



Oregon Recycling Modernization Act Limited Sort Facility Listening Session

Materials Management

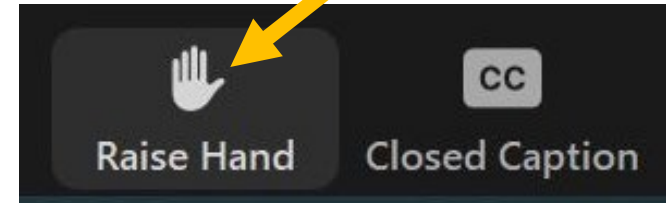
Dec. 19, 2024

Meeting tips

Join audio either by phone or computer, not both

For panelist discussion and comments, use the raise hand button to get in the queue; if by phone press *9

For Zoom technical issues email:
caitlyn.peake@deq.oregon.gov



Agenda

- **Limited Sort Facility permitting process**
- **LSF permit program requirements**
- **Break (five minutes)**
- **Producer Responsibility Organization transportation funding**
- **Public input**
- **Open discussion**
- **Adjourn**



Acknowledgement

- Team involves Oregon Department of Environmental Quality team members representing each region of the state.
- Please contact Steven Chang, regarding questions and applying for a permit.
 - Steven.chang@deq.oregon.gov



What is a Limited Sort Facility?

- A LSF is **NOT** a commingled recycling processing facility.
 - ORS 459A.863(3)(b)(I)
- **Per OAR 340-096-0300(2):**
 - **(a)** A commingled recycling processing facility must:
 - **(A) Receive** source separated **commingled recyclable material** that is collected commingled from a collection program providing the opportunity to recycle;
 - **(B) Presort bulky** recyclable and non-recyclable **material**, removing such material from the commingled stream being processed; and
 - **(C) Separate** all remaining materials **into two streams**, one of which is predominantly fiber and one of which is predominantly non-fiber containers, producing streams of materials that are intended for use or further processing by others; and
 - **(D)** For materials in the fiber stream, **further separate and transport** to a responsible end market **no less than 95%** of the recoverable uniform statewide collection list-related fiber in the stream.

A facility that does not meet the requirements of Subsection (a) is not eligible for a commingled recycling processing permit but may be a limited sort facility

What is a Limited Sort Facility?

- **Per 340-093-0030(65) Limited Sort Facility** means:
 - (a) A facility that receives a **specific subset of processed Uniform Statewide Collection List** materials from a commingled recycling processing facility that meets the requirements under ORS 459A.905(2)(a) and that **could be considered a secondary processor or a responsible end market**; or
 - (b) A facility that:
 - (A) Receives source separated commingled recyclable material that is collected commingled from a collection program providing the opportunity to recycle; and (B) **Does NOT meet conditions (B)-(D)** under OAR 340-096-0300(2)(a); and
 - (C) **Meets** the following requirements:
 - (i) Markets removed materials to responsible end markets;
 - (ii) Manages contaminants in those removed materials to avoid impacts on other waste streams or facilities;
 - (iii) Accurately reports to DEQ the final end markets of removed materials; and
 - (iv) Sends remaining materials to a CRPF;
 - (v) Obtains a disposal site permit from DEQ.

Limited Sort Facility

Requirements	Reload Facility	Limited Sort Facility	Commingled Recycling Processing Facility
Permit and Operations Plan Required	X	✓	✓
PRO Transportation Reimbursement	✓	✓*	X
Performance Standards – Capture Rates	X	X	✓
Performance Standards – Outbound Contamination	X	✓	✓
Reporting Required	X	✓	✓
Living Wages and Supportive Benefits	X	X	Jan. 1, 2027

* LSF's can be eligible for transportation reimbursement funding by PRO if also operating as a reload facility.

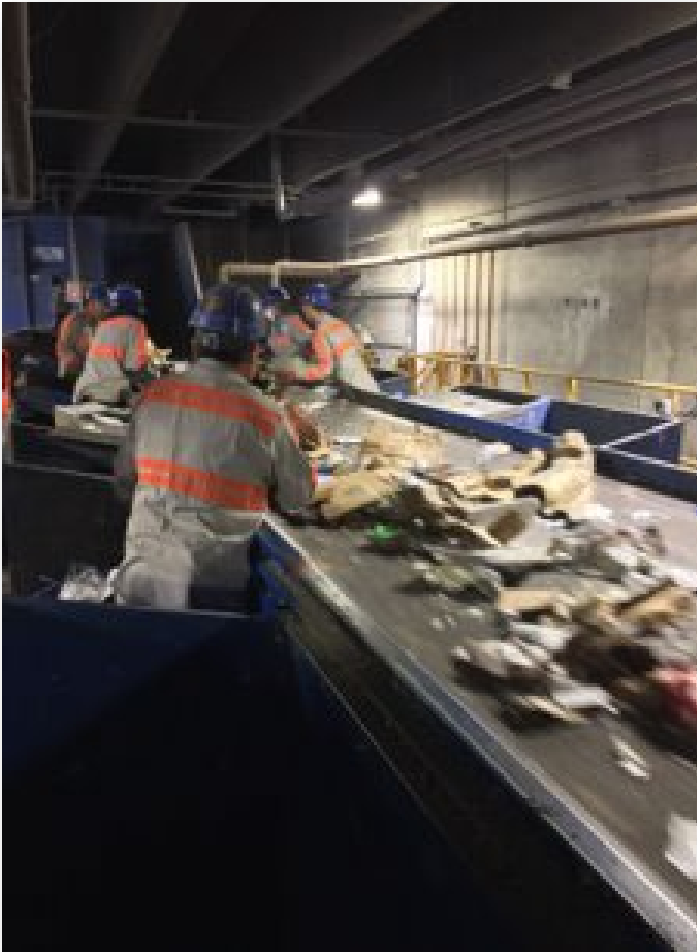
Permit application

- **Deadline to submit application** materials, including an updated operations plan, is **Feb. 1, 2025**, to remain in operation on July 1, 2025, pending a determination by the DEQ and issuance of a modified Permit.
- Facilities with an active Solid Waste Disposal Site permit by **Feb. 1, 2025**, will **NOT** be required to pay an additional permit application fee.

Application forms will be available on DEQ's website



Permit application



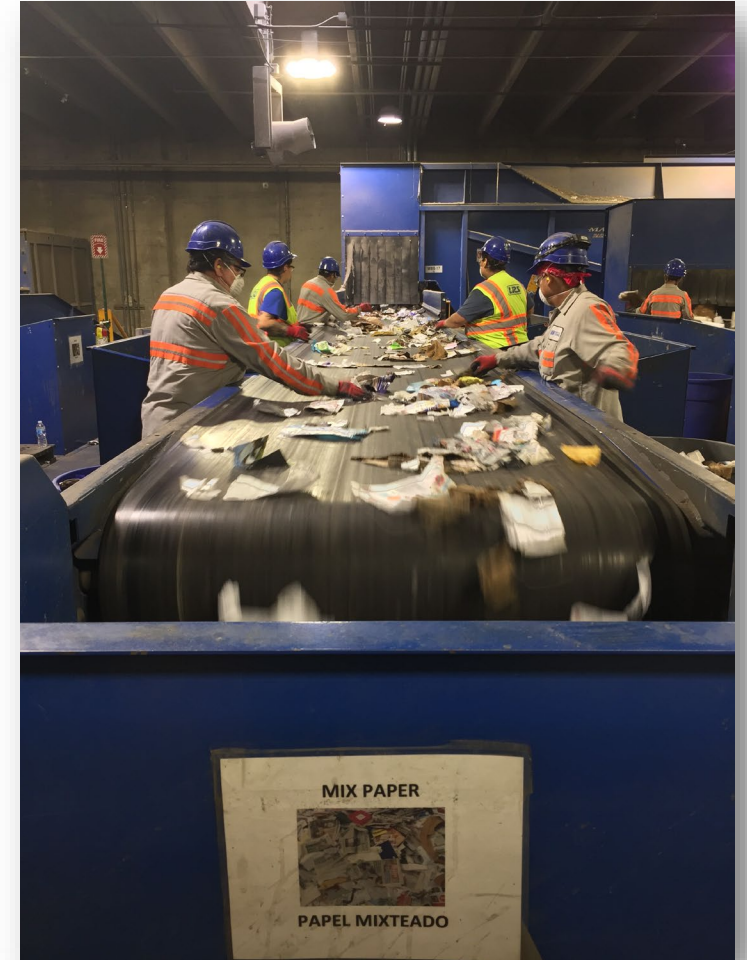
Application Submissions

- For facilities with a **current** Material Recovery Facility/Transfer Station Permit:
 - 1) Submit a completed and signed application for a **permit modification**.
 - 2) Submit an **updated Operations Plan** describing new operational requirements for performance standards and material tracking.

Permit application

For non-permitted facilities Application Process (4 - 6 months)

- 1) **Submit application** with relevant documents.
- 2) **DEQ to review** documentation, operations plan, and other relevant details. A back-and-forth process is expected. Pre-issuance inspection may be needed.
- 3) DEQ drafts **Permit Evaluation Report** and allows applicant to review.
- 4) Application goes to **Public Notice/Hearing (30-35 days)**
- 5) DEQ reviews and responds to comments on the permit, and **updates the permit** or permit evaluation report as needed
- 6) **Permit is approved**, LSF may operate.



Permitting process



Operations Plans for LSFs must address NEW topics:

- Equipment, sort lines, stations, staffing, and planning will be required to achieve permit requirements for LSF activities.
- Process to track inbound and outbound tonnages for each recyclable material category, and invoices sent to a PRO for transportation reimbursement.

Commingled Recycling Processing Facilities and LSF Permit Manager:

Steven Chang

Steven.chang@deq.oregon.gov

Compliance verification

Annual Compliance Inspections

- Addresses normal **environmental performance standards** (litter, stormwater management, nuisances, etc.).
- **Records review** for required records and reporting.
- DEQ will respond to **complaints** from the public.



Questions



Permit program requirements

Recyclable Material Processing Performance Standards – Outbound Contamination Rate

- Any Uniform Statewide Collection List material that is sent to a responsible end market must **not contain more than 5%** (by weight) contamination.
- ORS 459A.863(4)(b) **Contamination** - A material shipped to a recycling end market that is **not accepted or desired** by that end market.



Permit program requirements

Responsible End Markets, Self-Attestation Forms

- LSFs will be required to have **completed and signed** Responsible End Market Screening Assessments **prior** to shipping material to an end market starting on **July 1, 2025**.
- Only **one** screening form is needed for each end market or other entity.
- **DEQ and Circular Action Alliance** are working together to get screening assessments from known markets **prior to July 1, 2025**.

Responsible End Market Standards Self-Attestation

By signing this form, I, _____, declare under penalty of false swearing (ORS 162.075 and _____) that the information provided is true and correct.

Please indicate whether you supply plastic to manufacturers of food contact packaging or children's products:

Yes No Don't know

Please include an attached copy of any of the following documents as applicable (select all that apply):

Oregon Responsible End Markets Screening Form and Self-Attestation Form

Pursuant to Oregon's Recycling Modernization Act (RMA) and Oregon Administrative Rule (OAR) 340-090-0670, all businesses or entities that receive processed recycled material from an Oregon commingled recycling processing facility or collection program must be screened as "Responsible" prior to receiving Oregon material. To continue receiving Oregon material, please complete this form and provide written verification and corroborating documentation that your facility meets Responsible End Market Standards.

INSTRUCTIONS: Only **one form** is required for each business or entity that receives processed material. If you have already provided a completed form to the Oregon DEQ, you will not need to complete a second form. Please provide a copy of the initial form to the individual who sent you this form. If you have any questions please reach out to: Nicole Portley, Nicole.Portley@deq.oregon.gov.

Materials Received

Please indicate which of the following recycled materials you receive, market, transport, or process into new materials (select all that apply):

Paper	Plastic	Metal
<input type="checkbox"/> OCC (PSI # 11 and 12)	<input type="checkbox"/> PET bottles (no thermofoms)	Aluminum:
<input type="checkbox"/> SOP (PSI #37)	<input type="checkbox"/> PET bottles with thermofoms	<input type="checkbox"/> Aluminum cans
<input type="checkbox"/> Cartons (PSI #52)	<input type="checkbox"/> PET thermofoms	<input type="checkbox"/> Aluminum foil/ foil products
<input type="checkbox"/> Mixed Paper (PSI #54)	<input type="checkbox"/> HDPE natural	<input type="checkbox"/> Aluminum aerosol cans
<input type="checkbox"/> SRPN (PSI #56)	<input type="checkbox"/> HDPE colored	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Shredded paper	<input type="checkbox"/> HDPE injection bulky rigid	Steel:
<input type="checkbox"/> Other: _____	<input type="checkbox"/> PP small rigid	<input type="checkbox"/> Steel, bi-metal cans
Glass	<input type="checkbox"/> Mixed small rigid (#3-7)	<input type="checkbox"/> Steel aerosol cans
<input type="checkbox"/> Glass Bottles and Jars	<input type="checkbox"/> Mixed bulky rigid	<input type="checkbox"/> Other: _____
	<input type="checkbox"/> PE film grade A	Other:
	<input type="checkbox"/> PE film grade B	<input type="checkbox"/> Pressurized cylinders
	<input type="checkbox"/> PE colored film	<input type="checkbox"/> Scrap metal
	<input type="checkbox"/> MRF Film	<input type="checkbox"/> Other: _____
	<input type="checkbox"/> Other: _____	

Sent to CRPFs on Dec. 9, 2024

Department of Environmental Quality
Materials Management
700 NE Multnomah St., Suite #000
Portland, OR 97232
Created: November, 2024

Permit program requirements



End Market Verification by a PRO or Third-Party Certification

- LSFs must ensure that **each end market or other downstream entity** that receives processed material collected in Oregon receives **annually-audited verification** by a PRO or **third-party certification** through an Environmental Quality Commission approved program.
- **Additional approval and reporting** requirements for LSFs looking to send materials to end markets using **non-mechanical recycling** methods.

Permit program requirements



Quarterly Disposition Reporting

- A LSF must accurately report and submit **quarterly disposition reports** for all end markets that **have not received third-party certification** through an EQC-Approved program.
 - First quarterly report is due on **Dec. 15, 2025**.
 - **Otherwise**, due on the **first (1st)** of the month of each **February, May, August, and November**.

Permit program requirements

Recordkeeping and Reporting Summary

Records to keep for Inspection/Auditing
All required reporting
Waste Acceptance and Disposal Records
Inbound and Outbound Tonnage Records
Transportation Reimbursement Fee Information*

* Only applies if the facility is also operating as a Reload Facility

Reports Required	Frequency
REM Screening and Self-Attestation Form	As needed, Prior to July 1, 2025
Quarterly Disposition Report	Feb. 1, May 1, Aug. 1, and Nov. 1
Inbound Contamination*	Monthly

* Inbound contamination sampling may be performed by the PRO

Permit program requirements



Construction and Design, Facility Modifications

- Modifications and new construction may require additional DEQ **review and approval prior to commencement.**
- If DEQ approval is needed, anticipate a **back-and-forth discussion** with DEQ depending on the complexity of the construction project, **plan accordingly.**

Permit program requirements

Environmental/ Public Health Standards

- A LSF will be required to **maintain compliance with all environmental and public health standards** currently in place for transfer stations and material recovery facilities.
- Additional plans and permitting required when necessary:
 - Special Waste Management Plan
 - Spill Prevention Control and Countermeasure Plan
 - National Pollutant Discharge Elimination System 1200-Z Permit
 - Financial Assurance
 - Environmental Monitoring Plans



Questions





Break



Limited Sort Facility funding

Transportation Cost Reimbursement - 340-090-0770 and 0780

- The facility must **also operate as a Reload Facility** to receive funding;
- The local government must designate your facility as an **authorized service provider** or other entity to receive transportation cost reimbursement funding; and
- Material must be shipped **more than 50 miles** to the nearest CRPF or responsible end market with **capacity** to accept.

Service Provider or Other Entity Form

Local Government: _____

DEQ
State of Oregon
Department of
Environmental
Quality

Local Government Instructions: This form can be used to automatically generate authorization forms for your service provider to sign and return to you. This form verifies the service providers' acknowledgement of funding authorizations and the rules and statutes for receiving funding from a PRSO. Select one service provider at a time in the first Green Box and the remainder of the form will be populated and ready to convert to a PDF and send to your service provider by mail or email. Adding comments in section 3 is optional.

Service Provider Instructions: If you are receiving this form, your organization or business has been authorized by the local government at the top of this page to receive advanced funding or reimbursement from a producer responsibility organization for eligible cost associated with the requirements of: ORS 459.890, ORS 459A.906, ORS 459A.929, and OAR 340-090-0770 through ORS 340-090-0810. Verify your business name is correct, and include your information in the GREEN boxes below. Sign and return this form to your local government or the person who sent this form.

1. Authorized Service Provider or Other Entity		
Registered Business Name:		
Applicable Area: (Drop down menu)		
Contact E mail:	Phone:	

2. Funding Categories for Authorized Service Providers or other Entities		
Funding Authorizations	Reference:	Authorization Notes

DEQ Hazardous Materials Management Program
700 NE Multnomah Street, Suite 600, Portland, Oregon 97232
Phone: 503-226-5900, Toll Free in Oregon: 800-452-6011

Page 1
Revised November 2024

Page 2
Revised November 2024

Limited Sort Facility funding



Per 340-090-0810...

- (4) If DEQ establishes contamination evaluation procedures to meet the requirements of ORS 459A.929(2)(b) that require CRPFs, reload facilities and limited sort facilities to participate in a contamination evaluation procedure provided by a PRO, then the PRO would **no longer be responsible for covering costs** described in [459A.890(3), .929(1) and .959], except for any costs the PRO and the local government or a local government's service provider have agreed the PRO will fund or reimburse.

Questions





Public Input

Limited Sort Facility Listening Session
Dec. 19, 2024





Thank you!



Title VI and alternative formats

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities.

Visit DEQ's [Civil Rights and Environmental Justice page](#).

[Español](#) | [한국어](#) | [繁體中文](#) | [Русский](#) | [Tiếng Việt](#) | [العربية](#)
Contact: 800-452-4011 | TTY: 711 | deqinfo@deq.state.or.us