

August 9th, 2026

Oregon Department of Environmental Quality
700 NE Multnomah Street, Suite 600
Portland, Oregon 97232-4100

Re: Metro input on 2027 program plan

Dear DEQ team,

Thank you for welcoming public comment on MRM's proposed Producer Responsibility Organization (PRO) program plan for the Oregon E-Cycles program. The Portland metro region accounts for more than 40 percent of Oregon's population and is home to communities of color, lower income, and other historically underserved communities that are prioritized under the new law for convenient, equitable service and engagement. Metro's publicly owned transfer stations served 306,506 self-haul customers in 2025 and more customers are expected next year. Based on our recent experience and the gaps in the currently proposed plan, Metro's overarching recommendation is that DEQ require revised and additional goals as well as sufficient implementation details to track progress towards those goals.

Metro respectfully requests that DEQ consider the following specific issues during evaluation of the proposed program plan.

Program Operations

- The collection site can set appropriate thresholds for turn-around times on prompt communications and material pick-ups. The collection site is best positioned to identify the turn-around times needed to support environmentally sound management, such as a safe working space for site staff and to protect the quality of sorted material (OAR 340-098-0245). Reliable meeting of these thresholds is also crucial for fair compensation, as sites negotiate to have their costs covered based on assumptions of MRM and their contractors' performance (OAR 340-098-0250).
- Specify that MRM needs to document collection sites' thresholds for turn-around times and track the success rate at meeting those turn-around times.
- Support proactive MRM management of transporter issues by requiring MRM to identify the actions they will take in the case of transporter errors or inability to perform services due to unforeseen circumstances, such as MRM maintaining a second contract for on-call pick-ups.
- The plan lacks minimum expectations for MRM to meet, either directly or through their agreements with a transporter/processor. Clear minimum expectations set a level playing field across collection sites. This clarity is especially needed as MRM lacks comprehensive procedures for escalating unresolved or urgent service issues, instead proposing that sites work directly with the transporter/processor should "issues" arise.
- MRM's minimum expectation that material must be picked up only before the site "needs to temporarily cease operations" jeopardizes collection site compliance for operating in an

environmentally sound manner. Collection sites can face significant challenges when a transporter fails to arrive in a timely manner or fails to provide sufficient materials. Metro South and Metro Central slowing down operations for an MRM misstep would be a significant disruption to a major regional service and ceasing operations would be worse.

- The six month turn-around time for moving material through to processors, refurbishers and for reuse remains relevant for timely reporting and material quality. For over ten years, Metro has required authorized facilities to move recoverable material, including electronics, within 180 days. This requirement protects material quality and supports timely reporting and verification of material flows. It is also unclear why MRM is proposing a program plan provision that would supersede the six month standard (OAR 340-098-0245).
- The proposed plan lacks clarity on how MRM will provide compensation for environmentally sound management practices and incentives to conduct additional sorting or to improve program efficiency (OAR 340-098-0240).

Environmentally sound management practices

- Indicate how MRM will collect counts of fires and other battery related issues along the chain of custody. While the proposed plan indicates reporting on violations, not all fires and battery issues are a violation, they need separate reporting to fulfill MRM's annual report requirement (OAR 340-098-0255).
- Clarify how MRM will implement the proposed support for reuse sorting at collection sites. While the proposed plan says reuse will be supported "when feasible, safe and practical," it is unclear how support for reuse will be implemented.

Collection Service

- Specify how MRM compensation will support the solid waste hierarchy which includes prioritization of reuse (OAR 340-098-0245).
- MRM's proposed alternative services and collection sites do not appear substantially equivalent for several reasons:
 - Lacks quantifiable thresholds that can be clearly assessed for equivalency. In contrast, the minimum set in statute creates a clear, measurable standard. In the minimum, it is obvious what action needs to be taken to achieve the standard (add a site) and how DEQ can assess if the action was taken (e.g. is there a site at a location that meets geography and/or population criteria) (ORS 459A.320).
 - Categorically falls short of guaranteeing substantially the same convenience. The minimum standard was an innovation to address site closures that occurred under the previous E-Cycles program's tonnage-based model. The flow chart and narrative do not clearly maintain ongoing service throughout the program year at a specific number of sites.
- DEQ should require quantitative evidence to support evaluation of the proposed alternative, including a demonstration of adequate geographic coverage and operational capacity to truly meet the needs of historically underserved communities.
- DEQ should use their option to require the plan to disclose how the tool of fair compensation will be used in 2027 to ensure that a collection site can operate in an area

where a collection site is required to meet the minimum convenient service standard (OAR 340-098-0240 (A)). Since MRM did not meet the collection standard for 2026, it seems proactive to ask MRM to disclose which additional tools, such as fair compensation, will be used to help them achieve the minimum.

Compensation

- Clarify how compensation will be affected by MRM's program plan proposal to "work with collectors to ensure proper sorting and to accommodate any concerns they may have, and this may affect compensation." With so much of the fair compensation section redacted, it is unclear if MRM is proposing a penalty, incentive, or category of costs for a facility to claim under fair compensation.

Goals

- Establish substantial, measurable metrics for all goals. Measurable and substantial metrics support DEQ in fulfilling their role at tracking MRM compliance. Measurable metrics also support MRM in their role, as specified in the DEQ Program Plan Guide, to describe, with supporting data, what changes or steps the program will undertake that can ensure the program achieves its goals in the upcoming year. The more substantial the metric, the more DEQ and MRM are receiving crucial information to guide the next year's plan. For example, the first goal under operations, "Processors comply with ESMPs," does not have a measurable threshold for the metric of how often MRM must achieve receipt of processor activity reports by the 15th to be successful. Additionally, the receipt of processor's "activity reports" is not a substantial part of ESMP requirements for processors (e.g. recordkeeping). When combined with the other proposed goals, the snapshot of ESMP performance remains non-substantial (OAR 340-098-0245).
- Establish additional operations goals to support tracking of all of MRM's major responsibilities. This tracking could include but not be limited to how often MRM (and their transporter/processor) achieve a specific turn-around time for: pick-ups; addressing questions regarding material acceptance, storage, packaging, transportation, safety, contamination, recordkeeping; addressing collection site complaints; and procedures for escalating unresolved or urgent service issues.
- Revise the goal that "CEDs are successfully managed by collectors" to include MRM's responsibility to coordinate across the full chain of custody. Transporters and processors must also manage CEDs successfully.
- Establish additional access and awareness goals and revise existing goals to demonstrate MRM is promoting the program as well as achieving awareness among underserved communities (OAR 340-098-0240). The less people that use the program, the less the producers have to pay for management, which creates an incentive to keep awareness as low as possible.
 - The first, second and fourth goals do not clearly track progress in the historically underserved communities.
 - The methodology for any goal addressing historically underserved communities needs to be described in detail to allow for meaningful analysis of how well the

- methodology will truly describe historically underserved communities (e.g. 95% confidence interval for surveys).
- There is no goal to track MRM success at promoting relevant and accurate information through their website and hotline. In the first seven months of 2026, Metro received 94 E-Cycles inquiries that should have first reached MRM.
- Add enough non-redacted budget information to allow for an evaluation of the appropriateness of each goal's metric(s). For example, additional information is needed in order to evaluate whether the proposed 5% increase in awareness is reasonable to expect given program spending on awareness.

Reporting on program changes

- Set a prompt timeline for notifying DEQ of changes to the collection network. MRM proposes to email the designated DEQ contact the first week of each month if there is an update, which means communities could have incorrect information about a site for more than three weeks. Incorrect information is at odds with achieving and sustaining high awareness (ORS 459A.327).

Thank you for your leadership in developing Oregon's electronics recycling system to maximize benefits for underserved communities and our environment.

Tom Egleston
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Metro