

AT-A-GLANCE

OAR 845 – Division 20 Beverage Container/Redemption Center Package

Initial Action

(To amend 3 rules & repeal 2 rules)

August 2009

The Commission is responsible for regulation of the Beverage Container Act (Bottle Bill). Since its inception the Commission has had statutory authority to approve redemption centers if they will provide a convenient service to consumers for the return of empty beverage containers, however, in the past 30 plus years the Commission has never received an application for approval from a prospective redemption center.

The Commission has had administrative rules since 1972 that address the approval of and the application for redemption centers (OAR 845-020-0020 & OAR 845-020-0025), and also address sanitation and cleanliness standards (OAR 845-020-0030). But, again, until now, we have never had to apply them.

In anticipation of our first redemption center application (which the Commission has now received) as well as the possibility of several more applications over the coming months, staff undertook to review our existing redemption center rules and amend them as appropriate in an effort to clarify redemption center requirements.

In preparation for this rulemaking, staff formed a pre-rulemaking advisory committee made up of our state agency partners, industry, the public, and environmental stakeholders. This group provided the Commission with valuable input into the specific standards that should apply to prospective redemption centers.

Staff recommends amending OAR 845-020-0025 to more completely reflect the key information required on an application for a redemption center as well as amending OAR 845-020-0020 so that the major factors the Commission may consider in approving a redemption center correspond with the required application information.

Staff further recommends amending OAR 845-020-0030 by removing references to specific agencies that do not in fact regulate redemption centers.

Staff also recommends repealing OAR 845-020-0010 & OAR 845-020-0015 regarding container certification since reusable beverage containers are no longer an industry practice.

SUGGESTED MOTION:

I move to initiate rulemaking to amend OAR 845-020-0020, OAR 845-020-0025 & OAR 845-020-0030, and to repeal OAR 845-020-0010 & OAR 845-020-0015, and to hold a rulemaking hearing at staff's discretion.