

Mattress Stewardship Rulemaking Meeting 1

Materials Management Program

Dec. 8, 2022

Zoom Webinar

Welcome, overview of today's meeting

Time	Topic
9 a.m.	Welcome, Overview
9:10 a.m.	Introductions - committee members
9:30 a.m.	Committee scope and operating procedures
9:45 a.m.	Overview: Mattress Stewardship Act, rulemaking scope, timeline
10 a.m.	Rule concept presentations and discussion
10:50 a.m.	Break
11 a.m.	Public input period
11:15 a.m.	Discussion (continued): Proposed Rule Concepts
12 p.m.	Adjourn meeting

Webinar tips

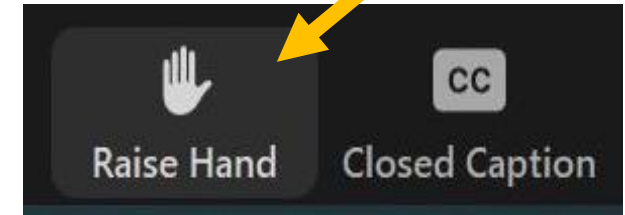
Thank you for joining us today!

Join audio by either phone or computer, not both.

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

This meeting is being recorded.

For Zoom technical issues, send a message through the chat to Hannah Carleson



Meeting ground rules

- Listen and treat everyone with respect
- Allow one person to speak at a time – use ‘raise hand’ feature
- Be prepared and set time aside for the meetings
- Provide a balance of speaking time
- Bring concerns and ideas up for discussion early in the process
- Comment constructively
- Move around and take care of yourself as needed

Communications

- Substantive discussion by the committee will occur during public meetings, not offline.
- DEQ will post meeting materials and input received from RAC members on the rulemaking webpage:
<https://www.oregon.gov/deq/rulemaking/Pages/mattress2023.aspx>

Introductions - RAC Members

Name	Organization
Marie Clarke	International Sleep Products Association and Mattress Recycling Council
Michelle Colletti	Community Member
Sabrina Gogol	Metro
Anna Kurnizki	Community Warehouse
Angie Marzano	Lane County Public Works
Terry McDonald	St. Vincent de Paul of Lane County
Robert Stewart	Coos County Solid Waste
Aimee Thompson	Thompson's Sanitary Service

Committee scope and operating procedures

- Rules and rulemaking process
- Role of Rulemaking Advisory Committee (RAC)
- Public involvement
- Committee Charter



About rules and the rulemaking process



Rules are agency regulations, carry the power of the law.



DEQ uses the rulemaking process to clarify and implement state law.



Rules are proposed by DEQ and are adopted by the Environmental Quality Commission.

Role of the rulemaking advisory committee

This is an advisory committee

- Your ideas inform the proposed rulemaking

Meetings stay focused on proposed rule concepts

- Statute guides issues DEQ addresses in this rulemaking

RAC has particular responsibility to review and advise on:

- racial equity impacts of rules
- fiscal impacts of rules

Public involvement

Opportunities to stay engaged:

- Sign-up for email updates ([Gov Delivery](#))
- Review meeting materials
- Provide brief input during meetings
- Submit formal comments on draft rules in Spring 2023



Committee charter

Highlights:

- Objectives and scope
- Roles and expectations
- Alternates Process



Mattress Stewardship Rulemaking

Advisory Committee Charter

Rulemaking Contact: Rachel Harding

2022-2023



Q & A



Today's Agenda

Time	Topic
9 a.m.	Welcome, Overview
9:10 a.m.	Introductions - committee members
9:30 a.m.	Committee scope and operating procedures
9:45 a.m.	Overview: Mattress Stewardship Act, rulemaking scope, timeline
10 a.m.	Rule concept presentations and discussion
10:50 a.m.	Break
11 a.m.	Public input period
11:15 a.m.	Discussion (continued): Proposed Rule Concepts
12 p.m.	Adjourn meeting

Overview of Mattress Stewardship Act

Introduction

- The Mattress Stewardship Act (2022) creates a statewide system for collection & management of discarded mattresses.
- A stewardship organization (SO) must submit a program plan to DEQ by October 1, 2023.
- After program plan is approved, the SO must enroll producers and implement the program on their behalf.

Overview of Mattress Stewardship Act

How will the program work?

- Retailers collect a flat fee at point of sale
- Eligible entities will access a convenient collection network to get rid of unwanted mattresses.
- Fee goes to stewardship organization to fund operations of program.



Overview of Mattress Stewardship Act

Levels of Detail

- Statute establishes requirements (set by Legislature)
- Administrative rules are more specific (adopted by Environmental Quality Commission)
- Program plans include operational details (approved by DEQ)

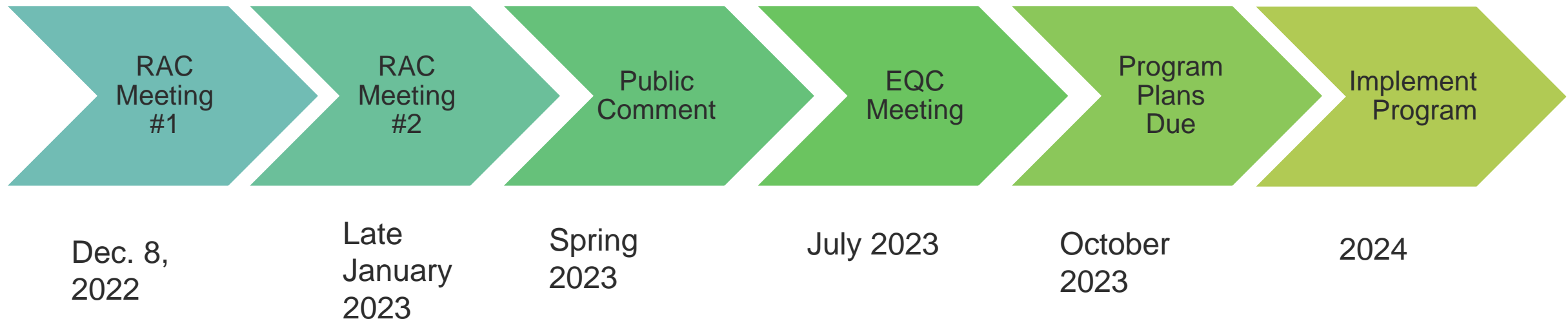
Overview of Mattress Stewardship Act

Plan Review Process

- Review by DEQ
- Review by Mattress Stewardship Program Advisory Committee (MSPAC).
 - Local government, solid waste industry, environmental community, the public
- Public comment period
- DEQ approves, rejects or requests more information

Overview of Mattress Stewardship Act

Program Timeline



Overview of Mattress Stewardship Act

Questions?



Rule Concepts



State of Oregon Department of Environmental Quality

Rule Concepts

Mattress Stewardship Act (SB 1576, 2022)
Rulemaking Advisory Committee Meeting 1

Background

The Mattress Stewardship Rulemaking Advisory Committee will provide input to the Department of Environmental Quality on proposed rulemaking. DEQ is undertaking rulemaking to clarify and implement Senate Bill 1576 (2022), also known as the [Mattress Stewardship Act](#). The Act requires mattress producers to join a stewardship organization with an approved plan to develop, implement and administer a statewide program for the financing, collection and environmentally sound management of discarded mattresses in the state of Oregon.

Rule concepts for discussion at Dec. 8, 2022 RAC meeting

Rule Concept – Annual Fee

DEQ is required by law to establish an annual fee to be paid by the stewardship organization that is reasonably calculated to cover DEQ's costs to administer, implement and enforce the Act.

Rule Concept – Annual Fee

- DEQ proposes:
 - First year (2024): \$215,000
 - Second year: \$190,000
 - Third year and onward: \$160,000

Rule Concept – Annual Fee

DEQ welcomes feedback, especially regarding the split of start up costs between years one and two.

- First year (2024): \$215,000 ←
- Second year: \$190,000 ←
- Third year and onward: \$160,000

Break Time – 10 minutes

After the break:

- Continued rule concept discussion
- Public input period at 11 a.m.



Continued Discussion of Concepts



Rule Concept – Annual Reporting

Background info

A stewardship organization is already required to include certain information in their annual report:

- Program cost and revenue
- Number and tonnage of total mattresses collected, recycled and renovated
- Summary of public education offered in previous year
(See full list in section 9)

Rule Concept – Annual Reporting

DEQ recommends reporting on reuse:

- Requiring the stewardship organization to report on weights and number of mattresses sent to reuse facilities
- Clarifying that the phrase ‘any other facilities’ includes reuse facilities

Rule Concept – Annual Reporting

DEQ welcomes discussion and feedback regarding

- mattress reuse
- other items for reporting, including
 - other types of facilities

Rule Concept – Notification of Changes

Background info

A stewardship organization is already required to notify DEQ when there are changes to:

- Location, number of permanent collection sites
- Producers, renovators registered
- Recyclers, renovators that manage mattresses

Rule Concept – Notification of Changes

DEQ recommends that changes in the following entities are cause for written notification:

- Retailers registered
- Reuse facilities managing discarded mattresses



Rule Concept – Notification of Changes

DEQ welcomes feedback about this concept to clarify items required for notification:

- Written notification to be required regarding changes to
 - retailers registered in the program
 - reuse facilities managing discarded mattresses
- Other items for notification

Next Steps

- Poll sent for next meeting date
 - late January/early February
 - Looking at other potential conflicts for this time frame
- RAC will reconvene to discuss
 - Fiscal impact statement
 - Racial equity statement
 - Any needed follow up

Adjourn Meeting

If you have any questions after today's meeting, please direct them to:

Rachel Harding

503-229-5198

mattress2023@deq.oregon.gov