



April 8, 2021

Oregon Senate Committee on Energy and Environment
Senator Lee Beyer, Chair
Oregon State Senate
900 Court Street NE
Salem, Oregon 97301

Re: Opposition to SB 582-1 as Currently Written and Opposition to the SB 582-9 amendment

Dear Chairman Beyer and Members of the Senate Committee on Energy and Environment,

The Carton Council of North America has been working to help develop an infrastructure to recycle aseptic and gable top cartons since its inception in 2009 and worked with ISRI to establish a marketable fiber grade for cartons – PSI 52. In January 2017, cartons achieved 60 percent access to recycling in the U.S. We continue to work to further expand aseptic and gable top cartons recycling. As committed supporters of recycling, the Carton Council is often in support of legislation that encourages the recycling of food and beverage containers, however we have serious concerns with SB 582-1 and the SB 582-9 amendment, and we urge the Committee to vote no on this bill and instead adopt the proposed Producer’s Amendment.

Post-consumer cartons are recycled into tissue & toweling products, printing & writing paper, paper packaging and building products. The primary markets for cartons from the West Coast are in South Korea, India, and Mexico. Additionally, just north of Oregon in Washington State, North Pacific Paper Company (NORPAC) is an independent paper company that has stated in multiple public forums that they value and desire gable top and aseptic cartons for recycling at their mill. From its world-class manufacturing facility in Longview, Washington, NORPAC produces 720,000 tons of paper annually and delivers a broad range of high-quality paper and packaging products to customers across the U.S. and around the world.

While we appreciate the effort of the sponsor to provide amendments to SB 582-1, these proposed amendments do not offer legislation that would present a workable EPR system in Oregon. A practical EPR bill would support the circularity of packaging through improved collection and infrastructure investments and would facilitate the development of advanced recycling systems which would allow for the collection and recycling of a larger array of today’s packaging materials.

The SB 582-9 amendment still delivers too much authority to the Department of Environmental Quality (DEQ) and Environmental Quality Commission (EQC) to impose the terms of the EPR program instead of the Producer Responsibility Organization (PRO). Additionally, the bill continues to be dedicated to current municipal government recycling programs and reimbursements for existing recycling systems; this will not promote the progress necessary for systemic material management evolution. Oregon policy should facilitate and incentivize investments in technology and infrastructure to ensure that all packaging is collected and recycled.





For these reasons, the Carton Council opposes the SB 582-1 and the SB 582-9 amendment and urges the Committee to vote no on this legislation as written. Instead, the Carton Council urges the Committee to adopt the proposed Producers' Amendment which makes clear that EQC cannot add "covered products" or other PRO responsibilities by rule, removes all the special studies, responsibilities, and fees (except the contamination reduction fee) imposed on the PRO, and provides off-ramps from the program when materials reach specified recycling rates or when a producer's packages meet certain recycled content rates. The amendment also changes the treatment of food serviceware so that it is allowed "on request."

In advance, thank you for your time and consideration. If we can provide further information or answer any questions, please don't hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jordan Fengel".

Jordan Fengel
Director of Government Affairs, Carton Council

