

Public Hearing: Oregon E-Cycles Rulemaking

Materials Management Program
Land Quality Division

Tuesday, Sept. 17, 2024, 10 a.m.
Zoom Virtual Meeting

Agenda

- Welcome
- Informational session
- Q&A
- Formal public comment
- Adjourn public hearing

Logistics

- For questions or comments, please use “raise hand” function
 - If you are on the phone, *9 will access this function
- Your audio will be muted during the presentation, and will be opened for questions and comment as needed
- The chat function is turned off, but will be opened for the question/answer session and comment sign-ups later today
- If you experience technical difficulty, please email for assistance:
Nicole.Hogan@deq.Oregon.gov

How to comment

- At this public hearing
 - Include name and organization
- Email: Send comments by email to ECycles.2024@DEQ.oregon.gov
- Postal mail:
Oregon DEQ
Attn: Rachel Harding, Oregon E-Cycles
700 NE Multnomah Street, Suite 600
Portland, Oregon 97232-4100

All comments must
be received by
5 p.m., on Monday,
Sept. 30, 2024

Rulemaking timeline



Oregon E-Cycles

- Statewide program
- Requires electronics manufacturers to provide responsible recycling for their devices
- Since 2009, over 300 million pounds collected
- Changes begin 2026



Extended Producer Responsibility in Oregon

Existing



Drug Take-Back Program



PaintCare™
RECYCLING MADE EASY

Upcoming

Printed paper, packaging and food serviceware



Mattress Recycling Program

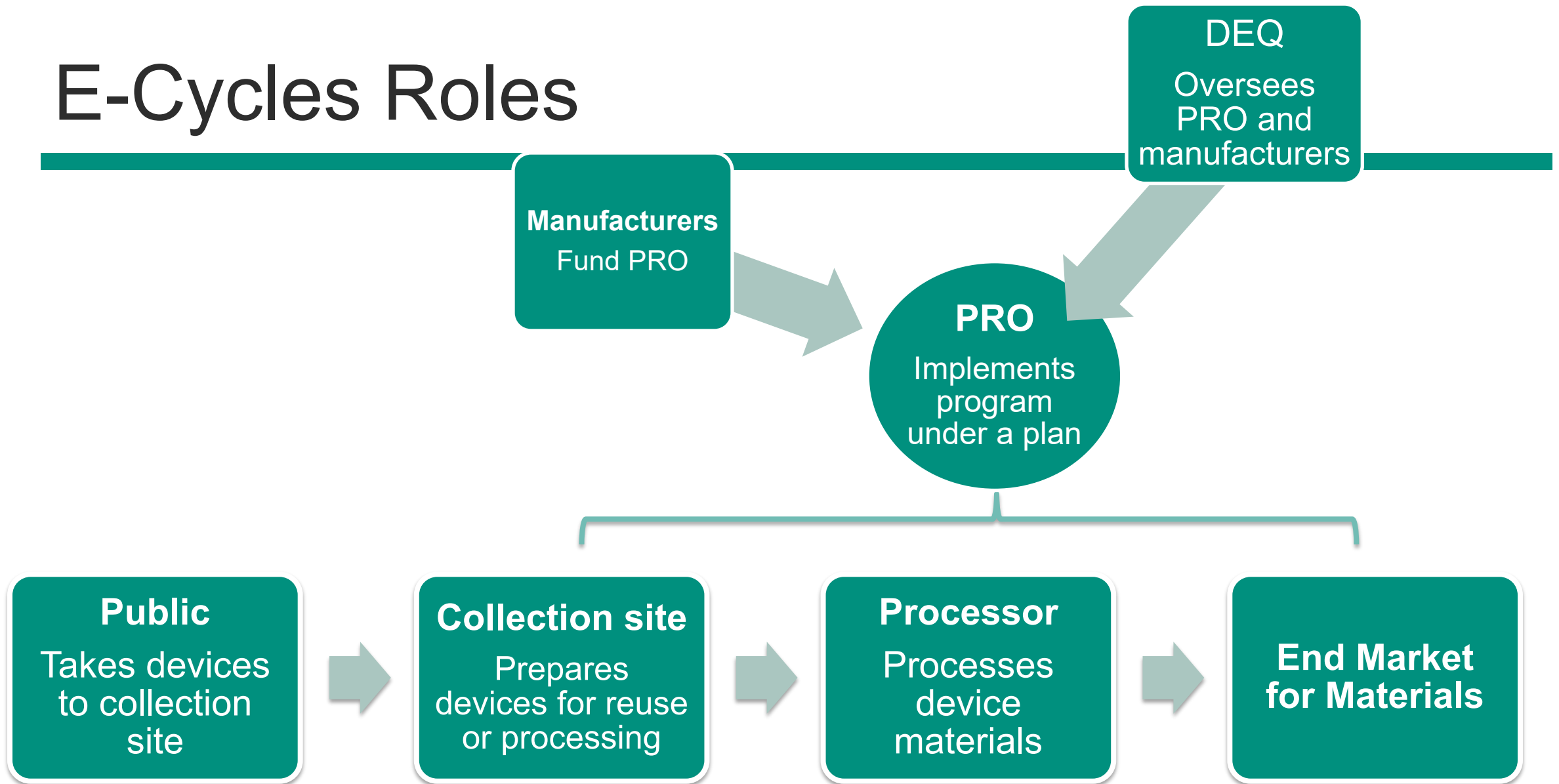


Keys to a Program's Success

- The program is convenient
- People know about and use it
- Collected products are managed in an environmentally sound manner



E-Cycles Roles



E-Cycles 2026: Changes to the Program



People in Oregon

More devices accepted;
convenient and equitable service.



Collection Sites

More permanent collection sites
required statewide



Manufacturers and PROs

Clarification on administrative and
coordination requirements



DEQ

Administrative efficiencies;
continue oversight

Summary of Proposed Rules

- DEQ is proposing administrative rules to implement the Oregon E-Cycles law.
- DEQ recommends rules be placed in Chapter 340, Divisions 12 and 98.

Summary of Rules

Proposed rules address the following topics:

- Market share
- Producer responsibility organization fees
- Program plan
- Environmentally sound management practices
- Fair financial compensation
- Annual reports
- Coordinating body
- Product categories
- Manufacturer obligation calculation

Market share

OAR 340-098-0230

- DEQ will make a preliminary determination of market share and notify manufacturer
- A manufacturer has 30 days to request changes
- DEQ then makes final determination and notify

Producer responsibility organization fees

OAR 340-098-0235

- Plan review fee: \$75,000 for initial plan
- Annual fee: \$315,000
 - Divided equally among PROs
 - DEQ may reduce for a given year
 - Due June 1 of each year, beginning June 1, 2026

Program plan

OAR 340-098-0240

- DEQ may require letter of intent
- Plan due July 1 annually, unless directed otherwise by DEQ
- DEQ may require plan to describe how program will comply with ORS 459A.305 to 459A.355

Environmentally sound management practices

OAR 340-098-0245

- Sets standards for practices
- Specifies required practices
 - Examples: Recordkeeping, requirements for service providers and downstream vendors, PRO monitoring
- Clarifies DEQ administration
 - DEQ may approve alternative practices
 - DEQ may use tracking devices

Fair financial compensation

OAR 340-098-0250

- PRO may review costs across collection sites or use reasonable estimates
- PRO and coordinating body must cooperate and provide information to DEQ
- DEQ may periodically conduct a study on, or approve a PRO to study, compensation
 - Cooperation of PRO and coordinating body required

Annual reports

OAR 340-098-0255

- Due March 1, unless directed otherwise by DEQ
- DEQ may require information on whether program complied with approved plan and ORS 459A.305 to 459A.355

Coordinating body

OAR 340-098-0260

- Letter of intent and information to evaluate a prospective coordinating body
- If PROs cannot designate a coordinating body, DEQ may designate
- DEQ may direct coordination

Product categories

OAR 340-098-0265

Category	Includes
1	desktop computers, portable computers, and small-scale servers
2	printers, scanners, and fax machines
3	monitors and televisions
4	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, and modems
5	peripherals

Manufacturer obligation calculation

OAR 340-098-0270

- Clarifies process to calculate a manufacturer's manufacturer obligation
- PRO or coordinating body shall use weight of devices recycled in the program during the previous year
 - For 2026, may use national data, consumer research, sampling, or similar data from 2025 to apportion costs and reconcile apportionment in subsequent years.

Other Rule Amendments Include:

- Clarifies rules that will only be used until Dec. 31, 2025, including
 - Manufacturer registration fees
 - DEQ revenue need
 - Market share process
- Provides definitions for additional terms
- Division 12 rules
 - Compliance and enforcement

Questions

If you have a question about the proposed rules:

- Use the “raise hand” function, on the Zoom video
- Press *9 to access this function on a phone

How to comment

- At this public hearing
- Email: Send comments by email to ECycles.2024@DEQ.oregon.gov
- Postal mail:
Oregon DEQ
Attn: Rachel Harding, Oregon E-Cycles
700 NE Multnomah Street, Suite 600
Portland, Oregon 97232-4100

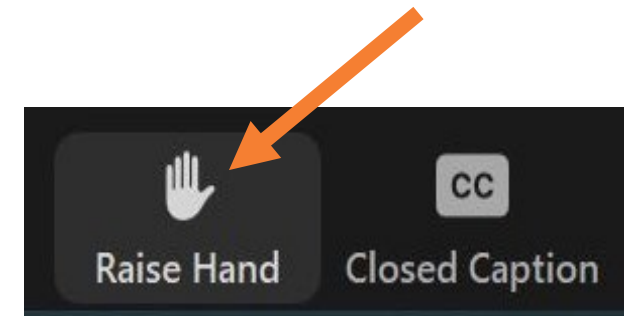
All comments must
be received by
5 p.m., on Monday,
Sept. 30, 2024

[Oregon E-Cycles Rulemaking Webpage](#)

Verbal Public Comment

To make a formal public comment today, please:

- Use the “raise hand” function, on the Zoom video
- Press *9 to access this function on a phone
- Message the host, using the chat feature, to indicate that you’d like to provide comment



Thank You!

- All comments must be received by 5 p.m., on Monday, Sept. 30, 2024.
- To view the public notice packet or sign up for email alerts, visit the Oregon E-Cycles Rulemaking website.
- DEQ intends to bring proposed rules to the Environmental Quality Commission at the Jan. 2025 meeting.

Title VI and alternative formats

DEQ does not discriminate on the basis of race, color, national origin, disability, age or sex in administration of its programs or activities.

Visit DEQ's [Civil Rights and Environmental Justice page](#).

[Español](#) | [한국어](#) | [繁體中文](#) | [Русский](#) | [Tiếng Việt](#) | [العربية](#)
Contact: 800-452-4011 | TTY: 711 | deqinfo@deq.state.or.us