

Recycling Council Recommendations on Circular Action Alliance Responsible End Markets (REM) Plan Amendment Draft 2

Subcommittee Meetings: March 3 and March 11, 2026

Full Council Discussion: March 18, 2026

Purpose

The Responsible End Markets (REM) Subcommittee met on March 3 and March 11 to review and discuss the REM Program Plan Amendment submitted by Circular Action Alliance (CAA). The subcommittee evaluated proposed amendments for consistency with statutory and rule requirements under ORS 459A.860–459A.975 and OAR 340-090-0670 and focused on eight program elements identified by DEQ for review.

Participants

- Scott Byrne
- Celeste Meiffren Swango
- Liz Start
- Nicole Janssen
- Alando Simpson
- Angie Marzano
- Rep. Susan McLain

DEQ staff and CAA staff participated in discussions and provided clarifying information throughout the meetings.

Overview

The subcommittee appreciated CAA's responsiveness to prior Council feedback and acknowledged meaningful progress in refining the REM framework. Overall, the Amendment maintains alignment with statutory intent that materials collected for recycling in Oregon go to responsible end markets that are compliant, transparent, environmentally sound, and achieving adequate yield. The subcommittee focused on eight elements further discussed below:

1. Yield verification
2. Plastic pollution & microplastics
3. Chemicals of concern
4. Site visits vs. desktop audits
5. Variance for disposal facilities
6. Other variances outlined in the amendment
7. Budget estimates & methodology
8. Certification benchmarking

Yield Verification

The 60% minimum yield requirement was reinstated and remains intact. Yield may be self-attested, with additional scrutiny applied to higher-risk material categories. The subcommittee supports reinstatement of the 60% yield requirement and the risk-based approach to additional scrutiny and recommends continued monitoring of self-attestation protocols.

Plastic Pollution & Microplastics

Facilities must address resin loss through Operation Clean Sweep certification or equivalent performance and evaluate and disclose suspended solids in wastewater. The subcommittee supports the proposed framework as a baseline standard and recommends continued evaluation of measurable performance criteria.

Site Visits vs. Desktop Assessment

The subcommittee supports the proposed risk-based sampling model for audits and recommends clearer triggers for mandatory site visits, including repeated findings or credible whistleblower reports.

Variance for Disposal Facilities

The subcommittee supports the proposed risk-based approach and agrees additional scrutiny is warranted for facilities lacking legal frameworks, permits, or compliance.

Other Requested Variances

The subcommittee supports temporary variance during the first program plan period for glass furnaces and plastic converters.

Budget Estimate & Methodology

The subcommittee supports the proposed budget methodology and recommends ongoing transparency regarding audit costs and contingency reserve use.

Certification Benchmarking

The subcommittee supports benchmarking external certifications, contingent upon transparent documentation demonstrating equivalency with REM criteria. This will enable facilities to receive partial credit toward REM verification because they are certified under one of ten third-party certifications. DEQ and CAA are currently benchmarking the ten standards, and DEQ in approving the amendment will direct a change to the plan to add the benchmarking results table to it.

Chemicals of Concern

For the purpose of facility disclosures during verification, the subcommittee recommends development of a hybrid chemicals list drawing from the Toxics in Packaging Clearinghouse (TPCH) list and DEQ's Lifecycle Evaluation (LCE) list. The list used should be practical, transparent, and focused on chemicals commonly added during plastics processing and sent to DEQ in anonymized format by the certification body during their analysis through on-site or desk top audits.

The subcommittee discussed whether or not the list should focus on chemicals used in the reclamation stage of processing, or rather should also encompass chemicals used in the conversion stage, in light of the variance on the need to certify plastic converters during the first program plan period. This discussion did not yield a clear consensus.

Feedback from the Full Council

The above findings of the subcommittee were reported to the full Council on March 18, 2026. The Council generally voiced support for these findings, although the Council did not achieve a consensus position on the question of chemicals of concern and whether or not the disclosure list should stop at chemicals used in reclamation or rather encompass chemicals used in conversion. It was also not clear whether or not the full Council supported the subcommittee recommendation to produce a hybrid list. Perhaps DEQ and CAA can pursue the idea of a hybrid list as more of a long-term objective, and for this program plan period use the simpler Toxics in Packaging Clearinghouse list.

Additional Feedback from the REM Subcommittee Submitted Via Correspondence

At the March 18 meeting, DEQ requested that the Council take up one additional topic by correspondence, that of the Environmental Impact Measurement performance criterion within the “responsible” verification standard, and which of the five classes of information listed there a) need not be disclosed to the verification body (because the information is largely already disclosed to local authorities and made public as part of permit obligation), b) need to be disclosed to the verification body but not to DEQ, or c) need to be disclosed to the verification body and then onward to DEQ, with data reported either in aggregate (across facilities) or specific to each facility. DEQ has proposed that air emissions, water discharges, and hazardous waste generation belong to category (a), that non-hazardous waste generation belongs with category (b) (and is provided separately to DEQ outside of the verification process as part of disposition reporting), and that water usage and chemicals of concern belong in category (c).

As this issue spans program plan and rulemaking, DEQ presented specific proposals to the Rulemaking Advisory Committee on March 30, 2026, and REM subcommittee members of ORSAC were given the opportunity to review the RAC meeting materials, the recording and submit comments by correspondence.

Final Subcommittee Recommendation to Full Council

The REM Subcommittee overall concluded that the Program Plan Amendment reflects meaningful progress and generally satisfies statutory intent under Oregon’s Responsible End Market framework.

The subcommittee recommends that the Recycling Council endorse the plan amendment generally but also adopt and pass along the more detailed feedback described above, for DEQ’s consideration in possibly directing changes as part of final approval of the amendment.