

# Modernizing Oregon E-Cycles: Workshop 5



State of Oregon  
Department of  
Environmental  
Quality



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## Gas Cylinders Older Meeting: Day 1

Stewardship Council  
and 14, 2020

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# Introductions



**Abby Boudouris**  
Sr. Legislative Analyst  
OR DEQ

**Cheryl Grabham**  
Materials Mgmt.  
Program Manager  
OR DEQ



**Michael Lee**  
Operations and Policy  
Analyst  
OR DEQ

# Introductions



**Scott Cassel**  
CEO / Founder



**Lelande Rehard**  
Policy and Programs  
Associate

# Purpose of Today's Workshop

- Update on path forward for legislation
- Building understand about how LC 477 could change E-cycles
- Review concepts for amendments to LC 477

# Goal

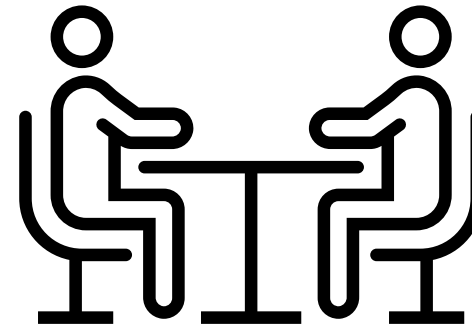
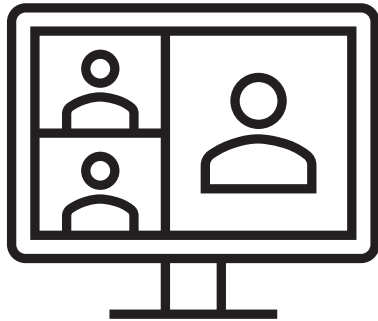
DEQ seeks to engage with national and state stakeholders to identify and analyze options for modernizing the Oregon E-Cycles Program through legislation anticipated in 2023.

# E-Cycles: Opportunities for Modernization

- Create a more robust and stable collection infrastructure.
- Expand scope of covered materials.
- Address limitations of relying heavily on collections determination process.
- Reduce administrative burden for PROs and DEQ.

# Summer Workshop Summary

- Held two workshops and multiple small group discussions
- Used feedback from engagement to hone legislative concepts





# Workshop 3 Summary

## **Covered Materials**

- DEQ proposal to add CEDs and include peripherals.

## **Convenience Standard**

- DEQ proposal for a standard that would maintain current network of sites.

## **Collection and Covered Cost**

- DEQ proposal for determining collection site criteria via rule making.

# Workshop 4 Summary

## **Section by Section Review of LC 477**

- Walked through the entire LC, answered questions, and discussed potential amendments.

# Legislative Update

Anticipated:

- Informal Conversations – ongoing to address niche issues.
- Amendment Development



# Modernizing Oregon E-Cycles: What changes?



## CURRENT E-CYCLES LAW

## CHANGES PROPOSED BY LC 477

### WHO CAN USE THE E-CYCLES PROGRAM?

Households, businesses and non-profits with 10 or fewer employees, any person giving 7 or fewer CEDs to a collector at one time.

No change.

### WHO FUNDS THE E-CYCLES PROGRAM?

Funded by manufacturers.

Funded by manufacturers. Exemption for manufacturers that sell less than 50 covered electronic devices in a given year in Oregon.

### WHAT COVERED ELECTRONICS DEVICES WILL BE ACCEPTED FOR RECYCLING?

Computers, monitors having a viewable area greater than four inches measured diagonally, TVs, printers, keyboards and mice.

More electronic devices will be accepted, including: VCRs, music players, DVD players, game consoles, digital converter boxes, cable receivers, satellite receivers, routers, and modems.

## COLLECTION NETWORK REQUIREMENTS

A program must establish one collection site for any city with a population of at least 10,000.

A program must also establish additional sites to meet collections determinations set by DEQ.

Increases the number of collection sites required in cities with a population of at least 10,000.

Includes a requirement that a program ensures at least 95% of residents are within 15 miles of a collection site.

Allows DEQ to approve an alternative method for convenience that adequately meets local needs.

Eliminates the collections determination process.

## PROGRAM IMPLEMENTATION

DEQ must administer a State Contractor Program.

Manufacturers may choose to implement a manufacturer program, such as through a producer responsibility organization, under a plan approved by DEQ.

Eliminates requirement for a State Contractor Program.

Allows one or more producer responsibility organizations to operate; coordination on certain program elements will be required if multiple producer responsibility organizations exist.

## MANUFACTURER REGISTRATION AND FEES

DEQ registers manufacturers and collects fees from manufacturers for covering DEQ's administrative costs.

DEQ would collect its administrative fee from the producer responsibility organizations.

## EQUITY

Not explicitly addressed in statute.

Requires a producer responsibility organization to provide convenient service throughout state, including to rural areas and historically underserved populations.

## LANDFILL BAN

Except for printers, keyboards, and mice, current covered electronic devices are banned from landfills.

No change to landfill ban, which applies to covered TVs, monitors, and computers. The ban would not extend to additional covered electronic devices

# Questions?



# Amendment Concepts

- DEQ is still reviewing input on LC 477
- Discuss some concepts for an amendment to LC 477

# Amendment Concepts – Definitions

Input Received	Amendment Concept Proposed
Include scanners as covered electronic devices	Include scanners as covered electronic devices
Clarify status of smart phones as not covered	Amend definition of “cell phones” to clarify smart phones as not covered
Include categories of devices for collection purposes and calculation of manufacturer obligations	Give EQC rulemaking authority to define categories of devices
Define manufacturer obligations to avoid cross-subsidization	Include a definition of “manufacturer obligations”

# Amendment Concepts – Registration

Input Received	Amendment Concept Proposed
Request for DEQ to register manufacturers and to provide clarity on fee payment	<ul style="list-style-type: none"><li>• DEQ will register manufacturers</li><li>• DEQ will no longer collect registration fees from manufacturers</li><li>• PROs will pay administrative fee to DEQ.</li><li>• The administrative fee will be reasonably calculated to cover all of DEQ's costs, including costs of registering manufacturers.</li></ul>

# Amendment Concepts – Collection Network Standards

Input Received	Amendment Concept Proposed
Provide transition time from existing collection network to new network	Grandfather number of sites in each county for a certain period as part of transition to new system.
Allow other facilities with a SW permit, besides permitted transfer stations, to participate if willing	Broaden “permitted transfer stations” to include other permitted facilities

# Amendment Concepts – Collection Network Standards

Input Received	Amendment Concept Proposed
<p>Set timeline for notice to collection sites on changes in network</p>	<p>PRO must provide 90-day notice prior to removing a collection site to the following entities:</p> <ul style="list-style-type: none"><li>• DEQ;</li><li>• Other collection sites in the same city;</li><li>• The public, via the program website</li></ul> <p>Statute will allow for exigent circumstances when such notice is not possible</p>

# Amendment Concepts – Collection Standards

Input Received	Amendment Concept Proposed
Update collector compensation language	<p>Compensation to collection sites to be calculated by a formula</p> <ul style="list-style-type: none"><li>• Formula may specify categories of costs (e.g., storage, labor)</li><li>• Formula may specify factors for consideration (e.g., rates in urban and rural areas)</li><li>• Formula should include a minimum payment for fixed costs regardless of amount collected</li><li>• Formula specifics set in rule</li></ul> <p>EQC may require through rules that compensation terms be renegotiated at regular intervals</p>

# Amendment Concepts – Equity

Input Received	Amendment Concept Proposed
Ensure program provides equitable service to people in Oregon	<ul style="list-style-type: none"><li>• <b>Collection service:</b> Require a PRO to provide convenient <u>and equitable</u> service throughout the state, including to rural areas and to <u>minority, lower-income and other</u> historically underserved populations.</li><li>• <b>Public awareness:</b> Require public awareness campaign to include engaging with, and sustaining high awareness of the program in, minority, lower-income rural, and other historically underserved communities.</li></ul>

# Amendment Concepts – Reuse

Input Received	Amendment Concept Proposed
Request to allow collection sites to salvage collected covered electronic devices suitable for reuse	A collection site may from recover collected covered electronic devices for resale if such resale occurs on-site or the collection site is a nonprofit that refurbishes technologies for resale
Use a different mechanism in PRO plan besides goals to encourage reuse	Remove goal requirement for reuse  Require PRO plan to describe methods that will be used to coordinate activities with existing recycling and reuse programs, including existing nonprofit organizations that refurbish technology, to further the environmentally sound management of recycling of electronics



# Amendment Concepts – Performance Goals

Input Received	Amendment Concept Proposed
Make goals aspirational	<p>PRO must set performance goals for collection and maintaining high public awareness</p> <p>If goals aren't achieved, PRO must propose plan changes for DEQ's approval; if continue to underperform, DEQ may direct program changes to ensure achievement of goals</p>

# Amendment Concepts – PRO Structure and Coordination

Input Received	Amendment Concepts
<p>Add anti-trust language</p> <p>Require coordinating body in the event of multiple PROs</p> <p>Allow more competition by removing requirement that PROs must be nonprofits</p>	<p>Add anti-trust language</p> <p>Still being evaluated:</p> <ul style="list-style-type: none"><li>• Coordination requirements</li><li>• Nonprofit requirement</li></ul>

# Questions and Comments

# Next Steps

- Review your input from today
- Please send additional amendments and comments by COB next Friday (1/27/22)

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**Thank You!**