American Forest & Paper Association

Submitted via email to RethinkRecycling@deq.oregon.gov
October 19, 2026

RE: Comments related to Circular Action Alliance's Draft Program Plan Amendments for Implementation of Oregon's Plastic Pollution & Recycling Modernization Act

On behalf of the American Forest & Paper Association (AF&PA), thank you for the opportunity to comment on the amendments to Circular Action Alliance's Program Plan for implementation of Oregon's Plastic Pollution & Recycling Modernization Act (RMA).

AF&PA serves to advance public policies that foster economic growth, job creation, and global competitiveness for a vital sector that makes the essential paper and packaging products Americans use every day. The U.S. forest products industry employs more than 925,000 people, largely in rural America, and is among the top 10 manufacturing sector employers in 44 states. Our industry accounts for approximately 4.7% of the total U.S. manufacturing GDP, manufacturing more than $435 billion in products annually. AF&PA member companies are committed to making sustainable products for a sustainable future through the industry's decades-long initiative — *Better Practices, Better Planet 2030*. In Oregon, the industry employs more than 35,000 individuals in 145 facilities, contributes $390 million in state and local taxes, and manufactures more than $15 billion in products annually.

Paper Recycling Works

Paper recycling is central to our industry's sustainability efforts and our goal to advance a circular value chain. Today, paper is one of the most highly recycled materials in the United States, and the paper industry is working to capture even more paper from the waste stream for recycling. Every day, recycled paper is transformed into new, essential products Americans rely on, supporting U.S. manufacturing while extending the life of a renewable resource. Paper recycling's success reflects decades of industry investment, innovation and partnership, as well as the efforts of millions of Americans who recycle paper every day. In 2025, we recycled approximately 45 million tons of paper, resulting in an overall paper recycling rate of 61%-65%. These results demonstrate that paper recycling continues to deliver measurable environmental and economic benefits.

Paper recycling is a vital part of the nation's manufacturing, our supply chain and recycling infrastructure. AF&PA member companies own and operate approximately 100 materials recovery facilities across the country, helping sort and prepare recyclable materials for manufacturing. In addition, roughly 80% of U.S. paper mills use recycled paper to make new products. This direct involvement gives our industry firsthand experience with the recycling system and reinforces our commitment to improving its performance.

Our industry's commitment to paper recycling spans more than 30 years. In the early 1990s, the paper industry voluntarily established recycling goals and continued to raise them as progress was made. Today, we recycle 60% more paper than we did 35 years ago. AF&PA members continue to build on that success through investments that strengthen recycling markets, increase recycled paper utilization, and advance manufacturing innovation. Companies built new mills, upgraded old ones, and modernized equipment. In 2019-2025, our industry invested in projects at paper mills that will use over 4.5 million additional tons of recycled paper. Our members are also developing recyclable paper versions of products such as mailers, transparent paper bags, can collars, and canisters.

As regulators consider policies to further improve recycling outcomes, it is important to recognize that the paper recycling system has delivered measurable environmental and economic benefits through decades of industry investment, innovation and continuous improvement, providing a strong foundation for future recycling policy.

Please find below comments focused on areas of the draft Program Plan that the paper and fiber-based packaging industry would like to see improved for greater clarity in implementing the RMA.

Comments

Revised Diversion Metric

We agree that the diversion metric would benefit from the use of current program data. However, the proposed change to "Pounds of USCL commingled material collected per household" doesn't consider the commercial material that producers pay fees on to fund this program in addition to the residential material. It is essential that the success of commercial recycling is included in the equation as well.

Covered Cost Metric

We support the change from "covered costs" to "eligible costs" to better align with statute, increase clarity, and reduce the opportunity for scope creep.

SIMs Adjustments: Shredded Paper

We support the removal of Shredded Paper from the Specifically Identified Material list. Shredded paper is required to be included in the "base-level" depot collection of at least one collection depot per county. Removing the SIM designation removes a double fee on the material and reduces the burden on producers.

Appendix A: Definitions

The definition of capture rate should be adjusted slightly to reflect that certain materials can be appropriately captured in several bale commodity types, not just one.

"Capture rate" means the percentage of a material entering a facility in the commingled stream that leaves the facility in ~~the~~ an appropriate commodity.

Conclusion

Thank you for your consideration of our comments. We appreciate the ongoing collaboration to advance a sustainable recycling system. We remain available to discuss the feedback herein in greater detail and look forward to your response. Please contact Shoshana Micon, Manager, Recycling and Packaging Sustainability, at shoshana_micon@afandpa.org if you have any further questions.

Sincerely,



Mark Pitts

Vice President, Industry Affairs

American Forest & Paper Association

B/S/H/

BSH Home Appliances Corporation, 1901 Main Street, Suite 600, Irvine,
CA 92614

October 19, 2026

Via email: RethinkRecycling@deq.oregon.gov

Oregon DEQ
700 NE Multnomah Street
Portland, OR 97232-4100

Regarding: BSH Home Appliances Corporation Comments: Public comments for third program plan amendment for Plastic Pollution and Recycling Modernization Act

Dear Oregon Department of Environmental Quality:

BSH Home Appliances Corporation ("BSH") appreciates the opportunity to provide comments on the amended Program Plan submitted by Circular Action Alliance (CAA), specifically regarding the collection and recovery of expanded polystyrene (EPS) used as protective block packaging for major household appliances.

BSH supports the development of practical, effective collection and recovery systems that reflect the characteristics of the materials being managed. Protective EPS packaging for major appliances presents distinct collection and recovery considerations that should be taken into account when evaluating convenience and program design.

EPS is widely used as protective packaging for major household appliances, including refrigerators, freezers, dishwashers, cooking appliances, clothes washers, and clothes dryers. Molded EPS components are engineered to protect heavy, high-value products against impact, vibration, and damage during storage and transportation. This packaging serves an important product-protection function and helps prevent damage that can result in product replacement, additional transportation, and unnecessary waste.

Protective EPS packaging used for major appliances has materially different collection and recovery characteristics from consumer-facing foodservice foam and other packaging routinely placed in household recycling bins. Large appliances are frequently delivered by retailers or installers, who remove the protective packaging before the appliance enters the home. Consequently, the packaging may be generated at a retail distribution center, delivery hub, installation site, or other commercial location rather than through a household recycling program.

Accordingly, convenience for protective block EPS should be evaluated in the context of its commercial generation and handling, rather than primarily by reference to residential collection access. An assessment focused principally on household collection opportunities may not

adequately account for where this material is generated or the practical pathways through which it could be collected and recovered.

BSH appreciates CAA's recognition of these practical considerations in its proposed approach to block EPS, including administrative discretion and phased implementation informed by operational experience and data. BSH supports an approach that allows collection and recovery pathways to be evaluated in light of actual generation patterns and practical logistics, with experience gained through phased implementation informing the development of an effective, sustainable system.

A phased approach can help DEQ and program participants better understand the relative roles of commercial and residential collection, opportunities for aggregation and reverse logistics, and the practical differences between urban and rural collection systems. Allowing program design to evolve as meaningful operational data become available can help avoid premature investments in systems that may not reflect actual material flows or collection opportunities. BSH therefore encourages DEQ to exercise appropriate administrative discretion in applying the convenience standard to protective block EPS and to support phased, data-informed implementation. This approach would recognize the distinct circumstances of this material while allowing collection and recovery systems to develop based on demonstrated operational feasibility.

Thank you for considering BSH's comments. We appreciate DEQ's work to implement Oregon's Recycling Modernization Act and encourage a practical, evidence-informed approach to protective block EPS that accounts for how this material is generated, handled, and collected in real-world settings.

Sincerely,

AliciaMCafferty

Alicia Cafferty
Head of Government Relations
BSH Home Appliances Corporation

Background
BSH Home Appliances Corporation (BSH), headquartered in Irvine, California, produces and markets small and major home appliances that are known for their high-quality and superior innovation. BSH sells its Bosch, Thermador and Gaggenau branded appliances throughout North America, through distributors, independent appliance dealers, national and regional retailers, builders and large buying groups. BSH supports efforts to protect our environment and accepts a responsibility in building a sustainable future for all.

FOODSERVICE PACKAGING INSTITUTE®

P.O. Box 726
Falls Church, VA 22046

tel (703) 592-9889
fax (703) 592-9864

email fpi@fpi.org
web www.fpi.org

TO: Oregon Department of Environmental Quality
Email submission to: RethinkRecycling@deq.oregon.gov

RE: Circular Action Alliance (CAA) Proposed Oregon Program Plan Amendments

DATE: October 19, 2026

Dear Oregon Department of Environmental Quality:

The Foodservice Packaging Institute (FPI) appreciates the opportunity to provide comments on CAA's proposed Oregon Program Plan amendments for consideration by the Oregon Department of Environmental Quality (DEQ).

Founded in 1933, FPI is the leading authority on foodservice packaging in North America. We support the responsible use of all foodservice packaging and advocate for a fair and open marketplace for all materials. FPI's core members include raw material and machinery suppliers as well as packaging manufacturers, representing approximately 90 percent of the industry. Additionally, some distributors and purchasers of foodservice packaging are part of FPI's affiliate membership.

The foodservice packaging industry is committed to reducing the impact of its products on the environment and is dedicated to increasing their recovery. As you are aware, FPI has several special interest groups that bring together the supply chain to develop and promote economically viable and sustainable recovery solutions for foodservice packaging. These special interest groups include the Paper Recovery Alliance, Plastic Recovery Group, Paper Cup Alliance and Foam Recycling Coalition. You may access more information on these groups and their efforts here.

Our comments are provided below.

Reporting Categories

FPI supports CAA's stated objective of further harmonizing material categories across states and appreciates efforts to develop reporting categories that can accommodate changes to accepted-material lists and the potential future on-ramping of additional materials. Greater consistency across EPR programs can help reduce unnecessary complexity for producers reporting across multiple jurisdictions. At the same time, harmonization should be pursued through categories that are clear, mutually exclusive, and based on consistent classification principles.

FPI does not recommend the proposed disaggregation of PET (#1) reporting categories. The proposed categories appear to mix packaging formats with manufacturing processes, creating distinctions that may not be clear or practical for producer reporting. In particular, separating "Thermoformed Containers" from "Lids, Cups, Plates, and Trays" creates potential overlap because thermoforming is a manufacturing process used to produce many of these same packaging formats, including cups and trays. A single item therefore could potentially fit more than one category, creating ambiguity and the potential for inconsistent or duplicative reporting. FPI encourages CAA to apply consistent classification principles across resin categories where the same or similar packaging formats are being distinguished and to ensure category boundaries remain clear and mutually exclusive for reporting purposes.

FPI further suggests that, if revisions to the reporting categories are ultimately adopted, CAA develop accompanying reporting guidance in consultation with interested stakeholders and make that guidance available sufficiently in advance of producer reporting under the revised categories. This guidance should include a crosswalk between CAA's reporting categories and applicable DEQ definitions and acceptance-list terminology, particularly where different terms may describe the same or similar packaging formats. Clear definitions, examples, and classification guidance will help support consistent reporting across producers and reduce the potential for differing interpretations of category boundaries.

FPI also notes that changes to the "Other Paper Packaging" reporting categories in Table 21 do not appear to be identified in the accompanying summary of changes. Given that revisions to reporting categories can affect how producers classify and report covered materials, FPI recommends that CAA clearly identify and explain all proposed category changes, including those affecting molded pulp foodservice packaging.

Thank you for your consideration of this feedback. FPI remains committed to working with DEQ and CAA to increase the recovery of foodservice packaging and would be pleased to discuss these comments in greater detail.

Sincerely,



Carol Patterson
Vice President, Government Relations
cpatterson@fpi.org

EPS Industry Alliance

1298 Cronson Boulevard
Suite 201
Crofton, MD 21114
phone 800.607.3772
fax 410.451.8343
info@epsindustry.org
www.epsindustry.org

Innovative solutions for a sustainable future

October 19, 2026

Nicole Portley
Program Plan Lead
Oregon Department of Environmental Quality

Via email: RethinkRecycling@deq.oregon.gov

Re: EPS Industry Alliance Comments on Circular Action Alliance's September 1, 2026 Oregon Program Plan Amendment

Dear Ms. Portley:

The EPS Industry Alliance (EPS-IA) looks forward to continuing to work with your office, Oregon CAA, Metro and Lane and Tillamook Counties, SVDP and other organizations in providing convenient EPS transport packaging recycling options for citizens and the industrial, commercial, and institutional (ICI) sectors serving citizens in Oregon.

Our comments are again required in large part because the industries with relevant data are outside the regulated community. The information is critical in setting these plans going forward, but disclosing that valuable and confidential commercial information is neither required nor beneficial to disclose for those entities.

We are concerned that the proposed change in measuring recycling performance will fail to capture the significant volume of consumer EPS transport packaging recycled through channels outside the municipal co-mingled or depot systems.

Finally, the information regarding thermal and cold-press densified EPS needs to be investigated. Once again, the scrap value of cold-press is drastically understated and once again relies upon information more relevant to an overseas market while ignoring the robust, competitive responsible end markets for cold-press EPS that exist in North America.

1. Recycling performance metrics should recognize recovery outside commingled collection systems.

CAA proposes replacing its diversion-rate metric with pounds of Uniform Statewide Collection List (USCL) commingled material collected per household. CAA's

accompanying explanation expressly recognizes that recyclable materials are recovered through residential, commercial, and private recycling activities, including activities documented through DEQ's Material Recovery Survey.

The proposed metric may be useful for monitoring commingled collection activity. It is not, however, a comprehensive measure of recycling performance.

Materials such as EPS protective packaging are often recovered through commercial and institutional collection, retailer take-back, direct delivery to recycling processors, and other source-separated channels. These systems provide high-quality feedstock, efficient processing, high recovery yields, and access to established end markets without requiring conventional curbside collection.

A metric focused on commingled collection risks overlooking those benefits. Moreover, pounds collected do not necessarily equal pounds successfully recycled.

EPS-IA requests that DEQ:

- Clarify that the proposed metric measures commingled collection activity rather than total recycling performance;
- Require complementary reporting that recognizes independently collected and processed materials, including commercial and other non-curbside recovery;
- Distinguish collection tonnage from material delivered to responsible end markets, including processing yields and residual losses; and
- Establish a mechanism for obtaining and considering relevant information from private-sector recycling operations, including voluntary submissions and confidential review of commercially sensitive information, without unnecessarily imposing additional reporting burdens.

The absence of complete information concerning a recycling channel should not be treated as evidence that recycling does not occur. Nor should limitations in existing reporting systems be used to disadvantage recycling operations that function outside PRO-managed collection channels.

2. EPS densification economics require independent verification.

The Program Plan's discussion of block white EPS collection and densification (pages 94–97) contains material economic assumptions that warrant particular attention.

CAA estimates the market value of thermally densified EPS at approximately $500 per ton FOB, compared with only $6–$25 per ton FOB for cold-pressed EPS. CAA also cites

differences in compaction ratios and transportation efficiency in support of thermal densification.

EPS-IA questions whether the stated commodity values accurately represent the market for cold-pressed EPS.

Industry participants have reported that properly prepared cold-pressed EPS can achieve values comparable to thermally densified material, with values around $500 per ton reported for both forms. These figures should be understood as market information requiring independent verification, rather than established universal prices.

The magnitude of the discrepancy is consequential. A comparison between $500 per ton and $6–$25 per ton could materially affect equipment procurement, transportation decisions, recycling economics, and ultimately the allocation of producer-funded program costs.

The plan identifies St. Vincent de Paul as an existing thermal densification operator and INTCO as the end market. 90:1 is touted as an advantage yet compaction of 40:1 can provide sufficient density to achieve full trailer payloads for highway transportation to domestic processors. 90:1 would be an advantage for loading an overseas shipping container but not for the domestic market. Industry participants report that cold-press ingots are preferred by domestic markets for densified EPS because of a limited “heat history” which preserves polymer integrity important for processing recyclate into new material.

Information concerning actual purchase prices, contractual arrangements, product specifications, and downstream processing may be held by recyclers, equipment operators, purchasers, and other entities outside the regulated producer community. EPS-IA does not have access to all such records and cannot independently verify the transactions underlying CAA's estimates.

This is precisely why independent examination is necessary and why DEQ should identify which economic assumptions it has independently verified, which remain dependent on CAA or individual market participants, and how unresolved discrepancies will be addressed before those assumptions affect equipment expenditures or producer fees.

EPS-IA requests that DEQ have CAA evaluate its commodity value assumptions with:

- Information from multiple purchasers and responsible end markets, rather than reliance on a single commercial relationship;
- Information on whether polymer quality and downstream processing requirements justify different valuations; and

- Documentation distinguishing gross sales prices from net proceeds after transportation and processing expenses.

Until this examination is completed, the $6–$25 per ton assumption should not be treated as an established market benchmark for cold-pressed EPS.

3. Equipment selection should be technology-neutral and based on demonstrated recycling performance.

CAA requests flexibility to deploy thermal densification equipment, citing increased compaction ratios, transportation efficiency, and the potential to process other foamed protective packaging materials, including expanded polyethylene (EPE) and expanded polypropylene (EPP).

EPS transport packaging has been recognized as recycled in practice and at scale by the United Nations Environmental Programme. After years of effort and significant expense, the US Plastics Pact has removed EPS transport packaging from its problematic and unnecessary list. The acknowledgements and de-listing came as a result of the EPS industry proving that it has been recycling EPS for decades. Yet replacement of EPS by materials significantly behind EPS in circularity persists. CAA's prediction that a material on the depot list and on California's phase-in list will be de-selected in favor of landfill-only replacements resulting in stranded assets substantiates our concerns about the perverse incentive, adverse unintended consequences, cross-subsidization, and policy implementation that does not reduce overall environmental impact.

EPS-IA recognizes that ORS 459A.884(3) does not prohibit an individual material accepted for recycling from carrying a higher producer fee than a competing material that is not accepted for recycling. Nevertheless, an outcome in which mechanically recyclable EPS transport packaging carries a higher fee than a landfill-only alternative is contrary to the incentive structure reflected in that provision. This is particularly troubling where the differential may arise from unverified commodity valuations, equipment assumptions, or costs attributed to speculative future material substitution.

Thermal and cold-press technologies both have legitimate applications, depending on material volumes, logistics, operating conditions, energy consumption, capital costs, and downstream markets. The strong preference for one form over another and the persistent errors on price raises concern that there is an over-reliance on one source of information.

We are concerned, however, that the plan's assumptions may prematurely favor one technology without an adequately documented comparison.

CAA expressly identifies the possibility of future substitution of EPS with other protective packaging materials as a reason to avoid stranded equipment investments. Planning for changes in packaging markets is reasonable. But speculative future material substitution should not override demonstrated current recycling economics or justify unnecessary expenditures.

EPS-IA requests that DEQ require a technology-neutral assessment before approving or reimbursing material-specific equipment investments. That assessment should evaluate capital and operating costs, energy use, emissions, transportation, material quality, recovery yields, responsible end markets, and actual commodity revenues.

The assessment should also consider modular or lower-cost investments that could preserve flexibility without committing producers to unnecessarily expensive infrastructure.

4. Data gaps should prompt investigation, not adverse assumptions.

A recurring difficulty in evaluating EPS recycling is that relevant information is dispersed among private recyclers, equipment operators, commodity purchasers, local governments, and program administrators.

Producers may be financially responsible for program costs without possessing the transactional or operational records needed to independently test the assumptions underlying those costs.

This information asymmetry deserves explicit recognition.

Where a program decision depends on privately held commodity pricing, equipment performance, or recycling-volume information, DEQ should seek supporting records from the entities with that information. DEQ should also provide a means for affected producers and material sectors to submit competing evidence and obtain a reasoned response.

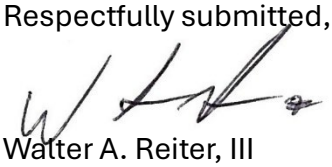
In particular, DEQ should not equate a lack of data in CAA's reporting system with a lack of recycling activity in Oregon.

Conclusion

Our principal recommendations are to preserve a distinction between commingled collection metrics and actual recycling performance; independently verify the reported economics of cold-pressed and thermally densified EPS; apply technology-neutral investment criteria; and ensure that material classifications and fees reflect documented recycling operations rather than incomplete data or speculative future market changes.

EPS-IA is prepared to assist DEQ in identifying industry participants and relevant market information that may help improve the accuracy of these assessments.

Respectfully submitted,



Walter A. Reiter, III
EPS Industry Alliance (EPS-IA)

1 North Second Street
Hartsville, S.C. 29550-3305 USA
www.sonoco.com

October 19, 2026

Oregon Department of Environmental Quality
Materials Management Program

Submitted via email to RethinkRecycling@deq.oregon.gov

Re: Public comment on Circular Action Alliance's 2026 Oregon Program Plan Amendment, Recycling Modernization Act

Dear Department of Environmental Quality:

Sonoco appreciates the opportunity to comment on Circular Action Alliance's 2026 amendment to its Oregon program plan.

Sonoco is a global packaging manufacturer and a leading North American recycler. We operate material recovery facilities and paper mills across North America, including more than twenty paper mills globally and twelve in North America, all of which run on 100 percent recycled fiber and accept coated paper materials today. We comment here chiefly as an end market. The questions the Department has raised about polycoated paper are questions about what mills accept and what fiber comes out the other side, and Sonoco has a unique perspective given the company's role as an existing end market.

These comments addresses one part of the amendment: CAA's proposal at pages 132 to 134 to trial commingled collection of polycoated paper packaging and single-use cups rather than add them to the Uniform Statewide Collection List. Sonoco supports the Department's interest in getting this material right. However, as written, the trial has no stated success criteria, no duration and no decision date, so nothing in the amendment commits it to producing an answer. Meanwhile the measurements the Department said were missing do exist via work by the Polycoated Paper Alliance, including Oregon-specific data.

Summary of recommendations

1. Treat polycoated paper, including paper bottom spiral wound containers, as a single material category and place it on the Uniform Statewide Collection List.
2. If the Department retains the trial, require CAA to publish the trial design before collection begins, including its duration, measurement method, and the specific result that would lead to a USCL recommendation. Encourage CAA to learn from the previous Polycoated Paper Alliance (PCPA) studies and methodology to avoid duplicate efforts.

1 North Second Street
Hartsville, S.C. 29550-3305 USA
www.sonoco.com

3. Give the trial the same structure CAA gave PET thermoforms: an assessment against the ORS 459A.914(3) criteria, a list of interim steps, and a target date for USCL consideration.
4. Clarify that the separate research for spiral wound containers noted on page 124 is specific to containers with metal ends since paper bottom spiral wound containers fit within the polycoated paper category. Set a date and a scope for the spiral wound container with metal end research.

1. The trial needs terms before it begins

CAA proposes "time-limited, geographically-bound commingled collection" of polycoated paper and cups to "derive real-world, actionable insights." Sonoco has no objection to a trial in principle. The difficulty is that the amendment defers nearly every design question that would make one decisive.

The amendment states no duration, saying only that the trial will be time-limited. It sets no decision date and does not commit to a plan amendment for these materials at any point. It does not say what would count as success. Goals, objectives, timing and duration all appear on the list of items CAA will settle later, in a project plan to be developed with the Department before any trial begins. Those are the terms that determine whether a trial can answer the question, and they are the terms left open.

The contrast inside the same document is useful. For PET thermoforms, CAA set out an assessment against each of the ORS 459A.914(3) criteria, a list of five interim steps, and a date: PET thermoforms "can be considered for addition into USCL on December 31, 2027" (p. 123). Polycoated paper receives narrative description, no assessment, no interim steps and no date. We do not read that difference as reflecting the comparative strength of the evidence, for the reasons below.

The Oregon Recycling System Advisory Council asked CAA for more detail on this trial during its review, and the amendment records the response as outside the scope of compliance. Sonoco respectfully renews that request.

2. The evidence the Department identified as missing now exists, and some of it is from Oregon

CAA records the Department's concerns precisely: "DEQ noted challenges in both sortation and yield. On the issue of yield, DEQ has questioned whether these materials are effectively recycled by paper mills, if they are readily recyclable ... and if they showed a high rate of recovery." Those questions have now been tested.

The Polycoated Paper Alliance has completed sortation, repulpability and bale composition testing on these materials. The table below sets those results against the determination criteria in ORS 459A.914(3), using the same criteria CAA applied to PET thermoforms. A summary of the findings is attached to this submission.

ORS 459A.914(3) criterion	What the testing shows
Compatibility with existing recycling infrastructure	RFID testing at MRFs with fiber optical sorters: an average of 74 percent of polycoated paper correctly sorted into marketable bales at a Midwest MRF, and approximately 90 percent at an Oregon MRF. Single-sided and double-sided coating made no measurable difference.
The practicalities of sorting and storing the material	Sortation testing under the Association of Plastic Recyclers two-dimensional and three-dimensional protocol: 92 percent of the formats tested were captured in the appropriate marketable bales.

ORS 459A.914(3) criterion	What the testing shows
The anticipated yield loss during the recycling process	Repulpability testing under the FBA and AF&PA Part 1 protocol across 20 packages: every format returned a fiber yield above 61 percent, the highest at 84.4 percent. Sonoco's laboratories supported this testing.
Contamination	Bale audits across MRFs in eight states, Oregon among them, with FTIR used to verify composition: polycoated paper is approximately 1.9 percent by weight of mixed paper bales, and does not carry inherently higher food residue than other paper.
The stability, maturity, accessibility and viability of responsible end markets	U.S. MRFs produce carton and cup/carton bales that multiple paper mills accept. Sonoco operates twelve North American mills that accept coated paper today, in conventional recycled fiber operations.

One of the two RFID sortation tests was run at an Oregon MRF, and it returned the higher of the two figures at approximately 90 percent. That is a measurement taken in Oregon, at a facility of the kind that would handle the material if it were listed.

The bale audit result also bears on the trial's premise. CAA states at page 133 that "some processors can handle up to 20% of polycoated paperboard (including polycoated cartons and aseptics) in mixed paper bales," citing consultation with an interested party. Against that, FTIR-verified bale audits measured polycoated paper at approximately 1.9 percent by weight. The material is running at roughly one tenth of the tolerance CAA itself cites, and the lower figure is the one established by instrument. Whatever headroom question the trial is meant to resolve, the measured starting point is a long way from the limit.

3. Polycoated paper should be treated as a single material category

The amendment treats polycoated fiber as one material when discussing end market tolerance and as several when assigning acceptance. The processor tolerance figure at page 133 covers "polycoated paperboard (including polycoated cartons and aseptics)" as a single group. In Table 21, that group is split: aseptic and gable-top cartons are accepted on the USCL, while polycoated paperboard is accepted on neither the USCL nor the PRO Recycling Acceptance List.

The split does not track a difference in how the material behaves. Both are plastic-lined fiber, both are repulped in the same facilities, and CAA notes that Oregon's CRPFs already place cartons in mixed paper bales rather than sorting them to a separate grade 52 bale. Two materials that travel together through collection, sortation and repulping carry opposite acceptance status, and only one of them is on a path to the list. We would also note that Table 21 contains no reporting category for paper cups at all, although the trial proposal discusses them at length.

Sonoco recommends that polycoated paper be treated as a single material category and placed on the Uniform Statewide Collection List.

4. Spiral wound containers

Sonoco manufactures spiral wound containers both with metal ends and paper bottoms. Sonoco believes

the paper bottom spiral wound containers should be classified with other polycoated paper as it shares a similar structure and is included in the PCPA findinds. Sonoco has previously submitted significant evidence supporting inclusion of spiral wound containers with metal ends on the USCL. The only outstanding question from ORDEQ was end market acceptance. The amendment addresses them in a single sentence at page 124: "CAA will continue to research the acceptance of these materials by local end markets and determine if a future program plan amendment to add spiral wound containers to the USCL would be appropriate."

Given the narrow scope of the outstanding questions for the metal bottom format, Sonoco asks that CAA state what the research consists of and when it will conclude.

Conclusion

Polycoated paper is collected, sorted into marketable bales, and repulped at acceptable yields today, including in Oregon. The amendment proposes to establish that through a trial whose terms are not yet written, while the measurements that would answer the Department's questions already sit in the record. Sonoco's recommendation is to place the material on the Uniform Statewide Collection List as a single category. If the Department prefers to proceed by trial, we ask that the trial be given the same structure CAA gave PET thermoforms, so that it concludes on a date and against a standard.

Sonoco appreciates the Department's work on the Recycling Modernization Act and welcomes continued engagement. We would be glad to discuss our mill operations, our recovery and repulping data, and how spiral wound containers and other fiber based packages fit into the future of Oregon's recycling program. Please contact me at scott.byrne@sonoco.com if you have any questions or would like to discuss in greater detail.

Sincerely,



Scott Byrne

VP, Global Sustainability & Indsutry Affairs

Attachment: Polycoated Paper Alliance findings infographic, published at www.polycoatedpaperalliance.com/findings

North Second Street
Hartsville, S.C. 29550 USA
www.sonoco.com

October 19, 2026

Via electronic submission

Nicole Portley
Program Plan Lead
Department of Environmental Quality, Portland Administrative Office
700 NE Multnomah Street, Suite 600,
Portland, Oregon, 97232-4100

Re: Third Oregon Program Plan Amendment (2025–2027)

Dear Ms. Portley:

Imperial Bag and Paper LLC ("Imperial") respectfully submits these comments on Circular Action Alliance's ("CAA") third program plan amendment submitted to the Oregon Department of Environmental Quality ("DEQ") on September 1, 2026 (the "Amendment"), together with CAA's accompanying explanatory letter of the same date (the "Notice Letter"). Imperial is an intermediary distributor of a wide range of foodservice, janitorial and sanitation, office supply, packaging, and personal protection and safety products across the United States, including in Oregon. Because Oregon's Recycling Modernization Act ("RMA") assigns producer responsibility for food serviceware to the person that first sells it in or into the state and assigns responsibility for branded packaging to the brand owner or licensee, Imperial carries obligations both as a distributor of third-party covered products and as a brand owner. Imperial is therefore directly affected by the way CAA defines reporting categories, sets fees, and modifies its program plan.

CAA characterizes the Amendment as "simple edits" covering administrative and minor programmatic updates. Imperial does not dispute that many of the changes are administrative. Several of them, however, will alter how Imperial classifies and reports its supply, how its fees are calculated, and how much notice producers receive before CAA changes the program's operations and funding. Our comments focus on: (1) the proposed changes to the covered material categories ("CMCs"); and (2) the new glass flexibility language. For each, Imperial identifies the changes it respectfully asks DEQ to require CAA to make in the final version of the Plan before DEQ approves it.

Imperial supports the RMA's objectives and wants the program to work well for producers of all sizes, including distributors whose product portfolios span many material categories. We appreciate the opportunity to provide the feedback below.

1. Updates to Reporting Categories (Covered Material Categories)

The Notice Letter explains that the CMC changes on pages 188–190 of the Amendment are needed to "isolate volumes" for materials that may be on-ramped or redesignated through pending rulemaking, and that CAA needs approval by December 2026 so it can adjust the producer portal before 2027 reporting

opens. The Amendment states that Table 21 sets out the material categories that will be used for producer reporting and for setting the 2027 fee schedule. The proposed changes are:

- Renaming the category for plastic containers for motor oil, antifreeze, automotive fluids, pesticides, herbicides, and other hazardous materials to "Plastic Packaging – Hazardous or Special Products";
- Splitting "PET (#1) Thermoformed Containers, Cups, Plates, Trays" and combining part of it with "PET (#1) Lids," creating "PET (#1) Thermoformed Containers" and "PET (#1) Lids, Cups, Plates, and Trays" (both shown in Table 21 as not accepted on the Uniform Statewide Collection List ("USCL") or the PRO Recycling Acceptance List, although the Amendment's narrative describes "PET (#1) Thermoformed Containers" as accepted on the USCL);
- Splitting "Aluminum Foil and Molded Containers" into "Aluminum Foil" and "Aluminum Molded Containers"; and
- Splitting "PP (#5) – Tubs, Pails and Buckets, Nursery (plant) pots & trays" and "HDPE (#2) – Tubs, Nursery (plant) pots & trays" into separate tub and nursery categories.

Imperial understands why CAA wants categories that can track future changes to the USCL. However, several of these changes fall squarely on the food serviceware and janitorial products at the center of Imperial's business, and the Amendment does not include the definitions, transition provisions, or fee-impact information producers need to evaluate them.

a. The Amendment moves common food serviceware into a "not accepted" category and leaves the line between categories unclear.

Under the current 2026 Reporting Category Definitions, thermoformed PET cups, plates, trays, and clamshells all fall in a single category, "PET (#1) – Thermoformed Containers, Cups, Plates, Trays," and PET food serviceware supplied empty is expressly reported there. The Amendment would move PET cups, plates, and trays (along with PET lids) into a new category, "PET (#1) Lids, Cups, Plates, and Trays," that is not accepted on either list. Table 21 likewise lists the new "PET (#1) Thermoformed Containers" category as not accepted, but the Notice Letter explains that the new categories are intended to isolate volumes so that a recycling designation can be applied once rulemaking changes or on-ramping proposals are approved, and the Amendment's narrative already describes that category as accepted on the USCL. In other words, the split lays the groundwork for designating thermoformed containers, but not cups, plates, trays, and lids, as accepted in a future amendment or rulemaking. The split also creates ambiguity. The Amendment does not define "Thermoformed Containers" as distinct from "Lids, Cups, Plates, and Trays." It is unclear, for example, whether a hinged PET clamshell, a PET deli container with a separate lid, a portion cup, or a PET bowl is a "container" or falls in the new not-accepted category, and whether a PET dome lid sold with a PET cup is reported as a lid or as part of the container. The current definitions already distinguish "PET (#1) – Tubs" from thermoformed items based on the size of the neck or mouth relative to the base, and they route lids with two or more sides of two inches or less to the new small-format caps and lids category. Adding a third dividing line without a definition will lead producers to classify identical items differently, which undermines both data quality and fee fairness.

PET thermoformed cups, lids, plates, and trays are core foodservice items for distributors like Imperial and are the type of product found in private-label foodservice lines such as Imperial's. Under the base fee methodology, the average fee for not-accepted materials must exceed the average fee for accepted materials, and CAA has asked for authority to use the state-adjustment factor to shift costs onto not-

accepted materials. As a result, once the forthcoming USCL designation takes effect, this reclassification is likely to raise per-pound fees on a large share of Imperial's PET food serviceware supply, even though nothing about the products has changed. DEQ should require CAA to address this issue now, before the designations change. Otherwise, the category lines will already be fixed by the time the future amendment is considered and affected producers will not have a meaningful opportunity to contest them.

b. The aluminum split requires SKU-level reclassification without a clear fee rationale.

Aluminum foil wraps, pans, and molded containers are significant foodservice products for Imperial. Today they are reported together, and the category definition covers foil wrap supplied as food serviceware or as a product, lidding foils, food service containers, pie plates, and other molded containers. Both item types currently carry the same acceptance designation. Splitting them will require Imperial to re-map its product data at the SKU level and, for private-label items, to work with suppliers to separate weights it has not previously tracked. The Amendment does not explain whether the two new categories are expected to receive different acceptance designations or different fees, or how items that combine foil and molded components (for example, a molded pan with a foil or foil-laminate lid) should be reported. If designations are not expected to change, the split creates significant work for producers and their suppliers with no clear benefit. DEQ should require CAA to explain the purpose of the split and provide reporting guidance for combination items in the final version of the Amendment.

c. The renamed hazardous products category introduces an undefined term.

Imperial distributes janitorial and sanitation chemicals in plastic containers, some of which carry Federal Hazardous Substances Act ("FHSA") signal words. The current category definition is specific: it covers containers for motor oil, antifreeze, and automotive fluids; non-exempt pesticides regulated under the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"); and FHSA-regulated products bearing specified signal words and hazard classifications. It also relies on the Lubricants Packaging Management Association Applicable Products List for automotive fluids. The proposed name, "Plastic Packaging – Hazardous or Special Products," adds the undefined phrase "Special Products," which could be read to sweep in packaging well beyond the current definition. DEQ should require CAA either to keep the existing descriptive name or to confirm in the final version of the Amendment that the scope of the category is unchanged and limited to the current definition.

d. Smaller categories increase fee volatility, and the timeline leaves little room for producers to adapt.

CAA has acknowledged that reported supply tons strongly affect fee rates. Splitting existing categories spreads costs over smaller supply bases, which increases the risk that a single producer's reclassification decisions, or a data correction by a large producer, will cause sharp year-to-year fee swings in the new categories. In addition, CAA seeks approval by December 2026 and intends to update the producer portal before 2027 reporting opens, but the Amendment does not commit to publishing updated category definitions, examples, or category mapping on any particular schedule. Producers that report in both Oregon and Colorado also rely on CAA's Oregon-to-Colorado reporting category mapping, which currently maps the combined PET thermoform and aluminum foil/molded categories. Imperial recommends that DEQ require CAA, as a condition of approving the final version of the Amendment, to:

- Publish updated definitions, examples, and reporting tips for each new or renamed category, including a clear line between "Thermoformed Containers" and "Lids, Cups, Plates, and Trays," at least 90 days before the 2027 reporting window opens;

- Publish a category mapping from the current categories to the new categories, and an updated Oregon-to-Colorado mapping;
- Provide illustrative fee estimates for each new category before final approval so producers can see the cost effect of the reclassification;
- Adopt a first-year good-faith reporting safe harbor for reclassification errors in the new categories, so that producers acting reasonably are not penalized or charged retroactive adjustments for data issues during the transition; and
- Confirm in the final version of the Amendment that approval of the new categories does not itself change any category's acceptance status or fees before the corresponding rulemaking or on-ramping amendment is approved.

2. Glass Flexibility Language

The Amendment adds the following sentence on page 114: "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." The Notice Letter explains that this language is meant to let CAA adjust its operations to match new regulations "without necessitating another program plan amendment before the end of the first program plan period," and to let CAA proceed with fee setting that captures the regulatory changes.

Imperial understands that DEQ's third RMA rulemaking materially changes the PRO's glass obligations, and that CAA wants to respond quickly. DEQ has proposed permanent rules that it intends to present to the Environmental Quality Commission ("Commission") on or after January 14, 2027 that are identical to those temporary rules presented to the Commission in September 2026. Imperial does not object to CAA complying with new rules. Imperial is concerned, however, that this language functions as advance approval of changes that have not yet been defined, and that it removes the public review that would otherwise apply.

a. Procedural concerns

- Lack of transparency. The sentence does not identify what operational or funding changes CAA may make, how large they may be, or how they will be communicated. Glass is a substantial part of the program: CAA estimates roughly 41,100 tons will be collected and pays a $77 per ton incentive to communities that maintain curbside glass collection. The new glass rules would remove that incentive and largely return glass collection to the pre-RMA Opportunity to Recycle framework, so the resulting changes to collection methods, incentive payments, depot obligations, and the glass budget are likely to be significant.
- Diminished stakeholder input. DEQ's rules provide that routine annual updates to base fee amounts do not require a plan amendment. By contrast, changes that go beyond routine updates are normally made through the amendment process, which provides for public review. The open-ended glass language would allow changes beyond routine updates without that review for the rest of the plan period.
- Open-ended scope. Although the temporary glass rules and the proposed permanent rules are now public, the language is not tied to either of them, does not limit CAA to changes the new rules actually require, and has no end date other than the end of the plan period.

b. Substantive concerns

Glass-related costs are allocated to the glass material category and flow into the fees paid by producers of glass packaging, and changes to program costs generally affect the operating budget and reserves that all producers fund. A change in glass obligations may increase or decrease costs. Either way, producers should know about the change and its associated fee consequences before they are built into the fee schedule. Without that notice, producers like Imperial cannot budget accurately or raise concerns about how CAA has chosen to implement a new rule.

Imperial recommends that DEQ require CAA to narrow the language in the final version of the Amendment so that it:

- Applies only to changes required by the glass rules the Commission adopted as temporary rules in September 2026, or by any permanent rules it adopts on that subject, and only to the extent necessary to comply;
- Requires CAA to give producers and DEQ written notice describing the operational changes and their estimated budget and fee effects at least 60 days before they take effect, with an opportunity to comment;
- Requires a plan amendment for any change that goes beyond what the rule requires or that materially changes the program budget or fee methodology; and
- Requires CAA to report on any glass-related changes, and their actual cost effects, in its next annual report.

Thank you for considering these comments. Imperial believes that clearer category definitions, more advance notice of fee-related changes, and a narrower glass flexibility provision will improve the workability and fairness of the program for all producers, including distributors and private-label brand owners. Imperial respectfully requests that DEQ require CAA to incorporate these changes in the final version of the Amendment. We look forward to continued collaboration with DEQ and welcome the opportunity to discuss these comments further.

Sincerely yours,

Kevin McGrath
Senior Vice President, Supply Chain and Replenishment
kmcgrath@Imperialdade.com
Imperial Bag and Paper LLC

Signature: Kevin McGrath
Kevin McGrath (Oct 18, 2026 16:54:38 EDT)

Email: kmcgrath@imperialdade.com

Imperial Dade - OR Program Plan Amendment Comment Letter 10.19.2026

Final Audit Report 2026-10-18

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October 19, 2026

Nicole Portley
Program Plan Lead
Department of Environmental Quality, Portland Administrative Office
700 NE Multnomah Street, Suite 600,
Portland, Oregon, 97232-4100

Re: Third Oregon Program Plan Amendment (2025–2027)

Dear Ms. Portley:

Brady Industries, LLC d/b/a BradyPLUS ("BradyPLUS") respectfully submits these comments on Circular Action Alliance's ("CAA") third program plan amendment submitted to the Oregon Department of Environmental Quality ("DEQ") on September 1, 2026 (the "Amendment"), together with CAA's accompanying explanatory letter of the same date (the "Notice Letter"). BradyPLUS is an intermediary distributor of a wide range of foodservice, janitorial and sanitation, office supply, packaging, and personal protection and safety products across the United States, including in Oregon. Because Oregon's Recycling Modernization Act ("RMA") assigns producer responsibility for food serviceware to the person that first sells it in or into the state and assigns responsibility for branded packaging to the brand owner or licensee, BradyPLUS carries obligations both as a distributor of third-party covered products and as a brand owner. BradyPLUS is therefore directly affected by the way CAA defines reporting categories, sets fees, and modifies its program plan.

CAA characterizes the Amendment as "simple edits" covering administrative and minor programmatic updates. BradyPLUS does not dispute that many of the changes are administrative. Several of them, however, will alter how BradyPLUS classifies and reports its supply, how its fees are calculated, and how much notice producers receive before CAA changes the program's operations and funding. Our comments focus on: (1) the proposed changes to the covered material categories ("CMCs"); and (2) the new glass flexibility language. For each, BradyPLUS identifies the changes it respectfully asks DEQ to require CAA to make in the final version of the Plan before DEQ approves it.

BradyPLUS supports the RMA's objectives and wants the program to work well for producers of all sizes, including distributors whose product portfolios span many material categories. We appreciate the opportunity to provide the feedback below.

1. Updates to Reporting Categories (Covered Material Categories)

The Notice Letter explains that the CMC changes on pages 188–190 of the Amendment are needed to "isolate volumes" for materials that may be on-ramped or redesignated through pending rulemaking, and that CAA needs approval by December 2026 so it can adjust the producer portal before 2027 reporting opens. The Amendment states that Table 21 sets out the material categories

that will be used for producer reporting and for setting the 2027 fee schedule. The proposed changes are:

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BradyPLUS understands why CAA wants categories that can track future changes to the USCL. However, several of these changes fall squarely on the food serviceware and janitorial products at the center of BradyPLUS's business, and the Amendment does not include the definitions, transition provisions, or fee-impact information producers need to evaluate them.

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- Requires a plan amendment for any change that goes beyond what the rule requires or that materially changes the program budget or fee methodology; and
- Requires CAA to report on any glass-related changes, and their actual cost effects, in its next annual report.

Thank you for considering these comments. BradyPLUS believes that clearer category definitions, more advance notice of fee-related changes, and a narrower glass flexibility provision will improve the workability and fairness of the program for all producers, including distributors and private-label brand owners. BradyPLUS respectfully requests that DEQ require CAA to incorporate these changes in the final version of the Amendment. We look forward to continued collaboration with DEQ and welcome the opportunity to discuss these comments further.

Sincerely yours.



Mark Allen, CMO

Brady Industries, LLC d/b/a BradyPLUS

PCPA Poly Coated Paper Alliance

Poly Coated Paper

Insights into recoverability & value

The Poly Coated Paper Alliance (PCPA) is a collaborative platform working to demonstrate that poly coated paper packaging **can be recycled at scale,** can be reliably sorted at material recovery facilities (MRFs), and can provide value to paper mills. PCPA supports material recovery through rigorous testing, multi-state auditing, and industry engagement.



High Performance Sortation is Possible

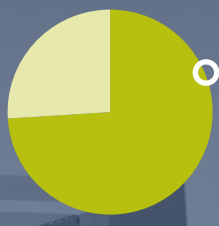
RFID Testing Efficiency

RFID testing at a MRF with fiber-optical sorters showed strong real-world sorting accuracy into marketable bales.

Across both tests, neither **single- nor double-sided coating** had a measurable effect on **recovery.**

Sortation Study (APR 2D/3D)

Under standarized test protocols, most formats evaluated were **directed into expected bale streams.**



74%

average sorting accuracy observed in a Midwest MRF



90%

average sorting accuracy observed in a West Coast MRF



92%

capture rate on average within study parameters

July 2026

High Fiber Recovery Potential

Using the FBA/AF&PA Part 1 repulpability testing protocol, PCPA analyzed 20 different poly coated paper packages.

All formats yielded significant usable fiber, indicating **high potential value to paper mills.**

Minimum Fiber Yield Tested	61%
Maximum Fiber Yield Tested	84%

61% to 84% fiber yield achieved

Challenging Assumptions

Observed trends in bale quality & residue



Audits of mixed paper bales sourced from California, Colorado, Illinois, Maine, Massachusetts, Minnesota, Ohio, and Oregon found that **poly coated paper is already present in the recycling stream** and is being sorted into marketable bales.

2026 Bale Audit Findings

Poly coated paper made up approximately **1.9% by weight of mixed paper bales**, verified using FTIR.

Existing Recycling Markets

Some U.S. MRFs produce **carton and cup/carton bales** that multiple paper mills accept for recycling. This demonstrates established collection, sortation, and end-market pathways.

Residue Neutral

Audits found **no significant increase in food residue,** despite being used in food service and food contact categories.

Learn More & Get Involved at:

polycoatedpaperalliance.com

July 2026

The Recycling Partnership

20 F Street NW
7th Floor
Washington, D.C. 20001
recyclingpartnership.org

Oregon Department of Environmental Quality
700 NE Multnomah Street, Suite 600
Portland, OR 97232-4100
rethinkrecyclin@deq.oregon.gov

To the Oregon DEQ Materials team,

The Recycling Partnership appreciates the opportunity to comment on the Recycling Modernization Act program plan amendment submitted by Circular Action Alliance in September 2026.

Congratulating coordination

The Recycling Partnership is a national organization with the mission of solving recycling's toughest challenges, together. So we'd like to first and foremost applaud DEQ, CAA and other interest holders for continuing to embrace a spirit of collaboration to work through the inevitable complications and issues that come with implementing Oregon's landmark extended producer responsibility law for printed paper, packaging and foodservice ware.

Several elements of the recently submitted plan amendment underscore the coordination that continues to occur between DEQ and CAA. The proposal to update the list of specifically identified materials (SIMs) in the program plan, for instance, helps keep CAA's plan in line with recent SIMS decisions made by DEQ. Additionally, the suggested changes to covered material categories can line up elements of CAA's fee-setting with updates that may come to the program in the future.

These amendment details are thoughtful steps that can help producers effectively set budgets moving forward. It's a reality that the fast-evolving EPR ecosystem in the U.S. is bringing financial uncertainty to producer companies of all sizes. While it's incumbent on producers to learn to navigate some degree of unpredictability as the recycling system evolves, any areas in which regulators and the PRO can bring fee clarity to producers will go a long way toward building trust and buy-in from businesses that are still adjusting to the new world order of recycling funding.

The Recycling Partnership does also see some areas for improvement within the program plan amendment, as outlined below:

Alignment needed on 'capture rate' definition

In the Definitions section of the Appendix in this program plan amendment, CAA adds a definition for the term "capture rate," noting in the amendment cover letter that this phrase was not defined in earlier iterations of the plan.

Adding the term to this section of the Appendix makes sense, but it's worth noting that the definition put forth by CAA differs from the definition that DEQ published in Phase 2 rulemaking (adopted by Oregon's Environmental Quality Commission in November 2024).

The definition of "capture rate" established in rulemaking – see OAR 340-093-0030(18) – is the following: "'Capture Rate' means the proportion of incoming recyclable material that is shipped to a responsible end market relative to the quantity of recyclable material that is received by the commingled recycling processing facility. The rate may be specific to a commodity or the stream as a whole."

The definition proposed by CAA in the amendment, meanwhile, is this: "'Capture rate' means the percentage of a material entering a facility in the commingled stream that leaves the facility in the appropriate commodity."

These definitions are certainly very similar, but to ensure clarity across the Oregon system, it would be ideal that DEQ and CAA define the phrase in exactly the same terms. Of particular note is the fact that CAA's definition leaves out any reference to responsible end markets. Our recommendation is for CAA to use in its plan the existing regulatory definition, one which has already gone through public review and adoption.

If CAA and DEQ do move forward with separate definitions, we would recommend slightly altering the end of the sentence in the amendment to "an appropriate commodity" to help account for operational realities in processing facilities. A commingled recycling processing facility may, for instance, capture cartons in either a mixed paper bale or a cartons-only bale. Using "an" instead of "the" in the definition would provide flexibility for this type of situation.

Finally, we'll point out that, ideally, CAA, DEQ and other interest holders would use the phrase "CRPF capture rate" for this particular definition. The Recycling Partnership and others engaging on materials collection often use the phrase "capture rate" or "participant capture rate" to describe the percentage of a given recyclable that is actually captured for recycling at the curb (for instance, if a household generates 10 pounds of OCC across trash and recycling and 7 pounds actually makes it to the recycling

cart, the household has a 70 percent capture rate). Using the term “CRPF capture rate” to describe the efficacy of processing would be a useful clarification step.

‘Weight collected’ not a sufficient metric on its own

In the Goals section of the program plan amendment, CAA is proposing to rewrite one of the metrics used to track progress on Goal 2 (Increase the diversion of recyclable materials from disposal). CAA would like to change the metric from “Diversion rates associated with USCL materials” to “Pounds of USCL commingled material collected per household.” In the amendment cover letter, CAA explains that such a shift would avoid measurement of “diversion,” which is an ambiguous term that can theoretically be tracked at a variety of places in the waste stream. Perhaps more substantially, CAA states the edit would also allow the PRO to monitor the program using clear and reliable data points that the organization already has in its purview.

As a group that works to measure the effectiveness of different types of recycling projects in a wide range of jurisdictions, The Recycling Partnership can sympathize with CAA’s metrics predicament. Because waste and recycling functions are handled by a variety of different entities and the makeup of material varies load by load, developing strong data on the collected stream is inherently challenging. Moreover, the industry has long struggled to determine ongoing, reliable commodity-level material generation figures that provide the denominator for recycling or diversion rates.

However, while we understand the appeal of a more streamlined, easier-to-tabulate data point such as pounds of material collected per household, The Recycling Partnership does not view this as a complete measurement strategy that facilitates tactical or strategic adjustments. We have strongly supported the measurement of pounds per household served (as long as a methodology can accurately account for the household service base), but we see more utility in a broader calculation that includes solid generation estimates at the commodity level.

An important factor in the recommendation to stick with recycling or diversion rates is the fact that using tonnage alone as a basis for measurement in materials management can be misleading. The Recycling Partnership’s 2026 State of Recycling Report found that the material mix in residential recycling is becoming lighter, more varied, and more complex to manage – our recent findings are just the latest evidence of an “evolving ton” trend that has been identified in the industry for years.

Our national analysis found that from 2020 to 2026, the weight of recyclable materials being generated per household per year fell by 12%. Overall generation of traditionally collected materials by weight is

down primarily because of a reduction in glass packaging and mixed paper found in the trash or recycling stream. At the same time, the volume of lighter weight material in the stream is growing.

By and large, we expect paper and packaging materials to continue to get lighter. That means that as the RMA continues to rollout, stagnating or falling tonnages of USCL materials collected could be more attributable to the ongoing evolution of the stream itself, rather than programmatic issues such as customer access and participation.

It is for that reason that we believe maintaining an emphasis on recycling or diversion rates will give deeper, more actionable insight on what's being collected and what is not.

Further, we feel the centrality of the plastics recycling rate target in the RMA obligates CAA and DEQ to work together to consistently tabulate the generation of material covered under the program. To deliver any meaningful recycling rate (or diversion rate) calculation, CAA must have regularly updated figures on overall generation of covered plastics in Oregon, in both the trash and recycling streams and across sectors (commercial and residential).

In Oregon, tracking generation (the denominator in a recycling rate calculation) is ultimately a DEQ responsibility, not a PRO responsibility. DEQ, through waste characterization studies and surveys of material buyers, has done great work delivering statistically sound figures on waste and recycling over the past several decades. But it's also true that the cadence of this data gathering is not well-aligned with the needs of CAA and the RMA as a whole. Part of a modernized statewide recycling system should be clear and actionable numbers on year-over-year programmatic trends. If comprehensive waste characterization results are only delivered every six years, as is required under current Oregon statute, the PRO and other interest holders are not going to be able to gain meaningful visibility on how efforts to bolster collection and processing are actually playing out. We're also going to struggle to see where things stand on the statewide plastic recycling rate, the lone recycling rate target under the RMA.

The Recycling Partnership recommends that DEQ accept CAA's "pounds per household" metric change, but the two entities need to continue to attempt to measure diversion rates. Over the next several years, as CAA works to fine-tune its efforts to tabulate exactly what is collected and delivered to commingled recycling processing facilities, CAA and DEQ could work collaboratively to move forward wider Oregon waste characterization work to enable the PRO to report recycling rate figures for USCL materials.

CAA has already made great strides standing up an audit center to track contamination in recycling loads collected statewide. Combining some of those characterization processes and infrastructure with DEQ

expertise and resources could modernize Oregon's wider waste analysis endeavors. Such data can inform program adjustments and provide proof that recycling in the state is working.

A primary objective of the RMA is to bolster the public's trust in the system. Let's work together to put forth the numbers on which trust can truly be built.

Thank you again for this opportunity to comment – please don't hesitate to reach out with any questions.

Dan Leif
Director, Policy Implementation
The Recycling Partnership