

Meeting 1: Technical Workgroup for Recycling Acceptance Lists

Recycling Modernization Act, Rulemaking 3

Dec. 11, 2025
Held online via Teams

Meeting logistics and protocol

Please keep your microphone on mute when not speaking; if not a workgroup member please keep camera off to limit disruptions

Committee members and DEQ staff are here as participants, audience as observers

- Public input is scheduled for 11:20 a.m., sign ups to occur at that time

For each meeting, please:

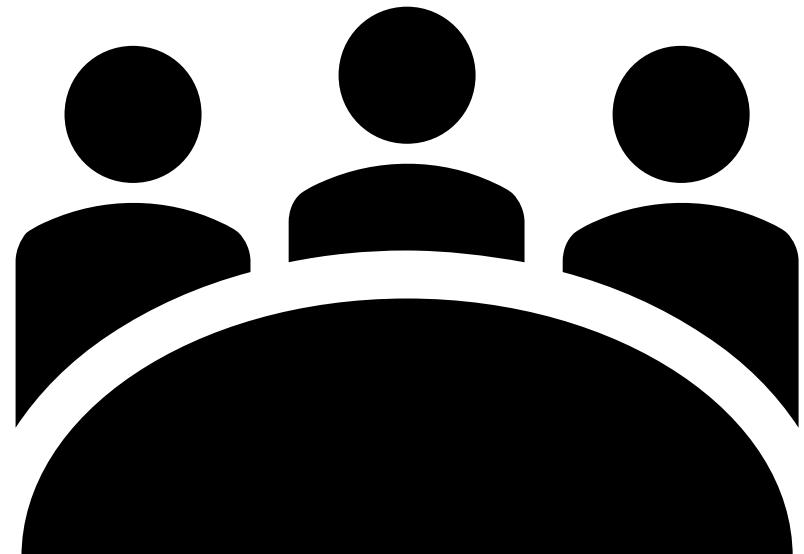
- Stay focused on the specific agenda topics for each meeting
- Comment constructively and in good faith
- Treat everyone and his or her opinions with respect
- Allow one person to speak at a time

Introductions

- DEQ team
- Workgroup members

Please share:

- Your name
- Your pronouns, if you'd like to
- What organization/entity you represent on this workgroup



Agenda

All times are approximate and subject to change based on committee needs

Time	Topic
10:00 a.m.	Welcome, introductions and agenda review
10:10 a.m.	Workgroup charter and roadmap
10:15 a.m.	Discussion: Clarification of “caps”
10:20 a.m.	Discussion: Paint containers
10:35 a.m.	Discussion: Automotive fluid containers
11:15 a.m.	Topic preview: Definition of “tub”
11:20 a.m.	Public input
11:28 a.m.	Next steps
11:30 a.m.	Adjourn

Background: RMA Rulemaking 3



Objective: Recommend amendments and updates to the rules that help DEQ modernize Oregon's recycling system

- Two previous rulemakings (2023, 2024)
- Implementation started July 1, 2025
- Rulemaking 3 scope: Multiple rules, not limited to recycling acceptance lists

Timeline

- December 2025 through February-March (?) 2026: Technical Workgroup meetings (recycling acceptance lists)
- November 2025 through July 2026: Rulemaking Advisory Committee meetings
 - Recycling lists scheduled for January and May 2026
- Date TBD: Consultation with Recycling Council
- September 2026: Public notice and comment period (30 days)
- Early 2027: EQC decisions on final policy and rule amendments

Workgroup: Scope and charter



Oregon Department of Environmental Quality

Charter: Technical Workgroup (2025 – 2026) for Recycling Modernization Act – Recycling Material Acceptance Lists

Revised: Dec. 9, 2025

Introduction

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

In 2022 through 2024, DEQ undertook two multi-topic rulemakings to support implementation of the RMA. A third rulemaking commenced in November 2025, with draft rules tentatively scheduled for consideration by the Environmental Quality Commission in January 2027. This rulemaking will address a variety of topics, including possible changes to Oregon Administrative Rule (OAR) 340-090-0630 ("Recycling Acceptance Lists").

Purpose

DEQ is convening a Technical Workgroup ("TWG" or "workgroup") to provide technical input to DEQ as the Department evaluates a limited number of materials against statutory criteria for potential inclusion on, or removal from, Recycling Acceptance Lists codified in OAR 340-090-0630(2) and (3). This early-stage research and deliberation will also inform subsequent discussion by a Rulemaking Advisory Committee, which will consider the full proposed rule changes (not limited to recycling acceptance lists).

TWG members will provide feedback to DEQ on a variety of questions and issues related to the evaluation of different materials against statutory criteria relating to recycling acceptance lists (ORS 459A.914(3)). The TWG may review and discuss draft research products prepared by DEQ, 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 the rulemaking is well-informed. Members of the Technical Workgroup will provide information to DEQ that the Department will consider in forming recommendations for the Rulemaking Advisory Committee.

Background and Process

ORS 459A.914 requires the Environmental Quality Commission 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. Existing rules (adopted in 2023) identify several lists of materials suitable for recycling in Oregon, including a "uniform statewide collection list" (which many local governments must provide for collection of) and a separate "producer responsibility organization recycling acceptance list" which contains additional materials that Oregon's producer responsibility organization, Circular Action Alliance, must provide for collection and recycling of.

1

Task: Provide technical input to DEQ on the lists of materials accepted for recycling in Oregon

- This is not the same as the list of covered products

Not all rule concepts will be discussed by this Workgroup

May result in recommended changes to the items listed in:

- OAR 340-090-0630(2) (Local Government Recycling Acceptance List, Uniform Statewide Collection List)
- OAR 340-090-0630(3) PRO Recycling Acceptance List

Statutory criteria: ORS 459A.914

(3) In determining whether a material should be included in a commingled recycling program from the uniform statewide collection list, collected separately, collected on-route or collected at a recycling depot, or . . . collected by a producer responsibility organization. . . the commission shall consider:

- (a) The stability, maturity, accessibility and viability of responsible end markets;
- (b) Environmental health and safety considerations;
- (c) The anticipated yield loss for the material during the recycling process;
- (d) The material's compatibility with existing infrastructure;
- (e) The amount of the material available;
- (f) The practicalities of sorting and storing the material;
- (g) Contamination;
- (h) The ability for waste generators to easily identify and properly prepare the material;
- (i) Economic factors;
- (j) Environmental factors from a life cycle perspective; and
- (k) The policy expressed in ORS 459.015 (2)(a) to (c).

Facilitated discussion: Clarification of “caps”

OAR 340-090-0630(1)(d) “Cap” means a rigid closure for tubs or bottles that has a fastening feature that involves threads.

OAR 340-090-0630(2) Local Government Recycling Acceptance List . . . Includes:

(j) Plastic that fits loosely in the generator’s provided on-route collection container, excluding any such item that was used to contain or store motor oil, antifreeze, or other automotive fluids, pesticides or herbicides, or other hazardous materials (flammable, corrosive, reactive, toxic), as follows:

(A) Plastic bottles that measure at least two inches in each of two or more dimensions, including caps if screwed on, made of the following materials:

- (i) PET (#1) (clear only);
- (ii) HDPE (#2); and
- (iii) PP (#5).

Question: What if the “cap” includes a spray mechanism?

Facilitated discussion: Paint containers (non-aerosol)

OAR 340-090-0630(2) Local Government Recycling Acceptance List . . . Includes:

(j) Plastic that fits loosely in the generator's provided on-route collection container, excluding any such item that was used to contain or store motor oil, antifreeze, or other automotive fluids, pesticides or herbicides, or other hazardous materials (flammable, corrosive, reactive, toxic), as follows:

. . .
(C) Plastic buckets, **pails** and storage containers, including lids if snapped on, made of the following materials:
(i) HDPE (#2); and
(ii) PP (#5).

. . .
(I) Steel and bi-metal cans, **including empty or dry metal paint cans.**"

Questions:

- 1. What happens to plastic paint pails (and downstream entities) if they are accepted as part of the Local Government Recycling Acceptance List?**
- 2. What happens to metal paint cans (and downstream entities) when they are accepted as part of the Local Government Recycling Acceptance List?**

Facilitated discussion: Automotive fluid containers

OAR 340-090-0630(2) Local Government Recycling Acceptance List . . . Includes:

(j) Plastic that fits loosely in the generator's provided on-route collection container, excluding any such item that was used to contain or store motor oil, antifreeze, or other automotive fluids, pesticides or herbicides, or other hazardous materials (flammable, corrosive, reactive, toxic), as follows:

(A) Plastic bottles that measure at least two inches in each of two or more dimensions, including caps if screwed on, made of the following materials:

...

Question 1: Is DEQ correct in understanding that plastics reclaimers and commingled processing facilities don't want to receive untreated automotive fluid packaging (esp. bottles)?

Facilitated discussion: Automotive fluid containers (continued)

- Lubricants Packaging Management Association (LPMA) proposed management plan

Questions:

Setting aside the question of whether the proposed system operates outside of, or as part of, the Recycling Modernization Act . . .

2. What are best practices/acceptable practices/concerns involving collection?
3. What are best practices/acceptable practices/concerns involving pre-processing?
4. What are best practices/acceptable practices/concerns involving markets?
5. Are there any other concerns or questions Workgroup members think DEQ should explore?

Topic preview: Definition of “tub”

OAR 340-090-0630(1)(n) “Tub” means a rigid container that has a neck or mouth similar in size to its base. “Tub” does not include a clamshell or similar container with a lid that is affixed to the base using a hinge or similar mechanism.

OAR 340-090-0630(2) Local Government Recycling Acceptance List . . . Includes:

(j) Plastic that fits loosely in the generator’s provided on-route collection container . . . as follows:

...
(B) Plastic tubs . . . made of the following materials:

- (i) PET (#1) (clear only);
- (ii) HDPE (#2); and
- (iii) PP (#5).

Question: Given that DEQ’s intention was to initially meter *some* (but not all) PET thermoforms into the commingled system, should the definition of “tub” be narrowed? (assuming no onramping of more PET thermoforms) If so, how?

Public input

- Please use the “raise hand” function to indicate your request to speak
 - Or: Send a chat to Stephanie Caldera if you can’t access this function
- Please limit your statements to 1-2 minutes
- This is not a formal public comment opportunity

Copies or supporting materials can be emailed to Stephanie Caldera, through rulemaking email:
RMARulemaking3@deq.Oregon.gov



Other opportunities for public involvement

- Sign-up for email updates ([GovDelivery](#))
- Review meeting materials and agendas
- Provide brief input during or after each meeting
- **Submit formal comments on draft rules in September 2026**



Next steps

Next meeting: Monday, Dec. 15, 2025, 2:30-4 p.m.

- Additional meeting(s) to be scheduled for early 2026

Feedback: RMARulemaking3@deq.Oregon.gov

DEQ contact information

Workgroup lead: David Allaway

- Email: David.Allaway@deq.oregon.gov

Rulemaking project manager: Stephanie Caldera

- Rulemaking email: RMARulemaking3@deq.oregon.gov
- [Technical Workgroup website](#)

Title VI and alternative formats

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities.

Visit DEQ's [Civil Rights and Environmental Justice page.](#)

[Español](#) | [한국어](#) | [繁體中文](#) | [Русский](#) | [Tiếng Việt](#) | [العربية](#)

Contact: 800-452-4011 | TTY: 711 | deqinfo@deq.state.or.us