

City of Stayton

Solid Waste & Recycling Modernization Act Overview

Presented by

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Sustainability in Action

SEISMIC CHANGES OVER RECENT YEARS



China Sword

CHANGES

- ✓ China's exit from global recycling commodity markets
- ✓ Shifted flow of commodities to markets

IMPACTS

- ✓ Drove investment in MRF quality and new innovations
- ✓ Spotlighted need for relevant materials in programs



ESG Commitments

- ✓ Customers and shareholders driving companies to ESG and sustainability
- ✓ Growing gap in supply and demand driving investments and innovations

- ✓ Innovation in circularity
- ✓ Investments in infrastructure

Structural / Secular Changes to End Markets

- ✓ On-shoring of manufacturing
 - ✓ Investments in plastics circularity
- ✓ Minimum Recycled Content legislation
- ✓ Extended Producer Responsibility legislation (RMA)

BATTLING PUBLIC CONFUSION

Greenwashing

- ✓ Greenwashing is the act of providing the public or investors with misleading or outright false information about the environmental impact of a company's products and operations.
- ✓ Misalignment between actual industry recycling capabilities / markets and marketing messages
- ✓ Products that are scientifically recyclable, yet the sorting technology, end markets or commodity value do not exist today
- ✓ Major brands do not align with industry capabilities before issuing their marketing messages

Misalignment between major brands and recycling industry realities is not helpful



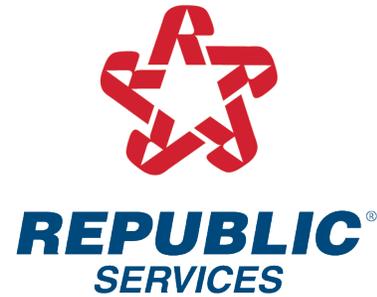
Production / food grade pellets sold to CPG companies to create new packages



Residents purchase, use and recycle plastics in curbside cart



Chipped, washed flakes transported to Blue Polymers for production preparation



Sustainability in Action



Collection trucks take plastics to traditional MRF

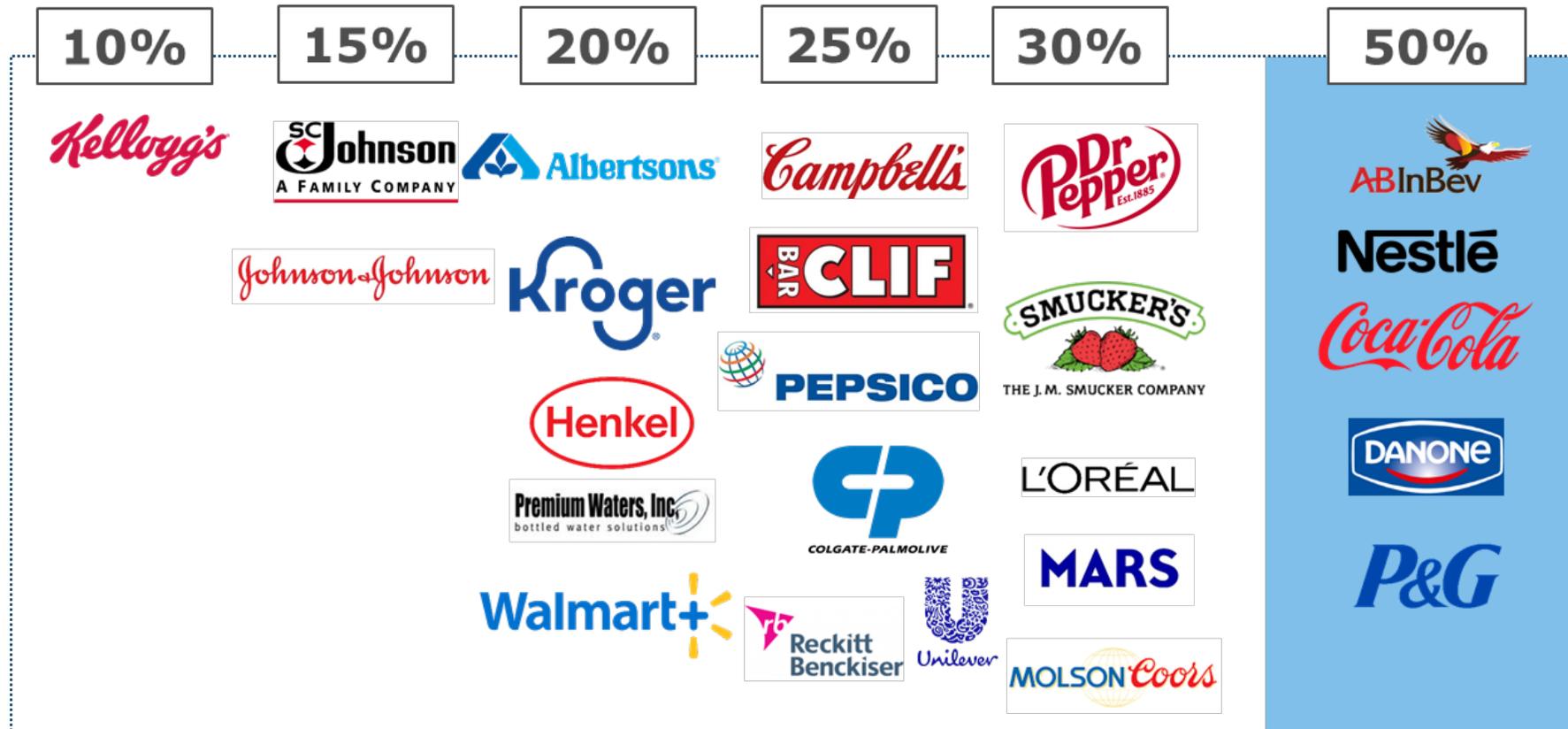


MRF bales of plastics transported to the Polymer Center



PLASTIC CIRCULARITY – CURB TO SHELF

Growing Number of CPGs Declaring Higher Post-Consumer Content





Senate Bill 582

The Plastic Pollution and Recycling Modernization Act (RMA)

Oregon Recycling History 101

1983: Opportunity to Recycle Act (ORS 459A)

1991: Oregon Recycling Act (Senate Bill 66)

Established recycling standards for rigid plastic containers

New Statewide goal of **50%** recovery by **2000**

Established 8 DEQ Program Elements



Oregon Recycling History 101

2015: Opportunity to Recycle: Goal and Recovery Rate Updates (Senate Bill 263)

DEQ Program Elements went from 9 to 13
Added 7 New Waste Prevention Programs

2021: Recycling Modernization Act (Senate Bill 582)

One State-Wide Collection List
Extended Producer Responsibility
Uniform Outreach and Education Materials



RMA Legislative Path

Chief Sponsors

Senator Dembrow and **Representative** Sollman

Regular Sponsors

Senator Manning Jr. and Taylor

Representative Alonso Leon, Campos, Dexter, Grayber, Helm, Holvey, Hudson, Kotek, Marsh, McLain, Neron, Nosse, Power, Prusak, Reynolds, Salinas, Sanchez, Schouten, and Smith Warner

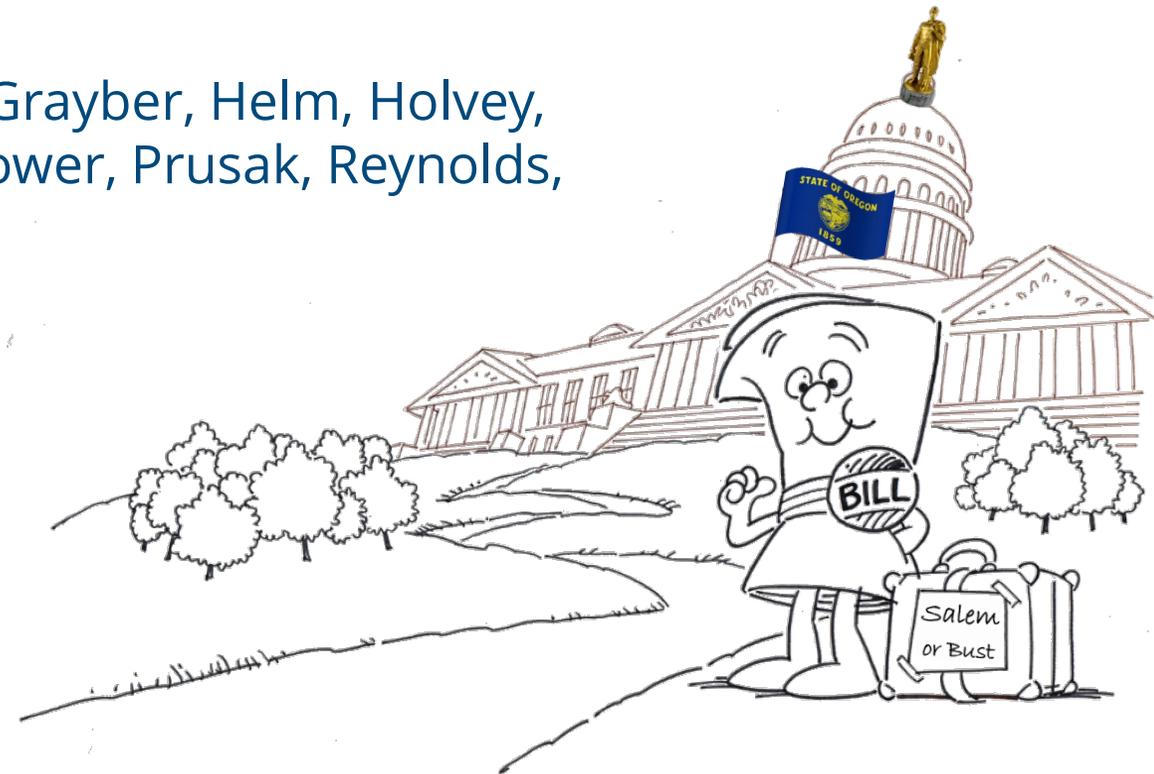
Introduced – January 11, 2021

Passed Senate – June 23, 2021

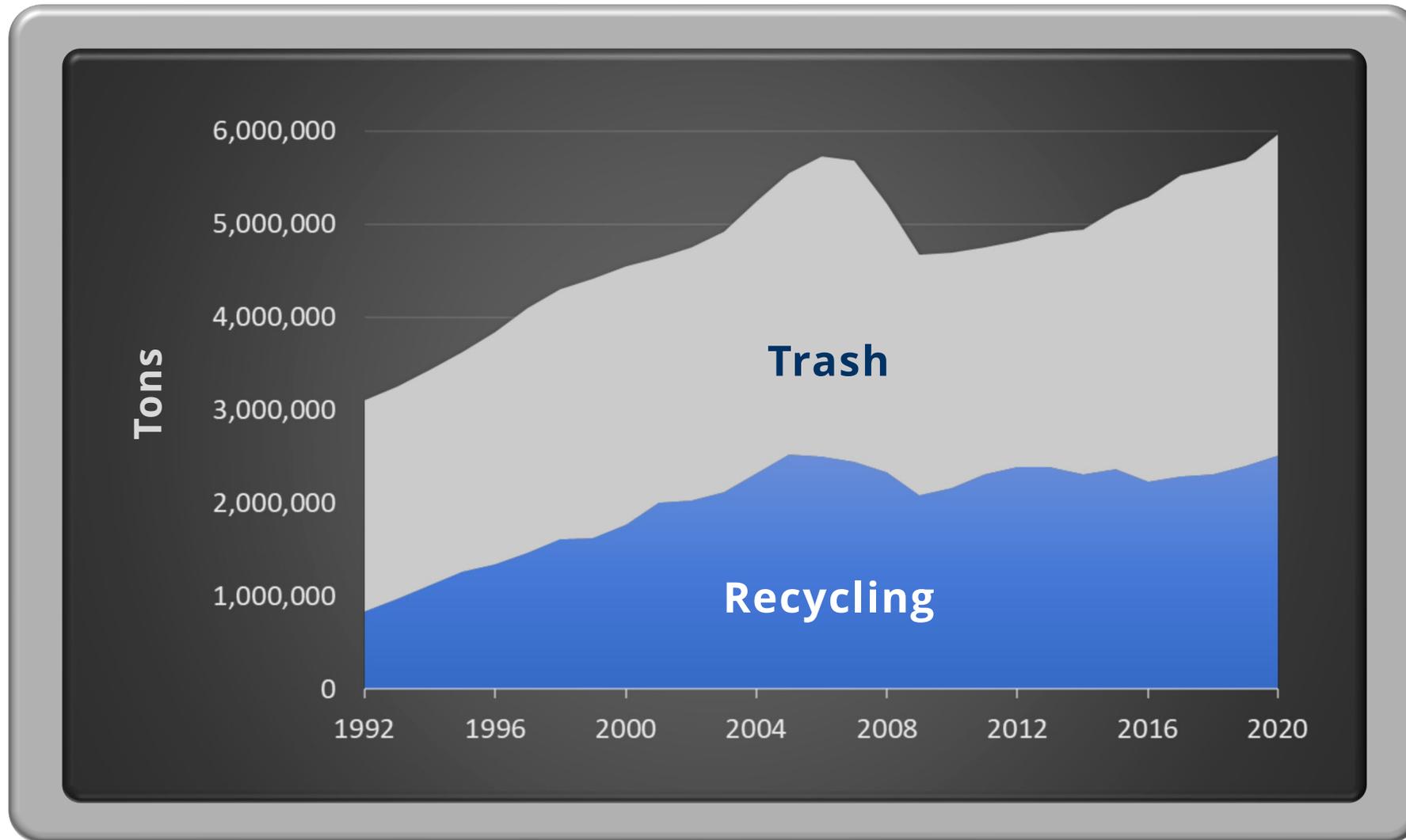
Passed House – June 25, 2021

Governor Signed – August 6, 2021

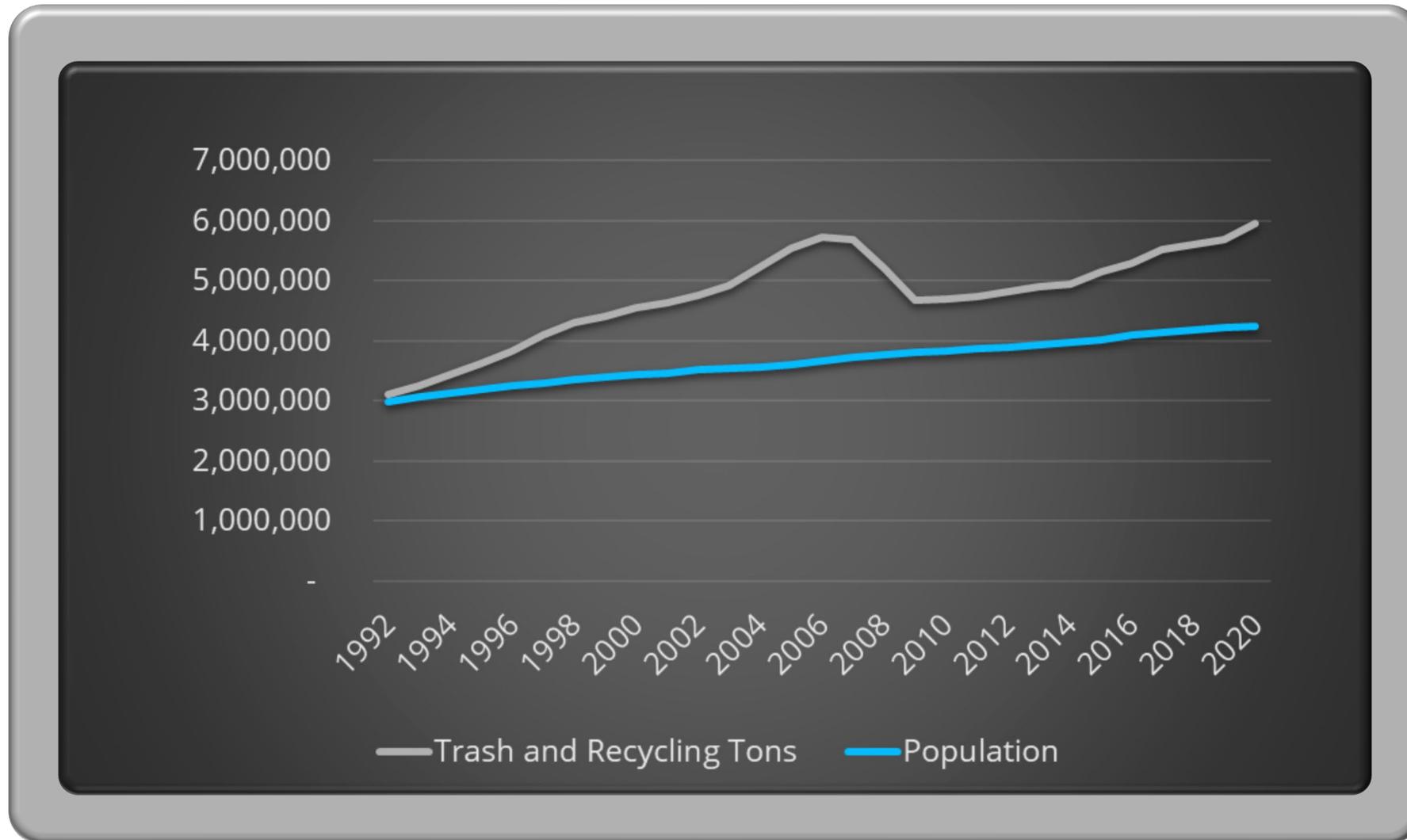
Effective Date – January 1, 2022



Oregon Recycling History 101



Oregon Recycling History 101



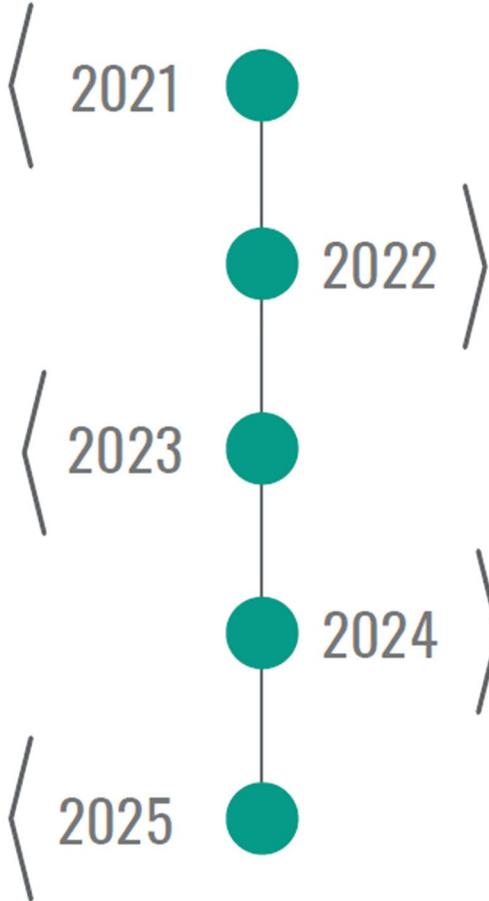
Roadmap

- DEQ implementation planning

- Rulemaking
- Needs assessment for collection expansion due July 1
- Pilot projects for contamination reduction
- Studies for processor fees

By July 1:

- Producers join a PRO
- PROs begin implementation
- Local governments implement program changes, including statewide collection list
- Processors obtain permit or certification



- Law effective Jan. 1
- DEQ staff hiring
- Oregon Recycling System Advisory Council begins meeting
- Truth in Labeling Task Force submits report to Legislature by June

- Rulemaking
- First PRO program plans due
- Public procurement assessment due May 15
- First equity study due Sept. 15
- First needs assessment for multifamily services due Sept. 15

Producer Responsible Organizations

Producers and Producer Responsibility Organizations

Producers:

Companies identified as 'Producers' are required to join and pay fees to a Producer Responsibility Organization, or PRO.

Producer Responsibility Organization:

A PRO is a non-profit organization and will be established to administer the statewide program for the management of the covered products. The PRO will use the fees to fund recycling system improvements in communities across Oregon.

Local governments

The RMA creates new funding mechanisms for local governments, who will continue overseeing collection and will receive financial support to expand recycling services and address contamination. The law includes funding to support the creation of:

- New resources to reduce contamination found in the commingled recycling stream.
- New educational resources about the uniform statewide collection list that are culturally responsive and available in multiple languages
- Opportunities to improve and expand existing recycling services and to implement recycling services for communities that do not currently have on-route collection or depot collection.

Collection and processing

Under the new law:

- **DEQ** will publish a uniform statewide collection list for commingled recyclable material, allowing residents and businesses to recycle the same material, regardless of location.
- **PRO** funding will cover the costs of transporting collected recyclables from communities currently 50+ miles from the nearest commingled recycling processing facility or responsible end market.
- **Commingled recycling processing facilities** will meet new performance standards for material quality, reporting, and providing a living wage and supportive benefits to workers, among other things.

Current PROs

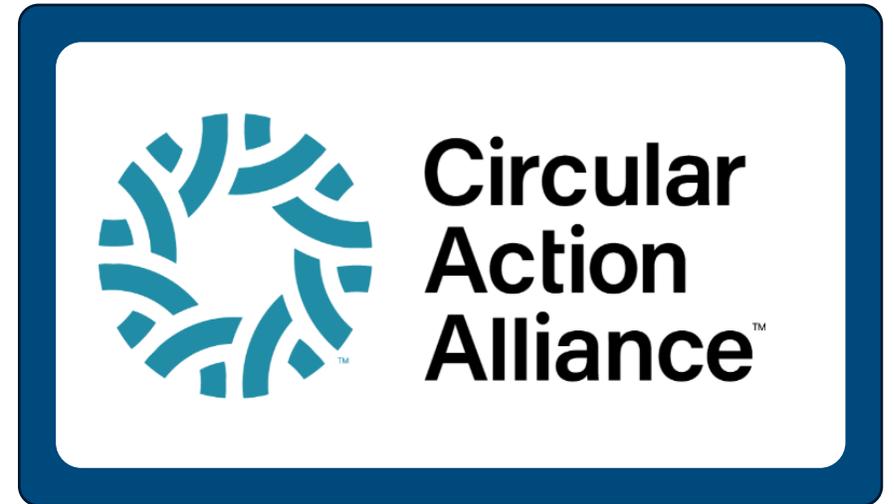
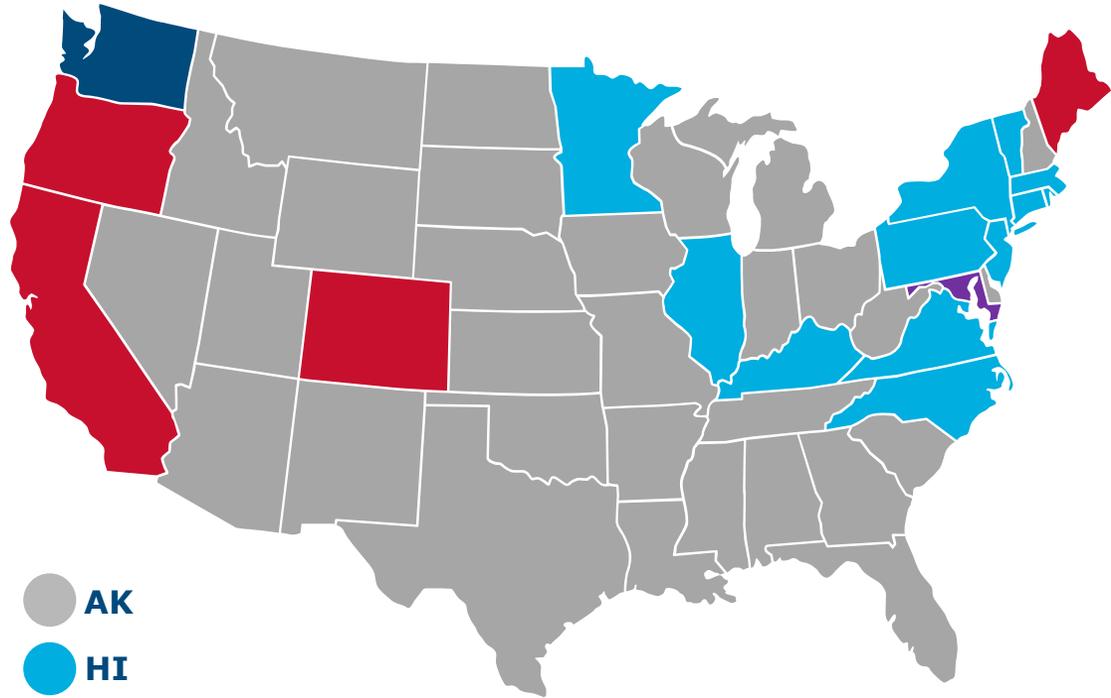
Paint

e-Waste

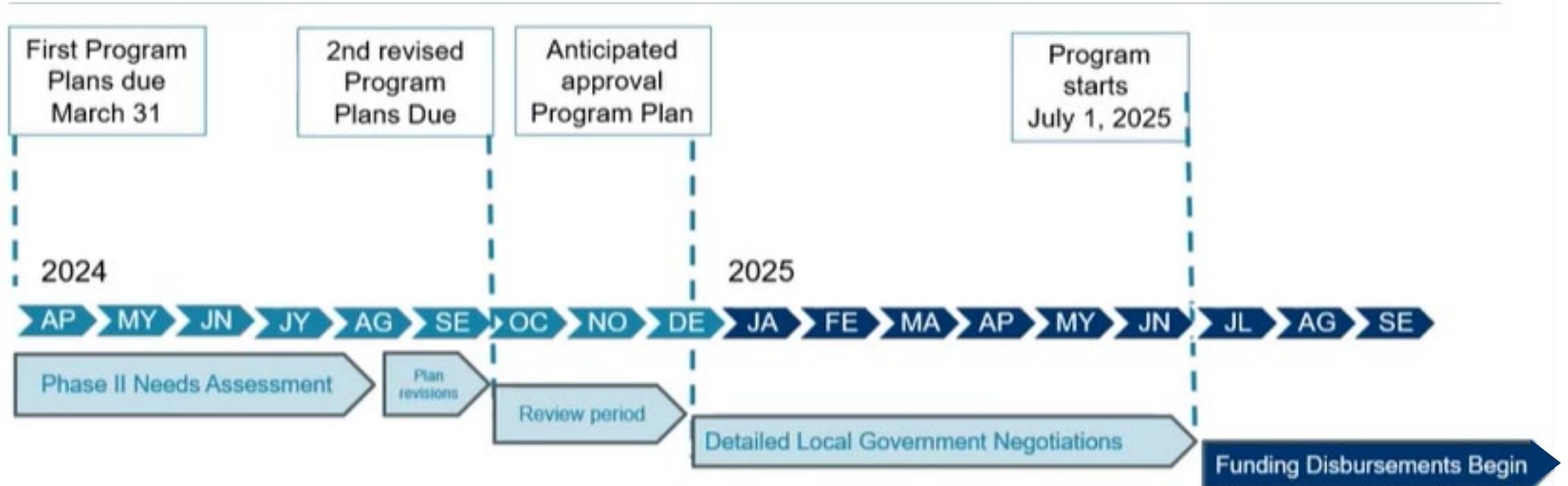
Medication

Mattresses*

Producer Responsible Organizations and EPR



Circular Action Alliance Timeline



Standardized Material Streams

Uniform Statewide Collection List*

Standardizing Commingled Recycling Materials

Expanded Depot Collection List

Standards Applied to Public Recycling Depots

PRO Covered Materials List

Standards Applied to Public Recycling Depots



Fact Sheet

Oregon Adopted Recycling Acceptance Lists

Updated December 2023

Beginning July 2025, all Oregon community members and businesses throughout the state can recycle a consistent set of materials. The Oregon Environmental Quality Commission adopted the following recycling acceptance lists on Nov. 16, 2023. These lists may change over time. For example, producer responsibility organizations may propose to add materials to the Uniform Statewide Collection List in their program plans.

Local government acceptance lists

DEQ requires local governments to collect the following materials under their Opportunity to Recycle obligations in the modernized system.

Uniform statewide collection list

To be collected at depots and on-route collection, and suitable for commingled collection:

Corrugated cardboard (uncoated and recycle-compatible coated; clean pizza boxes OK)		All kraft paper (brown paper bags, mailers)	
Paperboard packaging (e.g., cereal, cracker and medicine boxes)		Molded pulp packaging (e.g., egg cartons, but not food serviceware or flower pots)	
Polycoated cartons (e.g., milk cartons, aseptic cartons)		Tissue paper used as packaging (not facial or sanitary tissue)	

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New Uniform Statewide Collection List – Draft 2

Corrugated cardboard (uncoated and recycle-compatible coated; clean pizza boxes OK)		All kraft paper (brown paper bags, mailers)	
Paperboard packaging (e.g., cereal, cracker and medicine boxes)		Molded pulp packaging (e.g., egg cartons, but not food serviceware or flower pots)	
Polycoated cartons (e.g., milk cartons), aseptic cartons, and polycoated paper cups		Tissue paper used as packaging (not facial or sanitary tissue)	
Non-metalized gift wrap (no ribbons or bows)		High-grade office paper (e.g., white and colored ledger)	
Newspaper/newsprint		Magazines, catalogs and similar glossy paper	
Telephone directories		Other printing and writing paper (e.g., envelopes, "junk mail", cards)	

Paperback books		Aluminum food and beverage cans	
Steel cans, including empty/dry paint cans		Scrap metal less than 10 pounds in weight and 18 inches in length; excluding sharp items and "tangles" (e.g., bicycle chains, wire)	
Paper "cans" with metal ends (e.g., snack, nut and coffee cans)		*measuring at least 2x2" Plastic bottles* and jugs, 6 ounces* and larger, made of clear PET (#1), natural or colored HDPE (#2), or polypropylene (#5) (caps OK if screwed on)	
*measuring at least 2x2"		Nursery (plant) packaging: HDPE (#2) and PP (#5) only	
Plastic buckets, pails, storage containers and other bulky HDPE (#2) or polypropylene (#5) plastic packaging that fit loosely in the provided on-route collection container		MATERIAL REMOVED FROM LIST IN RULEMAKING Clear plastic cups, made of PET (#1) or polypropylene (#5), but no other plastic food serviceware	 MATERIAL REMOVED FROM LIST IN RULEMAKING

New Uniform Statewide Collection List – Draft 2

Only at depots and collected segregated from other materials (not commingled):

<p>Motor oil</p>		<p>Scrap metal including large appliances and other items not on the Uniform Statewide Collection List</p>	
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Metro region only:

<p>Glass packaging (bottles, jars): non-residential on-route only</p>	
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PRO Covered Materials List – Draft 2

PRO acceptance lists

DEQ recommends requiring PROs to provide for recycling of the following materials under separate collection services as required by ORS 459A.914(1)(b) and ORS 459A.896(1):

Steel and aluminum aerosol packaging		Single-use liquid fuel canisters and other pressurized cylinders	
Aluminum foil and pressed foil products		Glass packaging (e.g., bottles and jars)	
Shredded paper		Polyethylene film	

Plastic buckets and other bulky HDPE (#2) or polypropylene (#5) packaging		HDPE package handles (such as 6-pack handles)	
Polyethylene and polypropylene lids and caps		Block white expanded polystyrene	

Depot Collection Proposed

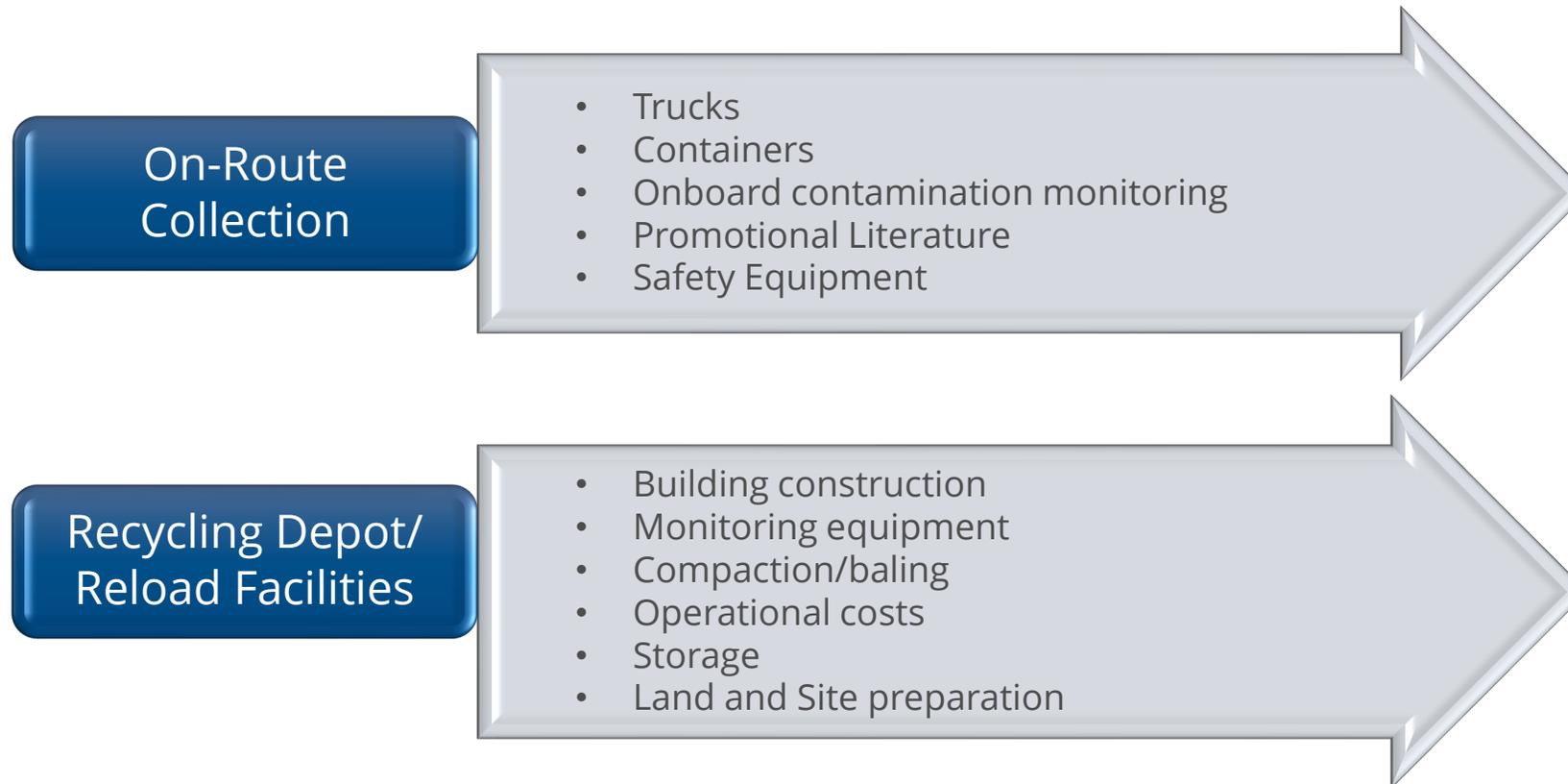
DEQ Needs Assessment Survey



Sent to all Oregon cities, ran January 2023 – April 2023

Determine need/desire to expand recycling opportunities to residents

Most cities responded, those that didn't must wait until 2027 to apply for state funding



Proposed Contamination Management Fee

Paid by PRO to compensate facilities for the costs of removing and disposing of covered products that are contaminants.



Proposed Contamination Management Fee



As determined by the joint Processor Commodity Risk Fee and Contamination Management Fee study undertaken by Crowe LLP, the Contamination Management Fee to be paid by producer responsibility organizations to commingled recycling processing facilities to compensate the facilities for the costs of removing and disposing of covered products that are contaminants shall be paid as follows:

- At a rate of \$374 per ton for the 2025 and 2026 program years (July 1, 2025 – Dec. 31, 2026);
- At a rate of \$476 per ton for the 2027 program year (January 1, 2027 – December 31, 2027);
- \$246 per ton for the 2028 program year (Jan. 1, 2028 – Dec. 31, 2028) and all years thereafter (until updated by rule).

Proposed Processor Commodity Risk Fee



Based on the most recent draft of the Processor Commodity Risk Fee and Contamination Management Fee study conducted by Crowe LLP, the statewide, per-ton average eligible processing cost at commingled recycling processing facilities that process commingled recycling generated in Oregon is currently recommended to be:

- \$201 per ton for the 2025 and 2026 program years (July 1, 2025 – Dec. 31, 2026);
- \$287 per ton for the 2027 program year (Jan. 1, 2027 – Dec. 31, 2027); and
- \$246 per ton for the 2028 program year (Jan. 1, 2028 – Dec. 31, 2028) and all years thereafter (until updated by rule).

Processor Permit and Certification

Requires Recycling Processors send material to responsible end markets

Out-of-state processors must be certified

Workers required to pay living wage

Regular audits to ensure compliance with permits



Legislative Updates

SB 1596 - Right to Repair

Introduced – February 5, 2024

Passed Senate – February 20, 2024

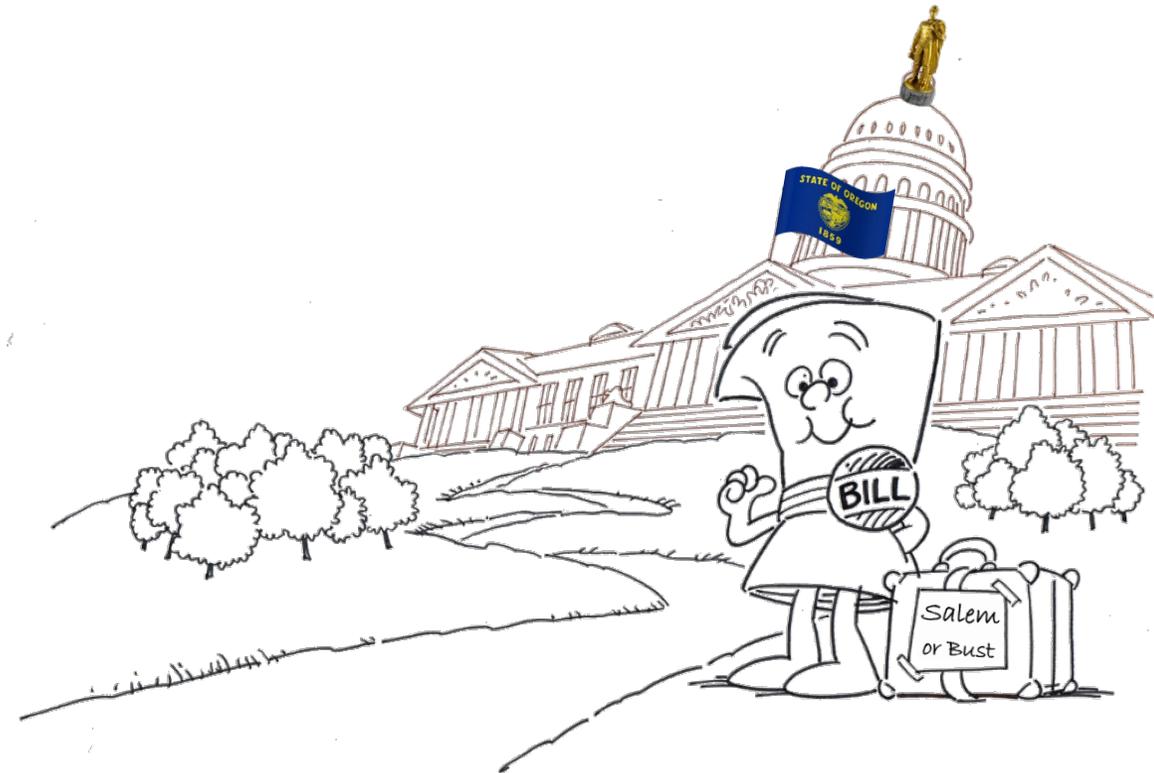
Passed House – March 4, 2024

Governor Signed – TBA

Upcoming Legislation

HB 4049 – PFAS (a.k.a. Forever Chemicals)

HB 4013 – Wine Packaging



Thank You

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Travis Comfort – Municipal Contract Administrator

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Oregon Adopted Recycling Acceptance Lists

Updated December 2023

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Local government acceptance lists

DEQ requires local governments to collect the following materials under their Opportunity to Recycle obligations in the modernized system.

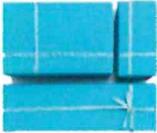
Uniform statewide collection list

To be collected at depots and on-route collection, and suitable for commingled collection:

<p>Corrugated cardboard (uncoated and recycle-compatible coated; clean pizza boxes OK)</p> 	<p>All kraft paper (brown paper bags, mailers)</p> 
<p>Paperboard packaging (e.g., cereal, cracker and medicine boxes)</p> 	<p>Molded pulp packaging (e.g., egg cartons, but not food serveware or flower pots)</p> 
<p>Polycoated cartons (e.g., milk cartons), aseptic cartons.</p> 	<p>Tissue paper used as packaging (not facial or sanitary tissue)</p> 

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<p>Non-metalized gift wrap (no ribbons or bows)</p>		<p>High-grade office paper (e.g., white and colored ledger)</p>	
<p>Newspaper/newsprint</p>		<p>Magazines, catalogs and similar glossy paper</p>	
<p>Telephone directories</p>		<p>Other printing and writing paper (e.g., envelopes, "junk mail", cards)</p>	
<p>Paperback books</p>		<p>Aluminum food and beverage cans</p>	
<p>Steel cans, including empty/dry paint cans</p>		<p>Scrap metal less than 10 pounds in weight and 18 inches in length; excluding sharp items and "tangles" (e.g., bicycle chains, wire)</p>	
<p>Plastic tubs (e.g., cottage cheese) larger than 2 inches in two dimensions. made of PET (#1), HDPE (#2), or polypropylene (#5)</p>		<p>Plastic bottles larger than 2 inches in two dimensions, made of clear PET (#1), natural or colored HDPE (#2) or clear or colored polypropylene (#5) (caps OK if screwed on)</p>	
<p>Plastic buckets, pails, storage containers and other bulky HDPE (#2) or polypropylene (#5) plastic packaging that fit loosely in the provided on-route collection container</p>		<p>Nursery (plant) packaging: HDPE (#2) and PP (#5) only</p>	

Only at depots and collected segregated from other materials (not commingled):

<p>Motor oil</p> 	<p>Scrap metal including large appliances and other items not on the Uniform Statewide Collection List</p> 
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Metro region only:

<p>Glass packaging (bottles, jars): non-residential on-route only</p>	
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PRO acceptance list

DEQ requires producer responsibility organizations to provide for the recycling of the following materials:

<p>Steel and aluminum aerosol packaging</p> 	<p>Single-use liquid fuel canisters and other pressurized cylinders</p> 
<p>Aluminum foil and pressed foil products</p> 	<p>Glass packaging (e.g., bottles and jars)</p> 
<p>Shredded paper</p> 	<p>Polyethylene film</p> 
<p>Plastic buckets and other bulky HDPE (#2) or polypropylene (#5) packaging</p> 	<p>HDPE package handles (such as 6-pack handles)</p> 

<p>Polyethylene and polypropylene lids</p> 	<p>Block white expanded polystyrene</p> 
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