

City of Wilsonville

Solid Waste & Recycling Modernization Act Overview

Presented by

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Sustainability in Action

SEISMIC CHANGES OVER RECENT YEARS



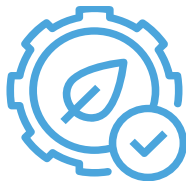
China Sword

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



Collection trucks take plastics to traditional MRF

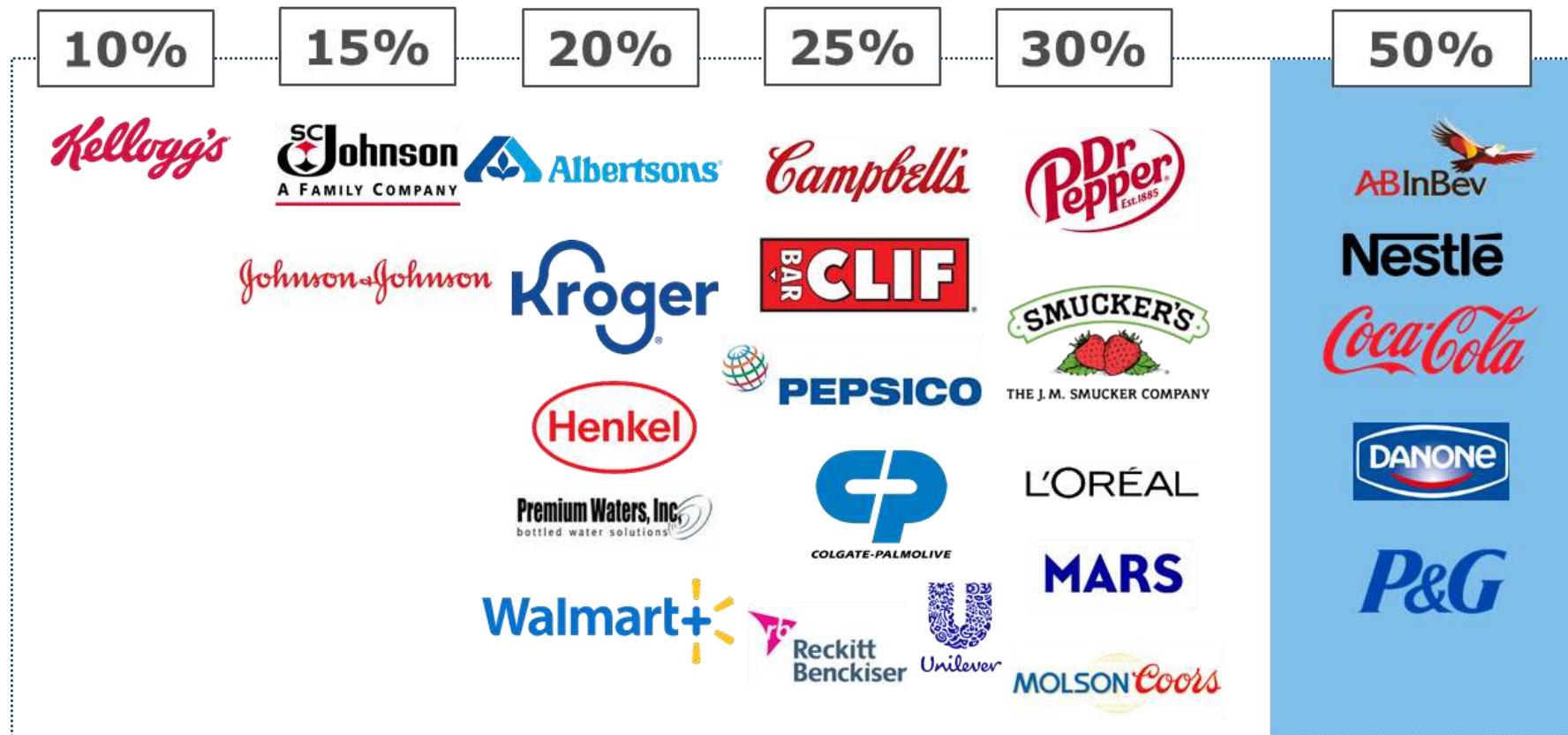


MRF bales of plastics transported to the Polymer Center

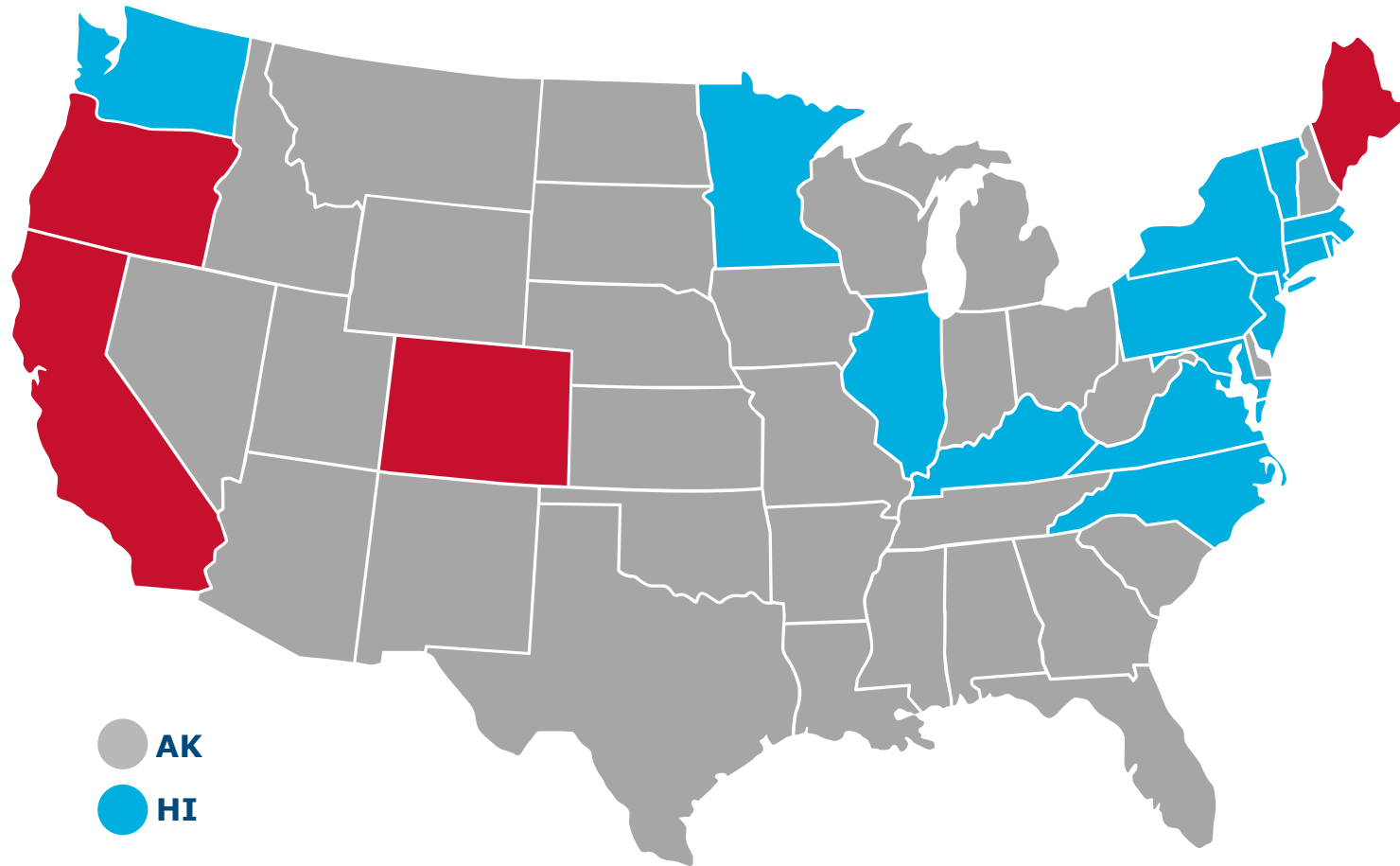


PLASTIC CIRCULARITY – CURB TO SHELF

Growing Number of CPGs Declaring Higher Post-Consumer Content



Extended Producer Responsibility (EPR)



4 states have
Passed EPR bills
(ME, OR, CO, CA)

17 EPR bills
Introduced in
2021-22

*Packaging/Printed Paper and
Packaging EPR



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

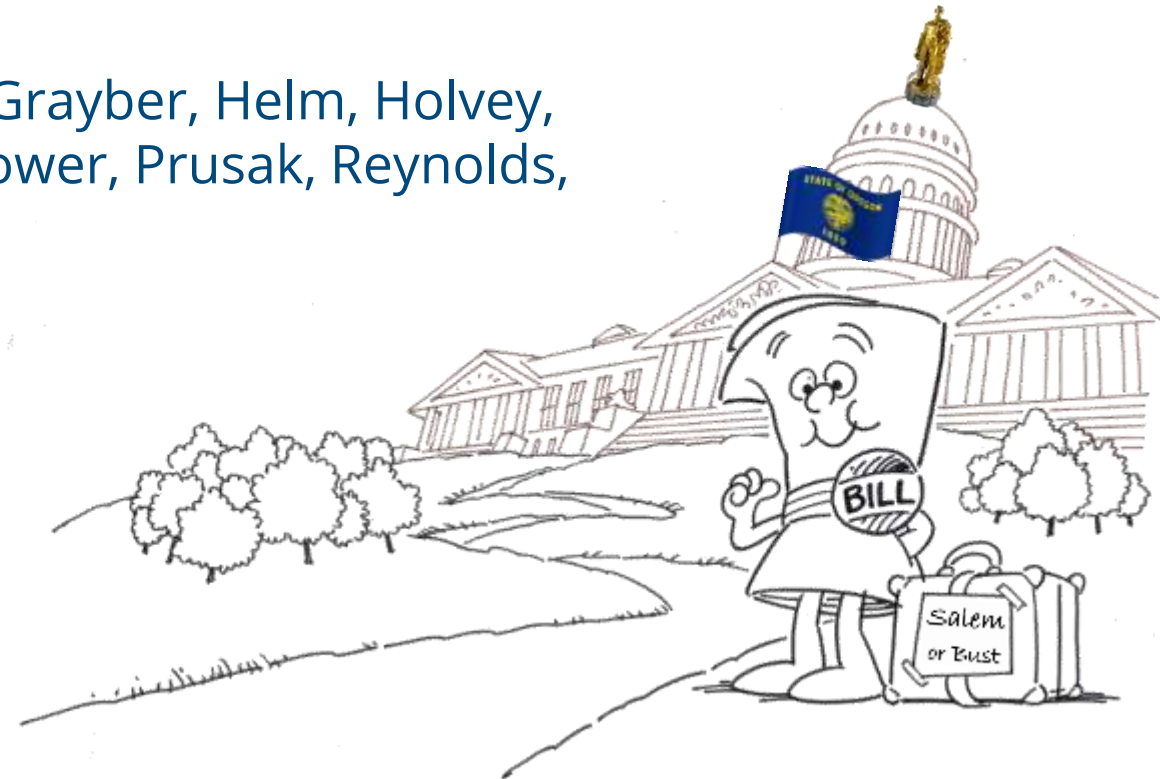
Introduced – January 11, 2021

Passed Senate – June 23, 2021

Passed House – June 25, 2021

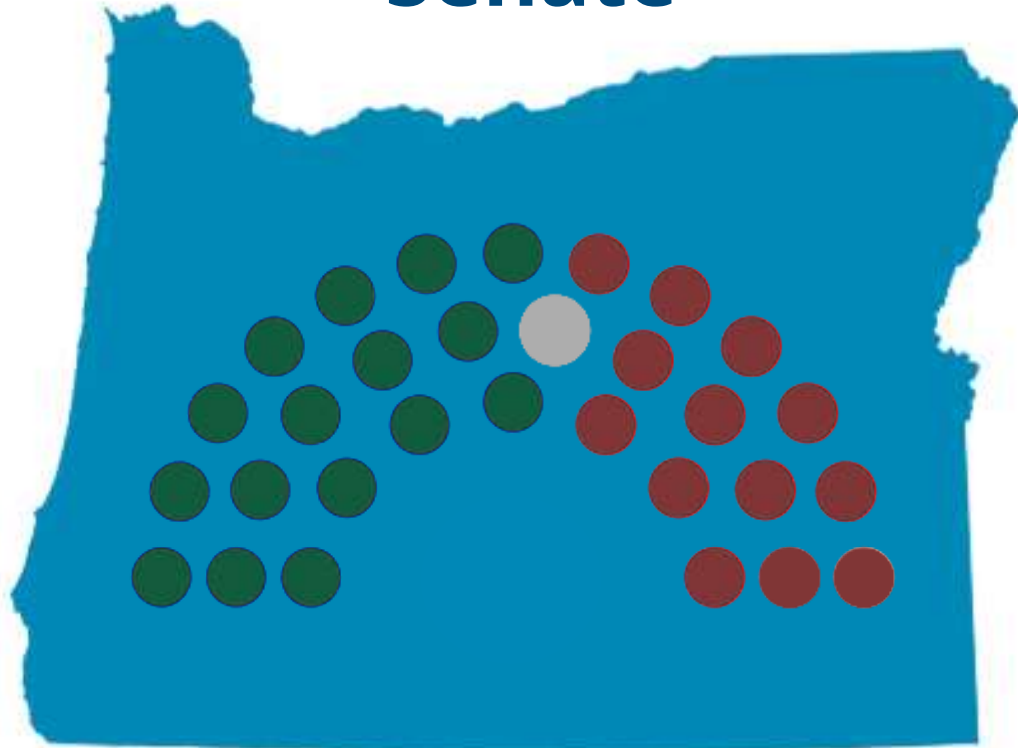
Governor Signed – August 6, 2021

Effective Date – January 1, 2022



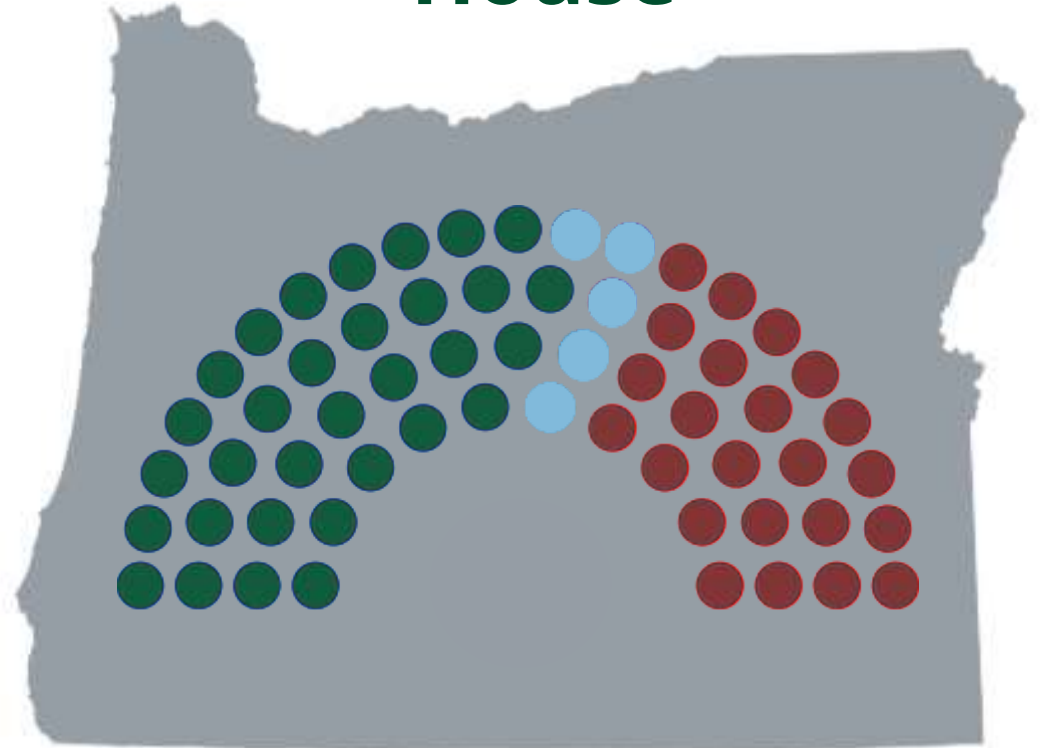
RMA Legislative Path

Senate

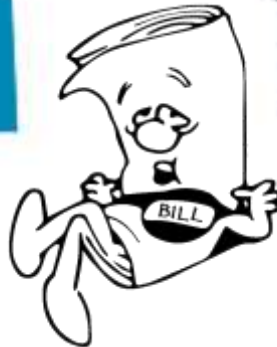


Ayes: 16
Nays: 13

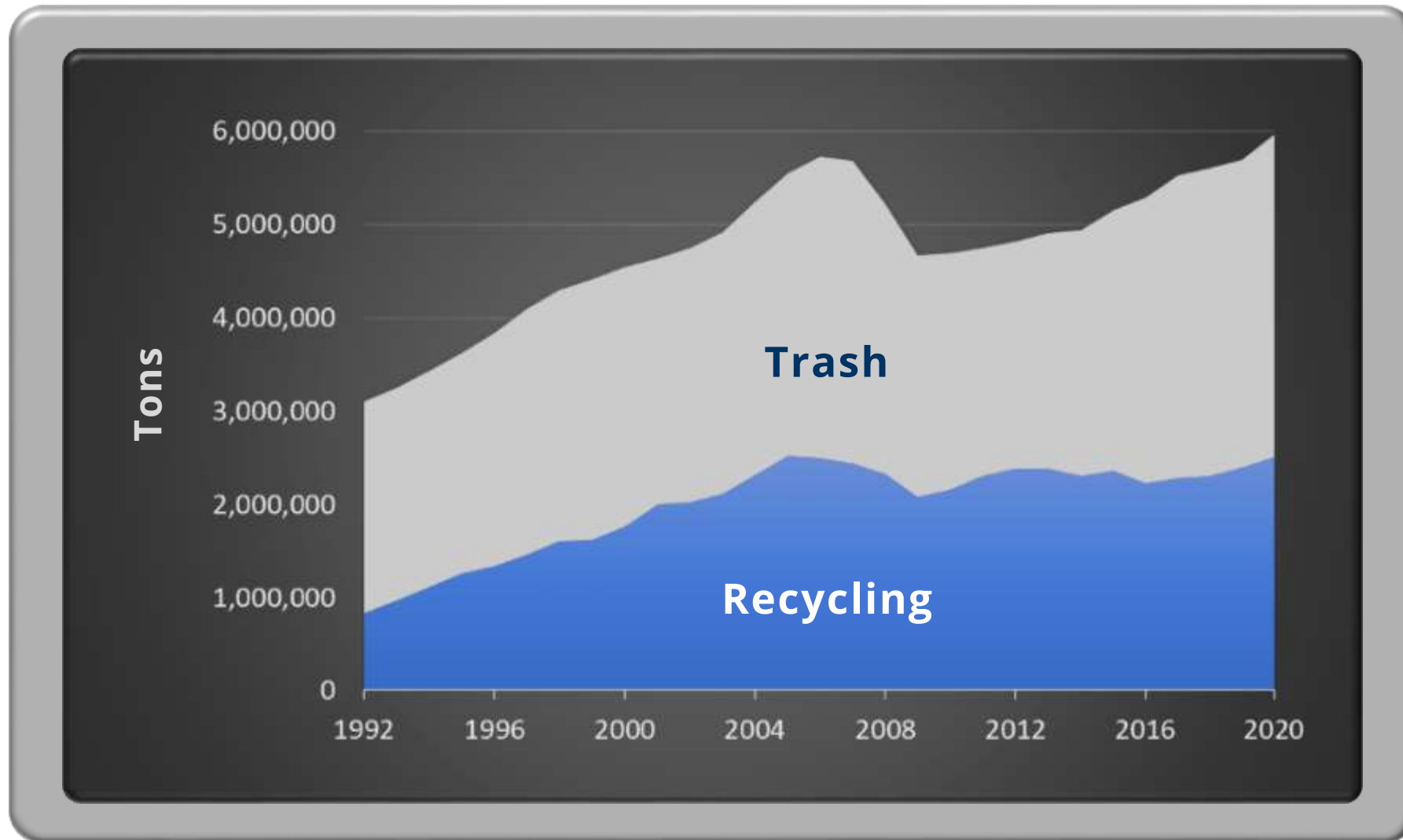
House



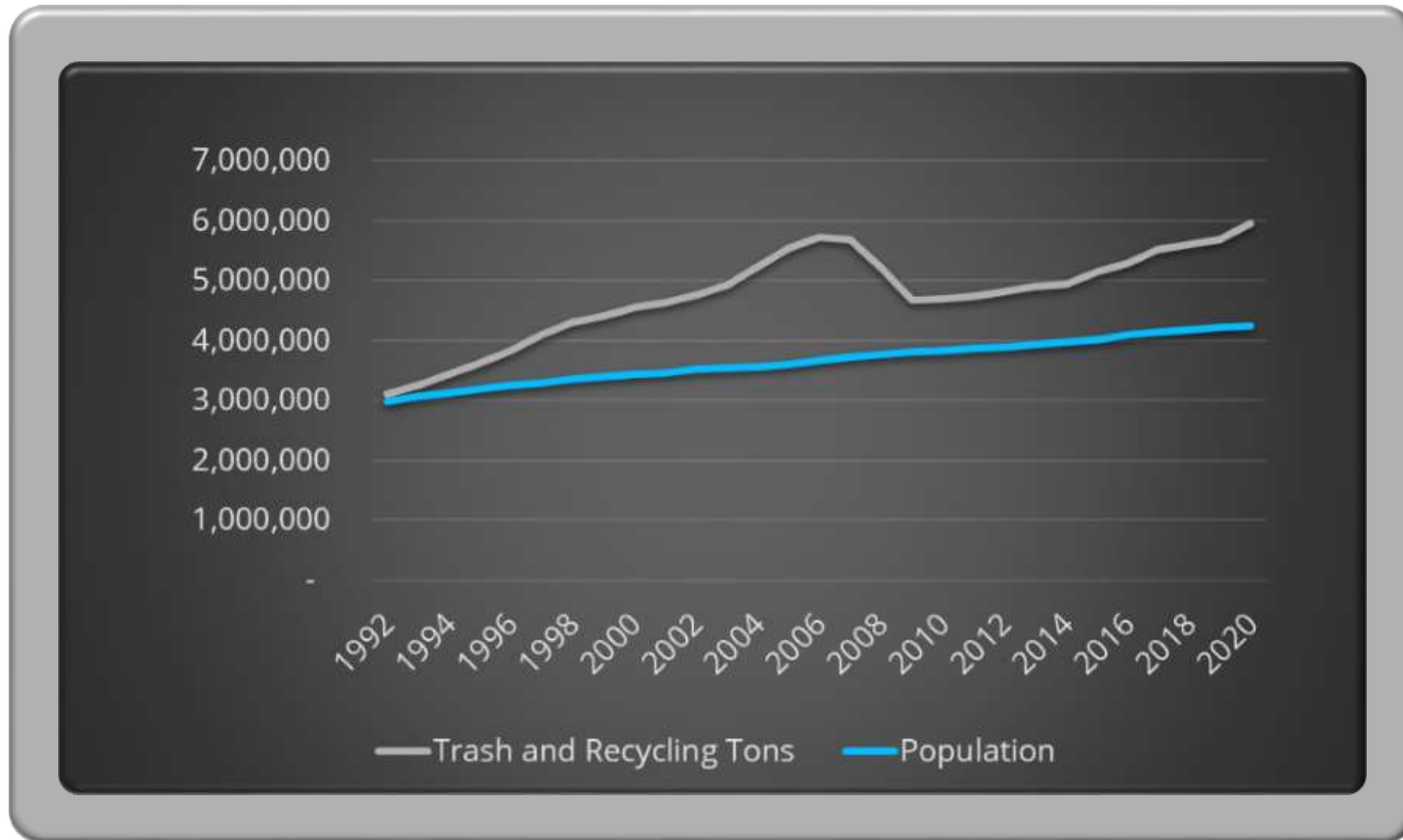
Ayes: 31
Nays: 24



Oregon Recycling History 101



Oregon Recycling History 101



Roadmap



What is Extended Producer Responsibility (EPR)



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

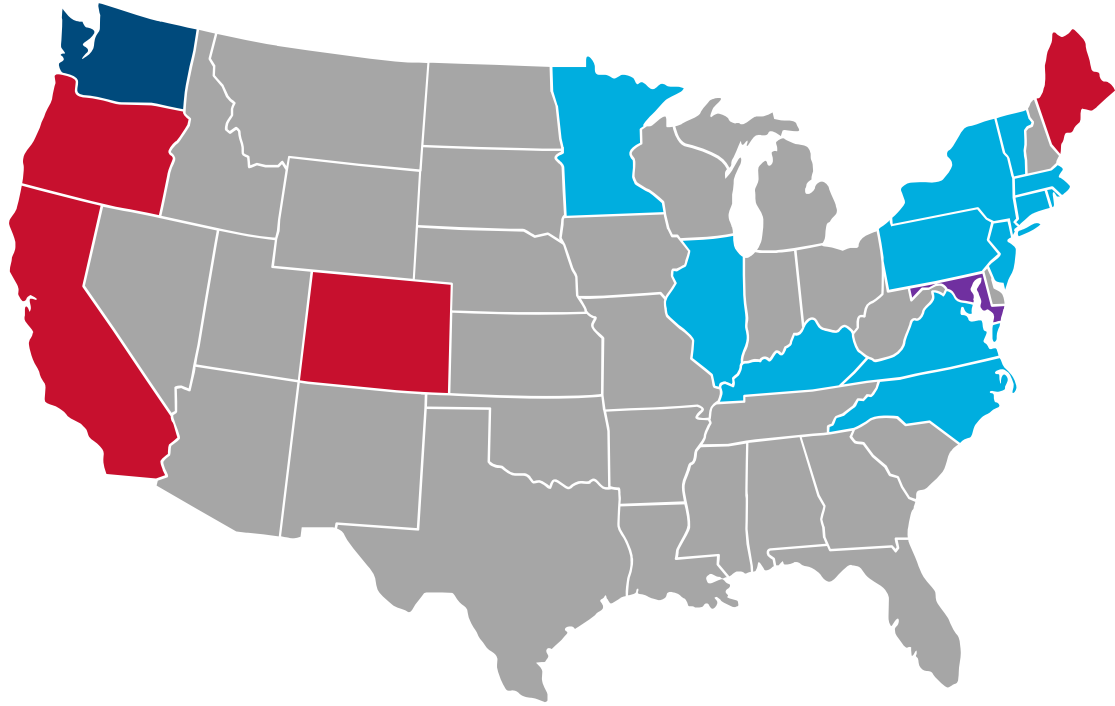
Paint

e-Waste

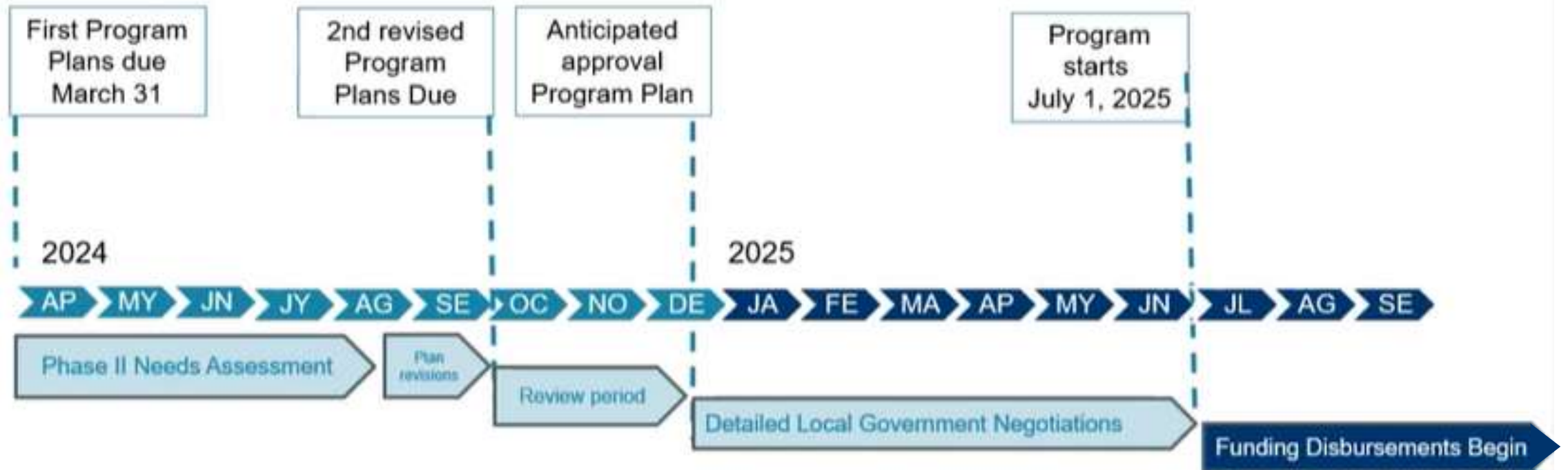
Medication

Mattresses*












States with EPR Legislation



Circular Action Alliance Timeline



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 – 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

Polystyrene in Wilsonville



Polystyrene in Wilsonville



2020 to 2024: 17.95 tons

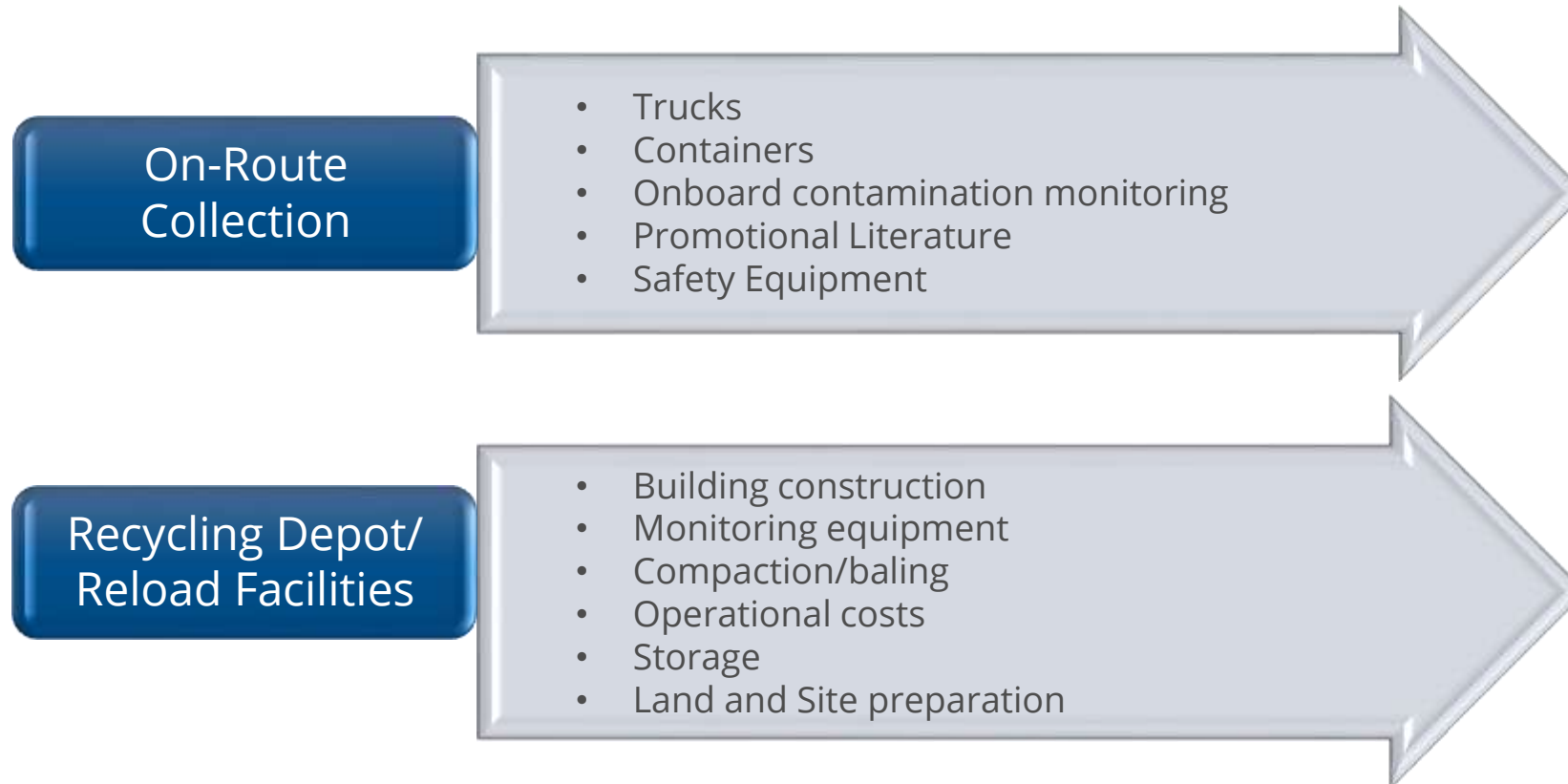
DEQ Needs Assessment Survey



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).

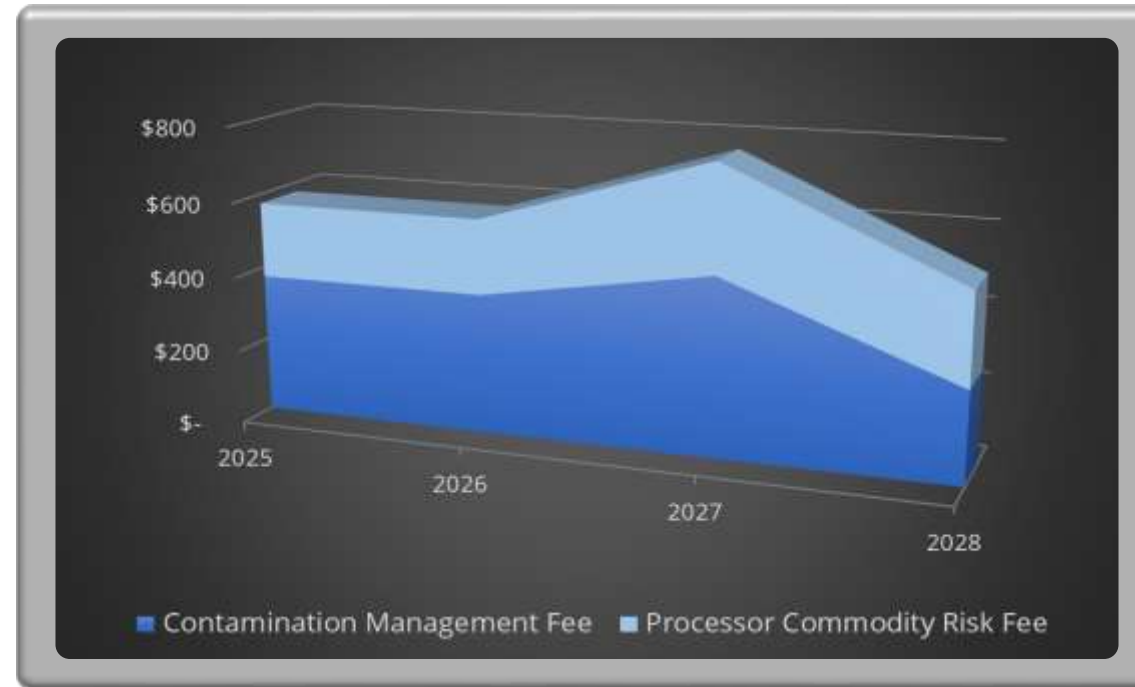
Proposed Processor Commodity Risk Fee



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).

What might those proposed fees look like?



	2025	2026	2027	2028
Contamination Management Fee	\$ 374	\$ 374	\$ 476	\$ 246
Processor Commodity Risk Fee	\$ 201	\$ 201	\$ 287	\$ 246
Totals (per ton):	\$ 575	\$ 575	\$ 763	\$ 492
2021 tons recovered: 244,7267	\$ 1,407,178,525	\$ 1,407,178,525	\$ 1,867,264,721	\$ 1,204,055,364

Processor Permit and Certification

Requires Recycling Processors send material to responsible end markets

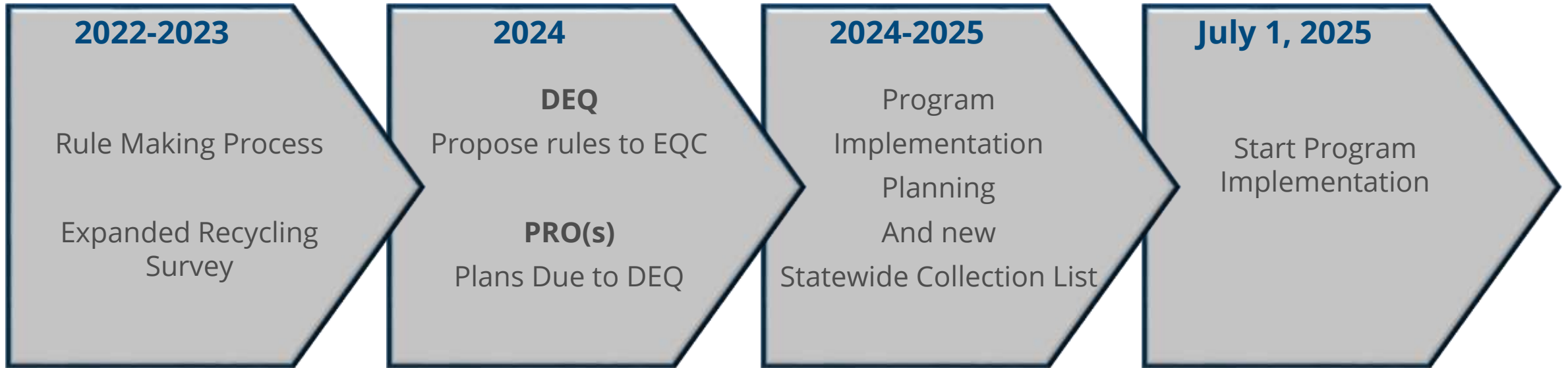
Out-of-state processors must be certified

Workers required to pay living wage

Regular audits to ensure compliance with permits



Moving Forward



Legislative Updates

SB 1596 - Right to Repair

Introduced – February 5, 2024

Passed Senate – February 20, 2024

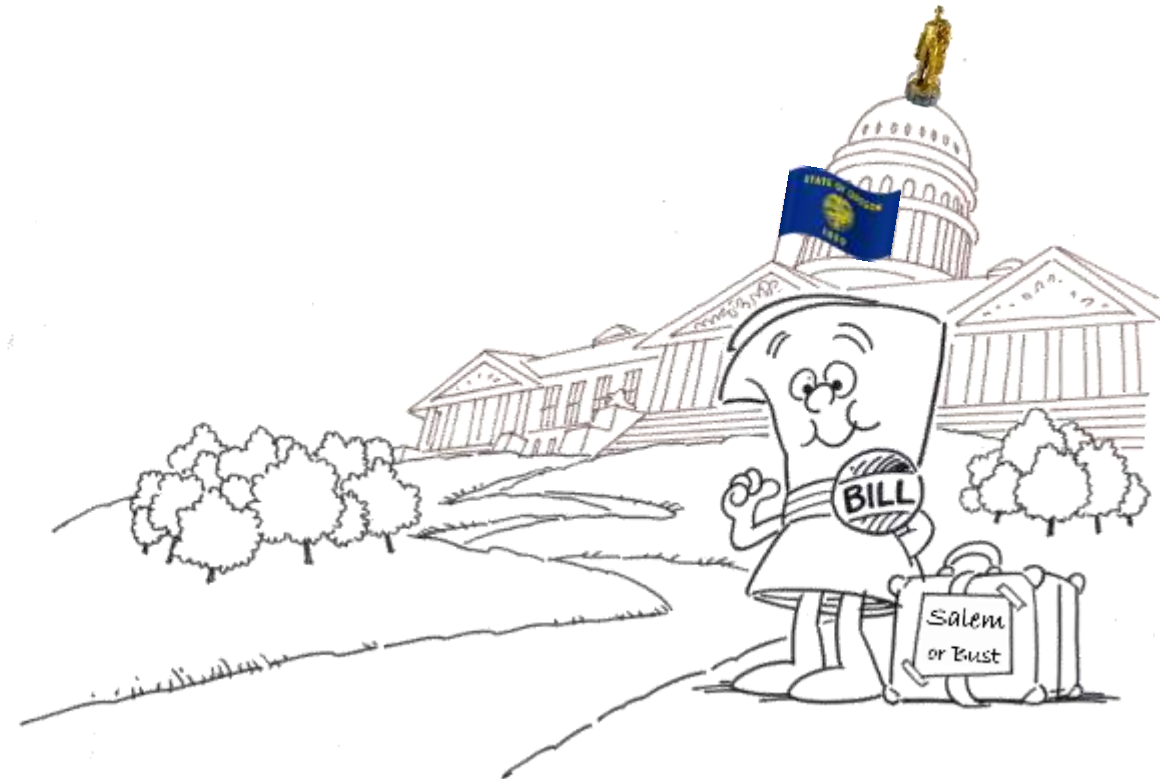
Passed House – March 4, 2024

Governor Signed – TBA

Upcoming Legislation

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

HB 4013 – Wine Packaging



Thank You

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