

Plastic Pollution and Recycling Modernization Act Rulemaking #2

Environmental Quality Commission Meeting

Sept. 26-27, 2024

About Materials Management

The 2050 Vision describes how people in Oregon:



Produce and use materials



Conserve resources



Protect the environment



Live well

Materials Management in Oregon

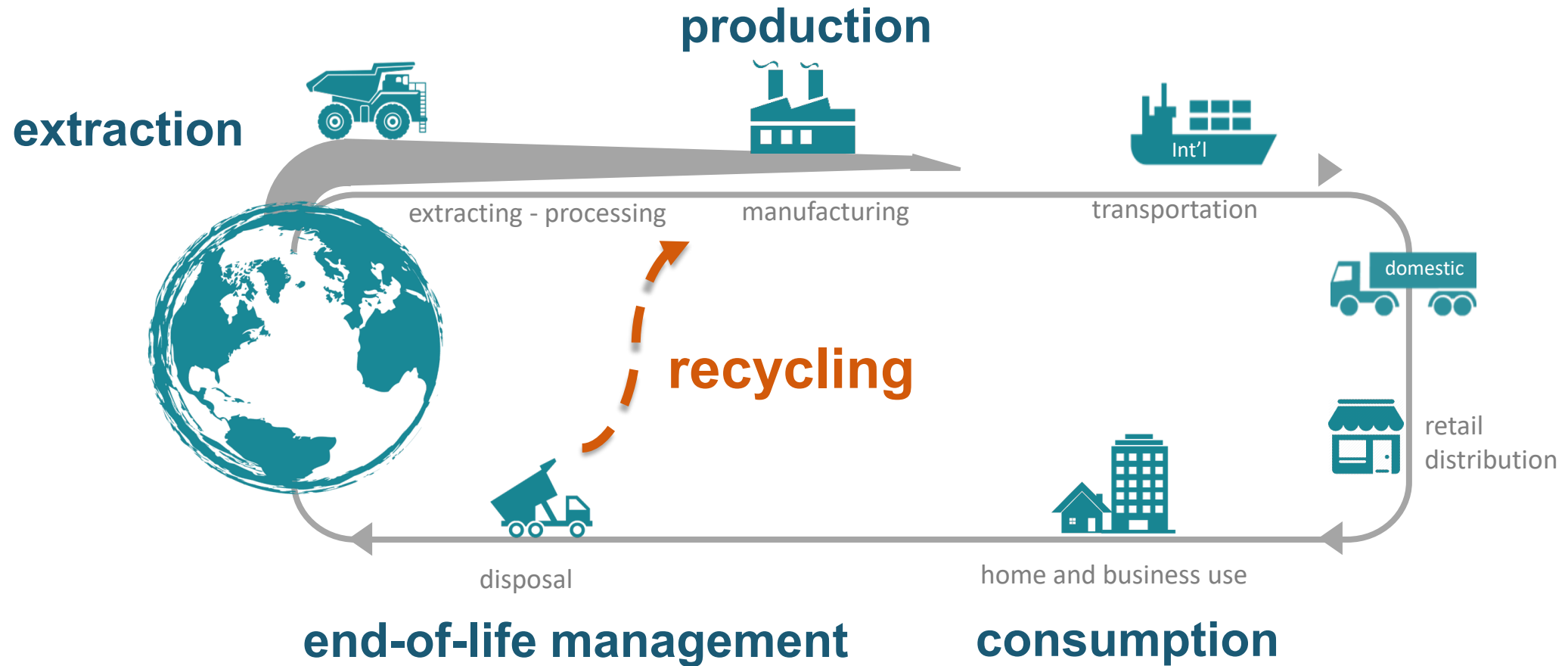
2050 Vision and Framework for Action

Adopted by the
Environmental Quality Commission
December 6, 2012



State of Oregon
Department of
Environmental
Quality

Life Cycle of a Product



Why the Recycling Modernization Act

Public confusion over what can be recycled

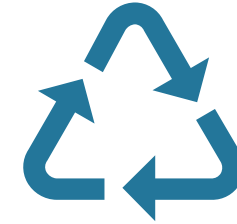
Unstable global markets

Unequal access to recycling collection

Erosion of public trust

Lack of transparency

Costs borne by ratepayers



Developing the RMA



Recycling the Oregon Way



Shared Responsibility

Producers, governments, service providers and community members all play an important role.



Statewide collection list

One recycling list for all of Oregon eliminates confusion.



Expanded recycling services

Funding for new services and programming, infrastructure, and transportation.



Assurance

that materials are recycled responsibly.



Education and outreach

to help customers understand what can be placed in their bins.



New Partners, New Roles



Producers



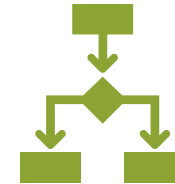
Producer responsibility organization



Local government



Service providers



Recycling facilities



Responsible end markets

Oversight and integration



Oregon Recycling System Advisory Council

Beyond Recycling

- Advance social equity
- Assess and disclose environmental impacts
- "Eco-modulate" producer fees based on environmental impacts
- Waste prevention and reuse program



Rulemaking 1: Adopted November 2023

Producer
Responsibility
Organization
Obligations

- PRO fees paid to DEQ
- Market share calculations
- Coordination between PROs
- Responsible end markets

Local
Government
Compensation

- Transportation costs
- Contamination reduction
- New or expanded collection costs

Materials
Acceptance Lists

- Standardized recycling acceptance lists
- Improved access to recycling

Rulemaking 2: Process

17

Representatives from local governments, service providers, recycling processors, community-based organizations, producers and prospective PROs

8

Rulemaking Advisory Committee meetings between July 2023 and April 2024

20

Rule topics presented to the RAC

Rulemaking 2: Rule Topics

- Recycling Processor Obligations
- Covered Products
- Producer Responsibility Organization Obligations
- Producer Obligations
- Standards for Life Cycle Evaluations
- Local Government Obligations
- Amendments to Enforcement Rules (Division 12)

Recycling Processors

- Commonly referred to as MRFs
- Process recovered material, selling it to end-markets who will convert material into feedstock to make new products
- A dozen commingled recycling processing facilities currently process recyclable material originating in Oregon



Rule Topics: Recycling Processor Obligations



Permit program

Certification program

Responsible end markets

Living wages and supportive benefits

Rule Topics: Covered Products

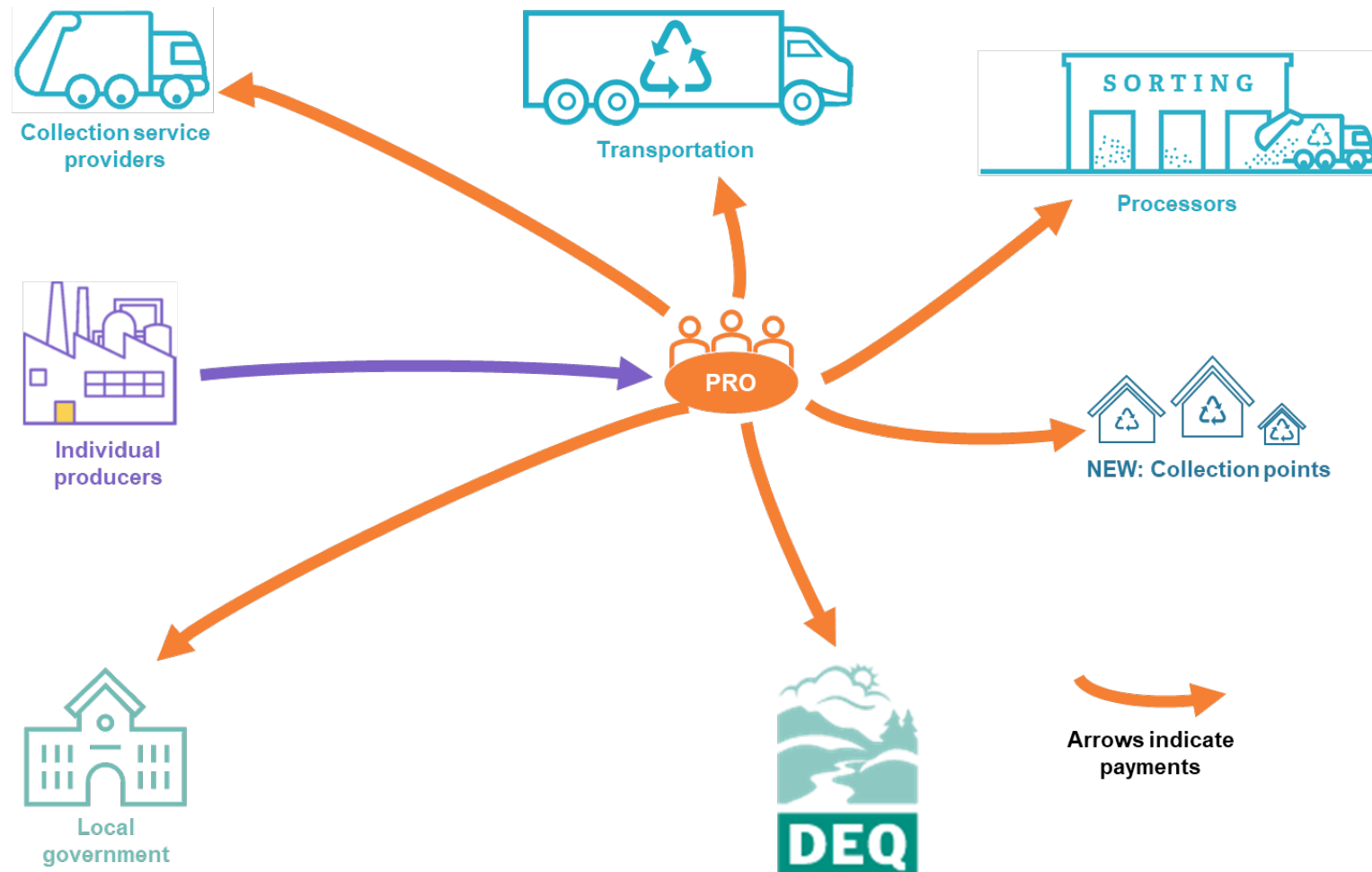
Definitions

- Differentiating among packaging and food serviceware
- “Packaging-like products”: Clarifying whether or not they are in scope

Exemptions

- Additional exemptions in rule
- Clarifying statutory exemptions

Producer Responsibility Organization



Rule Topics: PRO Obligations

Waste Prevention and Reuse Fee

Compensation for Contamination Evaluation

Compensation for Contamination Reduction Programming

Contamination Management Fee

Processor Commodity Risk Fee

Producers



- Obligation lies with different parties for different products; for packaging, obligation generally lies with consumer goods brands
- De minimis threshold of \$5 million in revenues and 1 metric ton of covered product sold into the state
- Producers' obligations under the Act are: Register, report, pay, and (large producers only) disclose

Rule Topics: Producer Obligations

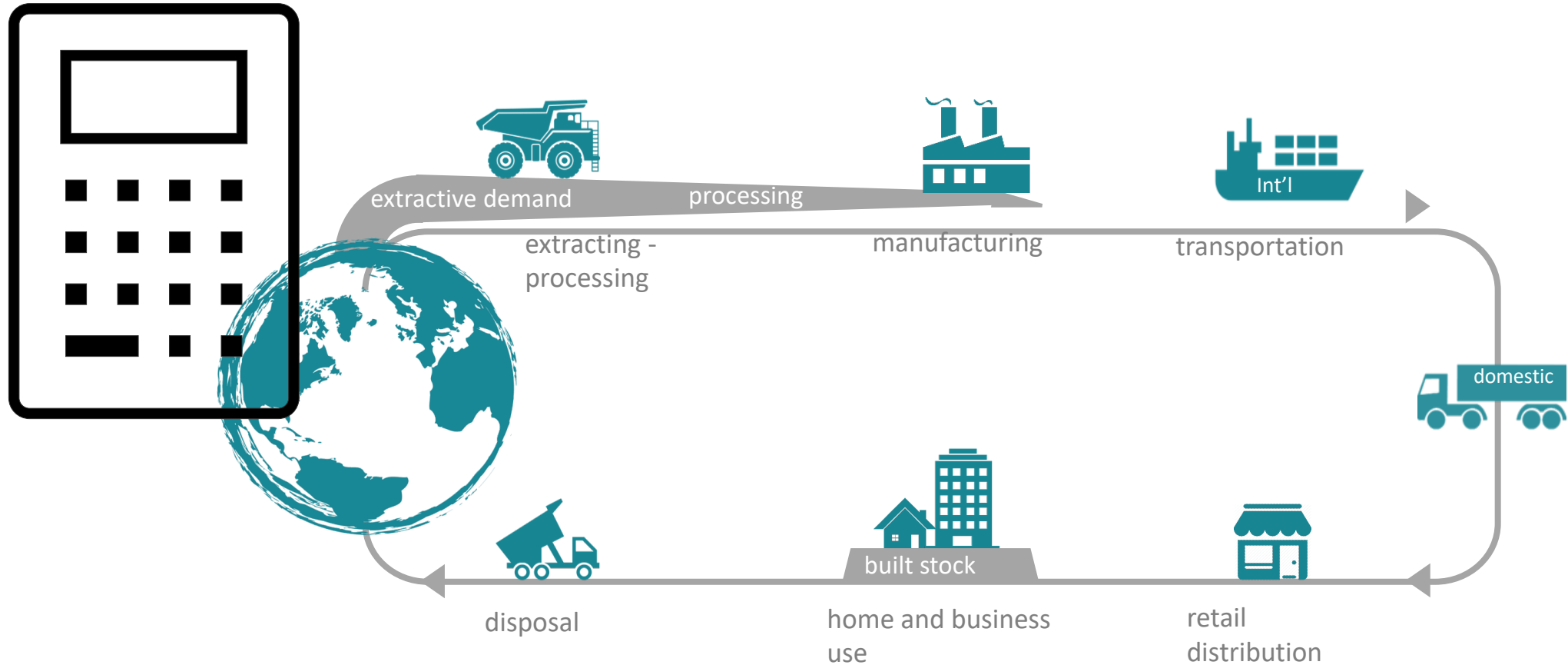


Clarifications: Obligated Producer

Associated Producers

Producer Pre-Registration

Life Cycle Evaluation



Rule Topics: Life Cycle Evaluation

Standards for Evaluations (Core Product Category Rules)

- Impact Categories and Weighting Factors

Large Producer Disclosures

Ecomodulation

Environmental and Human Health Impact Disclosures

Report Format, Confidentiality

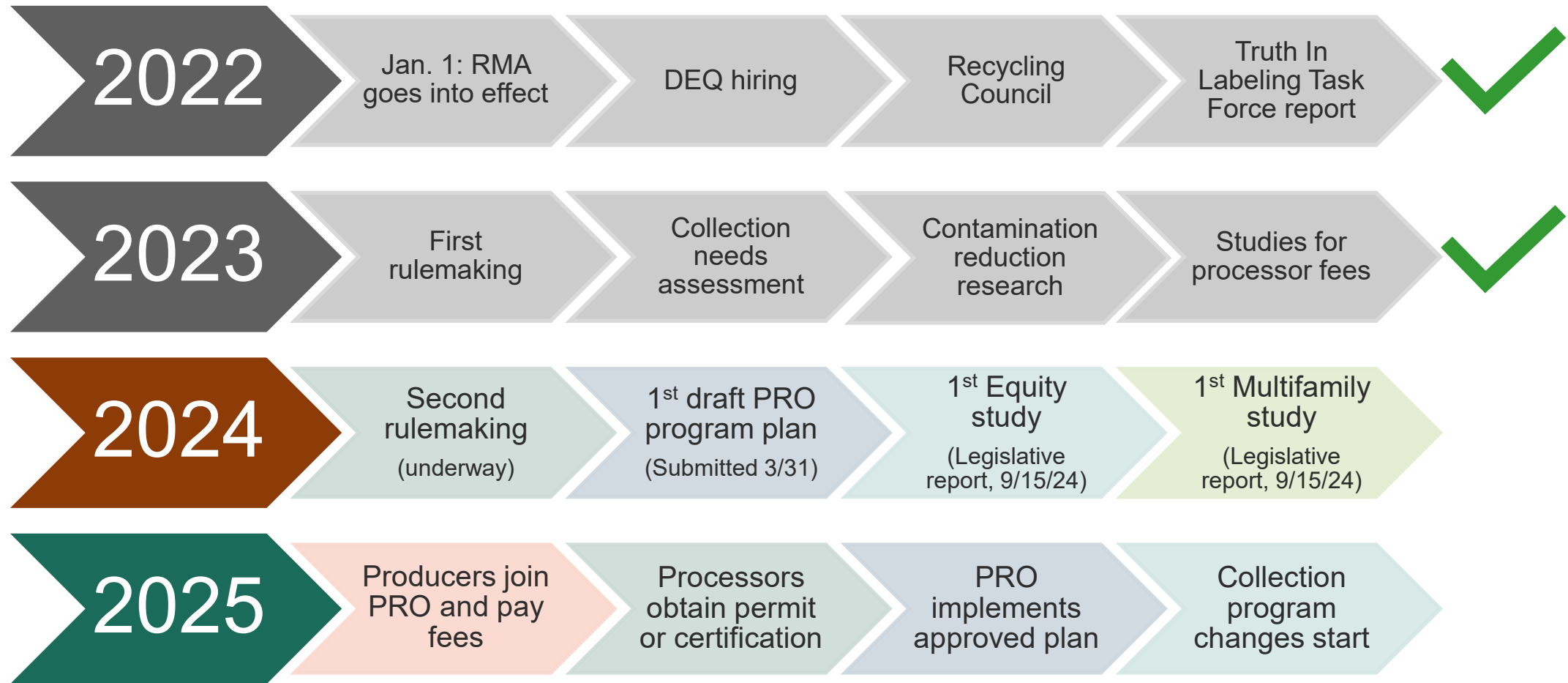
Local Governments



Rule Topic: Multifamily Recycling



Implementation Progress



Questions?



Thank You!

- Rulemaking website: <https://www.oregon.gov/deq/rulemaking/Pages/recycling2024.aspx>
- Program manager: Cheryl.Graham@deq.oregon.gov
- Rule proposal scheduled: November 2024 regular EQC meeting

Title VI and alternative formats

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