



Oregon E-Cycles Modernization: Rule Concepts

Rulemaking Advisory Committee Meeting 1

Overview

DEQ is conducting a rulemaking to implement [House Bill 3220 \(2023\)](#), which changes the Oregon Electronics Recycling Law (Oregon Revised Statutes 459A.300 to 459A.355) to [modernize Oregon E-Cycles](#), the state's electronics recycling program. Changes to the existing program take place starting Jan. 1, 2026.

Oregon E-Cycles offers free recycling of devices covered by the law (i.e., "covered electronic devices"). The services are available to Oregon households, a business or nonprofit organization that employs 10 or fewer individuals, and any person giving seven or fewer covered electronic devices to a collector at one time. The program uses environmentally sound management practices—including record keeping, tracking the fate of recycled materials, performance audits, and inspections—to ensure the responsible handling and processing of collected electronics. Since operations began in 2009, the program has collected over 300 million pounds of electronic devices. The program is operated by organizations known as producer responsibility organizations; these producer responsibility organizations operate their programs on behalf of producers of covered devices, with funding from their producers. DEQ monitors program operations and producer participation for compliance with the law. As part of its oversight, DEQ reviews and approves program plans that detail how a producer responsibility organization will operate its program; DEQ also reviews annual reports from producer responsibility organizations and has authority to audit and inspect program records.

The program currently covers TVs, monitors, computers, printers, and keyboards and mice. Starting in 2026, additional types of covered electronic devices will be accepted by collectors for recycling. The new law will bring other changes to Oregon E-Cycles program, including:

- Raising the minimum number of permanent collection sites required for convenience;
- Requiring a producer responsibility organization to provide equitable service throughout the state and to engage with minority, rural, low-income, and other historically underserved communities in sustaining high awareness of the program in these communities;
- Reducing DEQ's role in program implementation, while allowing for one or more producer responsibility organizations to operate, with coordination required for certain program elements if multiple producer responsibility organizations exist; and
- Eliminating the state contractor program.

The statutory references below refer to the statute as it will be in 2026.

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Rule concepts for discussion at the March 7, 2024 committee meeting

DEQ is seeking feedback from Rulemaking Advisory Committee members on concepts related to the following topics in meeting #1:

- Covered electronic devices
- Defining product categories
- Standards for collection sites

Topic 1: Covered electronic devices

DEQ proposes to provide clarity on which electronic devices are covered under Oregon E-Cycles by including, through rule:

- Non-exhaustive examples of devices that are considered "desktop computers," "laptop computers," and other covered electronic devices; and
- A definition for and non-exhaustive examples of "peripherals."

Oregon E-Cycles currently accepts, for collection, desktop and portable computers; printers; TVs; computer monitors of any type having a viewable area greater than four inches measured diagonally; and keyboards and mice.

Beginning Jan. 1, 2026, the Oregon E-Cycles Program will begin accepting the following additional devices:

- A facsimile machine;
- A videocassette recorder;
- A portable digital music player that has memory capability and is battery powered;
- A digital video disc player;
- A digital video disc recorder;
- A video game console;
- A digital converter box;
- A cable receiver;
- A satellite receiver;
- A scanner;
- A small-scale server;
- A router;
- A modem; and
- Other peripherals, as defined by the Environmental Quality Commission.

Note that manufacturers of these devices, except for peripherals, will have to register with DEQ.

Rule concepts

DEQ proposes to provide the following rule concepts:

1. Include the following as examples of a computer monitor:
 - A cathode-ray tube monitor
 - A flatscreen monitor
 - A touchscreen monitor, such as an interactive whiteboard or panel
2. Include the following as examples of a desktop computer:
 - A thin client

- A mini, single-board, or small form factor personal computer
- An all-in-one computer

3. Include the following as examples of portable computers:

- A laptop
- A tablet
- An e-reader

4. Include the following for “peripherals”:

“Peripheral” includes an ancillary device or equipment sold for use with a covered electronic device that connects through wires or wirelessly to a covered electronic device and includes:

- A cable or cord sold for use with a covered electronic device;
- A controller for a covered electronic device, such as a game controller, a joystick, or a flight simulation controller;
- Headphones or ear buds;
- A standalone speaker intended for use with covered electronic devices, but not a speaker intended for amplifiers or sound systems;
- An external drive;
- A digital or media streaming device;
- A web camera;
- A headset, including an augmented reality or virtual reality headset

References

- ORS 459A.305(4): definition of “covered electronic device”
- ORS 459A.305(13): definition of “peripheral”
- ORS 459A.305(15): definition of “portable computer”
- ORS 459A.305(17): definition of “printer”
- ORS 459A.305(22): definition of “television”

Topic 2: Product categories

The statute requires the Environmental Quality Commission to set product categories for purposes of sorting covered electronic devices at collection. DEQ seeks the rulemaking advisory committee’s input on what these categories should be.

When people bring covered electronic devices to a collection site, the collection site will sort the devices into different categories. The devices are then sent to a processor to be recycled. The product categories facilitate the recycling process by grouping similar devices together. The categories also inform how overall cost of the program is divided among manufacturers. Per statute, DEQ will calculate a manufacturer’s market share within each product category; the market share is then used to calculate the manufacturer’s percentage of the total obligation of all manufacturers of covered electronic devices.

Currently, Oregon E-Cycles sorts covered electronic devices into five categories: (1) computers; (2) monitors; (3) TVs; (4) keyboards and mice; and (5) printers. The rule must set the categories to accommodate the new covered electronic devices.

Rule concept

DEQ proposes the following product categories for discussion:

Category	Devices
1	Computers Small-scale servers
2	Monitors Printers Scanners Fax machines
3	TVs
4	Peripherals
5	Portable digital music players Digital video disc players Digital video disc recorders Videocassette recorders Video game consoles Digital converter boxes Cable receivers Satellite receivers Routers Modems

Discussion prompts

1. Are there any devices or groups of devices that should be separated out into additional categories?
Note:
 - Additional categories may require more work on the collection sites in sorting.
 - Electronics recycling programs in other states set between five and eight product categories.
2. Should DEQ consider separating cathode-ray tube monitors and TVs, which contain lead, a toxic metal, from flat-screen monitors and TVs?
 - For example, cathode-ray tube TVs and monitors can be one category and flat-screen TVs and monitors can be a separate category.
3. Is there any other criterion DEQ should consider in defining categories?

References

- ORS 459A.305(11): definition of "market share"
- ORS 459A.305(18): definition of "product category"
- ORS 459A.323(2)(a): calculation of manufacturer obligations
- ORS 459A.340(2)(a): determination of market share

Topic 3: Collection Site Standards

DEQ proposes the following rule concepts to clarify standards for collection sites and other elements around collection.

Oregon E-Cycles must offer convenient, free electronics recycling throughout Oregon. This means providing convenient collection sites where the public can drop off covered electronic devices for recycling. Under the modernized Oregon E-Cycles system, an electronics producer responsibility organization must provide a network of collection sites distributed to ensure that 95 percent of Oregon residents are within 15 miles of a collection site. An electronics producer responsibility organization must also provide a specified minimum number of collection sites in each county and additional collection sites, based on population density, in cities with a population of at least 10,000.¹ The statutorily required number of collection sites is typically referred to as the “convenience network.”

In addition to providing free electronics drop-off, a collector may charge for premium services. Premium services are services such as at-location system upgrade services and at-home pickup services, including curbside pickup service.

Rule Concepts

DEQ proposes the following to help clarify what qualifies as a collection site for an electronics producer responsibility program to meet requirements for convenient service:

1. A collection site is a collector that, in addition to any premium services, accepts **all** categories, types and brands of covered electronic devices at no charge to covered entities.
2. The statute requires collection sites to be staffed and open to the public at a frequency adequate to meet the needs of the area being served. DEQ proposes to clarify that this includes being staffed and open to the public at least five days a week during regular business hours.
3. An electronics producer responsibility organization must require each collector participating in its program to comply with environmentally sound management practices, including recordkeeping and complying with inspections and performance audits, and must provide all collectors the same level of oversight to ensure compliance.
4. Premium services that charge to collect electronic devices may not be used to meet minimum convenient service standards. However, an electronics producer responsibility organization may count pounds of covered electronic devices collected by a collection site through premium services towards the electronics producer responsibility organization’s collection goals.

References

- ORS 459A.305(2): definition of “collector”
- ORS 459A.320(2)(d): requirements for an electronics producer responsibility organization to provide convenient service, as described in an electronics producer responsibility program plan
- DEQ’s [Oregon E-Cycles Collection System Standards](#)

¹ DEQ may waive the required number of collection sites in a county or city if an electronics producer responsibility organization, through its proposed plan, demonstrates to DEQ’s satisfaction that alternative services or alternative collection sites would provide substantially equivalent collection convenience.

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