



Oregon Department of Environmental Quality

Charter: Technical Workgroup for Recycling Modernization Act – Section 22 (“Material Lists”)

March 9, 2022

Introduction

The Oregon Legislature passed the Plastic Pollution and Recycling Modernization Act (Senate Bill 582) during the 2021 legislative session. It was signed by Governor Brown on Aug. 6, 2021. The new law became effective Jan. 1, 2022 and recycling program changes start in July 2025.

Section 22 of the Recycling Modernization Act requires the Environmental Quality Commission (EQC) to consider multiple criteria when determining whether a material should be collected for recycling.

Purpose

The purpose of this Technical Workgroup (“TWG” or “workgroup”) is to provide technical input to DEQ as the Department evaluates materials against statutory criteria. This early-stage research and deliberation will also inform subsequent discussion by a Rulemaking Advisory Committee (RAC).

TWG members will provide feedback to DEQ on a variety of questions and issues related to the evaluation of different materials against statutory criteria (ORS 459A.914(3)). The TWG may review and discuss draft memos, reports and other research products prepared by DEQ or contractors, and may engage in conversations with other parties that choose to [share information](#) regarding the evaluation of different materials against statutory criteria.

The workgroup will help DEQ perform the necessary background research and evaluation to ensure that a subsequent rulemaking is well-informed. A separate Rulemaking Advisory Committee (RAC) will consider proposed rule concepts that may be informed by this research. Members of the Technical Workgroup will provide information to DEQ that the Department will consider in forming recommendations for the RAC.

Background and Process

Section 22 requires the EQC to adopt [administrative rules](#) that identify materials that are suitable for recycling collection. Administrative rules explain, expand on or implement laws, and carry the power of law. The rulemaking will identify materials for a “uniform statewide collection list” (which local governments must provide for collection of, if they offer commingled collection) as well as additional materials that local governments and producer responsibility organizations (PROs) must provide for collection and recycling of.

DEQ will draft administrative rules for EQC’s consideration concerning a number of topics, including materials lists. A single RAC that meets during the second half of 2022 and early 2023 will consider DEQ’s proposed approaches for that complete package of rules. DEQ anticipates that the EQC will review and consider for adoption draft rules during the summer of 2023. The resulting recycling lists may be changed in the future, potentially requiring additional rulemakings.

This workgroup will focus exclusively on Section 22 of the Act. Individual members of the workgroup will discuss between themselves and with DEQ staff a variety of topics, but will not be making formal recommendations. Meetings will be structured to allow for significant and meaningful conversation between TWG members and DEQ staff.

Anticipated Schedule and Time Commitment

- Approximately six months, between March and August (possibly September) 2022
- Approximately four to six meetings, between three to six hours each
- Schedule depends in part on the level of interest in, and discussion about, individual materials.

Membership

This Technical Workgroup consists of the following members:

- Liz Bedard, The Recycling Partnership
- Dave Claugus, Pioneer Recycling
- Kate Eagles/Steve Alexander, Association of Plastics Recyclers
- Gabe Forrester, Douglas County
- Rosalynn Greene, Metro
- Kim Holmes, 4R Sustainability
- Wayne Jackson, WestRock
- Dave Larmouth, Recology Western Oregon
- Laura Leebrick, Rogue Disposal
- Brian May, Marion County
- David McCall, Tillamook County
- Steve Miller, Bulk Handling Systems
- Jerry Powell, Resource Recycling
- Dan Weston, Washington Department of Ecology
- Nicole Willett, Resource Recovery Alliance

Other individuals may be invited to participate in the TWG, based on additional subject matter expertise as needed to inform the agency.

Roles for Non-Members

All workgroup meetings will be open to attendance by the public, and will include an opportunity for public comment. Non-members seeking to provide public comment longer than the standard two or three minutes in duration may contact DEQ staff at least two weeks prior to a meeting to request (and confirm) time on an upcoming agenda. DEQ has also provided a dedicated opportunity and defined process (via a "[Request for Information](#)") for interested parties to share information regarding specific materials that may be considered for inclusion in the recyclable material lists.

Relationship to Oregon Recycling System Advisory Council

DEQ consultation with the ORSAC on the topic of materials lists will occur in parallel with, but separate from, meetings of this workgroup.

Participation Guidelines

All members of the workgroup are expected to:

- Participate to the best of their abilities and to ensure continuity throughout the process.
- Come prepared for meetings by reading materials prior to the meeting.
- Engage in honest, open-minded, constructive and good-faith discussions to seek understanding and optimal outcomes.
- Treat everyone and their opinions with respect.
- Share air time with peers. Employ the WAIT (Why Am I Talking?) rule after you have spoken on a topic. Comment constructively and specifically.
- Operate according to, and stay focused on, the TWG's charter.

More Information

Contact DEQ's project manager, david.allaway@deq.oregon.gov or visit DEQ's Recycling Modernization Act website: RecyclingAct.Oregon.gov.

Alternate 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.oregon.gov.