



September 1, 2026

Nicole Portley
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Sent via email to: rethinkrecycling@deq.oregon.gov

Dear Ms. Portley,

CAA is submitting a program plan amendment covering several administrative and minor programmatic updates informed by our implementation experience. DEQ removed the Specifically Identified Material (SIM) designation for glass and shredded paper on April 1, 2026, and informed CAA that a program plan amendment would be necessary to address the designation change and revise the PRO's commitments to managing those materials.

CAA informed DEQ that an amendment would be submitted toward the end of the rulemaking process to ensure any additional changes that may be necessary in anticipation of changes to the rules could be accommodated. During the development of the annual report, CAA also identified areas where tracking of program metrics could be improved.

The changes to the program plan are simple edits, so this letter will serve as the explanation and background for the proposed adjustments. Changes are described in the order they occur in the program plan:

Goal 2: Diversion metric revised (Page 12)

When the program plan was first approved, CAA proposed a key metric to help monitor performance of the curbside recycling system. This metric was written as "Diversion rates associated with USCL materials." However, in the first annual reporting cycle, the CAA team encountered several challenges in reporting this metric as written.

The first challenge stems from the ambiguity of the phrase "diversion," which is not used anywhere else in the program plan. Diversion can be measured at multiple points in the system (i.e., what is collected at the curb versus what is sent to market from a Commingled Recycling Processing Facility (CRPF)), and the multiple data



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points needed to support that calculation would similarly need to be pulled from the same point in the system.

Further, USCL materials are captured through various and separate collection streams (i.e., commercial, residential and private recycling activities measured through the DEQ Material Recycling Survey (MRS) Report). Given the MRS data is two-year historic data when it is produced, this would have created a significant lag in CAA's ability to measure performance over time.

CAA instead proposes reframing the metric for monitoring system performance as "Pounds of USCL commingled material collected per household." This is a metric that can be easily calculated by CAA using activity reported data with no time lag concerns. Use of activity report data would capture both residential and commercial commingle USCL materials. That volume would be divided by the number of Oregon households. Applying the same methodology year-over-year should reveal trends in overall system performance. This is a more standard approach to measuring and monitoring commingled system performance and is used in other jurisdictions with EPR programs. This metric is one CAA voluntarily proposed and is not required in statute or rule.

Goal 2: Covered costs metric (Page 12)

CAA is proposing to reframe the previously stated metric of "Extent of **covered** costs funded within 30 months of program implementation," to "Extent of **eligible** costs funded within 30 months of program implementation."

"Covered costs" is not a term used elsewhere in the program plan, or in statute/rule. Instead, CAA proposes using "eligible costs" to better align with both statutory language and the outcomes and indicators of success.

About Circular Action Alliance: Description of the Organization (Page 16)

Update made to remove now-outdated reference for planned actions that were completed. Board charter is available to DEQ upon request.

Footnote removal on Table 1 (System Expansion Funding estimates) and adjustment of totals in Appendix E (Pages 43 and 303-304)

In the first approved program plan, CAA estimated the total system expansion funding needed by each community required, or wanting, to successfully transition to collection of all materials on the Uniform Statewide Collection List (USCL). These investments were identified by both participation in the DEQ-managed needs assessment and the CAA-managed Oregon Recycling System Optimization Project, or ORSOP survey.



The total sum of investment in Table 1 is estimated at \$81,525,504. As noted in the footnote of the initially approved program plan, this number did not include some of the contingencies built into the total program estimates in Appendix E. As CAA has now had the opportunity to initiate most of the communities in Table 1, it is no longer necessary to continue carrying the contingency into the program cost estimates. For this reason, CAA proposes removing the contingency footnote in Table 1, and revising Appendix E to better reflect the total estimated cost of approved investments.

Secondary convenience standard for collection events: (Page 98)

In the initially approved program plan, CAA aimed to make proximity to public transit a determining factor when locating events. In the program plan, this goal has been framed as “Events will be held in easy to access areas that are within 500 feet of transit services or catered specifically to large, low-income housing developments.” In this amendment, CAA is proposing to strike that statement and replace it with, “CAA will partner with local governments, haulers, community-based organizations and other entities to offer collection of PRO acceptance list materials. In its post-event metrics, CAA will document the proximity of community collection event sites to public transit.”

CAA learned from the five events we have supported and the six we attended as observers that it is best to partner with local governments and haulers in those jurisdictions to determine the timing and location of events that best meet the needs of the community.

While proximity to transit services is an important consideration, CAA does not believe it can be the primary consideration. Many other factors, such as local community knowledge, need to be considered. To ensure visibility into proximity to transit service is not lost, CAA proposes documenting the proximity of community collection event sites to public transit when it exists in the hosting community. This approach will allow CAA to be transparent about the broad accessibility of events and to use transit as one of many factors in assessing the impact of events in different communities. This was a secondary convenience standard goal that CAA volunteered and is not required in statute or rule.

Responsiveness to anticipated rule changes for the PRO management of glass: (Page 114)

DEQ has considered substantial changes to the PRO collection obligations for glass and to the funding of glass collection in certain jurisdictions. To allow for operational flexibility within the program plan to allow CAA to adjust to the anticipated regulations and proceed with fee setting in a way that captures the regulatory changes, CAA has added the sentence, “If regulations change related to the PRO’s responsibility in the collection of glass in Oregon, CAA will adjust its operational and funding plans accordingly to meet the obligation through the duration of this program plan.” This allows CAA to further adjust operations to match regulation,



without necessitating another program plan amendment before the end of the first program plan period.

SIMs adjustments: (Pages 130–131)

CAA has updated both the shredded paper and glass sections to reflect DEQ’s SIM designation removal. This change is being directed by DEQ.

Changes to the covered material categories (CMCs): (Pages 188–190)

Any time there are changes made to the USCL or PRO Acceptance List, either through rulemaking or proposals from the PRO via the program plan, consideration of how the CMCs need to be modified to accommodate supply reporting in a way that enables statutorily compliant fee setting. Statute requires the PRO to consider materials that are accepted for recycling versus those that are not when setting fees.

DEQ has considered several changes to the accepted materials list, some of which can be accommodated through revisions to reporting guidance, and others that necessitate a change in CMCs. Similarly, pending the outcome of CAA’s material research, proposals to on-ramp certain materials may be presented in the next program plan. Approval of CMCs associated with anticipated on-ramping activities does not signal approval of on-ramping. Creation of new, unique categories is necessary to isolate volumes associated with those categories into new categories, enabling appropriate recycling designation when new regulations are passed, or on-ramping proposals are approved.

CAA expects rulemaking changes to go into effect in 2028, after CAA’s 2027 producer supply reporting window. To accommodate the changes, CAA needs approval by December 2026 for the CMCs to be adjusted in the producer portal before reporting for 2027 opens.

Updated Appendix A: Definitions: (Pages 256–262)

During development of the annual report, CAA discovered that terms in the Glossary section of the program plan were no longer used in the plan, having been removed during the process of a prior program plan amendment. CAA also suggest adding a definition for “capture rate” as one did not previously exist in the program plan.

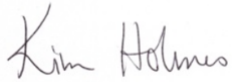
With these changes, CAA believes this program plan amendment is fully compliant with all producer requirements of the Recycling Modernization Act, as outlined in statute, rule and the internal management directive (IMD).



Updated Appendix C: Organizational Chart (Page 297)

As the Oregon CAA team has grown significantly since the program plan approval, CAA is proposing to remove the organization chart and instead refer program plan readers to the CAA website where the organizational information is regularly maintained.

Regards,



Kim Holmes
Executive Director – Oregon
Circular Action Alliance – Oregon

CC: Jeffrey Fielkow – Circular Action Alliance – Chief Executive Officer
Shane Buckingham – Circular Action Alliance – Chief of Staff

