



Oregon Department of Environmental Quality

Rule Concept: Commingled Recycling Processing Facility Permit Program

Performance Standards – Outbound Contamination Rate

Plastic Pollution and Recycling Modernization Act (SB 582, 2021)
Rulemaking Advisory Committee Meeting 6, Rulemaking 2

Feb. 29, 2024

Background

ORS 459A.955(2)(c) requires a permitted commingled recycling processing facility to manage contaminants to avoid impacts on other waste streams or facilities. To address this requirement in rule, this memo proposes a draft rule concept for a performance standard which will establish an outbound contamination rate in the proposed [commingled recycling processing facility permit](#).

Rule concept for discussion at March 14, 2024 RAC meeting

I. Outbound contamination rate

Per ORS 459A.955(2)(c):

(2) A disposal site permit issued to a commingled recycling processing facility must require the facility to:

(c) Manage contaminants to avoid impacts on other waste streams or facilities;

DEQ proposes the following conditions in the commingled processing recycling facility permit to meet the requirements of ORS 459.955(2)(c):

- Effective July 1, 2025, processed Uniform Statewide Collection List-related materials that are destined to be sent to a responsible end market must not include more than 5 percent contaminants, by weight, with contaminant meeting the definition provided under ORS 459A.863(4)(b). The 5 percent rate will be determined based on the average of material assessed, whether the material to be assessed is in loose or baled form.
- If a commingled recycling processing facility sends bales of mixed plastics to a [limited sort facility](#), the commingled recycling processing facility must obtain data from the limited sort facility demonstrating that the materials were subsequently transferred from the limited sort facility to a responsible end market, regardless if the responsible end market is the same or a different business entity.
 - This reporting requirement is limited to the tonnage of materials equal to the tonnage of materials transferred by the commingled recycling processing facility to that limited sort facility.
 - DEQ acknowledges that out-of-state facilities are unlikely to separate out the tons of material they receive from Oregon. Therefore, the limited sort facility may choose a representative sample of outbound tons to report to the commingled recycling processing facility.
 - Any data a CRPF obtains from a limited sort facility for the purposes of meeting the outbound contamination rate, would be reported to DEQ on a monthly basis.

Translation or other formats

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