

# Plastics post-consumer recycled content Workload Analysis for fiscal year 2024

## Background

RCW 70A.245.020 (3) requires the Department of Ecology to prepare an annual Workload Analysis (WLA) for public comment. The WLA identifies the annual costs it expects to incur to implement, administer, and enforce the post-consumer recycled content requirements,

This WLA estimates annual costs for Fiscal Year (FY) 2024 beginning on July 1, 2023 and ending on June 30, 2024.

The workload is estimated for two types of work

- Program Administration
- Post-Consumer Recycled Content (PCRC) Oversight

Below is a summary of the total estimated costs for each component of the projected workload. Following the WLA is a summary of estimated fee levels, expressed in cost per pound of total plastic, based on the registration data submitted in the calendar year 2022. The estimated costs by product category are provided for producer budgeting purposes. Actual fees will be calculated based on registration data submitted by April 1, 2023. If actual fee costs vary significantly from the estimated levels, we will notify producers as promptly as possible, when the data is available.

**Table 1: Summary of estimated costs by cost category and workload type**

Cost Category	Program Administration	PCRC Oversight	Total
Salaries	\$153,510	\$117,341	<b>\$270,851</b>
Benefits	\$55,264	\$42,243	<b>\$97,507</b>
Goods and Services	\$11,232	\$7,314	<b>\$18,546</b>
Travel	\$3,360	\$2,188	<b>\$5,548</b>
Equipment	\$2,217	\$1,443	<b>\$3,660</b>
Annual Data Purchase		\$30,000	<b>\$30,000</b>
Assistant Attorney General	\$13,878	\$32,382	<b>\$46,260</b>
Agency Administrative Overhead	\$60,023	\$45,880	<b>\$105,903</b>
<b>Total Costs</b>	<b>\$299,484</b>	<b>\$278,791</b>	<b>\$578,275</b>

## Estimated costs for program administration

The key Program administration workload elements are as follows:

- Providing technical assistance for annual registration
- Developing and posting the annual workload analysis, and responding to public comments
- Administering the annual fee
- Maintaining the registration online platform and database
- Completing initial rulemaking and conducting rule updates as needed

The following two tables summarize the workload assumptions for the forthcoming fiscal year and the resulting cost estimates.

**Table 2: Estimated program administration workload by position and Full-Time Equivalent (FTE)**

Position	Job Classification	Role	Standard Salary	FY 2024 FTE
<b>Plastic Packaging Subject Lead</b>	<b>Environmental Planner 4</b>	Provide oversight and coordination of program administration	\$89,292	0.20
<b>Rulemaking Lead</b>	<b>Environmental Planner 4</b>	Complete initial rulemaking for WAC 173-925	\$89,292	0.25
<b>IT App Developer</b>	<b>IT App Development - Journey</b>	Maintain the registration online platform and database	\$100,032	0.10
<b>Technical Assistance/Compliance</b>	<b>Environmental Specialist 3</b>	Provide registration technical assistance, fee administration, and enforcement of registration and fee requirements	\$63,216	1.50
<b>Workload Analysis Lead</b>	<b>Budget Analyst 4</b>	Prepare the annual workload analysis	\$85,020	0.10
<b>Agency Administrative Overhead</b>	See notes on costs in the table below			0.32
<b>Total FTEs</b>				2.47

**Table 3: Estimated program administration costs by cost category**

<b>Cost Category</b>	<b>Description</b>	<b>Estimated Cost</b>
Salaries	Salaries are based on the estimated staff time and the current biennium actual salary rates for the listed positions, at step L.	\$153,510
Benefits	Benefits are the agency average of 36% of salaries.	\$55,264
Goods and Services	Goods and Services are the agency average of \$5,224 per direct program FTE.	\$11,232
Travel	Travel is the agency average of \$1,563 per direct program FTE.	\$3,360
Equipment	Equipment is the agency average of \$1,031 per direct program FTE.	\$2,217
Assistant Attorney General	This estimate is for the workload in the Office of the Attorney General for Assistant Attorney General (AAG) legal counsel regarding rulemaking and enforcement of registration requirements.	\$13,878
Agency Administrative Overhead	Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 28.3% of direct program salaries and benefits. Agency Administrative Overhead FTEs are included at 0.15 FTE per direct program FTE.	\$60,023
<b>Total Costs</b>		<b>\$299,484</b>

## Estimated Costs for Post-Consumer Recycled Content (PCRC) Oversight

The key Post-Consumer Recycled Content (PCRC) Oversight workload elements are as follows:

- Providing Technical Assistance for PCRC requirements and annual reports
- Reviewing and posting annual report data
- Developing and maintaining the annual reporting online platform and database
- Evaluating requests for PCRC rate adjustments and temporary exclusions
- Facilitating compliance with PCRC requirements

The following two tables summarize the workload assumptions for the forthcoming fiscal year and the resulting cost estimates.

**Table 4: Estimated program PCRC oversight workload by position and Full-Time Equivalent (FTE)**

Position	Job Classification	Role	Standard Salary	FY 2024 FTE
<b>Plastic Packaging Subject Lead</b>	<b>Environmental Planner 4</b>	Implement a process for reviewing requests for PCRC rate adjustments and temporary exclusions, and provide technical and policy guidance for reporting procedures	\$89,292	0.40
<b>IT App Developer</b>	<b>IT App Development - Journey</b>	Develop and maintain the annual reporting online platform and database	\$100,032	0.40
<b>IT Business Analyst</b>	<b>IT Business Analyst - Journey</b>	Coordinate with subject matter experts to gather user stories and define system needs; coordinate user testing and development of system guidance	\$100,032	0.20
<b>Technical Assistance/Compliance</b>	<b>Environmental Specialist 3</b>	Provide technical assistance and compliance support for PCRC requirements and reporting; post required annual reporting data to the website	\$63,216	0.50
<b>Agency Administrative Overhead</b>		See notes on costs in the table below		0.21
<b>Total FTEs</b>				<b>1.61</b>

**Table 5: Estimated PCRC oversight costs by cost category**

<b>Cost Category</b>	<b>Description</b>	<b>Estimated Cost</b>
Salaries	Salaries are based on the estimated staff time and the current biennium actual salary rates for the listed positions, at step L.	\$117,341
Benefits	Benefits are the agency average of 36% of salaries.	\$42,243
Goods and Services	Goods and Services are the agency average of \$5,224 per direct program FTE.	\$7,314
Travel	Travel is the agency average of \$1,563 per direct program FTE.	\$2,188
Equipment	Equipment is the agency average of \$1,031 per direct program FTE.	\$1,443
Annual Data Purchase	To review requests for PCRC rate adjustments and temporary exclusions, Ecology will need to purchase data on market availability of recycled plastic resin from an independent third-party organization. Estimated annual cost for data on recycled plastic resin availability is \$30,000.	\$30,000
Assistant Attorney General	This estimate is for the workload in the Office of the Attorney General for Assistant Attorney General (AAG) legal counsel regarding criteria and procedures for PCRC rate adjustments and temporary exclusions, and enforcement of the PCRC requirements.	\$32,382
Agency Administrative Overhead	Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 28.3% of direct program salaries and benefits. Agency Administrative Overhead FTEs are included at 0.15 FTE per direct program FTE.	\$45,880
<b>Total Costs</b>		<b>\$278,791</b>

### Estimated costs by product category

The estimated costs for each category of covered products are calculated using the latest available registration data submitted by producers in the calendar year 2022.

**Table 6: Estimated costs by product category**

Please note: the costs in the table below are estimates, based on the best data currently available. The final producer fees for FY 2024 costs will be calculated using data submitted by producers in April 2023.

Product Categories and Resin Weights Reported in Calendar Year 2022 Registration <sup>1</sup>			Estimated Program Administration Costs by Product Category		Estimated PCRC Oversight Costs by Product Category		Total Estimated Costs by Product Category
Product Category (PCRC Content Compliance Date)	Total Plastic Resin Weight (in Lbs.)	Plastic Resin Weights subject to PCRC Content Requirements <sup>2</sup>	All Covered Categories % Total Plastic Resin Weight	Category Share of Program Administration Costs	PCRC Product Categories % Total Plastic Resin Weight	Category Share of PCRC Oversight Costs	
Trash Bags (Jan 1, 2023)	56,224,069	56,224,069	28%	\$84,260	33%	\$92,457	\$176,717
Beverage Containers <sup>2</sup> (Jan 1, 2023)	113,311,228	113,311,228	57%	\$169,814	67%	\$186,334	\$356,148
Household and Personal Care (Jan 1, 2025)	30,300,424	-	15%	\$45,410	0%	\$0	\$45,410
Delayed Beverage Containers <sup>2</sup> (Jan 1, 2028)		-	0%	\$0	0%	\$0	\$0
<b>Total</b>	<b>199,835,720</b>	<b>169,535,296</b>	<b>100%</b>	<b>\$299,484</b>	<b>100%</b>	<b>\$278,791</b>	<b>\$578,275</b>

<sup>1</sup>The weights listed are based on data submitted by producers for the CY 2022 registration period. Final individual producer fees will be calculated using registration data submitted by April 1, 2023, for the CY 2023 registration period. During registration producers submit plastic resin weights

sold or brought into Washington State in the calendar year 2022. The costs by product category in this table provide proportionate cost estimates, based on the data currently available.

<sup>2</sup>At the time of registration during CY 2022, Ecology did not require beverage container producers to specify which portions of their plastic resin weight data were related to the subsets of beverage containers that wouldn't be required to meet PCRC requirements until CY 2028 (187 mL wine bottles and dairy milk containers). The amount of plastic resin attributed to dairy milk containers and 187 mL plastic wine bottles is unknown. When this plastic weight is provided separately during registration in CY 2023, it will reduce the amount of plastic resin in the beverage containers category, compared to the current data. Fees will be calculated based on the registration data submitted by April 1, 2023.

## Plastic Producer Annual Fees

### The fee calculation

The law requires producers to pay a fee to cover the costs estimated in the pages above. Ecology is required to determine the fair distribution of these costs through rulemaking, and the draft rule (WAC 173-975) is planned for adoption in late calendar year 2023. For more information on rulemaking, visit our [rulemaking webpage](#).

FY 2024 Producer fees are calculated based on the producer's reported total pounds of covered product plastic resin data submitted during the annual registration or reporting period by April 1, 2023, as shown in the calculation formulas below. The values for the Program Administration Cost and the PCRC Oversight Cost will be the total estimates summarized above in the workload analysis.

1a. Ecology Program Administration costs are allocated to each producer based on the producer's share of the total pounds of all covered product resin (virgin and PCRC) sold in or offered for sale in Washington during the prior calendar year as illustrated in equation 1(a) below.

**Equation 1(a), Program Administration Fee**

$$\text{Program Administration Fee} = \text{Ecology Program Administration Cost} \times \frac{[(\text{Individual Producer Resins, Covered Products}) / (\text{Washington Resin Totals, Covered Products})]}{1}$$

Program Administration Fee = Fee for all producers registered for covered product categories, excluding de minimis producers.

Ecology Program Administration Cost = Estimated annual workload cost for the department to administer the program as a whole, such as producer registration, management and maintenance of the registration database and department website, preparation of the annual workload analysis and fee calculation, rule and guideline updates, and any requirements that would apply to all producers of covered products.

Individual Producer Resins, Covered Products = One registered producer's total pounds of all plastic resins (PCRC and virgin) used in all covered products sold or offered for sale in Washington State during the previous calendar year.

Washington Resin Totals, Covered Products = Total pounds of all plastic resins (PCRC and virgin) used in all covered products sold or offered for sale in Washington State for the prior calendar year.

1b. Ecology PCRC Product Oversight costs are allocated based on each producer's share of the total pounds of all plastic resins (PCRC and virgin) used in the PCRC product categories sold in or offered for sale into Washington State in the prior calendar year, as illustrated in equation 1 (b) below.

**Equation 1(b), PCRC Oversight Fee**

$$\text{PCRC Oversight Fee} = \text{Ecology PCRC Oversight Cost} \times \frac{[(\text{Individual Producer Resins, PCRC Products}) / (\text{Washington Resin Totals, PCRC Products})]}{1}$$

PCRC Oversight Fee = fee for producers submitting PCRC reports for PCRC products.

Ecology PCRC Oversight Cost = Estimated annual workload for the department's costs to provide compliance monitoring and technical assistance to producers submitting PCRC reports for PCRC products.

Individual Producer Resins, PCRC Products = One registered and reporting producer's total pounds of all plastic resins (PCRC and virgin) used in all PCRC products sold or offered for sale in Washington State during the previous calendar year.

Washington Resin Totals, PCRC Products = total pounds of all plastic resins (PCRC and virgin) used in all PCRC products sold or offered for sale in Washington State for the prior calendar year.

1c. Each producer will be invoiced a **Total Producer Fee**, based on the sum of the producer's **Program Administration Fee** and **PCRC Oversight Fee**, as shown in equation 1(c).

**Equation 1(c) Total Producer Fee**

$$\text{Total Producer Fee} = \text{Program Administration Fee (Equation 1(a))} + \text{PCRC Oversight Fee (Equation 1(b))}$$

Total Producer Fee = fee for all producers submitting annual registration and reporting data for covered products. For producers of covered product categories not yet required to submit PCRC reports, the PCRC Oversight Fee amount is zero, and only the Program Administration Fee amount applies.

De minimis producers are not required to pay annual fees, and resin data submitted by de minimis producers in their annual de minimis notification is not included in the calculations described above.

### Fee “rate” per total pound of plastic resin

Based on the current estimated costs for FY 2024, and the total calendar year 2021 plastic resin weight submitted during the calendar year 2022 registration, the following are the estimated fee “rates” per total pound of plastic in covered products. These rates are provided so producers can estimate their FY 2024 fees, based on their knowledge of their covered products’ total plastic resin weights.

As noted above, actual FY 2024 fees will be based on the calendar year 2022 plastic resin weight data submitted by April 1, 2023. The total estimated cost will not change, but the weights of plastic resin may change. If we see early indications of a substantial change in the cost per pound of plastic from the estimates provided below, we will notify producers, so that they can plan accordingly. Fees will be calculated promptly after registration closes at the end of April 1, 2023, and invoices will be sent to producers by mid-May 2023, with fee payments due by mid-June 2023.

**Estimated Program Administration Cost per total pound of plastic resin:** \$0.0015/lb.

**Estimated PCRC Oversight Cost per total pound of plastic resin:** \$0.0016/lb.

### More information

Public Comments on this document are open until March 3, 2023. To provide comments, visit our [comments webpage](#).

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### ADA Accessibility

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