



September 1, 2023

Nicole Portley (nicole.portley@deq.oregon.gov)
Recycling Modernization Act (EPR) team
Oregon Department of Environmental Quality
700 NE Multnomah Street, Portland,
Oregon 97232

RE: Oregon Producer Responsibility Organization Letter of Intent

Dear Ms. Portley,

Please accept this letter as confirmation that Circular Action Alliance (CAA) intends to submit a program plan to the Department of Environmental Quality (DEQ) to operate as a Producer Responsibility Organization (PRO) in Oregon under Chapter 459A (Reuse and Recycling) of Oregon Revised Statutes (ORS).

Background

Circular Action Alliance (CAA) is a U.S., non-profit producer responsibility organization (PRO) established to support the implementation of extended producer responsibility (EPR) laws for paper and packaging. CAA was incorporated on Dec. 21, 2022, following the passage of Oregon's SB 582 and similar EPR packaging laws in Maine, Colorado, and California. CAA's Founding Members represent several hundred brands utilizing a wide diversity of covered materials, and we expect the membership to grow over the coming months (see current membership list below). On May 1, 2023, Colorado approved CAA as the PRO responsible for administering a paper and packaging EPR program under the state's EPR law.

Organizational Structure

CAA has been recognized by the Internal Revenue Service as a 501(c)(3) tax-exempt organization. We are preparing to establish an Oregon subsidiary for the implementation of the program plan. Non-voting memberships in the subsidiary will be offered to producers in Oregon for the purpose of fulfilling their obligations under ORS Chapter 469A. We have also provided a copy of CAA's current by-laws for your reference (see Appendix B).

Market Share

CAA membership meets the necessary 10% market share threshold for covered products in Oregon. Based on preliminary data, CAA estimates that our current membership comprises at least 10% to 13% of the state's covered products. CAA took a conservative approach to estimating both our current members' collective supply tonnage and the initial estimates for total covered products supplied to the Oregon market (the denominator). Details for this initial market share estimate can be found in the attached Appendix A. CAA anticipates that existing member's market share will increase beyond this initial estimate as more refined and accurate data becomes available during the operation of the Program. CAA also intends to expand membership further through 2023 and into 2024, and we are confident that our market share will continue to grow.



info@circularaction.org



www.circularactionalliance.org

Current producer members are:

- Colgate-Palmolive Company
- Ferrero
- General Mills
- Keurig Dr Pepper
- L'Oréal USA
- Mars, Incorporated
- Nestlé USA
- Niagara Bottling, LLC
- PepsiCo
- Procter & Gamble
- SC Johnson
- Target
- The Coca-Cola Company
- The Clorox Company
- The Kraft Heinz Company
- Unilever United States
- Walmart

Funding

The organization developed a start-up plan in the fall of 2022. This plan included preliminary budgets from 2022 to 2026. The budget allocates the necessary funding to support the delivery of the program plan and timelines outlined in the statute.

Organization's Expertise

To ensure that we can develop a strong program plan submission and subsequently deliver on the timelines and requirements outlined in the statute, we have assembled a team of EPR experts with experience in the development, implementation and operation of producer responsibility programs in North America. They have a keen understanding of what will be required in Oregon and have begun the necessary project planning and discussions with key stakeholders.

The development of our program plan submission is well underway. We appreciate the open dialogue with Oregon DEQ to date and look forward to continuing our working relationship with you and other key Oregon stakeholders in the coming months and lead up to the submission of our program plan.

Circular Action Alliance's authorized representative is Charlie Schwarze, 53 South Avenue, Burlington, Massachusetts, 01803. You can also contact Doug Mander, CAA Oregon Program Manager at info@circularaction.org for information on our Oregon activities. Please do not hesitate to contact Doug or myself if you have any questions regarding this Letter of Intent. Thank you for your attention in this matter.

Sincerely,

Charlie Schwarze
Board Chair



info@circularaction.org



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cc: Board of Directors

1. Pat Hayes, Vice President, Government Affairs, Clorox
2. Kirsten Witt, Director, Public Affairs & Communications, The Coca-Cola Company
3. Anne Bedarf, Director, Global Packaging and Plastics Sustainability, Colgate-Palmolive
4. Charlie Schwarze, Director, Sustainability (Packaging and Product Stewardship), Keurig Dr Pepper
5. Kelly Smith, Vice President, Head of Institutional Affairs, Ferrero
6. Neil Menezes, Packaging Sustainability Policy Manager, General Mills
7. Robert Scott, President, Research and Development for North America, Kraft Heinz
8. Kelly Molinari, Vice President, Corporate Affairs & Engagement, L'Oréal
9. Cori Herbig, U.S. States Public Policy Director, Mars, Incorporated
10. Chastity McLeod, Vice President, Sustainability, Nestlé, USA
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14. Jeff Bezzo, CFO, Lifestyle Brands SC Johnson
15. Abby Donovan, Director, Sustainability Policy & Governance, Target
16. Stefani Millie, Head of External Affairs, Unilever United States
17. Alex Schenck, Director, Global Public Policy - Environment, Sustainability, and Public Safety, Walmart



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