Welcome, overview of today’s meeting

<table>
<thead>
<tr>
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<tr>
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<td>Committee scope and operating procedures</td>
</tr>
<tr>
<td>10 a.m.</td>
<td>Overview: Plastic Pollution &amp; Recycling Modernization Act overview and rulemaking issue areas</td>
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<td>Break</td>
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Webinar tips

Thank you for joining us today!

- Join audio by either phone or computer, not both.
- For panelists discussion and comments, use the raise hand button to get in the queue; if joined by phone press *9
- This meeting is being recorded.
- For Zoom technical issues, send a message through the chat to Alex Bertolucci, or email alex.bertolucci@deq.oregon.gov
Meeting ground rules

- Listen and treat everyone with respect
- Allow one person to speak at a time – raise hand
- Be prepared and set time aside for the meetings
- Provide a balance of speaking time
- Bring concerns and ideas up for discussion early in the process
- Comment constructively and avoid personal attacks
- Move around and take care of yourself as needed
Communications

• Substantive discussion by the committee will occur during public meetings, not offline.

• DEQ will post meeting materials and input received from RAC members on the rulemaking webpage: www.oregon.gov/deq/rulemaking/Pages/Recycling2023.aspx

• RAC members and the public may send input after a meeting to: Recycling.2023@deq.oregon.gov.
Introductions- DEQ staff

Cheryl Grabham, Program Manager, Materials Management Product Stewardship Team

Nicole Portley, Program Plan Lead

David Allaway, Senior Policy Analyst

Roxann Nayar, Recycling Program Analyst

Alex Bertolucci, Natural Resource Specialist
## Introductions - RAC Members

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
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</thead>
<tbody>
<tr>
<td>Trevor Beltz</td>
<td>Tillamook County Creamery Association</td>
</tr>
<tr>
<td>Udara (Abeysekera) Bickett</td>
<td>The Environmental Center</td>
</tr>
<tr>
<td>Rosalynn Greene</td>
<td>Metro</td>
</tr>
<tr>
<td>Sydney Harris</td>
<td>Product Stewardship Institute</td>
</tr>
<tr>
<td>Allen Langdon</td>
<td>Circular Materials</td>
</tr>
<tr>
<td>Michael R. McHenry</td>
<td>Pendleton Sanitary Service, Inc.</td>
</tr>
<tr>
<td>Katy Nesbitt</td>
<td>Wallowa County</td>
</tr>
<tr>
<td>Kristan Mitchell</td>
<td>Oregon Refuse and Recycling Association</td>
</tr>
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<td>Jeff Murray</td>
<td>EFI Recycling, Inc.</td>
</tr>
<tr>
<td>Deveron Musgrave</td>
<td>City of Eugene</td>
</tr>
<tr>
<td>Jerry Powell</td>
<td>Residents</td>
</tr>
<tr>
<td>Mallorie Roberts</td>
<td>Association of Oregon Counties</td>
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<tr>
<td>Jared Rothstein</td>
<td>Consumer Brands Association</td>
</tr>
<tr>
<td>John Salvador</td>
<td>Georgia-Pacific Professional</td>
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<tr>
<td>Craig Smith</td>
<td>Food Northwest</td>
</tr>
<tr>
<td>Paloma Sparks</td>
<td>Oregon Business &amp; Industry</td>
</tr>
<tr>
<td>Taylor Cass Talbott</td>
<td>Trash for Peace</td>
</tr>
<tr>
<td>Nicole Willett</td>
<td>Resource Recovery Alliance</td>
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Committee scope and operating procedures
About rules and the rulemaking process

Rules are agency regulations, carry the power of the law.

DEQ uses the rulemaking process to clarify and implement state law.

Rules are proposed by DEQ and are adopted by the Environmental Quality Commission.
Role of the rulemaking advisory committee

This is an advisory committee

• Your ideas inform the proposed rulemaking

Meetings stay focused on proposed rule concepts

• State law guided DEQ’s choice of issues to address in this rulemaking

RAC has particular responsibility to review and advise on:

• racial equity impacts of rules
• fiscal impacts of rules
Public involvement

Opportunities to stay engaged:

• Sign-up for email updates (Gov Delivery)

• Review meeting materials and agendas

• Provide brief input during or after each meeting

• Submit formal comments on draft rules in May 2023
Centering racial equity and environmental justice

DEQ is committed to serving all communities in Oregon by centering its work, including rulemaking, in racial equity and environmental justice.

- RAC will review a statement about rule’s impact on racial equity (per House Bill 2993).

Other activities outside of this rulemaking:
- Study of equity in the recycling system (per Senate Bill 582)
- An EJ mapping tool will be developed, and agencies will report annually to Environmental Justice Council (per House Bill 4077)
Committee charter

Highlights:
• Objectives and scope
• Roles and expectations
• Alternates Process
Q & A
### Overview of the Act and rulemaking issue areas

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What is Extended Producer Responsibility?

Solving problems by extending producer responsibility for products further in the life cycle, from production to end-of-life management.
Oregon’s Plastic Pollution and Recycling Modernization Act (Senate Bill 582, 2021)

- Shared responsibility
- New responsibilities on local governments, processing facilities, producers
- Comprehensive reform and modernization
## Recycling

### Challenges

- Public confusion over what can be recycled.
- Unstable markets and unfavorable economic signals
- Inequities throughout the recycling system
- No assurance of responsible recycling
- More waste and less recycling over time

### Solutions

- **STATEWIDE COLLECTION LIST**
- **COMMODITY RISK FEE PROTECTS RATEPAYERS**
- **SOCIAL EQUITY ELEMENTS**
- **RESPONSIBLE END MARKETS**
- **PROCESSOR PERMITTING**

Recycling increases as it becomes easier and more accessible
Plastic pollution

Challenges

Increasing production and consumption of single-use plastic

Increasing plastic pollution and waste

Lack of reduction goals, accountability

Solutions

WASTE PREVENTION PROGRAMS

REDUCING LIFECYCLE IMPACTS

PLASTIC PACKAGING RECYCLING GOALS
How it will work

PRODUCERS → PRODUCER RESPONSIBILITY ORGANIZATION → STATEWIDE COLLECTION LIST → LOCAL EXPANSION OF RECYCLING SERVICES → EDUCATION AND CONTAMINATION REDUCTION → MATERIAL PROCESSING → RESPONSIBLE END MARKETS

OVERSIGHT AND INTEGRATION
Start-up timeline

Stakeholder engagement, project planning and research extend throughout implementation.

2021:
- DEQ implementation planning

2022:
- Jan. 1: Law goes into effect
- DEQ hiring
- Advisory Council appointed
- Labeling Task Force report due

2023:
- First rulemaking
- Collection needs assessment
- Pilots for contamination reduction
- Studies for processor fees

2024:
- Second rulemaking
- First PRO program plans due
- Purchasing assessment due
- First equity study due
- First multifamily study due

July 1, 2025:
- Producers join a PRO and pay fees
- PROs implement approved plans
- Local collection program changes begin
- Processors obtain permit or certification

Stakeholder engagement, project planning and research extend throughout implementation.
**Key Obligations**

**PRODUCERS**
- Join PRO
- Report annual sales
- Pay annual fees
- Evaluate life cycle impacts (large producers only)

**LOCAL GOVERNMENTS**
- Identify opportunities for service expansion via participation in the needs assessment
- Expand recycling services to encompass uniform statewide collection list materials

**LOCAL WASTE MANAGEMENT**
- Undergo permitting (processors)

**MATERIAL PROCESSORS**
- Send materials for recycling to responsible end markets (processors)
Key obligations of the PROs

1. Pay fees to / compensate local governments, service providers, DEQ

Develop a plan for implementing statewide collection program expansions and improvements

2. Maintain membership that accounts for at least 10% of market share

Educate the public

Meet statewide plastic recycling goals

3. Coordinate with other PROs

Set up a depot system that meets standards and targets

Establish graduated fee structure for members

4. Ensure recyclables go to responsible end markets

Ensure that products do not cross-subsidize one another
Rulemaking 1 timeline

We Are Here

- RAC mtg #1: July 2022 (Topic: PRO Obligations)
- RAC mtg #2: Sept 2022 (Topic: Local Government Compensation)
- RAC mtg #3: Nov 2022 (Topic: Materials Collection List (part I))
- RAC mtg #4: Dec 2022 (Topic: Materials Collection List (part II))
- RAC mtg #5: Feb 2023 (Topics: Equity and Fiscal Impact Statements)
- Public comment: May-June 2023
- EQC meeting: Sept 2023
Local government compensation

PROs will be providing funding and/or reimbursement to local governments for aspects of their recycling systems. (ORS 459A.890)

Key Topics:
• Transportation of covered recycling to commingled processing facilities and markets
• Assessing contamination from recycling route trucks
• Contamination reduction programming (may be deferred to the second rulemaking)
• Expansion of recycling collection on-route and at depots
• Returning unused funding
Material lists

Key Questions:
1. Which *materials* should regulated local governments (subject to Oregon’s Opportunity to Recycle Act) collect for recycling?
2. Of those, which should be collected on-route? At depots? Which should be included in the state’s Uniform Statewide Collection List?
3. Which *covered products* should PROs collect for recycling (at depots, mobile collection events)?
4. For those, what convenience standards, collection targets and performance standards should be required?
5. Are there additional requirements that should be mandated?
Material lists, continued

Evaluation criteria – ORS 459A.914(3)
(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 recycling 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).
Rulemaking 2 (2023-2024) anticipated topics

- Processor permits and certification
- Standards for contamination reduction programming
- Fees paid to processors (contamination management, processor commodity risk fees)
- Waste prevention and reuse fee
- Standards for evaluation and disclosure of life cycle environmental impacts
Q & A
Break
# Rule concept presentations

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Rules topic #1: Fees

Refer to background document #1. Fees
Rules topic #1: Fees

Fees included in Rulemaking I:
• One-time fee for plan review
• Annual fee for administration

Who pays:
• PROs
Rules topic #1: Fees

Statute (ORS 459A.938(1)) says:

The Environmental Quality Commission shall establish the following fees:

• (a) A fixed, one-time fee for reviewing a producer responsibility program plan submitted under ORS 459A.875.

• (b)(A) . . . an annual fee charged to each producer responsibility organization for the purpose of paying the costs to the Department of Environmental Quality of administering, implementing and enforcing the provisions of ORS 459A.860 to 459A.975.
1. Plan review fee amount: $150,000

2. This fee is due from each PRO with the initial submission of their program plan (March 31, 2024 deadline; subsequent plans in later years).
Rule concept: Annual Fee

1. Annual fee amount: $4 million per year, in the first four years (2025-2028), $3 million thereafter

Annual fee features:

• Defines a cap in rule.

• First fee billed upon DEQ’s approval of all plans.

• This fee is paid collectively by all approved PROs and divided among them according to market share.

• The fee amount is higher in the first four years because most (more than 90%) of the start-up costs are paid off in those years.
Annual fee billing

First Year (2025) Fee

**September 1, 2024**
- Provisional invoices sent out

**Spring 2025**
- Likely date of PRO plan review conclusion. Final invoices go out.

**30 days later**
- PRO payment deadline

**July 1, 2025**
- Program start date

**August 1, 2025**
- Market share data submitted to interim coordinator

**Fall 2025**
- DEQ notifies PROs to reconcile 2025 payments according to market share

Long-Term Approach to Billing

**July 1**
- PROs submit market share data for previous year with annual reporting

**September 1**
- DEQ issues invoices for next year’s fee

**October 1**
- PROs submit payments

**January 1**
- Payment year begins
Fees rule concepts

• Pause for questions and discussion
Rules topic #2: Market Share

Refer to background document #2. Market Share

State of Oregon Department of Environmental Quality


A Memo on Options for Defining “Market Share”

Plastic Pollution and Recycling Modernization Act (SB 582, 2021)
Rulemaking Advisory Committee Meeting #1 of 5, Rulemaking 1
Contact: Michael Lee
700 NE Multnomah St, Suite 600, Portland, OR 97232
Michael.lee@deq.oregon.gov

Background

DEQ has considered several options for defining market share. Two options (weight, financial burden) are described in this memo.

The Plastic Pollution and Recycling Modernization Act (“Act”) allows for multiple Producer Responsibility Organizations (see ORS 459A.869(9) and (12)). The same section of the Act requires the Environmental Quality Commission to establish by rule “methods for calculating market share”.

The Act refers to the term “market share” in the following ways:
Rules topic #2: Market Share

ORS 459A.869(9) requires the Environmental Quality Commission to establish by rule “methods for calculating market share”.

ORS 459A.863(13) defines “market share” to mean “a producer’s percentage of all covered products sold in or into this state during a specified time period, as calculated in accordance with methods established by the commission by rule.”
What is market share used for?

In Statute, market share is used to:

• set a 10% minimum threshold to operate as a PRO
• identify the 25 “large producers”

PRO Market Share is also relevant to:

• division of fees and other shared obligations among multiple PROs

Materials should not subsidize other materials
Options for market share calculation

How could market share be calculated?

- weight
- environmental impact
- number of pieces sold
- revenue
- volume

Financial burden (weight x cost-per-pound)
Two PROs have five total producer members (three in PRO A, two in PRO B) that produce two products, “widgets” and “beanbags”.

The unit cost (cost per pound) of beanbags is 10x that of widgets.
## Weight vs financial burden: a hypothetical scenario

### Data for Calculating Market Share

<table>
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<th>A,1</th>
<th>A,2</th>
<th>A,3</th>
<th>B,4</th>
<th>B,5</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Widgets (kg)</strong></td>
<td>10</td>
<td>50</td>
<td>5</td>
<td>10</td>
<td>20</td>
<td>95</td>
</tr>
<tr>
<td><strong>Beanbags (kg)</strong></td>
<td>10</td>
<td>10</td>
<td>0</td>
<td>50</td>
<td>0</td>
<td>70</td>
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<tr>
<td><strong>Subtotal (kg)</strong></td>
<td>20</td>
<td>60</td>
<td>5</td>
<td>60</td>
<td>20</td>
<td>165</td>
</tr>
<tr>
<td><strong>PRO total (kg)</strong></td>
<td>85</td>
<td>80</td>
<td>165</td>
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Note that PRO A’s weight-based market share is slightly over 50% (85 kg divided by 165 kg) . . .
Weight vs financial burden: a hypothetical scenario

Weight

Weight x Financial Burden

B

A

Weight

B

A

Weight x Financial Burden

B

A
Market share: further considerations

If market share is calculated on the basis of financial burden:

• How will market share estimates be generated in the first year of the program? What is the source of the financial burden unit factor? *(Option: simple average of unit costs drawn from PRO fee schedules)*

• In the event of multiple PROs, a common product speciation will be needed to apply the financial burden approach.
Market share rule concept

• Pause for questions and discussion

• Key question for the group: Which option for calculating market share do you recommend, and why?
Rules topic #3: PRO Coordination

Refer to two #3 background documents. PRO Coordination and Introductory FAQ

State of Oregon Department of Environmental Quality

Rule Concepts: 3. PRO Coordination
Plastic Pollution and Recycling Modernization Act (SB 582, 2021)
Rulemaking Advisory Committee Meeting #1 of 5, Rulemaking 1
Contact: Michael Lee
700 NE Multnomah St, Suite 600, Portland, OR 97232
Michael.lee@deq.oregon.gov

Background
OES 459A.869(9) addresses the need for coordination among producer responsibility organizations should DEQ approve multiple producer responsibility programs. Subparagraph (9) of subsection (9) directs the Environmental Quality Commission to establish standards and requirements for coordination plans and coordination between producer responsibility organizations; a process for submittal, review, approval or rejection and revocation of coordination plans; and a process for DEQ to issue an order requiring a coordination plan. The rule concepts laid out below are intended to address these requirements.

State of Oregon Department of Environmental Quality

Introductory FAQ on Producer Responsibility Organizations
Accompanying Material for the Rule Concept Discussion on Item #3 PRO Coordination
Plastic Pollution and Recycling Modernization Act (SB 582, 2021)
Rulemaking Advisory Committee Meeting #1 of 5, Rulemaking 1
Contact: Michael Lee
700 NE Multnomah St, Suite 600, Portland, OR 97232
Michael.lee@deq.oregon.gov

What is a Producer Responsibility Organization?: As defined in OES 459A.863, a Producer Responsibility Organization (PRO) is a nonprofit organization established to administer a producer responsibility program, which is a statewide program for the responsible management of covered products. Covered products (for the purposes of the Act) are non-exempted packaging, printing and writing paper, and food serviceware that become waste in Oregon.
ORS 459A.869(9)(b) directs the Environmental Quality Commission to establish:

- standards and requirements for coordination plans and coordination between producer responsibility organizations;
- a process for submittal, review, approval or rejection and revocation of coordination plans; and
- a process for DEQ to issue an order requiring a coordination plan.
## Rules topic #3: PRO Coordination

<table>
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<tr>
<th>Year:</th>
<th>2023</th>
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<th>2025</th>
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<tr>
<td>Quarter:</td>
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<td>Q2</td>
<td>Q3</td>
<td>Q4</td>
<td>Q1</td>
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**Phases:**
- **Phase I: Start Up** *(DEQ hires interim coordinator)*
- **Phase II: Interim Coordination, Part 1** *(Coordination with prospective PROs)*
- **Phase III: Interim Coordination, Part 2** *(Coordination with approved PROs)*
- **Phase IV: Long-Term Coordination** *(PROs take over coordination)*

**Statutory Key Dates:**
- March 31, 2024: PRO deadline to submit program plans
- July 31, 2024: DEQ first response deadline to PRO plans
- July 1, 2025 PROs begin implementing program plans

**Coordination Activities and Key Dates:**
- DEQ recruits interim coordinating body
- DEQ designates interim coordinating body
- Interim coordinating body develops interim coordination plan
- DEQ review of PRO program plans
- PROs are assigned interim coordination tasks as they are approved.
- Feb 1, 2026 Deadline for PROs to submit coordination plan
- Long-term coordination underway through approved PRO plan or DEQ-ordered plan
- Dec 31, 2026 Interim coordinating body completes tenure
Interim coordination rule concepts

1) Enable creation of an interim coordination body

2) Enable the assigning of interim coordination tasks to individual PROs on the basis of fixed criteria applied to review of program plans

3) Set out the tasks to be assigned in the interim period
   • Single-point-of-service invoicing for various fees/compensation
   • Establishment of depot system
   • Setting up an education system
   • Establishment of an expense reconciliation system among the PROs
Interim and long-term coordination rule concepts

• Rule concept lays out standards and requirements for coordination plans
  • Standards and requirements mirror those for PRO program plans
• DEQ foresees collaboration among PROs on:
  • Fulfilling responsible end market obligations
  • Meeting the statewide plastic recycling goals
  • Consistent messaging, branding, single website, etc.
  • Single point of contact for communications with DEQ, Recycling Council
Long-term coordination rule concepts

1) Establish processes for submittal, review, approval or rejection, amendment, and revocation of coordination plans

2) Establish a process for DEQ to order a coordination plan
PRO coordination rule concepts

- Pause for questions and discussion
- Key questions:
  - Do you support the interim coordination body/plan approach to ensuring adequate coordination is in place when the PRO programs begin?
  - Do you have any suggestions for how to improve coordination overall or for any particular timebound coordination activities?
Lunch, followed by continued rules discussion

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Lunch
Rules topic #4: Responsible End Markets

Refer to background document #4. Responsible End Markets

State of Oregon Department of Environmental Quality
Rule Concepts: 4. Responsible End Markets
Plastic Pollution and Recycling Modernization Act (SB 392, 2011)
Rulemaking Advisory Committee Meeting #1 of 3, Rulemaking 1
Contact: Michael Lee
700 NE Mountnah St, Suite 600, Portland, OR 97231
Michael.lee@deq.oregon.gov

Background
This memo provides background information intended to help the Rulemaking Advisory Committee understand the topic of responsible end markets and introduces DEQ’s proposed rule concepts.

The Plastic Pollution and Recycling Modernization Act (“Act”) includes a requirement that covered products collected for recycling are delivered to “responsible end markets” and managed in an environmentally protective way according to Oregon’s hierarchy of materials management options. These statutory requirements were intended to address the negative environmental, social, economic and health impacts that can result from irresponsible recycling. In an interconnected world, irresponsible recycling can cause negative impacts Oregon’s communities, even when the disposition of materials is taking place at an overseas location.
Rules topic #4: Responsible End Markets

1. Background and context
2. Rule concept: Definition of “end market”
3. Rule concept: Standards for “responsible” end markets
4. Rule concept: Reporting, auditing and enforcement
5. Rule concept: Definition of “practicable”
Responsible end markets definition

Per Statute (ORS 459A.863(29)):
“a 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.”
# Commingled processor and PRO obligations

<table>
<thead>
<tr>
<th>Scope of materials</th>
<th>Commingled Processors</th>
<th>Producer Responsibility Organizations</th>
</tr>
</thead>
</table>
| All materials accepted (covered products and others) | Covered products:  
1. Collected for recycling at PRO depots  
2. Included on the uniform statewide collection list and collected under the opportunity to recycle  
3. Identified as a “specifically identified material”  
4. Recycled in an effort to achieve statewide plastic recycling goal |

<table>
<thead>
<tr>
<th>Responsible end markets</th>
<th>Commingled Processors</th>
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</tr>
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</table>
| • Market materials to responsible end markets  
• Report all disposition | • “To the extent practicable, ensure that covered products will be . . . delivered to responsible end markets.  
• Report all disposition |

<table>
<thead>
<tr>
<th>Follow the policy hierarchy</th>
<th>Commingled Processors</th>
<th>Producer Responsibility Organizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>No obligation</td>
<td>“To the extent practicable, ensure that covered products will be . . . Managed according to the hierarchy of materials management options under ORS 459.015(2)”</td>
<td></td>
</tr>
</tbody>
</table>
Rules topic #4: Responsible End Markets

1. Background and context
2. Rule concept: Definition of “end market”
3. Rule concept: Standards for “responsible” end markets
4. Rule concept: Reporting, auditing and enforcement
5. Rule concept: Definition of “practicable”
Defining “end market” by material

- **Glass**: user of the recyclate to make a new product
- **Metal**: producer of the recyclate, e.g. of ingots, sheet, coil etc. by smelting
- **Paper**: facilities that re-pulp recycled material
- **Plastic for food and beverage packaging and children’s toys**: user of the recyclate to make a new product
- **Plastic for all other applications**: last handler of the recyclate (typically flakes or pellets) before sold to a producer.
Standard for “responsible”

- Compliant
- Transparent
- Environmentally-sound
- Achieves adequate yields
How will reporting work?: process in statute

MATERIAL PROCESSORS

(quarterly disposition reports)

(anonymized, consolidated version)

(PROs add their disposition Info)

(contact if a non-responsible market identified)

PRO ANNUAL REPORT

(pursues practicable solution)

(PROs add their disposition Info)

(contacts if a non-responsible market identified)
Rule concepts: reporting and auditing

1. Required annual auditing by PROs and inclusion in annual reports
2. Required audit components:
   a. Random bale tracking
   b. Rationale for “end market” identification
   c. List of relevant laws and treaties;
   d. Documentation that supply chain entities meet the “responsible” standard
   e. Documentation of any non-compliance with standards,
   f. Documentation of the auditor’s qualifications; and
   g. Certification and signature from the auditor
ORS 459A.896(2):
“A producer responsibility organization, shall, to the extent practicable, ensure that covered products collected in this state for the purpose of recovery and described in ORS 459A.869(7) will be:
(a) Delivered to responsible end markets;
(b) Managed according to the hierarchy of materials management options under ORS 459.015(2); and
(c) Managed in an environmentally protective way through to final disposition.”
Rule concepts: “practicable”

1. Provide examples:
   i. Provide financial support to help a market change operations
   ii. Provide financial support to redirect materials to a different end market
   iii. Re-direct disposition (for materials under PRO’s direct control)
   iv. Offer to buy or take ownership of materials (to bring them into direct control)
   v. Develop new markets

2. “Impracticable” requires technical barriers that cannot be overcome or transactional costs that aren’t justified (given resulting societal benefits)

3. For all claims involving responsible end markets not being practicable, require critical review by DEQ . . . and initiate review of material acceptance lists if agreed
Responsible end market rule concepts

• Pause for questions and discussion

1. Rule concept: Definition of “end market”

2. Rule concept: Standards for “responsible” end markets

3. Rule concept: Reporting, auditing and enforcement

4. Rule concept: Definition of “practicable”
Rules topic #5: Other Concepts

Refer to background document #5. Other concepts
1. Process for PROs with <10% market share
2. Plastic recycling goal reporting
3. When PROs need a plan amendment for fee changes
4. Housekeeping/numbering fix
   • Pause for questions and discussion
# Public input period

<table>
<thead>
<tr>
<th>Time</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>9-10:30 a.m.</td>
<td>Welcome, Overview, Introductions, Break</td>
</tr>
<tr>
<td>10:30 a.m.</td>
<td>Rule concept presentations followed by discussion</td>
</tr>
<tr>
<td></td>
<td>1. Fees</td>
</tr>
<tr>
<td></td>
<td>2. Market Share</td>
</tr>
<tr>
<td></td>
<td>3. PRO Coordination</td>
</tr>
<tr>
<td>12 p.m.</td>
<td>Lunch break</td>
</tr>
<tr>
<td>12:30 p.m.</td>
<td>Discussion (continued): Proposed Rule Concepts</td>
</tr>
<tr>
<td></td>
<td>4. Responsible End Markets</td>
</tr>
<tr>
<td></td>
<td>5. Other Rule Concepts Regarding PROs</td>
</tr>
<tr>
<td>2 p.m.</td>
<td><strong>Public input period</strong></td>
</tr>
<tr>
<td>2:30 p.m.</td>
<td>Next steps, adjourn meeting</td>
</tr>
</tbody>
</table>
Next steps: RAC meeting schedule

September 2022
Topic: Local Government Compensation

November 2022
Topic: Materials Collection Lists (part I)

December 2022
Topic: Materials Collection Lists (part II)

February 2023
Topics: Equity & Fiscal Impact Statements
More information

Rulemaking webpage - oregon.gov/deq/rulemaking/Pages/Recycling2023.aspx
Send input by July 29, 2022 to recycling.2023@deq.oregon.gov