



Oregon Recycling Modernization Act Commingled Recycling Processing Facility Technical Workgroup

Meeting #10

April 23, 2024



Limited sort facility definition

- (3)(a) “Commingled recycling processing facility” means a facility that:
 - (A) Receives source separated commingled recyclable materials that are collected commingled from a collection program providing the opportunity to recycle; and
 - (B) Separates the recyclable materials described in subparagraph (A) of this paragraph into marketable commodities or streams of materials that are intended for use or further processing by others.
- (b) “Commingled recycling processing facility” does not include (among other facilities):
 - (H) Recycling reload facilities; or
 - (I) Limited sort facilities, as defined by rule by the Environmental Quality Commission.

Limited sort facility definition: history

- EQC directed to define LSF in legislation (2021)
- Held numerous conversations with industry.
- Held conversation with TWG during Meeting #8 TWG meeting (December 2023). Provided follow-up at Meeting #9 (January 2024).
- Proposed a draft rule concept on March 14th.
- Updated ACV calculation concerning weighting factors.



Pic courtesy of Justin Gast

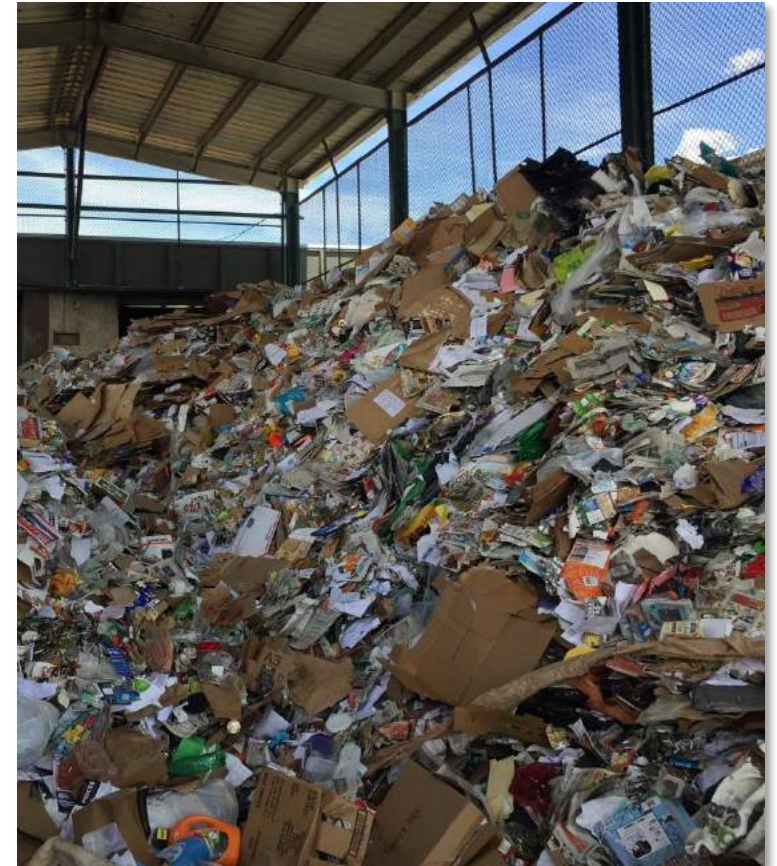
Limited sort facility definition (proposed on 3/14)

- A. A facility that receives a specific subset of processed [USCL] from a commingled recycling processing facility that meets the requirements under ORS 459A.905(2)(a) and that could be considered a secondary processor or a responsible end market; or

- B. A facility that:
 - a) removes more than 0% and less than 50%, by weight, of incoming commingled recyclable material collected by a collection program providing the Opportunity to Recycle;
 - b) markets removed materials to responsible end markets;
 - c) manages contaminants in those removed materials to avoid impacts on other waste streams or facilities;
 - d) accurately reports to DEQ the final end markets of removed materials;
 - e) sends remaining material to a CRPF that meets the requirements under ORS 459A.905(2)(a); and,
 - f) obtains a disposal site permit from DEQ. The facility must meet all requirements of the permit.

Feedback on proposed definition

- DEQ received a lot of feedback on proposed LSF definition (B)(a):
 - Any facility handling an amount over 50 percent would become a CRPF.
 - Any facility handling under 50 percent could also become a CRPF, if that facility chose to become CRPF permitted, meet performance standards, pay living wages, etc.
 - Is 50 percent the right number?
- *Funding mechanisms are intended for the CRPFs doing the hard work in the future system...not for non-CRPF entities.*



Pic courtesy of Justin Gast

Two options



Pic courtesy of Justin Gast

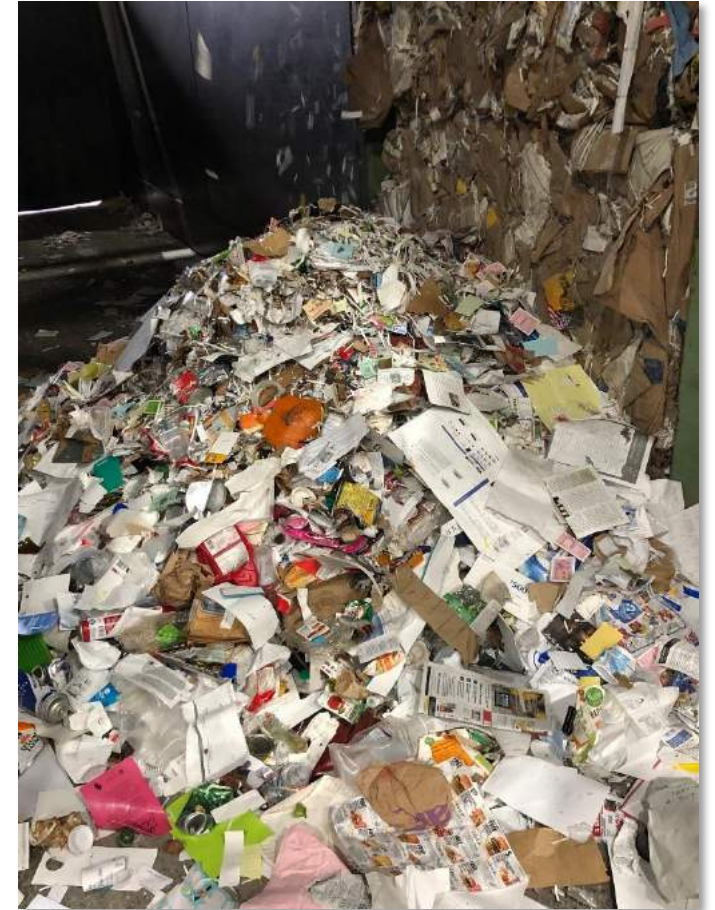
Both options do the following:

- Establish a “minimum processing standard” above which a facility is a CRPF, and below which the facility might be a LSF.
- Require LSFs to obtain a disposal site permit and achieve certain performance standards – This is consistent with prior DEQ rule concept.

Limited sort facility definition - options

Option 1:

- Minimum processing standard threshold separating LSFs from CRPFs remains at 50% - consistent with prior DEQ rule concept.
 - This uses a “plain English” definition of “limited” (“less than half”) and applies it in a quantitative sense.



Pic courtesy of Justin Gast

Limited sort facility definition - options

Option 2:

- (a) In order to be eligible to become permitted as a CRPF, a facility must:
 - (A) Receive source separated commingled recyclable material that is collected commingled from a collection program providing the Opportunity to Recycle; and
 - (B) Presort bulky USCL material, such as plastic buckets and pails and large scrap metal, removing such material from the commingled stream being processed; and
 - (C) Separate all remaining materials into 2-dimensional and 3-dimensional streams, with said materials becoming marketable commodities or streams of materials that are intended for use or further processing by others; and
 - (D) For materials in the 2-dimensional stream, further separate and market no less than [TK]% of the materials in the stream.

- (b) A facility that does not meet all four conditions under (a) would not be considered CRPF but *could* be considered a LSF.



Discussion



Limited sort facility definition - Options

Option 1	Option 2
Establishes a minimum processing standard to become CRPF-permit eligible; facilities not meeting that standard <i>could</i> be a limited sort facility	
Minimum processing standard = 50% (as proposed at RAC #6 meeting on 3/14/24)	Minimum performance standard: (B) Presort bulky USCL material, such as plastic buckets and pails and large scrap metal, removing such material from the commingled stream being processed; and
	(C) Separate all remaining materials into 2-dimensional and 3-dimensional streams, with said materials becoming marketable commodities or streams of materials that are intended for use or further processing by others; and
	(D) For materials in the 2-dimensional stream, further separate and market no less than <u>TKI</u> % of the materials in the stream.



Public Input

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