

## Plastic Pollution and Recycling Modernization Act: Frequently Asked Questions About SB 582



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*DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.*

### 1. What's wrong with Oregon's recycling system?

Oregon has been a national leader in recycling, but we face severe challenges. Many people lack adequate access to recycling, especially in apartments and in rural areas, and people are confused about what can and cannot go in the recycling bin. Recycling costs to the public and plastics pollution are mounting. And we lack assurances that our materials are being recycled responsibly, which can lead to environmental damage when materials are not properly managed.

### 2. How can we improve our recycling system?

Producers hold the key to improving recycling in Oregon—it's time they took responsibility for their products and packaging. Having producers share in the costs of recycling helps provide funding to modernize our system and protect ratepayers from bearing the burden of market fluctuations. The Recycling Modernization Act (Senate Bill 582) will address recycling confusion, improve and expand services, and make recyclables easier to sort and sell. It will also ensure better treatment for industry workers and help prevent plastics from further polluting oceans and communities.

### 3. What kind of recycling improvements does Senate Bill 582 include?

The Recycling Modernization Act will improve and expand on existing services and infrastructure in the following ways:

- There will be a statewide list for what goes in the recycling bin—this will avoid confusion and reduce the amount of non-recyclable trash getting into the recycling system.
- Households with limited or no recycling services—particularly those in apartments and rural areas—will see improvements, such as regular pickup service.
- Homes and businesses will have better information about how to recycle correctly, so materials collected are free of trash and easier to recycle into new products.

### 4. How can the public tell whether or not an item can be recycled?

A new statewide list of approved recyclable materials will be the same at home and at work, making it easier to remember what goes in the bin. A mandate for all plastic packaging to be labeled with the recycling symbol – even if it can't be recycled – will be repealed.

### 5. Why should the recycling list be the same everywhere in the state?

A standardized statewide list will make recycling less confusing. It will also make it easier and more efficient to provide information about how to recycle correctly, which will help cut down on the amount of non-recyclable trash that accidentally gets put in the recycling bin.

### 6. What is a “producer”?

“Producers” are the companies whose packaging, paper and food serviceware products are sold in and distributed across Oregon. Those companies will be held responsible for ensuring their covered materials are responsibly managed. Depending on the type of product, it may be the brand, manufacturer or distributor who is deemed the “producer.” There is only one “producer” per product. There are exemptions for small producers, governments, schools and nonprofits.

## **7. What roles will producers play in the improved system?**

Producers will work cooperatively with local communities and the existing recycling system to improve programs. They will be required to join a Producer Responsibility Organization (PRO) by July 1, 2025. Through the PRO, they will provide funds, report on their efforts to improve recycling, and participate in key decisions that affect the recycling system, such as what items go on the statewide recycling list. Producers will provide funding for the system including: expanding services (including to multifamily households), educational programs (to reduce trash in the recycling bin), and to sorting facilities (to ensure they produce clean materials). The PRO will also ensure that materials go to responsible markets. All this gives producers an incentive to make the products and packaging they sell easier—and less costly—to recycle.

## **8. What is a Producer Responsibility Organization (PRO)?**

A Producer Responsibility Organization (PRO) is a non-profit organization that fulfills the obligations of the individual producers under the new legislation. The PRO will coordinate the activities of the many producers whose products and packaging will be covered under the legislation. Those activities will include developing and implementing a plan to support recycling programs and providing the necessary funding. The activities of the PRO will be overseen by the Oregon Department of Environmental Quality, with guidance from a new advisory council, in order to ensure the program is effective and responsive to public needs.

## **9. Will producers be responsible for packaging that isn't recyclable?**

All paper and packaging that is “covered” by the legislation is part of the program, some of which may not be recyclable. Producers will keep track of all the “covered” materials they put on the market in Oregon. The Producer Responsibility Organization (PRO) will finance the costs of the Oregon program by charging individual producers for their share of covered products they sell or distribute into the state. The PRO will charge their members more for packaging that is not recyclable or has higher environmental or health impacts, as a way to encourage environmentally beneficial design. Producers will be responsible for ensuring their non-recyclable products do not end up as trash in the recycling.

## **10. If this legislation is going to cost producers more money, won't they just increase the prices of their products?**

Research on similar systems throughout Europe and Canada has not found that producer responsibility programs lead to an increase in consumer prices for their products. An overwhelming majority of the producers that would operate in the system are global brands that would likely spread the cost across their very large customer bases.

## **11. How will Oregon businesses be affected by the legislation?**

Oregon businesses will benefit from this program through improved recycling services and even lower recycling bills for many. The costs of improving the recycling system will be the responsibility of the producers of packaging, printed paper and food serviceware, through the Producer Responsibility Organization (PRO). Many of these producers are global brands, publishers and very large distributors. The smallest producers and most stores, restaurants, offices and delivery services will not be required to pay for the system improvements. Nonprofits, public schools and government agencies are also exempt. Research on similar systems throughout Europe and Canada has not found that producer responsibility programs lead to an increase in consumer prices for their products.

## **12. How will we be sure the materials we put out for recycling will actually be recycled?**

The Recycling Modernization Act will require that materials collected for recycling go only to certified processing facilities that can create shipments of recyclables that are free of trash and thereby possible to make into new products. The new legislation will also require that those recyclables are sold only to places that can manage those materials in a way that benefits the environment and protects worker health

and safety. The PRO(s) will be obligated to ensure the material collected in Oregon ultimately goes to responsible markets.

### **13. How will the legislation make recycling better for rural communities?**

For communities in parts of the state that are located farther away from processing infrastructure, the new legislation will reduce the costs of transporting recyclables to processing facilities. Rural communities with limited recycling collection or none at all will also have the option to enhance it with funding from the Producer Responsibility Organization (PRO). Communities may choose to provide curbside collection to their residents or improve collection service at a local drop-off depot.

### **14. What will local governments' role be in the new system?**

City and county governments will remain in charge of their local recycling systems. They will be able to continue their relationships with their current recycling companies and provide educational services to their customers about their recycling and waste prevention programs. Local governments will also play a role in enhancing education to reduce trash in the recycling, supporting improvements to recycling in multifamily communities, and ensuring recyclables go only to approved sorting facilities that follow new worker safety, health, and living wage requirements.

### **15. How will the Recycling Modernization Act prevent plastic waste?**

The new legislation will reduce the amount of plastic trash that ends up getting burned or dumped into oceans and communities where our recycling materials are sent. The PRO(s) will be required to:

- ensure that Oregon's plastic recycling is recycled responsibly;
- meet new annual recycling goals for plastic packaging; and
- create financial incentives for individual producers to minimize environmental impacts from packaging and, over time, reduce non-recyclable products on the market and in the environment.

### **More information**

Additional information and background materials are available on DEQ's website here: [ordeq.org/sb582](http://ordeq.org/sb582).

### **Alternative formats**

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).