



State of Oregon  
Department of  
Environmental  
Quality

## Considerations: Possible Performance Standards for Producer Responsibility Organization Recycling Collections (ORS 459A.896(1) and ORS 459A.914(7))

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Oregon’s Plastic Pollution and Recycling Modernization Act requires producer responsibility organizations (PROs) to provide recycling services for certain materials identified in rule by the state’s Environmental Quality Commission. Generally speaking, these services will focus on materials, such as film plastics, that are suitable for recycling but are otherwise difficult or problematic to collect via commingled collection. Such collections may occur via recycling depots or drop off centers, collection events, or “other arrangements for the collection of the covered product as described in a producer responsibility program plan”.

As part of that rulemaking, the commission will establish “collection targets, convenience standards and performance standards” for such collections (ORS 459A.914(7)). PROs are required to meet those targets and standards as part of providing for the collection and responsible recycling of identified materials (ORS 459A.896(1)).

The Oregon Department of Environmental Quality is undertaking a rulemaking process that includes rules required by ORS 459A.914. DEQ has convened a Technical Workgroup to advise on relevant technical analysis. The August 23 meeting of that workgroup will include a discussion on collection targets, convenience standards and performance standards. This document is provided to support discussion of performance standards. It provides initial lists of potential topics that DEQ *might* include in a draft rule concept related to PRO recycling obligations. DEQ invites feedback on these lists: are there items that are particularly important, or less so? Items that should be removed, added, or clarified?

### Structural

1. Proper lighting
2. Roof/structures with walls for certain materials (e.g., expanded polystyrene)
3. Covered/ lidded bins and containers
4. Solid containers (no holes or leaks)
5. Low profile boxes with cutouts
6. Sturdy and safe ramps/platforms for larger drop boxes for collection (if smaller containers are not available)
7. Litter fence
8. Paved surfaces

### Public facing

1. Easy to follow driving instructions
2. ADA accessibility
3. Easy to read signage (large font, contrasting colors, 5<sup>th</sup> grade reading level, avoid visual clutter)
4. Signage with photos
5. Multiple languages
6. Dates, hours and contact information listed
7. No fee to deliver materials

8. If unstaffed, facility must prominently feature a maintenance hotline number and have protocols for quickly responding to health/safety/environmental concerns
9. Clean, tidy site (no visible litter or clutter around containers)
10. Robust information sent out to generators (both residential and non-residential) about what items are accepted at depots, and how to properly prepare materials
11. Utilization of apps and website that help customers find out how to properly prepare items, and access information about the depot

### Operational

1. Easily accessible containers (for dumping and moving)
2. Staff onsite monitoring for both full containers and contamination removal
  - a. Question: should rules require constant staffing or allow for intermittent staffing?
3. Proper heavy equipment for moving and dumping full containers if necessary
4. Cameras onsite for security and illegal dumping, potentially monitoring fullness levels of containers
5. Staff educated about correct materials for collection and common types of contamination
6. Staff trained on all necessary tracking and documentation processes for handling certain materials
7. Appropriate land use/zoning
8. Ingress/egress - traffic flow and ensure adequate operating space for trucks (e.g., overhead clearance and turning radius)
9. Frequent cleaning, litter patrol and removal (at least daily)
10. Hazard ID protocol for handling hazardous materials
11. Evaluation of whether or not to have a trash receptacle onsite, or post signage requiring that users haul their own trash out using bags, boxes, bins, etc.
12. Coordination as needed with local jurisdiction on city codes for fining for illegal dumping and help post appropriate messaging to discourage illegal dumping

### Safety

1. Staff have proper Personal Protection Equipment such as hard hats, high-visibility vests, steel toe shoes, masks, gloves and glasses
2. Safety/evacuation routes and plans are visible for both staff and users
3. Signs indicating to watch for heavy equipment, trucks, other cars
4. Staff trained on safety best practices for handling materials (both direct/internal handling, and public handling)
5. Spill kits/other leaking or hazardous material containment systems
6. Fire extinguishers

### Regulatory

1. Comply with all applicable laws
2. Deliver materials to responsible end markets
3. If site is operated under contract to a PRO, the PRO may direct the disposition of materials as necessary to comply with requirements of ORS 459A.896(2)
4. Maintain proper recordkeeping
5. Agree to provide records to PRO (or DEQ, if relevant) and submit to auditing
6. Agree to report safety and security incidents to PRO (or DEQ, if relevant) in a timely manner
7. Agree to track and report to PRO any information required by EPR law for tracking and reporting by PRO

8. Maintain policies and processes to ensure:
  - a. Safety and security of collected products
  - b. Proper handling of collected products by staff
  - c. Timely management of collected products and servicing of sites to reduce accumulation
9. Maintain adequate insurance

*PRO in PRO program plan should also describe how it will:*

1. Monitor sites on a regular basis to ensure compliance with performance standards
2. Report safety and security incidents and other potential regulatory violations and deviations from plan to DEQ in a timely manner
3. Provide adequate advance notice to DEQ of any significant changes in service, including location and timing of depots and collection events offered in lieu of depot collections
4. Respond to potential contingencies that may disrupt service, e.g., public health emergency that requires temporary closure or limits access to facility

Additional standards specific to collection events

1. PRO program plan should describe:
  - a. Standard for maximum participant wait time (e.g., number of minutes) and protocols for monitoring achievement of that standard and adjusting practices/staffing as needed to achieve it
  - b. Summary of any contingency plans -- for instance, if there is larger-than-estimated turnout
  - c. Summary of any safety and security plan for the event
2. Provide advance event promotion
3. Provide proper signage
4. Maintain staffing, policies and processes to manage traffic flow, large turnout