



# House Bill 3220: Modernizing Oregon E-Cycles

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## Why Modernize?

In July 2022, the Oregon Department of Environmental Quality began a series of workshops to get public input to improve the popular Oregon E-Cycles program and sustain its success for years to come. Since 2009, Oregon E-Cycles has collected over 268 million pounds of electronic devices for recycling, preventing toxins from entering Oregon landfills and recovering precious and rare earth metals for new electronics. Last year, an instability in the program's services caused a re-evaluation of the system's structure.

The content of the original legislative concept developed last fall and presented in the workshops has been introduced in [House Bill 3220](#). DEQ will seek an amendment to HB 3220 that reflects input from workshop participants, in the final workshops. Below is a summary of the changes in the amendment being sought.

Topics	Amendment Sought Based on Input
Covered electronic devices	Amend the definition of "covered electronic device" to: <ul style="list-style-type: none"><li>• Include scanners and small-scale servers</li><li>• Exclude "telephones of any type" (including smartphones)</li></ul>
Program administration, manufacturer obligations	Establish the following roles and responsibilities regarding manufacturer obligations: <ul style="list-style-type: none"><li>• Manufacturers must register with DEQ</li><li>• DEQ will calculate and provide market share to an electronics producer responsibility organization or, if multiple electronics producer responsibility organizations exist, to a coordinating body</li><li>• An electronics producer responsibility organization or coordinating body will calculate manufacturer obligations</li></ul>
Program administration	Change requirements for an electronics producer responsibility organization as follows: <ul style="list-style-type: none"><li>• Remove requirement for an electronics producer responsibility organization to be a nonprofit</li><li>• Require an electronics producer responsibility organization to represent at least 5% of total manufacturer obligations</li></ul>
Program administration, coordination	If multiple electronics producer responsibility organizations have approved plans, require: <ul style="list-style-type: none"><li>• Coordination through a coordinating body</li><li>• Coordination must include calculation of manufacturer obligation</li><li>• Coordinating body will not submit a plan to DEQ; instead, terms of coordination will be set in the electronics producer responsibility organizations' plans. DEQ may direct changes to plans to ensure consistency on coordination requirements.</li></ul>

Equity, convenience standard, public awareness	<p>Include equity considerations by requiring:</p> <ul style="list-style-type: none"> <li>• Program plan must describe how the electronics producer responsibility organization will provide convenient service <b>and equitable</b> service throughout the state, including to rural areas and <b>minority, lower-income and other</b> historically underserved populations</li> <li>• An electronics producer responsibility organization must engage with and work to sustain high awareness of the program in minority, lower-income, rural, and other historically underserved communities</li> </ul>
Convenience standard	<p>Allow counties time to adjust to changes in levels of collection sites required by new convenience standard:</p> <ul style="list-style-type: none"> <li>• DEQ may waive required number of collection sites with respect to a county or city if the proposed plan provides adequate or substantively equivalent collection convenience.</li> </ul>
Goals	<p>Change goal requirements as follows:</p> <ul style="list-style-type: none"> <li>• An electronics producer responsibility organization must establish and work to achieve collection goals and goals for maintaining high public awareness</li> <li>• If a program goal was not met in a previous year, an electronics producer responsibility organization must describe, with supporting data, what changes or steps program will undertake to ensure goals are achieved in upcoming year</li> </ul>
Reuse, Collection Sites	<p>Remove requirement to establish reuse goals. Ensure reuse opportunities as follows:</p> <ul style="list-style-type: none"> <li>• An electronics producer responsibility organization must coordinate activities with recycling and reuse programs, including nonprofit organizations that refurbish technology, to further the environmentally sound management of recycling of electronics.</li> <li>• A collection site may recover collected covered electronic devices for refurbishment and resale at retail. An electronics producer responsibility organization may require the collection site to exclude the weight of record devices for purposes of annual reports and compensation,</li> </ul>
Collection sites	<p>Require fair compensation to collection sites calculated to cover costs to collect, store, manage, and transport covered electronic devices.</p>
Collection sites	<p>Allow DEQ-permitted transfer stations, landfills and material recovery facilities to opt-in as collection sites, if willing.</p>
Program administration, PRO tasks	<p>Remove requirement for an electronics producer responsibility organization to conduct sampling</p>
Program administration, PRO tasks, collection sites	<p>Before removing a collection site from its network, an electronics producer responsibility organization must work with other electronics producer responsibility organizations or the coordinating body to determine if the collection site can be added to another electronics producer responsibility organization's network.</p>

	<p>If the collection site will not be part of any network, the electronics producer responsibility organization must provide 90-day notice prior to collection site removal to:</p> <ul style="list-style-type: none"> <li>• DEQ;</li> <li>• Other collection sites in the same watershed; and</li> <li>• The public, via the program website</li> </ul> <p>DEQ may require an electronics producer responsibility organization to retain a collection site if notice is not provided, unless the electronics producer responsibility organization has good cause for not providing notice.</p>
Public awareness	An electronics producer responsibility organization or coordinating body shall consult with DEQ on public awareness.
Public awareness	Remove requirement for universal branding among multiple electronics producer responsibility programs
Anti-Trust	Add language to address anti-trust concerns.
Transitional Provisions	<p>Keep system on calendar year; effective date of E-Cycles law changes will be January 1, 2026 instead of July 1, 2025.</p> <p>Other transition-related changes:</p> <ul style="list-style-type: none"> <li>• DEQ will make one final collections determination for 2024; the same collections determination will apply for 2025.</li> <li>• The state contractor program and any manufacturer program for 2024 and 2025 must reconcile recycling credits by December 31, 2026.</li> </ul>

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