

To: Glass Food, Drink, and Beverage Container Manufacturers

Date: January 18, 2012

From: Michelle Shepperd, Solid Waste Policy and Program Development

Subject: 2011 Oregon Glass Minimum Content Surveys

Enclosed is the 2011 calendar year glass minimum content survey. This survey is required by Oregon's 1991 Recycling Act (ORS 459A.550, 2003 Edition enclosed), which contains the minimum recycled content and reporting requirements for glass manufacturers.

Under the 1999 amended law, glass manufacturers located in Oregon or within 750 miles of Oregon must use recycled content in glass containers they sell to packagers in Oregon and must report to DEQ. Glass container manufacturers located more than 750 miles from the borders of this state must report if they sell more than 1,000 tons of new glass containers to packagers located in Oregon. **We believe your plant falls within these requirements.**

This survey is designed to help us determine the tonnage of new glass food, drink, and beverage containers made in Oregon, or made elsewhere and sold to packagers in Oregon, and the tons of recycled glass used in manufacturing those new containers.

The minimum content requirements for glass manufacturers located in Oregon or within 750 miles of Oregon are:

- 35% recycled content on and after January 1, 1995
- 50% recycled content on and after January 1, 2005.

If you are asking for an enforcement exemption because of lack of available cullet, please call to obtain the appropriate form.

An electronic version is available in Word for Windows on the DEQ web site:

www.deq.state.or.us/lq/sw/recovery/mincontent.htm. The 2011 calendar year survey must be returned to the Department no later than **March 16, 2012**. If you would like to file electronically, please e-mail the completed form to shepperd.michelle@deq.state.or.us.

If you did not make glass containers in Oregon or ship any new glass containers to packagers in Oregon in 2011, please sign the certification below and return this memo by March 16, 2012.

Should you have any questions, please feel free to contact me at 503-229-6724, or toll-free within Oregon, 1-800-452-4011 x6724, or via email: shepperd.michelle@deq.state.or.us. We appreciate your cooperation in completing our survey.

did not make glass containers in Oregon or ship new glass containers to packagers in Oregon in 2011.

(name)

(title)

(date)

GLASS FOOD, DRINK, AND BEVERAGE CONTAINER MANUFACTURERS SURVEY 2011 CALENDAR YEAR

Please answer the following questions concerning glass containers. This survey is required under ORS 459A.550 (as amended in 1999). Its purpose is to determine the amount of post-consumer glass cullet used in new food, drink, and beverage containers sold in Oregon. If your facility or facilities are located within 750 miles of the Oregon border, and you shipped or sold new glass containers in or into Oregon, you must fill out this survey. If you are located more than 750 miles of the Oregon border and you sold more than 1,000 tons of new glass containers to packagers located in Oregon, you must fill out this survey. Completed forms must be returned no later than **March 16, 2012**.

COMPANY NAME: _____

CONTACT PERSON FOR SURVEY: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

CONTACT PERSON'S PHONE: _____

If your company operates more than one glass manufacturing facility, you may combine the information for facilities onto one data form. Please list below the facilities for which you are reporting. Attach a separate list if more space is needed.

FACILITIES INCLUDED IN THIS SURVEY:

Facility Name	City	State	Country

1. Please check (✓) the following glass containers which are produced in any of your manufacturing facilities.

GLASS CONTAINER ITEM

GLASS COLOR

	<u>Green</u>	<u>Amber</u>	<u>Flint</u>	<u>Other</u>
Beer Bottles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wine Bottles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liquor Bottles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Soft Drink Bottles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juice, Water, or Other Beverage Bottles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Food Jars	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other Food or Beverage Glass Containers (specify): _____

2. Did your company use post-consumer glass cullet in the production of glass containers during calendar year 2011?

Yes No

Even if your answer is NO, please return the survey by March 16, 2012.

3. Please answer **EITHER** question (a) or (b). To answer question 3a you may need to obtain information from the bottlers and distributors who sell your glass containers in Oregon. If you cannot answer question 3a, then please answer question 3b. The following definitions apply for both questions:

"Tons packed" means the total tons of glass food and beverage containers actually packed for shipment to customers. It does not include glass containers culled and recycled on site.

"Tons of post-consumer cullet used" means the tons of used glass containers received from off-site which was used in your furnaces in 2011 in order to produce new food and beverage containers. It does not include cullet generated in your own facilities.

a) Please provide the following data on the post-consumer recycled content of the glass food and beverage containers sold or manufactured in Oregon by your company in 2011.

	TONS PACKED	TONS POST-CONSUMER CULLET USED	PERCENT OF POST- CONSUMER CULLET*
TOTAL	_____	_____	_____

** The percent of post-consumer cullet is calculated by dividing the tons of post-consumer cullet used by the total tons packed in 2011.*

b) Please provide the following data on the post-consumer recycled content of the glass food and beverage containers produced by your company in 2011.

	TONS PACKED	TONS POST-CONSUMER CULLET USED	PERCENT OF POST- CONSUMER CULLET*
TOTAL	_____	_____	_____

** The percent of post-consumer cullet is calculated by dividing the tons of post-consumer cullet used by the total tons packed in 2011.*

Thank you for participating.

Please make a copy for your files and return the survey to DEQ via email or mail by **March 16, 2012.**

ORS 459A.550
Recycled Content for Glass Containers
(1991 Recycling Act, c.385, 34)
2003 Edition

ORS 459A.550 Report on use of new and recycled glass; minimum percentage of recycled glass required.

459A.550 Report on use of new and recycled glass; minimum percentage of recycled glass required.

(1) On or before February 28 each year, every glass container manufacturer shall report to the Department of Environmental Quality, in accordance with a method established by the department, the total amount, in tons, of new glass food, drink and beverage containers made in Oregon or sold to packagers located in Oregon by the glass container manufacturer during the previous calendar year, and the tons of recycled glass used in manufacturing the new containers. A glass container manufacturer located more than 750 miles from the borders of this state shall report to the department only for those years in which the glass container manufacturer sells more than 1,000 tons of new glass containers to packagers located in Oregon.

(2) For glass containers manufactured in Oregon or within 750 miles of the borders of this state, each glass container manufacturer shall use the following minimum percentages of recycled glass in manufacturing glass food, drink or beverage containers:

(a) Thirty-five percent on and after January 1, 1995.

(b) Fifty percent on and after January 1, 2005.

(3) Upon request from a glass container manufacturer, the department shall not enforce the requirement that a minimum percentage of recycled glass be used in the manufacturing of glass food, drink or beverage containers under subsection (2) of this section if the department determines that a glass container manufacturer cannot meet the minimum percentage requirements because of a lack of available glass cullet that meets reasonable specifications established by the manufacturer.

(4) A manufacturer requesting an exemption from the recycled glass content requirements under this section shall inform the department of the steps the manufacturer plans to take in order to come into compliance with the recycled content requirements. The department shall grant exemptions for a period of no more than three years. An exemption may be renewed upon a reasonable showing by the applicant. The department may recover all costs involved in considering and acting upon exemption requests.

(5) On or after January 1, 2005, in determining whether a glass container manufacturer has met the 50 percent minimum percentage requirement, the department shall credit toward the requirement the combined amount of recycled glass generated in Oregon for secondary end uses. If the combined amount meets the 50 percent minimum percentage requirement, the department shall not initiate enforcement action.

(6) The department shall not enforce the provisions of subsection (2)(b) of this section until January 1, 2005.

(7) As used in this section, "glass container manufacturer" means a person that manufactures new glass containers in Oregon or that, during the calendar year preceding the reporting period established under subsection (1) of this section, manufactured new glass containers outside Oregon that were sold by the manufacturer to packagers located in Oregon. [1991 c.385 §34; 1993 c.560 §92; 1997 c.537 §1; 1999 c.976 §1; 2003 c.671 §1]