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www.oregonrecyclers.org

February 10, 2026

House Committee on Climate, Energy, and Environment
Oregon State Capitol
900 Court Street NE
Salem, OR 97301

RE: HB 4030 – Oppose

Chair Lively, Vice-Chairs Gamba and Levy and Members of the Committee,

The Association of Oregon Recyclers (AOR) is a 501(c)6 committed to supporting policies that promote high-quality recycling and composting, thoughtful consumption, and producer responsibility. AOR's diverse membership includes more than 200 businesses, governments, nonprofits and individuals working together on the common goal of achieving a system of sustainable materials management in Oregon. We believe the producers that manufacture and sell products to Oregonians should have a role in how products are managed at the end of their usable life. Equity and community partnerships are also centered in our guiding principles because we believe the reuse, repair, and recycling economy should benefit everyone, including communities of color and rural areas. These principles and our drive to serve our communities are why AOR opposes HB 4030 and the -1 amendments.

AOR opposes HB 4030 and the -1 amendments because if passed it would create an untenable implementation challenge for the Recycling Modernization Act. HB 4030 and its -1 amendments would exempt berry clamshells, noncompostable meat packaging, and packaging that is used in business-to-business transactions. If granted these exemptions would be difficult to implement and create an unlevel playing field for different packaging uses.

Berry clamshells are substantially similar in material and use to clamshell containers that may contain other products, for example bakery products. Exempting portions of a material type (PETE Thermoform with hinged lids, or clamshells) based on what product they once contained would be challenging to implement from a recycling acceptance list and producer fee standpoint and it *raises questions of fairness and practicality*. How would a producer responsibility organization calculate the cost to manage clamshell containers on the system? Would other producers have to pay for the management of clamshell containers that are exempted? Would the public be educated to know which type of clamshell to recycle? Similar challenges arise from the protein packaging exemption, other products are packaged similarly – highlighting the challenge of identifying an exemption based on what the packaging contained.

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We understand some of the challenges associated with business-to-business packaging. In some circumstances it makes sense to exempt certain business-to-business packaging – for example industrial scale totes, super sacks, gaylord shipping containers, and other industrial product packaging that is managed outside of the regular garbage and recycling collection system. However, business-to-business packaging may include common material like cardboard boxes and shrink wrap, much of which will end up in the regular garbage and recycling system.

Exemptions for specific material and/or business-to-business packaging should be managed through rulemaking and the existing Recycling Modernization Act exemption request process. In fact, on January 27, 2026, the DEQ convened the second meeting of a rulemaking advisory committee meeting to discuss “exemptions from ‘covered product’ definitions” which included discussions of certain business-to-business packaging formats used exclusively in the industrial and manufacturing process. AOR members believe these discussions should remain in rule making and existing exemption processes – not a legislative short session packed with critical issues for Oregonians.

In closing, AOR members strongly believe that exemptions to the Recycling Modernization Act should be managed carefully and through currently legislated processes. HB 4030 would overstep that process and set up an unfair playing field for packaging and product manufactures and result in implementation difficulties. Please join AOR members in opposing HB 4030 and its -1 amendments.

Sincerely,

Joel Schoening

Chair, Association of Oregon Recyclers

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