



Oregon Department of Environmental Quality

Charter: Technical Workgroup (2025 – 2026) for Recycling Modernization Act – “Effectively Composted” Definition

Dec. 22, 2025

Introduction

The Oregon Legislature passed the Plastic Pollution and Recycling Modernization Act (RMA) during the 2021 legislative session (Senate Bill 582) and was signed by then Governor Kate Brown on Aug. 6, 2021. The law became effective Jan. 1, 2022, and recycling program changes went into effect starting in July 2025.

In 2022 through 2024, DEQ completed two rulemakings to support RMA implementation ([Oregon Administrative Rules, Chapter 340 Division 90](#)). Currently, DEQ is holding a third rulemaking to improve clarity, to make identified corrections, and to provide increased consistency across the rules implementing the Plastic Pollution and Recycling Modernization Act (2021). DEQ intends to present proposed rules for approval by the Oregon Environmental Quality Commission in early 2027.

Purpose and engagement process

DEQ is convening a Technical Workgroup (“TWG” or “workgroup”) to evaluate a new definition for “effectively composted” as used in [ORS 459A.965](#). The term “effectively composted” appears twice in [ORS 459A.965](#) in connection with promotion by various parties acceptance of materials that cannot or will not be effectively composted. The term “effectively composted” is not defined in statute or rule.

In this TWG, members will provide feedback to DEQ on a variety of questions and issues related to the compostability of covered products and how these covered products may impact compost facilities. The TWG may review and discuss a draft definition, and may engage in conversations with other parties that choose to share information regarding the definition of “effectively composted”.

TWG members will participate in rigorous discussion about the potential impacts of defining “effectively composted” to ensure that the proposed rules are well-informed. Members of the TWG will provide information to DEQ for consideration when forming recommendations for the Rulemaking Advisory Committee for this rulemaking.

Background

In March 2025, DEQ staff convened a workgroup to provide recommendations for consideration to define “effectively composted”. The workgroup met three times in 2025 to consider how to address the following: 1) the potential for and type of benefit a material presents, 2) the potential for and type of harm a material presents, and 3) to include the life cycle impacts of the material. It was determined that it would be difficult to assess life cycle impacts. The recommendation did include benefit and harm considerations and that a method of analysis is useful to determine whether a material is effectively composted as a facility-specific concept.

Schedule and time commitment

- DEQ currently anticipates holding two TWG meetings, one in mid-January 2026 and one in early February 2026, with four to six total meeting hours expected. Up to two hours of pre-meeting reading, outside of meeting times, may be expected.
- Meetings will be held virtually.

Membership

TWG members:

- Linda Brewer, Oregon State University
- Craig Coker, Coker Composting and Consulting
- Ame LeCocq, Recology
- Pierce Louis, Dirt Hugger
- Tim O'Neil, Engineered Compost Systems
- Holly Stirnkorb, Metro
- Alexander Truelove, Biodegradable Products Institute (BPI)

DEQ Subject Matter Experts (SMEs):

- David Allaway, Waste Prevention Impact Analyst
- Bob Barrows, Waste Materials Policy Analyst
- Justin Gast, Materials Management Specialist

Other individuals may be invited to participate in the workgroup, based on additional subject matter expertise, as needed, to inform the TWG and DEQ.

Roles for non-members

Technical Workgroup meetings will be open to attendance by the public and will include an opportunity for public comment. Those opportunities will be published as a time-certain start on the meeting agendas, with information provided at the meeting on how to submit additional written materials and engage in the rulemaking process, generally.

Research Projects

DEQ is currently working on the following two research studies and will provide any findings or outcomes to this group pending completion:

1. Compost Infrastructure & Market Study - In partnership with Eunomia Research & Consulting, DEQ is conducting a statewide compost infrastructure and market study to assess Oregon's current and future capacity to manage food waste and other compostable materials in alignment with state waste-reduction and climate goals.

This study is designed to develop a clear, data-driven understanding of:

- Existing composting and anaerobic digestion infrastructure capacity across Oregon;
- Operational, regulatory, and market constraints faced by compost facilities and wastewater treatment plants;

- Geographic and system-level gaps that may limit the state's ability to process additional food waste; and
 - End-market dynamics for compost, including demand, quality considerations, and barriers to market growth.
2. Compostability Research and Technical Report - DEQ will be working with a research contractor to develop a Compostability Legislative Report, as required by ORS 459A Sec. 44a, that evaluates the compostability of products and packaging collected through Oregon's organics management system and can inform future policy, regulatory, and market-based decisions related to compostable materials.
- This report is intended to move beyond theoretical or laboratory-based definitions of compostability and instead assess compostability as a systems-level outcome, considering the full pathway from collection and processing to end use. The analysis examines how different materials perform across Oregon's diverse composting infrastructure, including variations in facility type, processing methods, residence time, contamination controls, and regulatory requirements.
 - Key components of the Technical Report include:
 - A review of existing compostability standards, certifications, and labeling frameworks, and how they align—or fail to align—with on-the-ground composting practices in Oregon;
 - An assessment of the operational challenges compost facilities face when managing products marketed as compostable, including contamination, processing inefficiencies, and impacts on compost quality;
 - Evaluation of the role of collection systems, consumer behavior, and education in determining composting outcomes;
 - Identification of material categories that may warrant further research, pilot projects, or differentiated regulatory treatment; and
 - Development of policy-relevant findings that can inform DEQ rulemaking, guidance, and legislative decision-making.

Participation Guidelines

All members of the workgroup are expected to:

- Participate to the best of their abilities and to ensure continuity throughout the process.
- Come prepared for meetings by reading materials prior to the meeting.
- Engage in honest, open-minded, constructive, and good-faith discussions to seek understanding and optimal outcomes.
- Treat everyone and their opinions with respect.
- Allow one person to speak at a time.
- Comment constructively and specifically.
- Operate according to, and stay focused on, the TWG's charter.
- Be courteous by not engaging in sidebar discussions during meetings.
- Avoid representing to the public or media the views of any other committee member or the committee as a whole.

If a workgroup member is unable to attend a meeting, they may request (in advance) DEQ approval of an alternate.

Reference

Oregon Revised Statue 459A.965

459A.965 Prohibition on promoting acceptance of certain materials for composting; pilot programs. (1)

A person that operates or controls a collection program for yard debris or food waste or that operates or controls a compost facility may not promote for acceptance any material that cannot or will not be **effectively composted**.

(2) The Department of Environmental Quality, or entities approved by the department, may conduct research or pilot projects to examine the collection and compostability of materials and to identify materials that can and cannot be **effectively composted**. A pilot or research project may not exceed two years in duration.

(3) Nothing in this section prevents a composting facility from accepting materials that are not readily compostable and are incidentally collected as part of a collection program. [2021 c.681 §41]

Sec. 44a. Compostability study. (1) The Department of Environmental Quality shall study the compostability of covered products and the effects of covered products on composting systems. In conducting the study, the department shall:

- (a) Examine the effects of covered products on compost facilities and finished compost;
- (b) Consider trends, challenges, opportunities and relevant policies relating to composting and covered products;
- (c) Consider the experience of compost facilities located in other states; and
- (d) Develop recommendations for reducing environmental impacts while maintaining and enhancing the environmental and economic sustainability of Oregon's compost industry.

(2) In conducting the study, the department shall consult with compost facilities serving Oregon, local governments, producer responsibility organizations serving Oregon and the Oregon Recycling System Advisory Council.

(3) The department shall submit a final report and recommendations for legislation, in the manner provided by ORS 192.245, to the interim committees of the Legislative Assembly related to the environment no later than December 15, 2026. [2021 c.681 §44a]

Contact

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