



Modernizing Oregon E-cycles Workshop 3 Summary
Meeting Date: November 1, 2023

Proposals for Opportunities to Modernize Oregon E-Cycles

The Oregon Department of Environmental Quality (DEQ) presented the workshop attendees with draft proposals for accomplishing the Opportunities for Modernization that were modified following input from the 2 workshops held during the summer. DEQ was clear that these proposals are not set in stone and that they are willing and wishing to work with stakeholders on exact approaches and language for improving the program. DEQ is committed to core needs for modernizing E-Cycles: expanding Covered Electronic Devices (CEDs), creating, and relying on a Convenience Standard to support a reliable and robust collection network, and reducing/modernizing the administration of the program including the likely elimination of the State Contractor Program.

Covered Electronic Devices

Proposal: Expand list of the CEDs to include additional devices and a broader definition for included peripherals.

- Attendees expressed support for the list as presented with some caveats for certain peripherals (3-D Printers), higher-value devices (gaming consoles), and adding scanners to the list.
- Collectors expressed that the phase-in of CEDs should consider the need for collection sites to evaluate how they will handle the in-take of more devices.
- Solid Waste Service Providers asked if additional CEDs would be added to the landfill ban. DEQ expressed interest in working with the industry to determine which if any of the added CEDs should be phased into the landfill ban.
- There was interest expressed by solid waste service providers and the Consumer Technology Association (CTA) for a study to better understand the impact of batteries on E-Cycles and the role embedded batteries may play in the program.

Convenience Standard

Proposal: Provide convenient service throughout the state including to **rural areas and historically underserved populations**. Collection sites must be distributed to ensure 95% of state residents are within 15 miles of a collection site.

Network must include:

- At least one collection site in each county; and
- In each city with a population of 10,000 **but less than 200,000**, at least one collection site plus one additional collection site for every additional 20,000 residents of the city; and
- In each city with a population of **200,000 or greater**, at least ten collection sites, plus one additional collection site for every additional 50,000 residents of the city.

All willing permitted facilities transfer stations that meet collection site standards can participate as collectors.

A collection site for a county may be the same as a collection site for a city in the county.

Two-mile buffer: Collection sites **must be located within two miles of the city boundaries and located to provide reasonably convenient and equitable access to all residents of the city served.**

DEQ may waive collection site requirements for a county or city if plan demonstrates that a producer responsibility organization (PRO) can provide service through an alternative method that adequately meets needs of jurisdiction

- Attendees expressed understanding that a more robust convenience standard is needed to maintain the current collection network.
- Metro expressed that the Urban Growth Boundary would work better than city limits for defining the 2-mile buffer for Portland.
- Attendees expressed continued concerns that the proposed convenience standard would put existing sites at jeopardy.

Collection Site Standards

Proposal: The Environmental Quality Commission may adopt rules including standards for environmentally sound management practices and standards for participating collection sites. Collection sites shall be staffed and open to the public at a frequency adequate to meet the needs of the area being served. An electronics producer responsibility organization may provide collection service jointly with another electronics producer responsibility organization.

- Attendees did not express concerns with a rulemaking process for determining standards for collection sites.

Collection Cost

Proposal: Provide financial compensation to collection sites for their reasonable actual costs to collect and manage covered electronic devices.

- The CTA expressed that it is open to considering language regarding collection compensation but does have concerns about changes enabling some sites to pass along non-program costs to the PRO.
- Some attendees had questions about how reasonable actual costs would be calculated and by what mechanism a PRO would pay a collection site.
- DEQ offered that the details of compensation could also be developed by a rulemaking process and that broad categories of cost in the statute might be more useful instead of a detailed formula for compensation.

Registration Fees

Proposal: Manufacturers, including peripheral manufacturers, must register with a PRO.

Registration exemption if manufacturer sold fewer than 50 covered electronic devices, excluding peripherals, in Oregon in previous year.

- The CTA and current PROs expressed concerns with taking over manufacturer registration from DEQ. The PROs were particularly concerned since they have no enforcement authority to compel manufacturers to register.

- DEQ staff noted that DEQ could maintain the authority to enforce registration and PROs could pass along manufacturers not registered to DEQ for enforcement.
- Metro requested DEQ ensure collection cost for site were covered and consider use of fair compensation rules from the RMA standards.