

Oregon Recycling System Advisory Council

Meeting #5

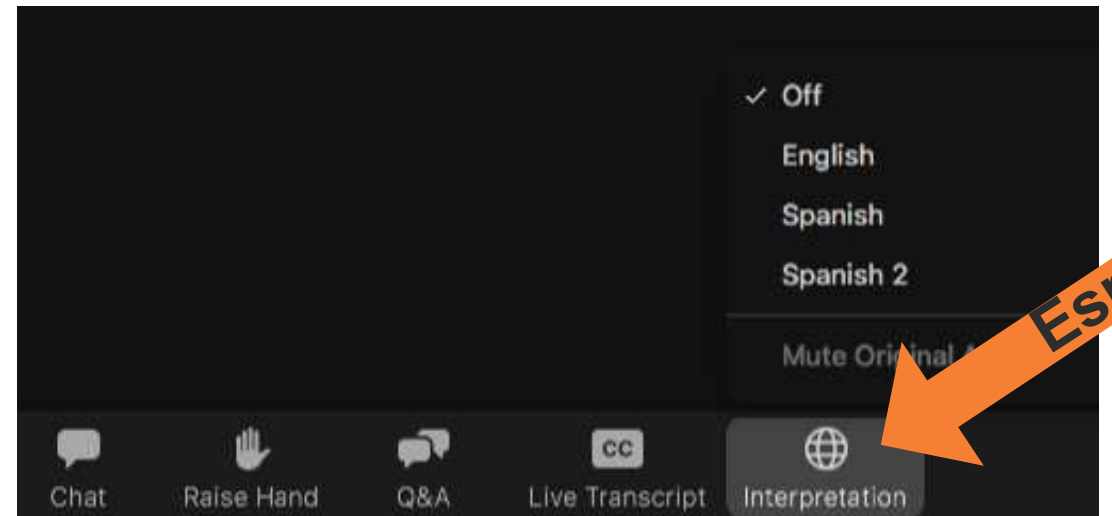
March 6, 2023

10:30 a.m. to 12:30 p.m.

Cheryl Grabham
Materials Management Program Manager
Cheryl.Grabham@deq.oregon.gov

Language access

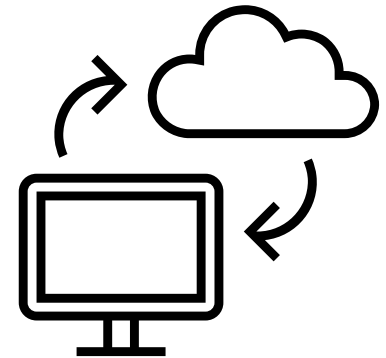
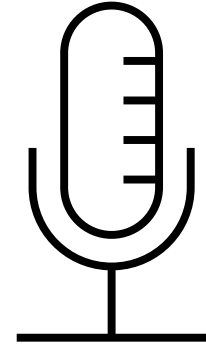
- Look for the interpretation (globe) icon at the bottom of your screen and select the language you want to hear
- Busque el ícono de interpretación (globe) en la parte inferior de su pantalla y seleccione el idioma que desea escuchar



Zoom logistics

- Today's session is being recorded
- All attendees are in listen-only mode
- Sign-ups for public input will occur after today's break

If you have technical difficulties, please contact Stephanie Caldera via email Stephanie.Caldera@deq.Oregon.gov or text her at 971-279-9517



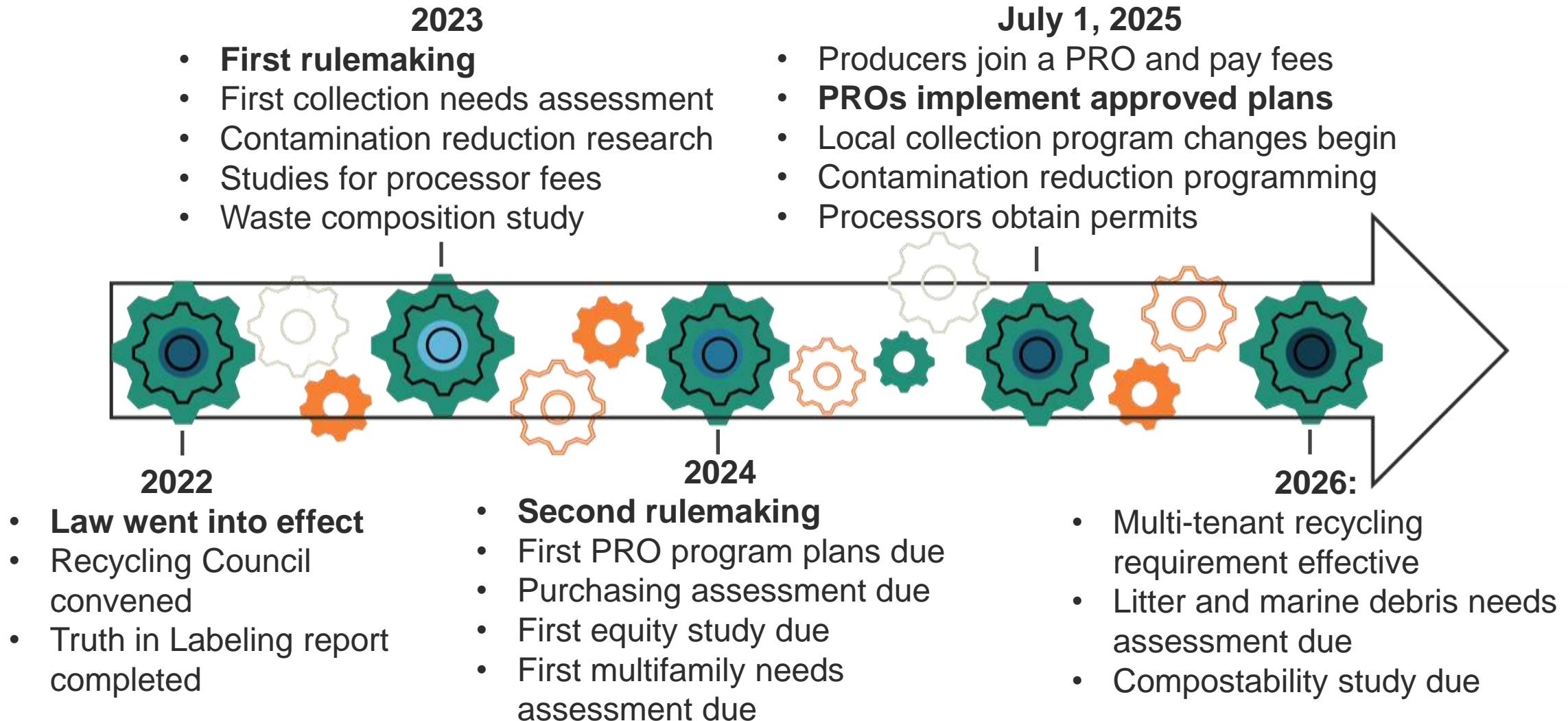
Agenda // Orden del día

All times approximate and subject to change // Todas las horas son aproximadas y están sujetas a cambios

10:30 a.m.	Welcome and updates		10.30 h	Bienvenida y actualizaciones
10:40 a.m.	Updates: RMA Implementation		10.40 h	Actualizaciones: Aplicación del RMA
10:50 a.m.	Discussion: Transition phase proposal		10.50 h	Debate: Propuesta de fase de transición
11:10 a.m.	Updates: Equity elements		11.10 h	Actualizaciones: Elementos de equidad
11:15 a.m.	Discussion: Equity elements		11.15 h	Debate: Elementos de equidad
11:25 a.m.	Break		11.25 h	Receso
11:30 a.m.	Public input		11.30 h	Comentarios del público
11:45 a.m.	Material lists discussion		11.45 h	Discusión de listas de materiales
12:10 p.m.	Overflow time		12.10 h	Tiempo de rebasamiento
12:20 p.m.	Next steps		12.20 h	Próximas etapas
12:30 p.m.	Adjourn		12.30 h	Levantar la sesión

RMA Major Milestones

2022-2026



Update: RMA Implementation

- First collection needs assessment survey – *Due April 14*
- First rulemaking process– *November EQC proposal*
 - PRO requirements
 - Local government compensation
 - Recycling acceptance lists
- Second rulemaking process – *Summer 2023 launch*
 - Recycling processing facility permitting and fees – technical workgroup
 - Living wages and supportive benefits for recycling facility workers
 - Waste Prevention and Reuse Fee
 - Additional topics
- Generator-facing contamination reduction research

RMA Implementation Transition Period draft proposal



DRAFT proposal for discussion: RMA Implementation Transition Period

A system of shared responsibility relies on coordination.

The Plastic Pollution and Recycling Modernization Act (RMA) will modernize Oregon's recycling system through the coordinated efforts of many entities throughout the state. One of the most important changes is welcoming producers of printed paper, packaging, and food serviceware to the table. In the new system:

- Producers of covered products will join producer responsibility organizations, or PROs.
- PROs will provide financial support to local governments, service providers, and commingled recycling processing facilities and work together to expand and improve recycling services.
- Commingled recycling processing facilities will be permitted and required to ensure that sorted materials only go to responsible end markets for final disposition.
- DEQ, in consultation with the new Recycling Council, will play an oversight, administration, and enforcement role.

Successful coordination takes time.

The success of the RMA is dependent on everyone playing their part. In many cases, the ability of one entity to meet its regulatory requirements is dependent upon the actions of other players in the system. For example, local governments and commingled recycling processing facilities will rely on PRO funding to fulfill these obligations.

DEQ recognizes it takes time to build a new system. It takes time to establish partnerships, plant seeds of change, and for those investments to yield results. It takes time to order and install equipment, to change collection services, and conduct effective outreach to the public. Therefore, DEQ is proposing a period of transition during the first few years of RMA implementation, to ensure changes can take place in the proper sequence and to allow for adaptation to new requirements.

What do you think?

As you read through the description of the transition proposal below, please consider:

- What do you like and dislike about this idea?
- What are the consequences or outcomes of this approach?
- What's missing from the proposal?
- What questions still need to be answered?

RecyclingAct.Oregon.gov

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Many requirements will still take effect on July 1, 2025.

As shown in the table below, many components of the RMA will roll out according to the original schedule.

RMA Launch	
By July 1, 2025:	
Producers	<ul style="list-style-type: none"> • Join and begin paying fees to a PRO
PROs	<ul style="list-style-type: none"> • Begin implementing DEQ-approved program plans • Develop educational resources and statewide campaigns to promote the Uniform Statewide Collection List • Are establishing depots and collection points for materials on the PRO Recycling Acceptance List • Are preparing to meet deadlines for verifying or certifying that end markets meet Oregon's "responsible" standard
Local Governments	<ul style="list-style-type: none"> • Are eligible to receive funding from PROs • Send commingled recyclables to permitted/verified facilities. • Begin implementing PRO-funded contamination reduction programming.
Commingled Recycling Processing Facilities	<ul style="list-style-type: none"> • Accept all materials on the Uniform Statewide Collection List • Are eligible to receive funding from PROs through contamination management and processor commodity risk fees. • Must meet permit requirements not dependent on PRO funding, such as marketing materials to responsible end markets and reporting on final disposition. Specifics will be determined in the second rulemaking process.

To allow flexibility, some obligations will phase in through 2027.

DEQ is proposing to use implementation tools, including enforcement discretion, to formalize a transition period through December 2027. The transition period will apply to certain RMA obligations that are dependent on actions from others or take more time to phase in.

Transition Period	
From July 1, 2025 to December 31, 2027.	
DEQ will allow time to come into compliance with some requirements.	
PROs	<ul style="list-style-type: none"> • May gradually meet the convenience standard by establishing collection points over time. Specifics will be determined in the program plan.
Local Governments	<ul style="list-style-type: none"> • May phase in collection of materials on the Uniform Statewide Collection List if additional time is needed. • May phase in implementation of Opportunity to Recycle program requirements that are dependent on PRO funding, such as service expansion identified through the needs assessment.
Commingled Recycling Processing Facilities	<ul style="list-style-type: none"> • Will have a grace period associated with certain permitting standards reliant on PRO funds, such as sorting effectiveness and the levels of contamination allowed in material sent to end markets. Specifics will be determined in the second rulemaking process.

Last updated: February 2023

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The system is fully transitioned by 2028.

As 2027 draws to a close, so does the transition period. All regulatory requirements on PROs, local governments and commingled recycling processors are fully implemented and the second PRO program plan period begins.

Announcements and updates

Sign up for DEQ's GovDelivery [email list](#).

Translation or other formats

[Español](#) | [한국어](#) | [繁體中文](#) | [Русский](#) | [Tiếng Việt](#) | [العربية](#)
800-452-4011 | TTY: 711 | language@deq.oregon.gov

Non-discrimination statement

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Last updated: February 2023

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Why is DEQ proposing a transition period?

- Change takes time
- RMA relies on coordination of many partners
- Actions of some depend upon actions of others
- Allows time for proper sequencing

RMA Launch: July 1, 2025

Producers will:

- Join a Producer Responsibility Organization (PRO)
- Report data on covered products sold in Oregon
- Pay fees to the PRO

RMA Launch: July 1, 2025

PROs will:

- Implement program plans
- Develop promotional resources for Uniform Statewide Collection List (USCL)
- Establish collection points for PRO materials
- Prepare to verify end markets are “responsible”

RMA Launch: July 1, 2025

Local governments and service providers will:

- Be eligible to receive funding from PROs
- Send commingled recycling to permitted facilities
- Begin PRO-funded contamination reduction programming

RMA Launch: July 1, 2025

Commingled Recycling Processing Facilities will:

- Accept materials on Uniform Statewide Collection List
- Be eligible for PRO funding through contamination management and processor commodity risk fees
- Meet permit requirements not dependent on PRO funding (TBD in second rulemaking)

Transition Period: July 1, 2025, through Dec. 1, 2027

PROs

- May meet depot convenience standards over time (TBD in program plan)

Local governments and service providers

- May phase in program requirements dependent on PRO funding
- May phase in collection of materials on the USCL, if needed

Commingled Recycling Processing Facilities

- Grace period for permitting standards dependent on PRO funds (TBD in second rulemaking)

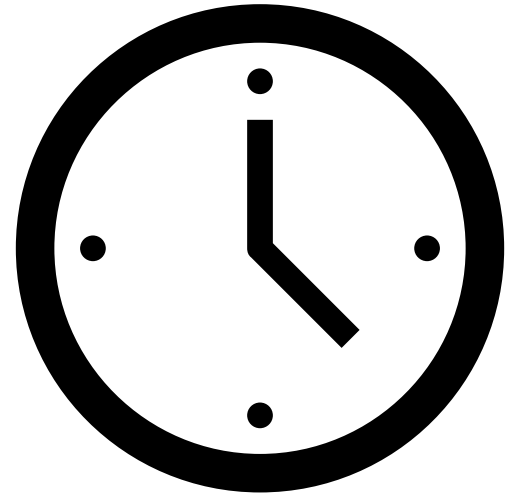
Discussion: Draft Proposed Transition Period

- How might this proposal affect your organization and communities?
- What are potential opportunities and consequences of this approach?
- What's missing from the proposal?
- What questions still need to be answered?

Written feedback to: Stephanie.Caldera@deq.Oregon.gov (March 17)

Discussion: Time check

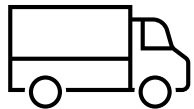
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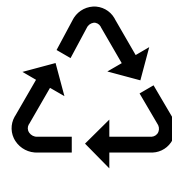
Update: Equity elements

Policy alignment with Oregon's *2050 Vision and Framework for Action*

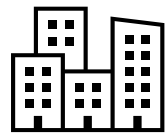
Commitment to inclusive engagement and communications



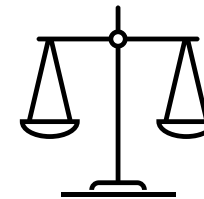
Rulemaking 1:
Transportation cost
reimbursements,
statewide access to
recycling services



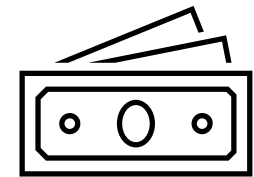
Responsible
end markets



Study:
Multifamily
housing
recycling
services



Study: Equity in
Oregon's
recycling
system



Rulemaking 2:
Living wage and
supportive
benefits

Discussion: Equity elements and engagement

- How do you, as a Council member, want to engage with the equity projects as presented by DEQ?
 - Could include: Small group discussions, individual feedback meetings, written feedback, full Council sessions
- What opportunities or challenges do you anticipate DEQ may encounter?
- How would you center the voices and input of the individual people across Oregon (and elsewhere) who may be affected by the RMA and these projects to ensure that outcomes support an equitable recycling system?

Written feedback to: Stephanie.Caldera@deq.Oregon.gov (March 17)

Public input

- To sign up: Use the “raise hand” function (usually in your Reactions panel)
 - If you cannot use the “raise hand” function, please send a chat to “Host and Panelists” to sign up
- When called on to start, please state your name and organization, if applicable
- Please limit comments to three minutes or less
- Written comments and material can be emailed to Stephanie Caldera: Stephanie.Caldera@deq.Oregon.gov
- This is not formal public comment on any proposed rulemaking – that is scheduled to begin in May 2023



Recycling materials acceptance lists

Quick reminder of process to date:

- Council discussions in August, October and December 2022
- Survey of Council members to identify priority materials of interest
- October discussion of principles and trade-offs (environmental benefits, veracity, cost impacts)
- December:
 - Longer vs. shorter lists
 - Continued focus on “priority” materials
- January: Request to identify remaining interests/concerns

Recycling materials acceptance lists

- Two members identified interests:
 1. Paper “cans” with metal ends (for USCL);
 2. Polycoated cartons, aseptic cartons, and polycoated paper cups (for USCL);
 3. Nursery plant packaging (for USCL);
 4. Clear plastic cups made of PET or polypropylene (for USCL);
 5. Plastic buckets, pails, storage containers (for USCL);
 6. Steel and aluminum aerosol packaging (for PRO Acceptance List);
 7. Single-use liquid fuel canisters and other pressurized cylinders (for PRO Acceptance List).

Paper cans with metal ends

- October 20 discussion: Perceived trade-offs between environmental benefits, veracity
 - Discussion of yield, public communications
 - Feedback from Council members weighted heavily in favor of acceptance in uniform statewide collection list (USCL)
 - Request for information (MRF studies)
- DEQ shared third-party MRF studies, end-market acceptance, and West Coast MRF video
- December: DEQ rule concept recommended inclusion in USCL



**Supplemental Information:
Recyclability of Paper Cans**
Dec. 13, 2022



Rigid Paper Can Magnet Detection



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 7. Single-use liquid fuel canisters and other pressurized cylinders (for PRO Acceptance List).

Next steps

Written feedback to [Stephanie Caldera](#) by **Friday, March 17**

Rulemaking Advisory Committee meetings: **Friday, March 10, and Tuesday, April 11**

- Recycling Council meeting: **Monday, April 17**
 - Draft topics may include: Generator-facing contamination, product exemption request process
- Recycling Council meeting: **Monday, June 12**
 - Draft topics may include: Rulemaking #2, new Council members/onboarding planning

