



Oregon Department of Environmental Quality

PRO Collection Points: Collection and Recycling of Materials on the PRO Recycling Acceptance List

Checklist for Recycling Council program plan review

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Focal plan sections: (1) Operations Plan, PRO Recycling Acceptance List, (2) Appendix F: PRO depot lists and coverage

	DEQ feedback	Council feedback
Overall Feedback on Plan Section:	<p>In this section, CAA lays out approaches toward meeting convenience standards, performance standards and collection targets. DEQ considers that the content falls into three categories:</p> <ol style="list-style-type: none">1. meets or is on the path to meeting requirements (e.g. CAA's proposed approach to engaging existing depots),2. could meet requirements if more detail is provided (in some areas, substantially more detail is required), and3. does not meet requirements. <p>DEQ has specific concerns around the second category (needs more, and potentially substantially more, detail) in that there's a risk to CAA of following such a proposal in its second draft down a path that ultimately cannot meet the requirements. As such, DEQ recommends CAA do its due diligence and conduct broad outreach/work</p>	

	with partners to outline, in draft 2, an approach that meets all requirements and is feasible.	
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Plan Component	Statute or Rule Citation	Is the requirement met? (yes, no, conditionally)	DEQ feedback	Council feedback
Proposed collection target and sufficient justification¹ for:	OAR 340-090-0660(2)(b)	Conditionally	The per-material collection rates of 5.9-15% per material (and 53% for glass), laid out on pg 51-54, are premised upon an assumption, on pg 50, that 15% of the Oregon population will participate in depot and related services. DEQ wonders if this is a low estimate; recently in Tacoma and Medford, glass depots have collected >75% of the volume expected from on-route collection, suggesting higher rates of participation are possible.	
steel and aluminum aerosol packaging	OAR 340-090-0660(2)(b)	No	On pg 45-46 CAA notes they will work with DEQ-permitted facilities that offer HHW collections, as well as reach out to contractors that currently host HHW collection events to explore collaboration opportunities.	

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- ¹ Justifications for each proposed collection target must include:
 - information on existing and recent historic collection quantities, and comparison with the proposed targets,
 - a projection of the number of participants and the quantity of material to be collected on a per-participant basis as well as per collection point,
 - (for plastic materials—i.e., block EPS, PE and PP lids, and HDPE package handles) how the proposed collection target will contribute towards the achievement of plastics recycling goals as contained in ORS 459A.926

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			<p>DEQ is concerned that this suggests a collection approach for these materials that is limited to existing infrastructure, which would fail to meet the convenience standard. It is noted in the plan that 94.6% of the Oregon population has access to some form of HHW collection; however, that access is very limited, temporally and geographically, for most of those residents, and the access for commercial generators is much more limited vis a vis residential generators.</p> <p>Note that, contrary to paragraph 2 of pg 52 beginning with "CAA recognizes," it is possible to collect this material at PRO- and retailer-operated collection points; rulemaking 1 rules do not require the material to be handled through HHW infrastructure only.</p>	
polyethylene film packaging		No	See note above regarding low targets, of particular concern with the plastic items since DEQ has flagged that CAA's estimate of the plastic recycling rate is likely too high and that a plan is needed for additional programming during the first program plan in order to achieve	

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			the 25% statewide plastics recycling goal for 2028.	
single-use pressurized cylinders		No	The concerns expressed above regarding management of aerosol packaging exclusively through existing HHW infrastructure apply to pressurized cylinders as well.	
aluminum foil and pressed foil products		Conditionally	CAA's estimate presumes 6,300 total tons of material in the state, which is referred to as an estimate of residential material generated in 2023. DEQ wonders whether commercial/multifamily was accounted for?	
block white expanded polystyrene		No	See concerns about low rates for plastic collection indicated above with respect to PE film, also relevant here.	
polyethylene and polypropylene lids and HDPE package handles		No		
Plastic buckets, pails and storage containers		No		
Glass		Conditionally	CAA proposes a collection rate of 53% (goal under OAR 340-90-0660(2)(a) is 45%), premised upon collecting an additional 3,100 tons of material beyond what is already collected by local governments (38,000 tons), for a total of 41,100 tons collected.	

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			<p>DEQ is interested to know more detail behind the 3,100 ton estimate.</p> <p>See reference to Tacoma and Medford >75% glass collection rates above, suggesting that 53% could be low.</p>	
<p>Methods for the achievement of collection targets for the above materials and for glass (45%)</p>		Conditionally	<p>On page 35 CAA lays out its overall approach for meeting collection targets (and convenience and performance standards).</p> <p>It is unclear whether or not commercial generators have been taken into account in the calculation of the collection targets. Canadian data sources are cited for several of the targets, and DEQ wonders if the residential lens of Canadian packaging EPR programs has resulted in this omission.</p>	
<p>Methods and a schedule, including interim milestones, for achieving convenience standards by supporting and expanding existing collection points and by creating new collection points, including</p>	<p>ORS 459A.0640</p>	No	<p>Generally, DEQ is concerned that CAA has not fully understood the convenience standard and/or is not proposing an approach sufficient to meet the convenience standards.</p> <p>Re: misunderstanding, the infographic and bulleted list on pg 36 is not entirely correct or aligned with OAR 340-090-0640. The convenience standard</p>	

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			<p>requires collection points for materials on the "enhanced" list in cities with populations of 4,000 (outside Metro region) and 8,000 (within the Metro region). Also, with respect to collection of basic vs enhanced materials, on pg 37 CAA suggests that by offering collection of basic materials at existing depots, it is going beyond the convenience standards. That is not the case – the requirement to contract with existing depots where possible to collect all PRO materials must be met; doing so is not going beyond requirements.</p> <p>Regarding sufficiency of the proposed approach, DEQ is concerned that multifamily and commercial generators will not receive adequate service in metro areas where CAA proposes alternative compliance to convenience standards. This must be addressed in v2 of the plan in order to meet requirements.</p> <p>DEQ also questions whether or not CAA, in exploring how to fill remaining gaps once existing depots are contracted</p>	

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			with, has adequately accounted for the potential of using return-to-retail collection points.	
a description of how the prospective PRO will uphold the requirement to contract, where possible, with existing depots or drop-off centers	459A.896 (1)(a)	Conditionally	<p>CAA notes on pg 37 (last full paragraph, fourth line) that, as a part of the ORSOP work in Apr-Aug 2024, "permitted <i>DEQ facilities</i> and existing local government depots will receive no less than two specific and direct requests to consider joining the PRO depot network."</p> <p>DEQ receives favorably the intent to reach to all existing facilities, including tribal facilities (as noted on pg 116), as part of ORSOP. However, DEQ would note that there are no "DEQ-operated facilities" and that the definition of "existing recycling depot" at OAR 340-090-0640(1)(a) is broader than permitted DEQ facilities and existing local government depots, encompassing some of the "refuse-related locations" that CAA refers to on pg 38 in paragraph 1 as possible partners to meet convenience standard gaps after all "existing depots" are contracted with. If CAA has left some facilities meeting the "existing depot" definition out of its v1 gap analysis, it</p>	

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			<p>may need to rerun the analysis and present updated results in v2.</p> <p>In its second draft, CAA should simply confirm that it will follow OAR 340-090-0640(1)(a) and reach out to all existing recycling depots as defined in rule. Perhaps adding a bulleted list representing a diversity of locations that meet the definition of "existing depot" could also help with confirming that CAA has understood the rule.</p> <p>It will also be helpful if in v2 CAA can indicate those depots that have voiced interest during ORSOP in collecting PRO materials.</p>	
<p>identification of key collaborators that the prospective PRO plans to contract with</p>		<p>n/a</p>	<p>Entities that were engaged with in development of the plan are listed in Appendix D; additionally, on pg 41, CAA lists nine non-profit and/or minority-owned/operated organizations they consulted regarding potential collaboration to operate collection points.</p> <p>DEQ notes that interested parties are paying keen attention to CAA's consultative process; and DEQ recommends CAA only name</p>	

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			organizations in such lists if they have engaged with them very substantively.	
plans for providing enhanced convenience to underserved populations	OAR 340-090-0640(2)(h)	No	<p>CAA notes they will explore the potential of enhanced curbside/valet collection for residents that might not be able to access depot points. This is lacking detail, in that it describes options that CAA “could” undertake without committing CAA to actually implement any.</p> <p>The approach could fulfill the requirement if firmer plans are represented in v2.</p>	
a description of how the prospective PRO will engage with local community-based organizations and women and minority-owned businesses to develop collection points		n/a	<p>As mentioned above, CAA lists nine prospective CBO/minority-owned or operated partner organizations on pg 41 with respect to staffing and maintaining depots. Collection events are also a key part of CAA’s proposal to meet convenience standards; on page 39 the possibility of working with a partner CBO or local COBID- certified contractor to host or staff collection events is noted.</p> <p>DEQ welcomes more detail on these prospective collaborations in v2 of the plan.</p>	

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descriptions of any alternative collection programs being proposed to substitute for convenience standards, including	ORS 459A.896 (1)(d)	No	<p>CAA signals on page 38-39 the intent to request alternative compliance (use of curbside collection and/or collection events) in some locations "where barriers exist in establishing depots." In Appendix F on pg 31-32, counties relevant to the prospective request are indicated with the symbols "@" and "©."</p> <p>For DEQ to approve such a request, CAA would need to strengthen this content in v2 of the plan to clarify the specific request and provide the necessary supporting info per OAR 340-090-0640(6)(a)-(c).</p>	
an assessment of the impact on the achievement of collection targets	OAR 340-090-0640(6)(c)	No	<p>Analysis of how the alternative compliance approach impacts collection rates is not provided.</p> <p>Of relevance here, the plan should address the suitability of different PRO materials for curbside collection. Depending on the material, significant amounts could be lost as litter.</p>	
an assessment of the impact on equitable access to recycling across regions and diverse populations		No	On pg 39 CAA notes that curbside service for PRO materials would be provided at no cost to single family and multifamily properties, suggesting equitable access for these generators	

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			under an alternative compliance approach using curbside service. However, access for commercial generators is not addressed. And logistical and space challenges of offering curbside collection for source-segregated materials at multifamily sites are not addressed.	
demonstrated support of relevant local government(s) for the proposal and a description of how prior consultation with affected local government(s) was taken into account in planning		No	This is not included in the plan, but is a gap DEQ would expect to see filled after the ORSOP work is conducted.	
(for mobile collection events being proposed as an alternative program) the planned frequency of these events and how the proposed schedule will provide adequate predictability for the public.	OAR 340-090-0640(6)(b)	No	This is not included in the plan, but is a gap DEQ would expect to see filled after the ORSOP work is conducted.	
(for mobile collection events being proposed as an alternative program)	OAR 340-090-0640(6)(b)	No	This is not included in the plan, but is a gap DEQ would expect to see filled after the ORSOP work is conducted.	

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the plan for sufficiently advertising the events				
(for mobile collection events being proposed as an alternative program) how the planned events will uphold best practices for mobile collection events: for example, through pre-event outreach coordinated with relevant local governments, community-based organizations, and service providers; policies and processes to ensure adequate staffing, management of traffic flow, and safety; and contingency plans for responding to larger-than-expected turnout		n/a	This is not included in the plan, but updated content could be provided in v2.	
An accompanying justification if requesting temporary variance from convenience standards.	OAR 340-090-0640(7)	No	On page 39-40, CAA notes that, in the event a suitable location cannot be identified for a permanent collection location or collection event, CAA will request a proximity exemption variance, with the distance being a "reasonable" 15 miles from the established depot	

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			<p>serving as the basis of the proximity exemption to the jurisdiction where the PRO depot location/collection service is lacking.</p> <p>Except in some rural cases, DEQ is reluctant to consider 15 miles a convenient distance to travel for a depot. For example, in the metro area, if CAA were to establish a collection point at the Metro Central Transfer Station, under this proposal no additional collection points would be required as far away as Parkrose, Lake Oswego, or Beaverton. As such, DEQ recommends not premising any analysis of convenience standards on the likelihood of being granted such variance.</p>	
Methods for achievement of performance standards, including	OAR 340-090-0650			
a description of how the PRO will monitor sites and services on a regular basis to ensure compliance	OAR 340-090-0650(1)(a)	No	This requirement is addressed somewhat through CAA's approach to site auditing on pg 44, but not fully. CAA proposes a mix of on-site and desktop audits, but does not provide any sense of how much of each type will occur. DEQ considers that most, if not	

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			all, sites should receive an on-site visit as part of the initial year of auditing. CAA could also consider auditing more frequently than once a year and adding additional components to the auditing process.	
plans for education and outreach regarding the PRO Recycling Acceptance List in a manner that is clear, culturally relevant, accessible, and understandable to diverse audiences, including through its website	OAR 340-090-0650(1)(c)	No	CAA covers this under its "Promotion of the PRO Depot Network" section (page 47) and its "Education and Outreach" section (begins on page 84), which includes promotion on CAA's website, customizable collateral made available to LGs (via a portal), best messaging approaches, etc. A specific approach to educating commercial generators is missing from the plan.	
protocols for minimizing the contamination of materials delivered to collection points, including screening and then accepting and managing the contamination appropriately, rejecting the contamination, or both, and must also include providing service users with	OAR 340-090-0650(1)(e)	Conditionally	On pg 44-45, CAA lays out its approach to addressing contamination (on-site generator-facing education, use of monitoring technology, remedy of overly-contaminated loads through initial sorting if possible, landfilling if not and notifying DEQ within three days). The approach broadly fulfills the requirement in rule; however, DEQ would like more detail on "initial sorting," as it has permitting	

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information on proper recycling or disposal options for non-accepted materials.			implications – where will the sorting occur, how will it be done, etc.	
Information on how expanded polystyrene will be densified before transportation of more than 75 miles, including indication of the proposed method(s) to be used and	OAR 340-090-0650(3)(a)(B)	No	CAA notes on page 53 that they intend to work with specific PRO depot locations or partners to house non-thermal foam densifiers for consolidating foam from surrounding communities. CAA is exploring placing densifiers and exploring mobile densification near Grants Pass, Klamath Falls, Burns, Redmond, Ontario, The Dalles and Pendleton. In v2 the proposal should be firmed up, and consideration of impacts on yield, transport quantities, and worker safety and exposure should be demonstrated.	
consideration of impacts on yield				
consideration of impacts on transport quantities (density)				
assessment of potential safety and exposure impacts to workers				
Advance notification of intent to collect any additional materials besides those on the PRO Recycling Acceptance list at collection points, if applicable	OAR 340-090-0650(1)(i)	n/a	No collection of additional materials is proposed.	
Principles and methods for compensation of collection point staff		n/a	CAA is vague regarding this, noting on page 47 that they propose to contract with each location for wages and	

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			salaries for additional depot employees needed to monitor and maintain PRO materials. A little more detail here could be helpful. Are they providing a living wage, a minimum wage that matches the state's current minimum wage structure, etc.	
Any plans for accommodating collection of reusable packaging within depots and collection points		n/a	On page 47 CAA notes interest in working with member producers to collect reusable packaging at depot locations, but does not make a concrete proposal.	
Descriptions of any additional activities planned for the advancement of equity in recycling.		n/a	See above regarding outreach to CBOs and minority-owned/operated businesses regarding potential operation of depots and collection events.	
Outlining a plan for depot development that will succeed in meeting collection, convenience and performance standards by the end of the first program plan period.		n/a	<p>On pg 50 CAA notes that the first-phase PRO collection points will be open by June 30, 2025, and additional sites will be onboarded "over the course of the program plan". This leaves ambiguity regarding how many sites would be established prior to December of 2027.</p> <p>DEQ requests that CAA include some interim benchmarks toward meeting the convenience standard in v2 of its plan.</p>	

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<p>Outlining a plan for depot development start-up activities that collection points have been opened provides continued opportunity to recycle in metro areas where items formerly on local government recycling acceptance lists have moved to the PRO recycling acceptance list.</p>		n/a	<p>On page 50, CAA indicates that collection points providing continued opportunity to recycle in Metro areas where items have come off of the local government lists will open by June 30, 2025.</p> <p>Note that some local governments expressed interest in off-ramping materials over time rather than immediately upon start of the program. A proposed rule included in rulemaking 2 is relevant here.</p>	
<p>Inclusion of a list of existing depots that will be contracted with.</p>		n/a	<p>A list of existing depots is provided in Appendix F. Please update in v2 to indicate which have confirmed their intent to participate.</p>	

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