



May 4, 2026

Jeffrey Fieklow
Chief Executive Officer
Circular Action Alliance
Via email

Dear Mr. Fieklow:

Thank you for submitting Circular Action Alliance's [second draft plan amendment on responsible end markets](#) to the Oregon Department of Environmental Quality on Feb. 9, 2026. This letter and its attachments comprise DEQ's official response to the plan amendment, pursuant to ORS 459A.878(1). DEQ's response was informed by [public comment](#), available on DEQ's website, and by input received from the Oregon Recycling System Advisory Council both in writing and during its March 3, March 11, and March 18, 2026, meetings.

Since the time of first draft submission in August 2025, CAA and DEQ have worked quite closely together to craft this amendment as a thoughtfully-conceived compromise among industry and public interests on a centerpiece policy of the Recycling Modernization Act. While much of this work was accomplished over the course of the first draft, substantive discussion and collaboration continued throughout the second draft development and review as well. Many of the changes that DEQ is directing to the plan (see below) have emerged in the course of this constructive dialogue.

Two versions of the plan containing the directed changes are located in the attachments to this letter – one with tracked changes and one clean copy. DEQ's directed changes are further summarized below. **DEQ hereby approves the program plan as amended, effective immediately.**

Summary of Directed Changes

Most of the directed changes depicted in redlined text in Attachment 1, *CAA Edited Oregon Program Plan Amendment 05.04.2026 with tracked changes*, fall into the following four categories of changes. Page numbers cited are specific to the version of the plan containing tracked-changes in Attachment 1, *CAA Edited Oregon Program Plan Amendment 05.04.2026 with tracked changes*, unless otherwise noted.

1. Included complete benchmarking of third-party certifications and PRO verifications

The benchmarking, depicted in Appendix P starting on page P-157, will enable supply chain facilities that hold one or more of nine third-party certifications and PRO verifications to receive

partial credit toward responsible verification status. This is something that both interested parties in industry and the Oregon Recycling System Advisory Council have called for, and something that CAA and DEQ have worked very diligently on throughout the second draft plan amendment review. The benchmarking process included direct dialogue with many of the standard-bearing organizations for the nine certifications and verifications included, to ensure accuracy. DEQ further notes that in several cases where existing certification programs do not fully meet REM standard performance criteria, end markets will still find it easier to be verified because existing certification provides partial coverage or otherwise has prepared them for further assessment.

2. Further adjusted language describing the approach to verification, including the 14 performance criteria in the REM verification standard and the description of information that needs to be provided by supply chain facilities to the verification body and onward to DEQ

Further adjustments to the table of performance criteria (Table 20 on pg 151-156) and the description of the verification approach that follows on pg 156-161 reflect ongoing dialogue among DEQ, CAA and interested parties that has occurred within multiple venues (program plan review, rulemaking, and within the CAA third-party certification standards committee, where DEQ is a member alongside 14 other organizations). In considering each and the aggregate whole of adjustments being directed, DEQ has endeavored to strike the right balance among industry and public interests, and has also considered functionality and legal risk.

3. Reinstated the variance for glass furnace self-attestation and verification

CAA requested in the first draft and DEQ initially refused to grant a variance on the need to obtain self-attestations from and verify glass furnaces, but in these directed changes DEQ has ultimately granted this variance as described on pg 163-164 to address industry concerns about the readiness of these facilities to participate in the program.

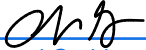
4. Minor adjustments to ensure alignment with statute and rule, improved grammar and formatting, etc.

The program plan is in the service of and cannot contradict statute or rule, and some changes were made to ensure alignment at the three levels of regulation at which the program operates. For example, the statutory citation through which each of the variances is granted was updated.

If you have questions about this letter or the terms of this approval, please contact David Allaway, Senior Policy Analyst, at (503) 229-5479 or david.allaway@deq.oregon.gov.

We look forward to further collaboration with CAA and other partners to modernize Oregon's recycling system.

Sincerely,



[Cheryl Grabham \(May 4, 2026 16:32:24 PDT\)](#)

Cheryl Grabham

Manager, Product Stewardship Program

Attachments

1. CAA Edited Oregon Program Plan Amendment 05.04.2026; with tracked changes
2. CAA Final Approved Oregon Program Plan 05.04.2026; clean copy