

AGENDA ITEM FOR ADMINISTRATIVE MEETING () Discussion only
(X) Action

FROM (DEPT/ DIVISION): Community Development Department

SUBJECT: Recycling Modernization Act – Local Government Funding Authorization

<p>Background: Local governments participating in the Recycling Modernization Act (RMA), and in order to be eligible for compensation from the Producer Responsible Organization (PRO), are required to submit a Local Government Funding Authorization to Department of Environmental Quality (DEQ). The Umatilla County Solid Waste Advisory Committee (SWAC), at its January 28, 2025 meeting, recommended approval of the Local Government Funding Authorization by the Board of Commissioners, directing the distribution of PRO funding to the service providers implementing the RMA.</p>	<p>Requested Action: Approve the recommendation of the SWAC and authorize Community Development Department staff to complete the RMA Local Government Funding Authorization, directing the distribution of PRO funding to the service providers implementing the RMA in Umatilla County.</p>
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ATTACHMENTS: Local Government Funding Authorization Fact Sheet

Date: (01/31/25) Submitted By: Robert Waldher, Director

*****For Internal Use Only*****

Checkoffs:

- () Dept. Head (copy)
- () Human Resources (copy)
- () Fiscal
- () Legal (copy)
- () (Other - List:)

To be notified of Meeting:
 Robert Waldher
 Robert Pahl
 Needed at Meeting:

Scheduled for meeting on: February 5, 2025

Action taken:

Follow-up:



Recycling Modernization Act

Local Government Funding Authorization Fact Sheet & Instructions

Local governments may receive compensation for eligible costs in five categories from the Producer Responsibility Organization (PRO) under the Recycling Modernization Act (RMA). PRO compensation may be provided in advance or as reimbursement for eligible costs, as indicated in [OAR 340-090-0810](#).

Local governments may elect to receive PRO compensation directly and retain responsibility for distributing it to service providers or other entities that incur eligible costs, or they may authorize the service providers and/or other entities that incur eligible costs to receive compensation directly from the PRO. This process is called Funding Authorization, and completing this form is the first step. Additional coordination with the PRO will be needed for any entity, including the local government, receiving PRO funding. DEQ is required to collect information from local governments about the distribution of PRO funding.

This factsheet will help you understand what funding categories are available, how to authorize funding to a service provider or other entity, and how to notify DEQ of your decisions. All local governments, regardless of size, are eligible for funding except for category 4, Recycling Service Expansion. Only local governments that completed the 2023 Needs Assessment survey are eligible for Recycling Service Expansion funds.

Funding Categories

1. **Transportation:** [OAR 340-090-0770](#)

The costs of transporting covered products more than 50 miles from a recycling depot or recycling reload facility to the nearest commingled recycling processing facility or a responsible end market are eligible costs. This includes the cost to receive, consolidate, load and transport covered products to the appropriate destination. All communities, regardless of size, are eligible for transportation funding.

- ❖ *Covered Products* include packaging, printing and writing paper, and food serviceware (ORS 459A.863(6)(a)). The definition excludes materials listed in ORS 459A.863(6)(b). Note that materials do not need to be included in a recycling program acceptance list to be a “covered product.”
- ❖ *Capacity* includes the facilities’ willingness and ability to accept the material.

2. **Contamination Evaluation:** [OAR 340-090-0030](#); [OAR 340-090-0810](#)

The costs of periodically evaluating the quality and contamination of collected materials as required by [ORS 459A.929](#), if the evaluation occurs at a location other than a commingled recycling processing facility. OAR 340-090-0810 outlines eligible and ineligible costs. All communities, regardless of size, are eligible for contamination evaluation funding.

Translation or other formats

[Español](#) | [한국어](#) | [繁體中文](#) | [Русский](#) | [Tiếng Việt](#) | [العربية](#)

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3. Contamination Reduction Programming: [OAR 340-090-0030](#); [OAR 340-090-0810](#)

The costs of contamination reduction programming required by [OAR 340-090-0030 \(7\)\(c\)](#) and the cost of similar contamination reduction programming provided by local governments not subject to the requirements. Includes programming to residential, commercial, multi-family, and depot customers using program elements established by DEQ, pursuant to [ORS 459A.929](#).

- ❖ *Local governments may request funding or reimbursement from the PRO of up to \$3 per capita per year, based on the population of a local government or, if the local government is a county, the population of the unincorporated area of the county. OAR 340-090-0810 provides more details on calculating contamination reduction programming compensation.*
- ❖ *All cities over the population of 4,000 are **required** to complete Contamination Reduction Programming in these three areas:*
 - *Provide customer-facing contamination reduction materials and methods responsive to diverse populations.*
 - *Standards for providing feedback to generators who contribute to contamination that is responsive to diverse populations.*
 - *Standards for providing financial or service consequences (responsive to diverse populations) to generators of significant or repeated contamination.*
- ❖ *Cities under 4,000 are not required to implement Contamination Reduction Programming; however, these cities are eligible for funding in this category.*

4. Recycling Service Expansion Identified in the Needs Assessment: [OAR 340-090-0800](#)

A local government that requested to expand recycling opportunities during the DEQ 2023 Needs Assessment survey is eligible for funding or reimbursements towards recycling service expansion. If identified in the survey, eligible costs include:

- For on-route programs, start-up costs, including but not limited to trucks, containers, promotional literature, and, if necessary and none other is available, a recycling reload facility for reloading recyclables, including any compaction equipment necessary for the recycling reload facility; and
 - For recycling depots, containers, on-site monitoring equipment, site preparation, or other start-up costs and operational costs, including staffing.
- ❖ *The PRO shall work with local governments or their authorized service provider to establish the requested services and will provide an implementation schedule for the new program and provide funding in advance of or concurrent with implementation. The expansion services your local government requested in DEQ's 2023 Needs Assessment survey are in the [Needs Assessment report](#).*
 - ❖ *Local governments that did not submit the 2023 Needs Assessment survey can complete the next survey to obtain funding for expansion of recycling services.*

5. Purchase of Post-Consumer Recycled Content Collection Containers: [ORS 459A.908](#)

The costs of complying with ORS 459A.908, to the extent that the cost of new containers with 10% post-consumer recycled material is more expensive than the lowest priced alternative. The difference in cost between containers with or without 10% post-consumer recycled material will be covered. All communities, regardless of size, are eligible for applicable container funding.

Completing the Funding Authorization Process

Local governments may elect to receive PRO compensation directly or may authorize their service providers and/or other entities to receive all or partial funding for eligible costs. Receiving PRO compensation directly means that the local government is responsible for distributing compensation to service providers and/or other entities that incur eligible costs. Authorizing service providers and/or other entities means that the listed service provider or other entity will receive compensation for eligible costs directly from the PRO. Local governments may choose to make this authorization for all five of the PRO funding categories, some of the funding categories, or none.

A local government must identify authorized service providers and/or other entities to DEQ. DEQ created the *Local Government Funding Authorization Form Packet* to help local governments understand details of PRO compensation and identify service providers or other entities they wish to receive PRO funding on their behalf.

The Local Government Funding Authorization Form Packet consists of three parts:

Tab 1: Local Government Funding Authorization Form

This form allows local governments to identify service providers or other eligible entities authorized to receive compensation directly from the PRO for eligible costs. When signed, save the document as "FundingAuthorization2025_ CityOrCountyName".

In the first section, local governments will indicate the type of authorization they have chosen for each category of PRO funding.

Full Authorization means:

- (1) A local government is authorizing one or more service providers and/or other entities to receive **ALL** eligible compensation in that funding category directly from a PRO for eligible costs incurred; and
- (2) The local government **will not retain any** eligible compensation in that funding category.

Partial Authorization means:

- (1) A local government is authorizing one or more service providers and/or other entities to receive **some** of the eligible compensation in that funding category directly from a PRO for eligible costs incurred; and
- (2) The local government will retain **some** eligible compensation in that funding category and will be responsible for distributing funding to entities incurring eligible costs. *All PRO funding must be distributed to the entity that incurs eligible costs.*

No Authorization means:

A local government is **retaining all** eligible compensation in that funding category and will be responsible for distributing funding to entities incurring eligible costs. *All PRO funding must be distributed to the entity that incurs eligible costs.*

The second section of Tab 1 allows local governments to list authorized service providers or other entities, including contact and business information. If your local government has elected NOT to authorize any

service providers or other entities to receive funding, submit only the Local Government Funding Authorization Form indicating your decision and have it signed by a local government official.

A local government may use the Applicable Service Area column to differentiate, if needed, situations where the same service provider operates in two different areas. The Applicable Service Area could be a city, county, UGB of a specific city, county unincorporated areas, or franchised service area.

Local governments with more than eight authorized service providers and/or other entities may identify them on Tab 1.A. Add'l Forms.

Tab 2: Authorizations Form

Local governments use this form to identify which service providers or other entities are authorized to receive PRO compensation directly within each of the five PRO funding categories.

For each funding category, consult with the service providers and/or other entities that will incur costs that are eligible for PRO compensation. Use the drop-down menu to identify the service providers and/or other entities authorized to receive PRO compensation directly. The identifications made on this form will be reflected when generating each Service Provider form on the third tab.

Notes are optional and can be used to clarify expectations, funding allocations, or responsibilities. Local governments with more than eight authorized service providers and/or other entities may identify them on the Local Government Funding Authorization Form – Additional Page (Tab 1.A. Add'l Forms).

Tab 3: Service Provider or Other Entity Form

Local governments use this form to generate acknowledgement forms for authorized service providers and/or other entities to sign and return. **Use the drop-down menu in Box 1 to generate a separate copy of the Tab 3 form for each service provider or other entity authorized to receive PRO funding.** Then print each copy to PDF (save as "FundingAuthorization2025_CityOrCountyName_AuthorizedEntityName"), and email or mail to each service provider or other entity for signature.

DEQ will not consider an authorization complete until the *Local Government Form* and *Service Provider or Other Entity Form* are signed by all relevant parties and received by DEQ. As the local government, you may choose to include comments or notes.

Local governments with more than eight authorized service providers and/or other entities in each PRO funding category may identify them on Tab 2.A. Add'l Authorizations Form.

Considerations for completing the Funding Authorization Form:

- **Plan now** to ensure sufficient time for necessary conversations and for the steps needed in your jurisdiction to obtain approvals and signatures.
- Many local governments rely on service providers to help meet their obligations related to recycling collection under the law. In some cases, the entity that incurs eligible costs could be another local government or a community-based organization. Local governments may authorize funding to other entities that incurs eligible costs to receive PRO compensation directly.

❖ *For example, some cities may be part of a cooperative in which the county government provides recycling education and assistance on their behalf, or a non-profit organization may conduct recycling education for a city's outreach program.*

- All entities that are authorized to receive compensation directly from the PRO will enter into funding agreements with the PRO.
- The amount of compensation allocated to each authorized entity will be determined during development of the funding agreements with the PRO.
- It is especially important that local governments strongly consider authorizing and identifying to DEQ the service providers or other entities that will incur eligible costs related to transporting recycling more than 50 miles to a recycling processor or responsible end market. To maintain efficient and uninterrupted transportation of collected recycling, the PRO and the entity providing transportation service will depend on the ability to quickly exchange information and process payments.
- Local governments will have the opportunity to change their funding authorization annually.

Next Steps

DEQ will send official authorization forms to local governments in December 2024 and request that completed forms be returned to DEQ by **March 31, 2025**. Local governments, service providers, or other entities with questions about the Funding Authorization process can contact regional DEQ staff listed below.

DEQ Materials Management Regional Staff

REGION	COUNTIES	RMA TECHNICAL ASSISTANT
NORTHWEST	Clackamas, Clatsop, Columbia, Multnomah, Tillamook, & Washington	Steven Chang steven.chang@deq.oregon.gov 971-803-2493
WESTERN	Benton, Coos, Curry, Douglas, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk, & Yamhill	Telicia Hixson telicia.l.hixson@deq.oregon.gov 503-995-9491
EASTERN	Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, & Wheeler	Rachel VanWoert rachel.vanwoert@deq.oregon.gov 971-269-7671

Non-discrimination statement

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