



Oregon Department of Environmental Quality

Uniform Statewide Collection List On-Ramp:

Proposals to Add New Materials to the Uniform Statewide Collection List, Including Plans for Specifically Identified Materials and Commingled Collection Trials

Checklist for Recycling Council program plan review

- Sub-committee members: Dan Felton, Scott Keller, Vinod Singh
- DEQ support person(s): Justin Gast with David Allaway
- Focal plan sections: Materials strategy, (i)-(iv) – Proposed Additions to USCL, SIMs on the USCL and PRO lists, Trial collection programs, Initial Plastic Recycling Rate Projections

	DEQ feedback	Council feedback
Overall Feedback on Plan Section:	<p>With respect to the onramp proposals, the first, for PET thermoforms, lacks plans to address the specific end markets issues that have been raised. Further, not all statutory criteria are addressed. As for the second proposal, for blue and green PET, most requirements are met but DEQ has some clarifying questions. And for the third proposal for spiral wound cans, environmental impacts associated with end markets are not assessed.</p> <p>The plan satisfies most statutory criteria for SIMs, but some corrections are needed and the plan does not adequately address DEQ's outstanding concerns regarding PET thermoforms.</p> <p>With respect to the statewide plastic recycling goal, the plan does not demonstrate to DEQ's satisfaction that the 2028 goal will be met.</p>	

Plan Component	Statute or Rule Citation	Is the requirement met? (yes, no, conditionally)	DEQ feedback	Council feedback
Any proposal to add a new covered product to the Uniform Statewide Collection List of materials with the following supporting information:	ORS 459A.914(4)(b)		See below separate evaluations for PET thermoforms, blue/green PET bottles, and spiral wound containers.	
PET Thermoforms:				
a detailed analysis of how the proposed covered product performs against the criteria in ORS 459A.914(3) ¹ ;	OAR 340-090-0630(4)(g)		Analysis is provided; however, plan does not commit CAA to specific actions that sufficiently address the reasons why DEQ recommended against inclusion in the USCL.	
The stability and maturity of responsible end markets;			Plan says that investments are “growing” and markets are “developing” but lacks evidence and specificity; the plan also lacks a commitment to specific actions CAA will take to ensure that markets meet “responsible” standard.	
The accessibility of responsible end markets			CAA “proposes to facilitate . . . markets between Oregon CRPFs and responsible end markets”. Unclear what exactly this means.	
The viability of responsible end markets			See “stability and maturity” above.	

¹ This analysis should be comprehensive and cover all criteria, but may cite DEQ analyses from the [Material List Technical Work Group](#) and/or other sources.

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Environmental health and safety considerations;			Plan notes concern with water usage and wastewater management. CAA proposes to "examine" and "as needed" develop interventions to reduce water consumption and "improve usage of best practices" in wastewater management. Commitments are vague and non-specific, and fail to consider that in some locations, any use of potable water may be unsustainable. Further, directing more material to such reclaimers will, all other things being equal, increase water demand, not reduce it. Also, there is no mention of contamination management (solid waste), and no evidence that CAA has evaluated actual conditions at existing end markets – so how do we know which of them do/don't meet the "responsible" standard?	
The anticipated yield loss for the material during the recycling process;			Would like to see some actual data, if possible.	
The material's compatibility with			Plan content is acceptable.	

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existing recycling infrastructure;				
The amount of the material available;			Plan content is acceptable.	
The practicalities of sorting the material;			Needs additional specificity regarding the equipment needed at CRPFs and CAA's plans to invest in such equipment.	
Contamination;			"CAA proposes to develop mechanisms to address and minimize all these challenges." The program plan should describe what those are. In addition, the plan should specifically detail how the PRO will address the problems caused by "lookalike" PVC packaging and steps it will take to ensure that PVC is kept out of, and removed from, the PET thermoform stream.	
The ability for waste generators to easily identify and properly prepare the material;			Plan lacks specifics; see also "Contamination" comments above.	
Economic factors;			Widespread acceptance of PET thermoform packaging (via USCL onramp) may change economic conditions at CRPFs. Such	

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			impacts are not evaluated, and the plan lacks details regarding how CAA will compensate CRPFs for financial impacts. Also, PET thermoform value in the Pacific Northwest is not the same as in California.	
Environmental factors from a life cycle perspective;			No evaluation provided.	
The policy expressed in ORS 459.015 (2)(a) – (c);		No	Plan is silent on these criteria.	
investments or other actions that the prospective PRO will take to support the inclusion of a new covered product—for example, investments in processing equipment or increases to the processor commodity risk fee to compensate commingled recycling processing facilities for higher costs; and		No	Plan largely discusses actions that CAA “could” or “may” take. Actual commitments are limited in both number and potential benefit, and generally lack specificity. DEQ chose not to include these materials in the USCL in the 2023 rulemaking; CAA has not committed to a specific course of action that adequately or sufficiently changes the reasons for DEQ’s prior decision.	
a proposed schedule for adding the product to the List, allowing		Yes	Two different schedules for onramping thermoforms are noted in the plan; July 1 2027 on	

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adequate time for updating education and outreach materials to inform the public of the change.			page 57 and “by 2027” in the table on page 71. Either would provide adequate time to update outreach materials, but the plan should clarify the timeline.	
Transparent Blue and Green PET Bottles				
A detailed analysis of how the proposed covered product performs against the criteria in ORS 459A.914(3) ² ;	OAR 340-090-0630(4)(g)		Analysis provided but remains somewhat unclear; is there a meaningful difference between “lightly pigmented” and “darkly pigmented” green and blue? If so, how does CAA propose to mitigate impacts? Otherwise, plan content is largely acceptable. See comments below.	
The stability and maturity of responsible end markets;			Plan content is acceptable.	
The accessibility of responsible end markets			DEQ would like to hear from CRPFs on this question.	
The viability of responsible end markets			“Yield loss . . . is not significantly different . . . (and) can be minimized by optimizing equipment and processes.” Does CAA intend to help CRPFs and/or	

² This analysis should be comprehensive and cover all criteria, but may cite DEQ analyses from the [Material List Technical Work Group](#) and/or other sources.

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			reclaimers "optimize equipment and processes"? Unclear.	
Environmental health and safety considerations;			Plan content is acceptable.	
The anticipated yield loss for the material during the recycling process;			DEQ would like to hear from CRPFs on this question.	
The material's compatibility with existing recycling infrastructure;			Are there problems with sorting darker blue/green plastic materials?	
The amount of the material available;			Plan content is acceptable.	
The practicalities of sorting the material;			Need more information about "darker" blue and green plastic materials. Provide evidence of the statement that "transparent blue and green PET bottles are easily identifiable by waste generators."	
Contamination;			Plan content is acceptable.	
The ability for waste generators to easily identify and properly prepare the material;			Did not address	
Economic factors;			Did not address	

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Environmental factors from a life cycle perspective;			Did not address	
The policy expressed in ORS 459.015 (2)(a) – (c);			Did not address	
investments or other actions that the prospective PRO will take to support the inclusion of a new covered product—for example, investments in processing equipment or increases to the processor commodity risk fee to compensate commingled recycling processing facilities for higher costs; and			None proposed.	
a proposed schedule for adding the product to the List, allowing adequate time for updating education and outreach materials to inform the public of the change.			Proposal is immediate and feasible.	
Spiral Wound Containers:				
a detailed analysis of how the proposed covered product performs against	OAR 340-090-0630(4)(g)		References DEQ's prior analysis and public finding that the	

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the criteria in ORS 459A.914(3) ³ ;			material satisfies DEQ except for end market acceptance.	
The stability and maturity of responsible end markets;			N/A (already addressed in DEQ's prior analysis)	
The accessibility of responsible end markets			See "environmental factors from a life cycle perspective", below	
The viability of responsible end markets			N/A (already addressed in DEQ's prior analysis)	
Environmental health and safety considerations;			N/A (already addressed in DEQ's prior analysis)	
The anticipated yield loss for the material during the recycling process;			N/A (already addressed in DEQ's prior analysis)	
The material's compatibility with existing recycling infrastructure;			N/A (already addressed in DEQ's prior analysis)	
The amount of the material available;			N/A (already addressed in DEQ's prior analysis)	
The practicalities of sorting the material;			N/A (already addressed in DEQ's prior analysis)	

³ This analysis should be comprehensive and cover all criteria, but may cite DEQ analyses from the [Material List Technical Work Group](#) and/or other sources.

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Contamination;			N/A (already addressed in DEQ's prior analysis)	
The ability for waste generators to easily identify and properly prepare the material;			N/A (already addressed in DEQ's prior analysis)	
Economic factors;			N/A (already addressed in DEQ's prior analysis)	
Environmental factors from a life cycle perspective;			Without clear acceptance from existing regional end markets, inclusion of paper cans would force Oregon's steel/tin can bales into much longer transport distances, with resulting impacts in emissions. These may override the relatively small benefits of recycling more steel/tin (net of added emissions from burning paper). Plan lacks this analysis; without it, difficult to know if this is environmentally desirable.	
The policy expressed in ORS 459.015 (2)(a)-(c);			N/A (already addressed in DEQ's prior analysis)	
investments or other actions that the prospective PRO will take to support the inclusion of a new covered product—for example, investments			Requiring the Oregon CRPFs to ship material to Utah or further will increase their costs; this is not accounted for in the PCRf and CAA does not propose to provide compensation.	

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in processing equipment or increases to the processor commodity risk fee to compensate commingled recycling processing facilities for higher costs; and				
a proposed schedule for adding the product to the List, allowing adequate time for updating education and outreach materials to inform the public of the change.			Proposal is immediate and feasible.	
<p>Efforts proposed to support collection, processing or responsible recycling of a specifically identified material (SIM), including:</p> <ul style="list-style-type: none"> • support for or provision of recycling depot or mobile collection for a SIM; • associated education and outreach efforts; • associated investments in processing; 	ORS 459A.875(2)(g)		<ul style="list-style-type: none"> • CAA proposes specific actions to improve outcomes for polycoated gable-top and aseptic cartons, nursery packaging, steel and aluminum aerosol containers, aluminum foil and pressed foil products, shredded paper, and glass bottles and jars. • For the other three SIMs (thermoformed PET packaging, single-use cups, and polycoated paperboard), CAA proposes on-ramping to the USCL or conducting trial collections. The trial 	

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<ul style="list-style-type: none"> associated development of responsible end markets; 			<p>collections meet DEQ's expectations (and OK to delay detailed planning on these – statute doesn't require it to be in the program plan).</p> <ul style="list-style-type: none"> However, the draft plan does not satisfy DEQ's expectations for PET thermoforms as listed in DEQ's SIM designation. Further, the efforts described to support responsible recycling of thermoformed PET packaging lacks detail (see plan, page 59). For example, how will CAA "Facilitate end market demand" and "Address design issues that hinder PET thermoform recyclability"? The plan lacks specifics. See additional material-specific comments at the end of this table. 	
<p>how the proposed approach has been informed by consultations with interested parties;</p>		n/a	<p>Evidence of consultation with TRP, NAPCOR, APR, Sonoco, and others, with many additional consults proposed.</p>	
<p>a sequenced approach to implementing large-scale improvements if they are</p>		n/a	<p>CAA proposes a sequenced approach (trial collection, including design/planning and</p>	

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required to address the problems that spurred the designations of multiple (2+) materials; and			consultation with relevant partners) for polycoated paper and plastic cups. CAA also proposes a sequenced approach for thermoformed PET packaging. Less sequencing is needed for other materials.	
any other efforts to ensure successful, environmentally-beneficial and responsible recycling of a SIM as required by ORS 459A.896(2). For materials collected through producer take-back initiatives and special recycling services, this could include collaboration with said services to ensure that responsible disposition requirements are met.	ORS 459A.896(2) and ORS 459A.875(2)(g)(E)		The plan notes collaboration with special recycling services to ensure responsible disposition requirements met for PET thermoforms, but fails to note that all CRPFs will be managing PET thermoforms (due to limited inclusion in USCL via rule).	
Any proposal to organize commingled collection of a product not on the Uniform Statewide Collection list of materials on a trial basis.	ORS 459A.914(6) (but not a plan requirement)	n/a	The plan proposes trial collection for polycoated paper packaging (and FSW?) and single-use cups.	
Achievement of statewide plastic recycling goals:				

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A description of how the PRO will support the collection and recycling of covered products as necessary to meet the statewide plastic recycling goal. This subsection could include:	ORS 459A.875(2)(a)(A) ORS 459A.926.			
Recycling rate projections for the first program plan period.	ORS 459A.875(2)(f)		Projections are provided but are not accurate—for example, denominator excludes non-covered products and numerator may include plastics other than packaging and food serviceware.	
Demonstration that plans are adequate to achieve the first (2028) goal. ⁷			Actual recovery rate is lower than shown in Table 11 on page 71. See above. No additional plans are provided (Table 12 does not contain additional commitments, and does not contain analysis demonstrating that the goal will be met).	

Additional Comments:

1. Page 57, “Material Status”, 2nd paragraph: Not exactly a correct description of DEQ’s rules. DEQ’s determination has kept *some* (but not all) PET thermoforms from the USCL. PET tubs (many of which are thermoformed) are included and will be collected and marketed. CAA’s plan should acknowledge this. It also relates to the third paragraph, where CAA proposes to engage with specialized subscription-based collectors

and their processors to ensure REMS are being utilized. Rather, because some PET thermoforms are already on the USCL, CAA will need to work with ALL CRPFs to ensure responsible disposition.

2. Page 58, top: "CAA also acknowledges the role it will need to play in directing existing PET thermoform collection . . . to REMs while PET thermoforms remain non-USCL materials." Again, this is not entirely correct. PET tubs (which may be thermoformed) are already included in the USCL.
3. Page 64, "Steel and Aluminum Aerosol Containers", 1st paragraph: "Residents' education will include awareness about the de-listing of aerosol containers and referring residents to HHW program as detailed below." See comment 21 above; will need additional collection points. Also, what about non-residential generators?
4. Page 66, "Polycoated Paper Packaging": from description, this appears to include paper cups, which are FSW and not packaging. CAA should clarify, and also whether other polycoated FSW (e.g. paper plates, to-go boxes) is also proposed for inclusion in these trials.
5. Page 67, 2nd full list of bullets, 6th bullet: "Resident education . . ." But what about non-residential generators? Significant quantities (and potential contamination) at businesses.
6. Page 67, 2nd full list of bullets: research agenda for trials should also address research into fate of plastics residue at end markets.
7. Note that while the first goal does not go into effect until 2028, achieving that goal will require significant increases in plastics recycling during the first program plan period above and beyond what will occur as a consequence of proposed (2023) administrative rules (recycling acceptance lists).

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