



## American Forest & Paper Association

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David Allaway  
Senior Policy Analyst  
Oregon Department of Environmental Quality  
Materials Management Program  
700 NE Multnomah Ave., Ste. 600  
Portland, OR 97232

### **RE: Comments on Implementation of Section 22 of Oregon's Plastic Pollution and Recycling Modernization Act**

Dear Mr. Allaway,

The American Forest & Paper Association (AF&PA) is pleased to submit these comments in response to the Oregon Department of Environmental Quality request for comments on the implementation of Section 22 of Oregon's Plastic Pollution and Recycling Modernization Act.

The American Forest & Paper Association (AF&PA) serves to advance U.S. paper and wood products manufacturers through fact-based public policy and marketplace advocacy. The forest products industry is circular by nature. AF&PA member companies make essential products from renewable and recycle resources, generate renewable bioenergy and are committed to continuous improvement through the industry's sustainability initiative — [Better Practices, Better Planet 2030: Sustainable Products for a Sustainable Future](#). The forest products industry accounts for approximately four percent of the total U.S. manufacturing GDP, manufactures nearly \$300 billion in products annually and employs approximately 950,000 people. The industry meets a payroll of approximately \$60 billion annually and is among the top 10 manufacturing sector employers in 45 states.

AF&PA believes that all paper and paper-based packaging products can be easily collected and recycled into Oregon's statewide collection recycling system.

- Foodservice packaging
- Food contact packaging
- Ice cream cartons
- Liquid packaging cartons
- Magazines
- Mail
- Molded fiber containers
- Newspaper
- Office paper
- Old Corrugated Containers (OCC)
- Paper bags
- Paper cups
- Paper-padded mailers
- Paperboard without poly
- Paperboard with poly
- Pizza boxes

## **Paper Recycling Works**

U.S. EPA data confirms the superior record and environmental success story of paper recycling from municipal collection programs.<sup>1</sup> According to the U.S. EPA, in 2018 (the most recent EPA data available) paper and paper-based packaging had a far higher recycling rate from municipal solid waste (MSW) streams than other major recyclable commodities: Paper (68.2%); Steel (33.1%); Glass (25.0%); Aluminum (17.2%); and Plastics (8.5%).<sup>2</sup> Put another way, more paper by weight is recovered for recycling from municipal solid waste streams than plastic, glass, steel and aluminum combined.<sup>3</sup> EPA statistics also show that in 2018, 46 million tons of paper and paperboard were recycled from municipal solid waste, compared to 3 million tons of plastics. By contrast, that year 27 million tons of plastics in municipal solid waste were sent to landfills. That is 76 percent of all plastic waste.<sup>4</sup>

Robust end markets for recovered paper are an essential pillar of the industry's success. Demand for recovered paper is strong and growing. In 2021, U.S. paper and paperboard mills consumed 32.9 million tons of recovered paper, an increase of 4.7% over 2020 consumption. And the U.S. exported another 18.0 million tons of recovered paper to mills around the world, an increase of 13.4% over 2020 levels.

The industry anticipates consuming more recovered paper to make paper and paper-based packaging in the years ahead. Between 2019 and the end of 2024, U.S. paper, packaging and pulp producers committed to investing more than \$5 billion in new manufacturing capacity specifically designed to use recovered paper. That increased manufacturing capacity will consume some 8 million additional tons of recovered paper per year.

## **Materials of Interest for Recycling**

Section 22 of Oregon's The Plastic and Recycling Modernization Act requires the Environmental Quality Commission to identify two lists of materials under consideration: Statewide Collection Recycling and Producer-collected Materials lists. Oregon defines the Statewide Collection Recycling materials list as: "materials collected to provide the opportunity to recycle". This refers to on-route and drop-off recycling collection opportunities provided by all local governments in the state with populations over 4,000, and requirements for solid waste disposal sites to collect materials for recycling.

Since 1994, AF&PA has performed a series of national surveys to measure the extent and track the growth of access to community paper and paperboard recycling. In 2021, AF&PA conducted the 2021 AF&PA Access to Recycling Study ("2021 Study") as an update to the last study AF&PA conducted in 2014.

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<sup>1</sup> [Advancing Sustainable Materials Management: 2018 Fact Sheet. EPA. November 2020.](#)

<sup>2</sup> <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/plastics-material-specific-data>

<sup>3</sup> [Advancing Sustainable Materials Management: 2018 Fact Sheet. EPA. November 2020.](#)

<sup>4</sup> [Advancing Sustainable Materials Management: 2018 Fact Sheet. EPA. November 2020.](#)

The 2021 Study measured curbside and drop-off community recycling programs provided through municipal or county governments, organized via contract or franchised through a private hauler, or available to residents via subscription services or privately operated drop-offs.

*Materials Easily Justified for Inclusion in Commingled Recycling Collection Programs*

In 2021, 85.7% of Oregonians had access to community curbside recycling programs and 35% of Oregonians had access to a drop-off recycling programs. The table below presents the survey results for categories in the 2021 Study for Oregonians who can recycle based on their access to curbside and drop-off recycling programs:

<b>Percent of Oregonians Who Can Recycle Each Category Based on Availability of Curbside and Drop-Off Recycling Programs</b>		
<b>Material</b>	<b>Curbside Access Rate</b>	<b>Drop-Off Access Rate</b>
<b>Old Corrugated Containers (OCC)</b>	83%	100%
<b>Newspaper</b>	82%	97%
<b>Paperboard without poly</b>	82%	81%
<b>Paper bags</b>	81%	93%
<b>Magazines</b>	80%	98%
<b>Office paper</b>	80%	97%
<b>Mail</b>	75%	97%
<b>Paperboard with poly</b>	49%	36%
<b>Liquid packaging cartons</b>	42%	15%
<b>Pizza boxes</b>	39%	66%
<b>Foodservice packaging</b>	2%	0%
<b>Paper cups</b>	0%	0%
<b>Paper-padded mailers* <i>Not surveyed in 2021 Study</i></b>		

*Curbside and Drop-off Recycling Access*

Oregonians who have access to curbside recycling can overwhelmingly recycle seven of the categories shown in the chart above. For example, 81% of Oregonians who have access to curbside recycling can recycling paper bags. Similarly, to curbside recycling, Oregonians that have access to drop-off recycling programs have extremely high rates of recycling of paper and paper-based packaging. Seven of the categories in the have at least a 90% access rate for Oregonians who have access to a drop-off program.

The 2021 Study shows that local governments are already making residential curbside and drop-off recycling broadly accessible for the majority of paper and paper-based packaging categories.

### *Responsible End Markets*

Oregon’s Plastic Pollution and Recycling Modernization Act defines *responsible end market* as “materials market in which the recycling or recovery of materials or the disposal of contaminants is conducted in a way that benefits the environment and minimizes risks to public health and worker health and safety.”

For those categories that are not currently accepted at as high a rate, like paper cups, foodservice packaging, poly-coated paperboard packaging, ice cream cartons, molded fiber containers and liquid packaging cartons, end markets also exist. For example, an AF&PA member mill in nearby Washington State sources Mixed Paper from Oregon to use in its mill. The mill successfully repulps and recycles the cups, foodservice packaging, poly-coated paper and liquid packaging cartons found in Mixed Paper into new products every day. Those categories provide high-quality fiber and recycling them from Mixed Paper extends the life of fiber that can be recycled into new products.

In addition to domestic consumption of recovered paper, recovered paper generated in the Pacific Northwest finds homes in export end markets. In 2021 the tonnage of recovered fiber exported from Oregon increased 166% over the prior year amount.

<b>US Exports from Ports in Oregon in tonnage</b>	<b>2020</b>	<b>2021</b>	<b>% Change</b>
<b>Recovered Fiber Exports</b>	4,419	11,766	166%

AF&PA believes that the DEQ should include all these categories in the proposed Statewide collection recycling list.

### *Foodservice, Food Contact Packaging and Contamination*

AF&PA is aware there are some concerns about contamination of paper-based packaging like pizza boxes, cups and foodservice packaging. In 2020, WestRock, an AF&PA member company, conducted a mill study on how cheese and grease associated with pizza boxes impacted their repulpability and recyclability. The study was a continuation on an initial survey on pizza box recyclability done by AF&PA in 2019.

The WestRock study found neither cheese or grease negatively impacted repulpability, performance on the paper machine or finished product quality at typical levels of presence expected to be received in the recovery stream at MFRs and when included in the recovered fiber at expected levels of concentration in furnish at mills.

In addition, in 2013 and 2014, The Foodservice Packaging Institute conducted studies in Boston, MA and Delaware to determine whether food service packaging (e.g., pizza boxes, coffee cups, paper clamshells) and food contact packaging (e.g., cereal boxes, noodle boxes, ice cream packages) set out for recycling was more contaminated with food residue than food contact packaging that has traditionally been accepted at single stream MRFs. The studies found that “there is no appreciable difference in the amount of contamination between foodservice packaging and broader types of food packaging typically accepted in residential curbside programs....an initial indication that food contamination is a perceived rather than real barrier to residential recycling of foodservice packaging.”

### *Paper Padded Mailers*

In addition, in 2021 AF&PA surveyed its members on the recyclability of paper-padded mailers. AF&PA members overwhelmingly agreed that the mailers can be recycled. Based on the results of the mill survey, the industry crafted the following recyclability statement:

“Paper padded mailers are widely accepted by AF&PA member company mills in an amount normally found in Old Corrugated Containers (OCC) and/or Mixed Paper bales generated in residential curbside recycling programs. We encourage communities to include paper padded mailers among the paper-based packaging items accepted in their residential recycling programs.”

### *Statutory Criteria*

Section 22 of the Recycling Modernization Act specifies 11 criteria when determining whether a material should be included in one of the state’s lists of materials to be recycled. Based on the data above and current recycling practices in Oregon, AF&PA believes that paper and paper-based packaging have stable and responsible end markets, a continual stream of material going into the system, is compatible with Oregon’s existing recycling infrastructure, and contamination in foodservice packaging does not affect the yield loss for the material during the recycling process.

Because of this, AF&PA believes that the DEQ should include all of these categories in the proposed Statewide collection recycling list.

### *Producer-collected materials list [per Section 22(1)(b)]*

Section 22 of Oregon’s The Plastic and Recycling Modernization Act requires the Environmental Quality Commission to identify two lists of materials under consideration: Statewide Collection Recycling and Producer-collected Materials lists.

Oregon defines producer-collected materials as materials that are largely incompatible with commingled processing systems, thereby requiring separate collection and handling in “which a producer responsibility organization must provide for the collection through recycling depot or mobile collection events as provided in section 15 of the Act.

The producer-collected materials list can be an effective policy tool for products that are difficult to process, have low recycling rates, or where healthy end markets do not exist; but none of these issues apply to paper and paper-based packaging.

*AF&PA believes that paper and paper-based packaging should not be added to the producer-collected materials list.*

The paper recycling rate has grown over decades, and remained consistently high, meeting or exceeding 63 percent since 2009. In 2019, the recovery rate for all paper was 66.2 percent and in 2020 – an unprecedented year of shutdowns, business changes, and temporary recycling halts – the recovery rate only decreased half a point to 65.7 percent. This speaks to the strength and resilience of the paper and paper-based packaging recovery.

As part of industry efforts to continue improving recyclability and recovery rates, on March 2, 2021, AF&PA released a new tool, the Design Guidance for Recyclability, which is a data-driven resource to aid packaging designers and brands in the design and manufacture of packaging to meet recyclability goals. The report contains research-based findings on the recyclability of corrugated packaging; bleached paperboard cartons; recycled/unbleached boxboard cartons; carrier board cartons; Kraft paper bags; multiwall paper shipping sacks; and molded fiber containers.

*Being a “Challenge” to Recyclability Does Not Mean “Not Recyclable”*

Something becomes a “challenge” in a mill when it impedes mill operations. For example, something may slow down a mill’s pulping process, plug screening systems or leave residue on finished paper or paperboard.

Being a “challenge” does not make something not recyclable. The ease of recyclability depends on a mill’s capability. It is important to note that each non-fiber element applied to each kind of packaging covered in the Design Guidance for Recyclability report was rated by some mills as not a “challenge”/able to be recycled.

Much of that determination is dependent on the type of fiber to which the element is attached. In addition, the impact varies based on each mill’s repulping capability. Some mills are extremely sophisticated and as investments continue to be made to improve paper recycling, we can expect to see changes in the impact of non-fiber elements on different types of packaging.

**Conclusion**

AF&PA appreciates the opportunity to submit these comments in response to the Oregon Department of Environmental Quality request for comments on the implementation of Section 22 of Oregon's Plastic Pollution and Recycling Modernization Act.

We believe that all paper and paper-based packaging products can be easily recycled in Oregon's statewide collection recycling system.

We would appreciate any opportunity to discuss further and would be more than happy to share additional information on the recyclability of paper and paper-based packaging products.

Please contact me at [Terry\\_Webber@afandpa.org](mailto:Terry_Webber@afandpa.org) or 971-235-8816 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Terry J. Webber".

Terry Webber  
Vice President, Industry Affairs  
AMERICAN FOREST & PAPER ASSOCIATION