

Oregon's Bottle Bill and New EPR Legislation

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Outline

- How Oregon's Bottle Bill changed from one form of producer responsibility program to another.
- Why Oregon worked to adopt producer responsibility for packaging, printed paper, and food serviceware
- Features of the Oregon Plastic Pollution and Recycling Modernization Act
- How Oregon's new law interacts with the Oregon Bottle Bill



Oregon Bottle Bill Started as a Litter/Recycling Bill

- Passed in 1971, and in effect in 1972
- Producers (beverage distributors and stores) responsible for taking back empty containers and properly managing them
- Each business responsible rather than a collective effort
- Beer and soft drinks only
- 5 cent refund value unchanged for 46 years in spite of inflation
- No handling fee, so no independent redemption centers – only return to retail back then
- Legislation in 2007 created significant change



Oregon Bottle Bill is Extended Producer Responsibility (EPR)

- SB 707 in 2007:
 - Added water effective 2009
 - Created Bottle Bill Task Force
 - Large stores must take back all deposit containers, not just the brands they sell – led to formation of Oregon Beverage Recycling Cooperative (OBRC)
 - OBRC has become a de facto PRO (Producer Responsibility Organization)
- HB 3145 in 2011
 - Redemption goal of 80% - failure to meet goal triggered increase in redemption value to 10 cents (Implemented April 1, 2017)
 - Added juices, teas, and other beverages, except wine, liquor, milk, and milk substitutes on January 1, 2018
 - Pilot redemption center project – expanded in subsequent legislation



Innovations by OBRC as a de facto PRO

- Jointly funded OBRC/Grocery Store Redemption Centers
- Green Bag Program
 - Consumers fill bags with empties and drop them off
 - OBRC counts containers and credits the consumers account
 - Consumers can withdraw funds at store kiosks and other locations
- Blue Bag Program for nonprofits
- New technology for fast container counts
- Bringing back refillable bottles
- More than 2 billion containers redeemed in 2022
- Redemption rate rebounded to 88% in 2022



Why did Oregon Pursue Recycling Modernization Act and EPR?

- China ban on importing recycling a strong sign something is wrong with the system
- Improve quality of recycled material
- Create financial incentives to produce better packaging
- Reduce consumer confusion and create a more uniform statewide program
- Producers should play a role in properly managing the materials they create throughout the product lifecycle

Done poorly, recycling can harm people and the environment



Photos: Megan Ponder
Plastic rejects from a
paper mill in East Java

Oregon 2010 Study of Outbound Recycling at Processors

Incoming recyclable plastic containers went out as:

Material	Percent
Plastic containers	84.22%
Newspaper	11.60%
Cardboard/Other Paper	2.27%
Metal	0.50%
Glass / film / garbage	1.40%
Total properly sorted:	84.22%

Recyclable plastic containers were 4.8% of incoming material in 2010

Incoming recyclable aluminum cans went out as:

Material	Percent
Aluminum	66.95%
Scrap Metal	0.07%
Newspaper	22.27%
Cardboard/Other Paper	4.43%
Plastic/other metals	3.02%
Glass / film / garbage	3.26%
Total properly sorted:	67.02%

Recyclable aluminum cans were 0.3% of incoming material in 2010

NORPAC Newspaper Mill: Pulper rejects

Source: NORPAC Mill, Longview, WA



Some Features of Oregon's Recycling Modernization Act

- Does not replace existing collection system
 - Oregon franchised collection provides a strong collection system
- Can have more than one Producer Responsibility Organization (PRO)
- All producers of packaging, printed paper, and food serviceware must join a PRO unless exempt
- PRO member fees must give incentives to produce better packaging or product
- No cross-subsidization between materials
- Single list statewide on what goes in commingled recycling bin



Producer New Responsibilities

- PROs must help expand recycling collection to areas not currently served
- PROs to pay the cost of transporting recyclables if collected more than 50 miles from the nearest processor
- PROs to pay the cost of removing contaminating covered product such as plastic wrap from commingled recycling
- PROs to pay a “Commodity Risk Fee” - subsidy when price for recyclables are low.



More Producer Responsibilities

- PROs must create collection system for designated recyclables that are not included in commingled recycling (may include materials such as film plastic)
- PROs must meet target recycling rates for plastic packaging and food serviceware:
 - 25% by 2028
 - 50% by 2040
- PROs and Processors jointly must insure that recyclables go only to responsible end markets
- PROs to fund a program to reduce waste generation



Commingled Recycling Processing Facility (CRPF) Requirements

CRPFs will be required to have permits, or if out-of-state, be certified to meet these requirements:



Comingled materials collected from the public must be sorted effectively



Facilities refrain from creating a public nuisance or health hazard



Outbound shipments attain bale quality standards, chain-of-custody disposition of materials, and materials must be delivered to end-markets that meet standards for responsibility

Some implementation considerations

- Law passed in 2021
- Most requirements take effect July 1, 2025
- DEQ and our advisors will need every minute to properly prepare for implementation
- Major studies, technical work groups, and rule adoption advisory committees working to implement the law
- Visit the following for more information:
<https://www.oregon.gov/deq/recycling/pages/modernizing-oregons-recycling-system.aspx>

Can EPR For Packaging and Bottle Bills Coexist?

- Oregon's Bottle Bill is an EPR program for packaging
 - Distributors and grocers have developed innovative ways to increase recovery and properly manage the materials they produce
- The Act exempts containers covered under the Bottle Bill from being a “covered product”
- Can strong curbside collection programs exist without revenue from aluminum cans?
- The wine industry's choice...

Bottle Bill and Curbside Recycling

- Recovery of containers under bottle bill is much higher than curbside recycling
- Significant PET, aluminum can loss at local commingled recycling sorting facilities
- Bottle bill plastic is very clean, high quality
- PET processed locally at ORPET facility, not shipped overseas
- Bottle bill glass separate from other recyclables — reduces glass contamination in curbside carts
- Bottle bill addresses litter issue too — curbside recycling does not





Thank you

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More information:

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