

## HB 4030 -1 STAFF MEASURE SUMMARY

### House Committee On Climate, Energy, and Environment

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**Meeting Dates:** 2/10

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#### WHAT THE MEASURE DOES:

The measure excludes from “covered products” certain blueberries’, strawberries’, or cane berries’ packaging, as well as noncompostable packaging that comes in direct contact with any amount of fresh or processed meat, poultry, fish, or seafood from producer responsibility requirements for packaging, paper, and food serviceware. Takes effect on the 91st day following adjournment sine die.

- *FISCAL: May have fiscal impact, but no statement issued yet*
- *REVENUE: May have revenue impact, but no statement issued yet*

#### ISSUES DISCUSSED:

##### EFFECT OF AMENDMENT:

-1 The amendment excludes from “covered products” packaging that is used solely in business-to-business transactions and not intended to be distributed to the end consumer of the product that the packaging contains from producer responsibility requirements for packaging, paper, and food serviceware.

- *FISCAL: May have fiscal impact, but no statement issued yet*
- *REVENUE: May have revenue impact, but no statement issued yet*

##### BACKGROUND:

In 2021, Senate Bill 582 made significant changes to Oregon's recycling system that include, but are not limited to: requiring that covered producers become a member of a producer responsibility organization which ensures that products collected are recycled by responsible end markets; establishing statewide recycling rates for plastic and recycling contamination reduction goals; and addressing the development and implementation of educational resources and promotional campaigns.

Covered products, which include packaging, printing and writing paper, and food serviceware, must be collected and managed responsibly by the participating producers under the law, which is known as the Recycling Modernization Act (RMA). Some products are exempt from the RMA. According to the Oregon Department of Environmental Quality (DEQ), there are two ways a covered product can be exempted from the RMA:

1. Through the legislative process, modifying ORS 459A.863(6)(b)(A-Q) or
2. Through the agency rulemaking process

For DEQ to exempt a product from the RMA, three criteria must be met:

- The product does not enter the commingled system as a recyclable material or as a contaminant
- It is covered by another extended producer responsibility program
- It is discarded outside of Oregon

Once a product is exempted, costs for managing their products when they enter the commingled recycling system are shifted to producers of covered products to pay.