



Oregon Department of Environmental Quality

Producer Pre-Registration

Plastic Pollution and Recycling Modernization Act (SB 582, 2021)

Rulemaking Advisory Committee Meeting 7, Rulemaking 2

March 26, 2024

Background

Producers that sell, offer for sale or distribute in or into this state covered products on or after July 1, 2025 are required to be a member of a producer responsibility organization per 2021 c.681 §60 and ORS 459A.869. As such, an obligated producer is required to join and pay fees to a producer responsibility organization on July 1, 2025, the Act's start date.

It is arguably in the interest of all producers that there be broad producer engagement with the PRO prior to the start date. Specifically, there are several benefits if producers provide 2024 supply data to the PRO before July of the following year.

- PROs are required as part of program plan submissions to demonstrate that membership fees collected will provide adequate revenue to fund all PRO expenses per ORS 459A.884(1). This will be particularly challenging at the start of the program when there are many PRO obligations with a high degree of potential cost variability, and considerable uncertainty related to total producer supply volume.
- Without advance market data from most producers, initial fees will likely need to be set higher to provide a cushion to account for uncertainties in supply and in cost.
- More accurate supply data would reduce contingency fee amounts required to manage a fluctuation in potential supply volume.

Rule Concept: Producer Pre-Registration

DEQ proposes a rule that would require a producer intending to sell, offer for sale or distribute covered products in or into the state on or after July 1, 2025 to pre-register with and submit 2024 supply data to a producer responsibility organization no later than March 31, 2025.

This rule does not require producers to pay fees to a PRO prior to the start date, nor does it prevent producers from definitively registering with a producer responsibility organization and beginning to pay member fees on or after July 1, 2025.

Non-discrimination statement

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