

Recycling Modernization Act Rulemaking Advisory Committee

Advisory Committee Charter

Aug. 1, 2022

Roxann Nayar



Materials Management

700 NE Multnomah St.
Portland, OR 97232
Phone: 503-229-5696
800-452-4011
Fax: 503-229-5850
Contact: Roxann Nayar
www.oregon.gov/DEQ

DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.



State of Oregon
Department of
Environmental
Quality

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us.

Table of Contents

| | |
|--|---|
| Objectives and Scope | 1 |
| Policy Objectives | 1 |
| Fiscal and Economic Impact..... | 1 |
| Roles | 1 |
| DEQ Facilitator..... | 1 |
| Committee Members | 2 |
| Non-Committee Member Attendees..... | 2 |
| DEQ Staff | 2 |
| DEQ Support and Website..... | 3 |
| Committee Meetings..... | 3 |
| Decision Making..... | 3 |
| Membership | 4 |
| Public Records and Confidentiality | 5 |
| Information Exchange..... | 5 |
| Public Involvement | 5 |
| DEQ Contacts | 5 |

Objectives and Scope

Policy Objectives

The Advisory Committee's purpose is to provide input to the Department of Environmental Quality on proposed rulemaking. DEQ is undertaking rulemaking to clarify and implement Senate Bill 582 (2021), also known as the Plastic Pollution and Recycling Modernization Act. The Act requires producers of packaging, paper products and food service ware to support and expand recycling services in Oregon for their products. This is the first of two anticipated rulemakings related to the Act. DEQ plans to begin undertaking the second rulemaking in 2023.

For this first rulemaking, DEQ plans to propose rules related to topics including producer responsibility program plan content; DEQ's administrative fees; the funding and reimbursement of local governments for eligible recycling-related expenses; and the materials suitable for recycling collection in Oregon. The Advisory Committee will provide DEQ input on the fiscal and economic implications for stakeholders impacted by the proposed rules.

Fiscal and Economic Impact

ORS 183.333 requires that DEQ ask the committee to consider the fiscal and economic impact of the proposed rules including:

- Whether the rules will have a fiscal impact, and if so, what the extent of that impact will be.
- Whether the rules will have a significant adverse impact on small businesses, and if so, how DEQ can reduce the rules' negative fiscal impact on small businesses.

Roles

DEQ Facilitator

The facilitator:

- Encourages open, candid and robust dialogue;
- Starts and ends the meetings and agenda items on time;
- Encourages innovation by listening to all ideas;
- Tries not to lose good ideas to the consensus process; and
- Recognizes when the discussion is outside the scope of the meeting and steers the discussion back to the focus of the meeting.

Committee Members

Advisory committee members must attend each meeting to ensure continuity throughout the process. An alternate may be assigned if needed. However, it is each committee member's responsibility to fully brief their alternate on all relevant issues and prior committee discussions in order to meet the meeting objectives and keep the project on schedule. The primary and alternate members of the committee cannot participate in the same meeting. If a member's absence is unavoidable, please notify the DEQ project manager.

The committee member:

- Prepares for and sets aside time for the meetings;
- Provides DEQ staff with copies of relevant research and documentation cited during the meeting;
- Stays focused on the specific agenda topics for each meeting;
- Comments constructively and in good faith;
- Consults regularly with constituencies to inform them on the process and gather their input;
- Treats everyone and their opinions with respect;
- Allows one person to speak at a time;
- Is courteous by not engaging in sidebar discussions; and
- Avoids representing to the public or media the views of any other committee member or the committee as a whole.

Non-Committee Member Attendees

Those who attend the committee meetings but are not members of the committee are there only to observe and not to actively participate. If non-committee members are present at a meeting, DEQ may allow time during the meeting for their comments.

DEQ Staff

DEQ is committed to making the most effective use of committee member's time by:

- Establishing clear committee goals, meeting objectives and agendas;
- Giving committee members reasonable access to staff;
- Encouraging all members to take part in discussions; and

- Providing a clear description of members' roles, the committee timeline, the level of agreement expected and feedback on how members' input is used.

DEQ Support and Website

DEQ will post agenda and meeting materials on the advisory committee website at least one week in advance. DEQ administrative staff will provide meeting summaries that highlight committee discussions, different perspectives and input of committee members. DEQ will not prepare a formal committee report. DEQ will send draft meeting summaries to the advisory committee for review and input. Final meeting summaries will be posted to the advisory committee website and will be part of the public record.

The advisory committee charter, a full roster of the committee, meeting agendas and summaries, and background materials will all be located on the advisory committee webpage <https://www.oregon.gov/deq/rulemaking/Pages/Recycling2023.aspx>.

Committee Meetings

1. All committee meetings will be:
 - open to the public, although the committee can choose whether the public can actively participate in committee meetings
 - advertised on DEQ's webpage calendar two weeks before the meeting at: [DEQ Event Calendar](#)
 - [noticed by email](#) to the Recycling Modernization Act GovDelivery list
 - accessible via a call-in number or webinar
2. The committee is expected to meet five times between July 2022 and February 2023, virtually. The meeting duration times may vary depending on topics and committee progress.
3. Meeting materials and agenda will be posted to the advisory committee webpage.

Decision Making

The committee's discussions will be used by DEQ in forming its draft rules, which will then be proposed for broader public review and comment as part of DEQ's rulemaking process.

When DEQ shares information with the group, DEQ will allow a reasonable timeframe for comments.

Membership

In convening this committee, DEQ selected members that reflect the range of stakeholders the proposed rules affect, both directly and indirectly. Representatives should be able to consider the policy, fiscal and economic impact of the proposed standard on the business or organization they represent.

| Name | Affiliation |
|----------------------------|---------------------------------------|
| Trevor Beltz | Tillamook County Creamery Association |
| Udara (Abeysekera) Bickett | The Environmental Center |
| Rosalynn Greene | Metro |
| Sydney Harris | Product Stewardship Institute |
| Allen Langdon | Circular Materials |
| Michael R. McHenry | Solid Waste Service Providers |
| Kristan Mitchell | Solid Waste Service Providers |
| Jeff Murray | EFI Recycling, Inc. |
| Deveron Musgrave | City of Eugene |
| Jerry Powell | Resource Recycling |
| Mallorie Roberts | Association of Oregon Counties |
| Lauren Janes | Consumer Brands Association |
| John Salvador | Georgia-Pacific Professional |
| Craig Smith | Food Northwest |
| Scott Bruun | Oregon Business & Industry |
| Taylor Cass Talbott | Trash for Peace |
| Nicole Willett | Resource Recovery Alliance |

Public Records and Confidentiality

Committee communications and records, such as formal documents, discussion drafts, meeting summaries and exhibits are public records and are available for public inspection and copying. DEQ does not assume responsibility for protecting proprietary or confidential business information shared during committee or subcommittee meetings. However, the private documents of individual committee members generally are not considered public records if DEQ does not have copies.

Information Exchange

Committee members will provide information as far in advance as possible of the meeting at which such information is used. The members will also share all relevant information with each other to the maximum extent possible. If a member believes the relevant information is proprietary in nature, the member will provide a general description of the information and the reason for not providing it.

Public Involvement

All meetings will be open to the public. The committee can choose whether to allow public input during a committee meeting. DEQ may set aside time for the public to speak.

Once the committee process is complete, DEQ will develop draft rules and conduct a public rulemaking process. That process will include a specified period during which the public can submit comments on the proposed rules. DEQ will also hold a public hearing during which any member of the public can submit written or verbal comments. Individual committee members may provide comments to DEQ on the full draft rule at this time. DEQ may modify the final proposed rules based on public comment. DEQ intends to take a final proposed rule to the EQC for consideration in the fall of 2023.

DEQ Contacts

Primary Contact: Roxann Nayar, roxy.nayar@deq.oregon.gov

Alternate Contact: Cheryl Grabham, cheryl.grabham@deq.oregon.gov

Alternative Formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.oregon.gov.

El DEQ puede proporcionar los documentos en un formato alternativo o en un idioma distinto al inglés si así lo solicita. Llame al DEQ al 800-452-4011 o envíe un correo electrónico a deqinfo@deq.oregon.gov.

DEQ 可以根據要求提供另一種格式的文件或英語和西班牙語以外的語言。請致電 DEQ : 800-452-4011 或發送電子郵件至 : deqinfo@deq.oregon.gov.

ДЭК может предоставить документы в другом формате или на другом языке, помимо английского и испанского, по запросу. Позвоните в ДЭК по телефону 800-452-4011 или свяжитесь по электронной почте deqinfo@deq.oregon.gov.

Tùy theo yêu cầu, cơ quan DEQ có thể cung cấp các tài liệu ở định dạng thay thế hoặc bằng ngôn ngữ khác ngoài tiếng Anh và tiếng Tây Ban Nha. Liên hệ với DEQ theo số 800-452-4011 hoặc gửi email đến deqinfo@deq.oregon.gov.