



March 3, 2021

Senator Lee Beyer, Chair
Senator Lynn Findley, Vice-Chair
Senate Committee on Energy and Environment
Oregon State Legislature
900 Court Street NE
Salem, Oregon 97301

Re: Testimony on Senate Bills 581 (SUPPORT) and 582 -1 (NEUTRAL)

Dear Chair Beyer, Vice-Chair Findley, and Members of the Committee,

On behalf of Recology, I am writing to thank the legislature for convening this critical conversation on improving Oregon's recycling system in bringing forward Senate Bills 581 and 582 -1. While Recology does not have a position on SB 582 -1 at this time, we're supportive of the underlying concepts while recognizing the details are critical. We are in support of Senate Bill 581, Truth in Labeling, and would prefer the strong labeling language from SB 581 to be included in SB 582 should SB 582 move forward.

As a 100% employee-owned company, Recology manages recycling, organic waste, and solid waste collection and processing services for communities across Oregon, Washington, and California. We have operations covering a large part of the northwest corner of the state, McMinnville, Metro and in the Ashland/Southern Oregon area. We run composting sites in McMinnville, North Plains and Aumsville. Recology supports measures that take an innovative approach to reducing single-use plastic waste and is committed to working with all stakeholders to drive innovation in the recycling industry and ensure that what gets into the marketplace can be recycled safely and sustainably.

Recology's position is that all packaging sold into Oregon should be recyclable or reusable. "Recyclable" should mean that the product can be recovered and will replace virgin material in manufacturing new products. SB 581 will align with efforts environmental advocates, local governments, and recyclers are pursuing in multiple states—including California (Sen. Ben Allen, SB 343) and Washington (Sen. Mona Das, SB 5022)—to ensure labels on packaging do not undermine our efforts to educate our customers about how to properly sort their waste. Clear product labeling, as put forward in SB 581, is a critical first step we can take towards a financially and environmentally sustainable recycling system.

We want to thank the Recycling Steering Committee for their thoughtful work and time that laid the foundation for the proposal in SB 582 -1. We see SB 582 -1 as the most workable legislative proposal on the structure of EPR that is currently being put forward in any state. Closing the loop is what local governments, haulers, processors, and environmental advocates have all spent decades working on, and we finally have this chance to bring the last stakeholder to the table – the producers. We should be using shared responsibility

models, like SB 582 -1, to strengthen and build upon the recycling system we have, working towards zero waste while reducing the burden on ratepayers. However, turning these concepts into legislation is challenging, but critical, and we need to continue working through language to ensure that we are accomplishing the shared goals of increasing access to recycling, reducing pollution burdens, and improving the recycling system for the long term.

Producers continue to push low-grade, non-recyclable plastics into the consumer market, often claiming that this material is recyclable. The material that enters Oregon should have resilient recycling markets – and many types of packaging, including some plastics, do. But we need strong policy drivers to incentivize use of these material types that can be recycled and the development of new end markets that support the use of recycled content in new products.

We feel the standards for plastics could be taken even further in SB 582 -1. Section 27 of SB 582 -1 seems to require a cap on the recycling rate for plastics at 35% for all future rulemaking. This is not sufficient to push the marketplace towards plastics that can be mechanically recycled, especially because the bill would ensure that material is recovered only in environmentally and socially just facilities. We'd like the legislature to go further and suggest that the recycling rate be set no lower than 75%. A high recycling rate is key to ensuring that producers are making investments where the "closed loop" isn't yet complete—end markets—while disincentivizing the use of plastics that are not easily recyclable, which are typically those that end up as litter.

Recology supports the recognition that compost facility contamination is a real and growing threat and support the concepts put forward Sections 26 and 41 in SB 582 -1. By disincentivizing non-compostable material from entering our facilities, we can ensure that our compost facilities are serving their intended purpose, which is returning nutrients to the soil, not serving as another repository for plastic waste.

We appreciate the legislature convening this conversation for us to continue work through these complicated issues with all affected parties. If you have any questions, please feel free to contact me at cwolfe@recology.com or 415-420-9744.

Sincerely,



Christine Wolfe
Public Policy Manager
Recology Inc.

cc:

Gary Blake, General Manager, Recology Ashland
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