



Date: Dec 20th, 2024

To: Oregon DEQ - Nicole Portley and Justin Gast

Re: **Notice of Compliance (Exemption) with RMA via Separate Program**

Dear Nicole -

Further to our engagement with you in July and with the release of the most recent rules in Oregon, please receive this notice of compliance (exemption) from the Lubricant Packaging Management Association ("LPMA") under ORS 459A.869(13) and OAR 340-090-840(3) of the Plastic Pollution and Recycling Modernization Act (RMA).

The Founding Members of the LPMA include BP Lubricants USA, Inc. (Castrol), Chevron U.S.A. Inc., ExxonMobil Oil Corporation, Pennzoil-Quaker State d/b/a SOPUS Products (Shell) and VGP Holdings LLC (Valvoline). The Founding Members have created the LPMA Powered by Interchange 360, a national non-profit extended producer responsibility ("EPR") compliance agency, with a purpose of providing EPR compliance options for its members and supporting the development of circular material management solutions for petroleum and petroleum related products and packaging.

In our experience, everywhere that there is a successful EPR program for packaging, there is a separate collection and material management system for petroleum and petroleum related packaging. If the DEQ would like more information on EPR programs for petroleum and petroleum related products and packaging in other jurisdictions I would be pleased to provide this.

In British Columbia, Canada, for example, the Interchange program operates an independent collection system from the common system that if applied in Oregon would help deliver on the recycling, environmental, and human health goals of the RMA. The BC program has approximately 7,000 collection points, including 300 public return collection facilities (e.g., local government and private depots retailers, and service stations) through which it collects approximately 95% of the targeted containers sold in B.C.

This notification of compliance by exemption letter is to inform you that in accordance with ORS 459A.869(13) of the RMA our intention is to demonstrate on an annual basis that our products are being managed as follows:

1. **Separate Collection:** Collected through a recycling collection service not provided under the opportunity to recycle, including the collection from commercial generators and collection points that will accept materials from consumers.
2. **Separate Management:** Sent directly to responsible end markets and will not undergo separation from other materials at a commingled recycling processing facility.



- 3. Responsible End Markets** Recycled at a responsible end market, verified by the PRO or certified responsible through third party certification from an Environmental Quality Commission-approved program.

Further, as per ORS 459A.869(13);

- Our sites will not be used to satisfy convenience standards by the Circular Action Alliance.

We understand that the Department may be working in early 2025 on developing new criteria and guidance for exemption registrations and claims, and we look forward to working with the department and responding to the new information as it becomes available.

We also anticipate needing to work with Circular Action Alliance in Oregon on a complimentary and coordinated approach that meets the objectives of the RMA.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "DL", is written over a light blue horizontal line.

David Lawes

CEO

Cc: Kim Holmes, Circular Action Alliance