



OREGON REFUSE & RECYCLING ASSOCIATION

April 19, 2022

To: Cheryl Grabham, Oregon Department of Environmental Quality sent via email to ecycle.info@deq.oregon.gov.

Re: Oregon E-Cycles Collections Determination for 2023

Dear Ms. Grabham,

Thank you for the opportunity to provide comments on the Oregon E-Cycles Collections Determination for 2023. Founded in 1965 to advance the efficiencies of collecting and processing recyclables and solid waste, Oregon Refuse and Recycling Association (ORRA) is the statewide trade association representing solid waste management companies across Oregon. ORRA members collect, transport, and process most of Oregon's residential and commercial refuse and recyclables, as well as operate material recovery facilities and many of Oregon's municipal solid waste transfer stations, landfills, and compost facilities.

ORRA members also participate as designated collection sites for Oregon's E-Cycles Program. Working with cities, counties, and local community organizations, these collection sites provide this public service as an essential part of Oregon's recycling infrastructure. The collection sites operate under a solid waste permit or license, and are designed to safely receive, store, and ship e-waste. By providing convenient and accessible drop off options to citizens, these collection sites ensure continuity and stability to support Oregon's recycling system.

Disruptions to the collection system present significant health and safety issues as electronic waste is considered hazardous and is banned from going into landfills. Late last year, critical collection sites, mostly located in rural communities, were notified that they would be dropped from Oregon's E-Cycles Program in 2022. This would have caused significant disruption to the program limiting convenient access for citizens to recycle electronic waste, and displacing an estimated 1 million pounds of electronic waste that would not have easily been absorbed by remaining smaller collection sites.

The sites being dropped were given just 30 days' notice that they would be dropped on December 31, 2021. This would have allowed little time during the holidays to provide notice to citizens of changes to the program. An extension of the collection sites was granted until March 1, and ultimately a short-term solution was reached to reinstate collection sites in rural areas for 2022, representing approximately 700,000 of the estimated 1 million pounds of e-waste.

ORRA offers these comments on behalf of the ORRA member collection sites that would have been directly impacted by the changes to the program, the sites that were not reinstated, and sites whose operations would have been impacted by the overflow of materials and future changes to the program. While this short-term solution temporarily stems disruption to Oregon's recycling system, long-term fixes must be made to ensure the E-Cycles Program meets the needs and expectations of Oregonians for convenient access to recycle these products.

The first step to restoring continuity and stability to the program is to accurately set the 2023 collection determination goal. The goal has been underestimated for the last three years. ORRA requests the following:

- 1) Utilize a range for the goal. The April 12 Draft Oregon E-Cycles Collections Determination for 2023 estimates a range of collections from “12.2 to 15.8 million tons.” Note that the document uses both the terms “tons” and “pounds” interchangeably. The correct measurement is pounds. ORRA’s comments assume DEQ’s recommended range is 12. 2 to 15.8 million pounds.

Utilizing the range rather than a specific target will allow for a margin of error and provide more flexibility in the program. If the range is accurate this should provide protection for manufacturers who fund the program if the goal is overestimated so that they are not penalized, and ensure critical collection sites are not dropped if the goal is underestimated.

- 2) Regular assessment of progress toward the goal. ORS 459A.320(3)(d) provides that the manufacturer program must conduct a statistically significant sampling or actual count of the covered electronic devices collected and recycled by the manufacturer each calendar year at least annually or as required by the department. ORS 459A.340(4)(e) requires the same of the state contractor program.

ORRA recommends that DEQ require both the manufacturers program and the state contractor program to provide this data quarterly and that this information is shared with designated collection sites. This will allow for more accurate assessment of progress toward the collection goal, and timely adjustments if needed.

- 3) Advance notice to collection sites. If there are proposed changes to collection sites as a result of the goal being underestimated, collection sites should receive a minimum of four months’ notice so that adequate communication can be provided to citizens about changes to the program and alternative sites can prepare for receiving an increased volume of materials.

We recognize that these are short-term solutions. To fully restore continuity and stability to the program, long-term changes are needed. ORRA’s requests are intended to avoid additional disruptions to the program and ensure that collection sites are convenient and accessible to citizens until statutory changes are made to the program.

As a vital part of Oregon’s recycling system infrastructure and partners in providing collection sites that support the E-Cycles Program, we look forward to engaging in the discussion and working to bring solutions forward in the 2023 Legislative Session.

Again, ORRA appreciates the opportunity to provide comments. Please do not hesitate to contact me if you have questions at andrea@orra.net or 503-507-8275.

Sincerely,



Andrea J. Fogue
Governmental Affairs Director

c: ORRA Steering Committee