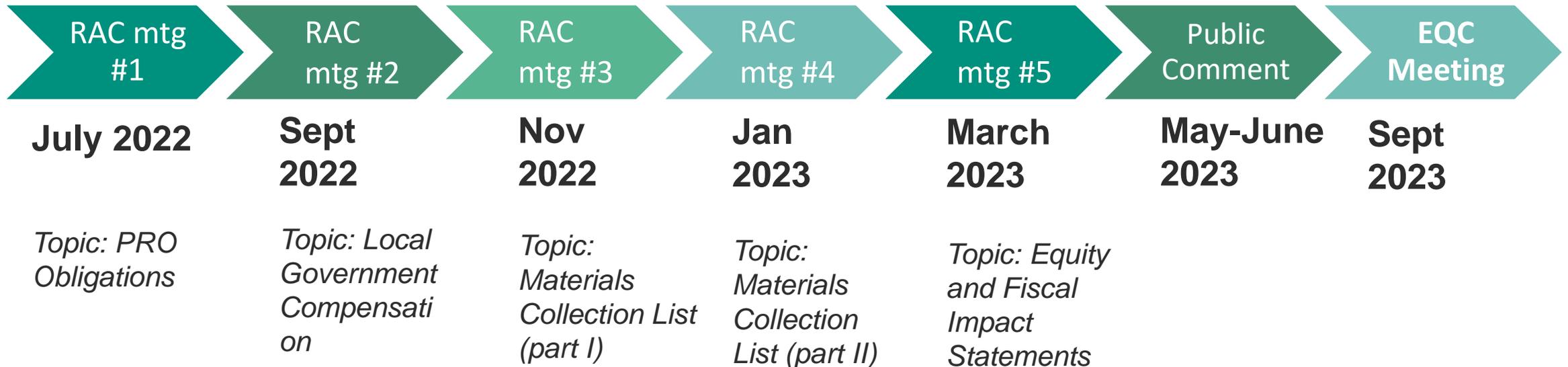
Name	Organization
Trevor Beltz	Tillamook County Creamery Association
Udara (Abeysekera) Bickett	The Environmental Center
Rosalynn Greene	Metro
Sydney Harris	Product Stewardship Institute
Allen Langdon	Circular Materials
Michael R. McHenry	Pendleton Sanitary Service, Inc.
Kristan Mitchell	Oregon Refuse and Recycling Association
Jeff Murray	EFI Recycling, Inc.

Rulemaking Advisory Committee

Name	Organization
Deveron Musgrave	City of Eugene
Jerry Powell	Residents
Mallorie Roberts	Association of Oregon Counties
Jared Rothstein	Consumer Brands Association
John Salvador	Georgia-Pacific Professional
Craig Smith	Food Northwest
Paloma Sparks	Oregon Business & Industry
Taylor Cass Talbott	Trash for Peace
Nicole Willett	Resource Recovery Alliance

Rulemaking 1: Timeline

We Are Here



Rulemaking 1: Scope

- Rule Concept Topics:
 - Producer Responsibility Organization Obligations
 - Local Government Compensation
 - Materials Acceptance Lists



Producer Responsibility Organizations

- “PRO”
- A nonprofit organization
- Established to administer a producer responsibility program, which is a statewide program for the responsible management of covered products.
- Companies meeting the definition of ‘Producer’ will be required to join a PRO by July 1, 2025

Producer Responsibility Organizations

- Obligations
 - Reimbursing local governments for certain costs
 - Providing collection services that meet DEQ's performance and convenience standards
 - Ensuring collected materials go to responsible end markets
 - Providing a Commodity Risk Fee to reduce fluctuation in rates
 - Supporting expansion of plastic recycling to meet statewide goals

PRO Obligations - Rule Concepts

The Act requires the EQC to establish by rule the obligations of PROs. DEQ presented rule concepts to the RAC related to:

Annual Fee	Charged to each PRO to pay the costs to the DEQ for administering, implementing and enforcing the Act.
Market Share	Methods for calculating market share (to set thresholds for minimum PRO size, determining "large producers", and splitting fees among multiple PROs).
Coordination	Standards and requirements for coordination plans and coordination between PROs.

PRO Obligations - Rule Concepts

Additional rule concepts presented:

Plan Review	A process for plan submittal, review, approval, or rejection and revocation
Plan Review Fee	A fixed, one-time fee for reviewing a PRO program plan
Responsible End Markets	Definitions and standards clarifying “responsible end markets”
Orders	A process for DEQ to issue an order requiring a coordination plan

Local Government Compensation

PROs are required to provide funding or reimbursement to local governments or their service providers for aspects of the local recycling system under [ORS 459A.890](#). Rule concepts include:

Transportation Costs	Transportation from recycling depots and reload facilities to closest responsible end markets or commingled recycling processing facility
Service Expansion	Periodic recycling needs assessments, and expanding services based on findings
Contamination Reduction Programming	Methods for determining population-based funding for generator-facing contamination reduction efforts

Materials Collection Lists

- Based on DEQ recommendations, the EQC will define what constitutes a “recyclable material”
 - End markets
 - Economics
 - Environmental impacts



For More Information

recyclingact.oregon.gov

- **Rulemaking Advisory Committee**

Next meeting September 28, 2022

- **Recycling Council**

Next meeting October 20, 2022

Thank You

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