



# Recycling Steering Committee

Modernizing Oregon's recycling system with support from Oregon Consensus

## Recycling Systems Framework Subcommittee Meeting Summary

October 22, 2019

11:00a.m. - 1:00 p.m.

DEQ Headquarters, 700 NE Multnomah St. Ste 601, Portland, OR 97232

**Subcommittee Members:** Kristan Mitchell (co-chair with DEQ), Pam Peck, Kristin Leichner, Dave Larmouth, Shannon Martin, Timm Schimke, Sarah Grimm and Amy Roth.

**DEQ Staff:** David Allaway (chair from DEQ), Justin Gast, Brian Stafki, Sanne Stienstra, and Peter Spendelow

**RRS Research Team:** Bryce Hesterman and Resa Dimino

**Facilitation Team:** Robin Harkless and Amy Delahanty

**RSC Members Present:** Dylan de Thomas, Laura Leebrick, Matt Stern, Bruce Walker, Jeff Murray and Nicole Jansen.

**Public Members:** Keith Ristau and Dean Kampfer.

### **ACTION ITEMS:**

| ACTION   | BY WHOM?         | BY WHEN?   |
|--|------------------|------------|
| <ul style="list-style-type: none"> <li>Circulate draft subcommittee notes to the group.</li> </ul>           | Oregon Consensus | Completed. |
| <ul style="list-style-type: none"> <li>Update evaluation criteria and framework profile documents</li> </ul> | RRS              | ASAP       |

### **Intros/Frame for the Day**

Robin Harkless, Oregon Consensus, led a round of introductions and reminded the group of the purpose and objectives for the day — review, discuss and approve the evaluation criteria proposed by Resource Recycling Systems (RRS), to be used with research of 11 recycling system frameworks; review and discuss RRS' methods of evaluation; and receive feedback on the framework profile summary to be used with the research.

### **Evaluation Criteria Discussion**

Justin Gast (DEQ) introduced and welcomed Bryce Hesterman and Resa Dimino from RRS. He then reviewed the draft functions and criteria document circulated as a pre-read to subcommittee members and others prior to the meeting. Justin noted the draft document represented RRS'

approach to using the Steering Committee (SC) functions to evaluate the legal and relational frameworks that would be addressed in the study. As articulated in the memo, Justin stated the functions were unchanged from those developed by the SC, and the RRS team intended to utilize the detailed sub-functions as criteria to evaluate the extent to which the framework fulfills a given function. In some cases RRS made suggested recommendations for adding, combining, updating or eliminating sub-functions. Those sub-functions were identified in the document with a note and rationale for subcommittee consideration.

Justin then reviewed each of the proposed criteria outlined in the draft document. (*see Function Review Final document for additional details*). The following feedback was provided by subcommittee members:

### ***Whole-system design***

*(Function b) Resiliency adapts to changes in material supply and end-market demand:*

- Comment and agreement to eliminate the word ‘unprecedented’.

*(Function c) Provides sustainable and equitable financing for stable operations and capital investments:*

- Will there be an evaluation regarding who holds financial responsibility for the costs of educating the public? And if so, why not have that as a standalone function?
  - Response: We expect an evaluation to detail who’s responsible for education within a given framework, including the funding of that education. For example, under any given framework, it may be stated a producer is responsible for funding a certain percentage or all of the program’s education costs or that a municipality is fully responsible for all education and communication-related costs. But, this research will not cover the costs of education, as costs vary from program to program and framework to framework depending on the campaigns being undertaken by those operating within that particular system.

*(Function d) Integrates system components to achieve overall system goals*

- Comment: market development is different than market demand. These are two separate elements and as such should be distinctly evaluated.
  - Agreement: copy and paste from *k* back to *d*: uses consistent process and does framework have dependable, robust/bolstered markets.

*(Function e) Includes mechanisms to reduce upstream impacts of materials*

- Comment: *e* is similar to *a* re: upstream impacts

*(Function f) designs for equity – examining the burdens and benefits across the state.*

- Comment: *f*: ‘promotes service sufficiency’ and ‘equity’ need clearer definitions. Just because a community has a particular service, doesn’t mean those services are accessible. It might be important to look at equity through the lens of access. Equitable doesn’t mean equal. Not

everyone in the system is going to have exactly the same level of services. Through this we want to see where there are disparities and a system can help us think about issues of access.

- Agreement: RRS will define equity (at least to include access and any additional components RRS is considering in their evaluation). This will help inform future SC deliberations about what equity means for the Oregon system.

### ***Education, outreach and engagement (Functions i and j)***

David Allaway shared that education will not be a major focus of the frameworks research, but rather, will be addressed during the implementation phase of the project. David noted the quality of education is a whole research project in itself, and also suggested it is independent of a particular framework, therefore suggested removing certain functions under *i* and *j*.

- Comment: It would be important to know who shares the costs for the financial side of education, outreach and engagement.
  - Response: Agreed, and these elements (outreach and engagement costs) are implied in the criteria related to function *f*.
- Comment: what about criteria to determine if the framework engages the public to understand the benefits and costs of recycling to preventing waste and reducing impacts of the materials through their lifecycle.
  - RRS Response: as stated, we could evaluate that, but there isn't a framework that would meet it. We wanted to break it down to things we would actually see, which is why we focused on the economic incentives (PAYT, contamination upcharges, and other mechanisms), which would be more measurable drivers for behavior change. Oregon statute requires they educate the public, but this is not an inherent component to other frameworks.
- How will you show the effectiveness of the economic incentives and how will you measure those?
  - RRS Response: For some criteria, like this one, are evaluating the frameworks based on whether or not this criteria is met and not necessarily evaluating the impact of every particular criteria in every framework. For DEQ, we need enough research that supports the value of these types of incentives to make a reasonable assessment of whether they are a good policy that drives good behaviors.
- Agreement: Accept the RRS proposed additional criteria:
  - *Function i additional criteria*: clearly defines who is responsible for education and outreach activities.
  - *Function j additional criteria*: utilizes economic incentives, such as PAYT, contamination upcharges, and other mechanisms to drive appropriate recycling behavior among residents

### ***Materials Collected***

*(Function K): Identifies beneficial materials acceptable for collection programs*

- Comment: looking at this through franchise agreements and source separated lens. Distinguish between collection methods through collection programs. Is there legal clarification for source separated collectors that they can / can't do within franchise system?
  - Response: sounds like this is specific to a framework that is a franchise system. There was a proposal for DEQ to meet with Amy Roth (AOR) have an offline conversation to follow up.

### ***Transparency and Accountability***

*(Function p): Ensures all players in the system perform responsibly*

- Agreement: Strike the word 'clear' from proposed criteria
- Agreement: Include 'and/or' in the last proposed criteria

### **Research Methods of Evaluation Review**

Justin reviewed the proposed matrix tool that will be used to evaluate and score the functions within each of the frameworks. Justin shared that the information and scoring would be reflected in this proposed matrix document, and then further synthesized and summarized in a brief framework profile. The framework profile is intended to be a summary that is readable and digestible for subcommittee members, SC, and other stakeholders. Both the detailed matrix spreadsheet and eleven framework profile summaries will be shared with subcommittee and SC members. Bryce (RRS) shared the matrix tool is intended to provide the group with the full 'show your work' portion of the evaluation and intended to track the rationale of the RRS team for those that wanted additional details. He shared that because the frameworks research is largely qualitative, the matrix tool is RRS' proposed approach to ensure evaluation is done in a systematic and uniform way across the frameworks.

Justin then reviewed the proposed framework profile template with the group. Justin reiterated the profile summary is intended to be synthesized document that provides a brief description; key indicators; strengths and weaknesses; history and development; and critical program details of each framework.

- How was the profile summary determined? Why is flow control being included?
  - Response: the profile summary was developed based on what the frameworks subcommittee wanted to address and convey about the frameworks.
  - Subcommittee Member Comment: My definition of flow control is how we keep material locally instead of sending it overseas. If we are looking at a program, or aspects of a program, it's important to know how they made flow control work. We should look at. If it's there, we need to understand it.
  - Subcommittee Member Comment: If the frameworks use and/or depend on flow control we would want to know that.
- How broad is the definition of flow control? Does it speak to quality of materials?
  - Comment. These are terms of art in the law and start interstate commerce clause discussion. We need to be careful how we think about that.

- Comment: If there is a framework in another country that is appealing but dependent upon measures that are unconstitutional in the US, we would want to know that.
- **Agreement:** use a very broad legal/relational definition of 'a requirement above free market' and ask: if so, what tools are used? Is the framework success dependent on flow control?
- General comment on the profile: we want to make sure the profile summaries are reviewed for plain language and are clear for different audiences.

### Next Steps

Justin shared the timeline for frameworks research and evaluation:

- RRS will conduct the evaluation of the 11 frameworks and submit their initial evaluation findings in mid-November.
- A final draft report will be sent to the Frameworks subcommittee and SC for review on November 27.
- December 3rd, the SC will review the eleven frameworks and get a preview of five straw framework scenarios developed by RRS to jump start the next iteration of study.
- The SC will meet on December 17th to discuss in depth the five proposed frameworks, offer refinements, and coalesce around a set of scenarios for deeper study by RRS.
- The December 3<sup>rd</sup> and 17<sup>th</sup> meetings are joint meetings of the SC and Frameworks subcommittee, but on the 17<sup>th</sup>, only SC members will be involved in confirming/deciding which scenarios are to be evaluated in more detail (post-December 17<sup>th</sup>).
- A 'come-all' meeting for broader stakeholders will be held on January 31 to review the detailed scenarios studied by RRS, and this will be a chance for the SC to review and understand the analysis, and a chance for the broader stakeholder community to also learn about the scenarios and offer some initial reactions.
- On March 18<sup>th</sup>, the SC will meet to begin the agreement/consensus-seeking process on determining the framework scenario for Oregon's future recycling system.

There was considerable discussion regarding RRS' development of the five proposed scenarios prior to SC input. Robin offered that the proposed process design was DEQ's best attempt to fit the process within the current project timeline and other constraints, but acknowledged the concern raised for DEQ consideration. David suggested that RRS will be in attendance at the December 3rd meeting to hear SC member questions, comments, and feedback regarding the initial straw scenarios and will have a chance to incorporate some of the proposed feedback for the next iteration of review on Dec. 17.

The next subcommittee / SC meeting will be held on **December 3rd 10am-3:00p.m.** to review the evaluation of the 11 frameworks from RRS.