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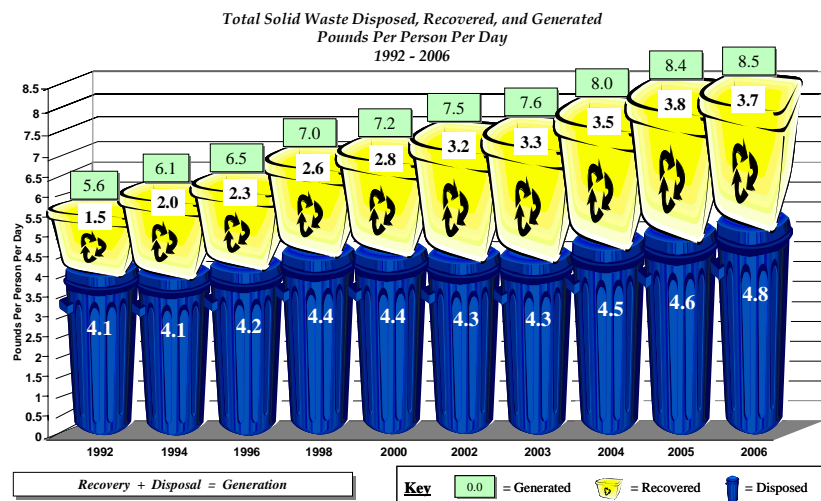
Background Brief on ...

Solid and Hazardous Wastes

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During the mid-1600s, the City of New York instituted the nation's first waste disposal regulations when it banned dumping garbage in the streets. Solid and hazardous waste management today protects human health and the environment through proper management, disposal, and waste reduction programs, with increasing emphasis on material recovery and waste prevention.

Solid waste in Oregon is principally managed by the Department of Environmental Quality (**DEQ**) under the federal Resource Conservation and Recovery Act (**RCRA**) and state solid waste law. However, local governments are responsible for planning for solid waste management and must provide the opportunity to recycle to every person in their jurisdictions. Most local governments contract for residential garbage and recycling collection services, while some also regulate commercial garbage and recycling collection services. The RCRA also authorizes states to implement hazardous waste management programs with Environmental Protection Agency (**EPA**) approval, which Oregon has received. Key program elements include environmental permitting for hazardous waste management and disposal facilities, inspections, enforcement, and technical assistance to businesses and local governments.



Solid Waste Management

Oregon's first solid waste management plan was adopted in 1979. Open dumping of solid waste is prohibited in Oregon, with lawful

disposal confined to permitted facilities. Hazardous and infectious waste streams are not accepted by standard landfills and require special handling. Oregon statutes ban the disposal of lead acid batteries, used oil, whole tires, and discarded vehicles, large metal-jacketed appliances and, starting in 2010, certain electronics. Some landfills accept only yard debris and inert materials or construction and demolition waste.

The DEQ issues disposal permits and monitors compliance, responds to complaints about disposal issues, administers solid waste grants, oversees local government recycling regulations, conducts a household hazardous waste-program that promotes prevention and permanent collection facilities, conducts studies of material recovery rates and waste composition, and provides education and technical assistance about waste prevention and recycling.

Oregon's current (1995-2005) Solid Waste Management Plan changes the state's focus from conserving landfill space to viewing waste and recyclables as valuable resources with the ultimate goals of conserving natural resources and reducing the environmental impacts associated with resource consumption. The 2001 Legislative Assembly placed these policy goals in statute and extended the state's 50 percent recovery goal to 2009. In addition, two waste prevention goals were set:

- For the calendar year 2005 and subsequent years, there will be no annual increase in per capita municipal solid waste generation
- For the calendar year 2009 and subsequent years, there will be no annual increase in total municipal solid waste generation

In addition to emphasizing commercial waste prevention as a focus area for grants to local governments and for technical assistance to businesses and local governments, the DEQ has developed a statewide strategy to guide waste prevention and reuse activities in Oregon to achieve these new waste prevention goals. In 2005, Oregon failed to meet the first waste

prevention goal (see chart on previous page).

An increasingly important solid waste reduction issue is how to manage electronics waste. During the 2007 Legislative Session, the Legislature passed House Bill 2626 that requires manufacturers of televisions, computers, and monitors (covered electronic devices or **CEDs**) to finance the collection and recycling of this waste effective January 1, 2009. Under the measure, any Oregon household, certain small businesses and nonprofits, and those individuals recycling seven or fewer CEDs are exempt from paying fees. Retailers are prohibited from selling CEDs unless the products carry a brand indicating compliance with the new law as of January 1, 2009. The bill also forbids any person or disposal site operator from discarding CEDs at solid waste sites as of January 1, 2010.

Oregon is a national leader in recycling. The 1971 Bottle Bill resulted in a 90 percent capture of carbonated beverage containers and an 80 percent reduction in roadside litter within 2 years of passage. However, an increasing percentage of beverage containers are not covered by the law. Recognizing this problem, the 2007 Legislative Assembly enacted Senate Bill 707, expanding the bottle bill law to include water or flavored water containers. In addition, the new law creates the "Bottle Bill Task Force" to study and make recommendations on the collection/refund of beverage containers, including issues like the use of redemption centers, whether new types of beverage containers should be redeemed, and refund amounts. A report from the task force is due on November 1, 2008.

Recycling is further encouraged through the Recycling Opportunity Act (1983) that provides for curbside recycling and drop-off depots, and the Oregon Recycling Act (1991), requiring the state to purchase recycled products. (See the Background Brief on *Recycling* for more information).

A small but important part of Oregon's solid waste management program is the household hazardous waste (**HHW**) program. This program

focuses on education and provides grants to local governments to help them establish permanent HHW collection facilities. Under this program, rules were developed for the labeling of mercury-containing thermometers as required by legislation passed in 2001. There are currently several mercury collection programs underway.

Hazardous Waste Management

In 1984, amendments to the federal RCRA added special requirements for the handling of hazardous wastes, including managing the generation, transportation, storage, treatment, and disposal of these materials. The EPA approved Oregon's hazardous waste program in 1986 and updated this authorization in 2006, allowing Oregon to implement federal requirements. The EPA, however, retains federal oversight authority. The Legislature enacted a statewide hazardous waste program to protect "the public health and safety and environment of Oregon to the maximum extent possible" (ORS 466.010). Hazardous waste generation, transport, storage, and disposal on Tribal lands fall under federal jurisdiction.

The DEQ promotes the reduction and safe management of hazardous waste at more than 500 hazardous waste generation facilities, issues permits to waste management facilities, conducts inspections of hazardous waste handlers and used oil processors, and assists hundreds of Oregon's small businesses in complying with complex federal regulations and toxic use reduction.

Recent Legislation

Senate Bill 103 (2007) increased the annual fee levied on hazardous waste generators, allowing the DEQ to maintain adequate hazardous waste monitoring and inspections.

House Bill 2626 and Senate Bill 707, discussed earlier, are other pieces of significant and recent legislation.

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