



February 9, 2026

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

RE: HB 4030 – Exempting certain types of packaging from producer responsibility requirements for packaging, paper, and food serviceware – Oppose

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

The City of Portland has been a strong proponent of the Oregon's Plastic Pollution and Recycling Modernization Act (RMA), which was passed to ensure that packaging producers share responsibility for the cost to community members and the environment of the lifecycle of their products. Exempting packaging items from the RMA introduces the possibility of confusion for Oregonians, shifts the burden of managing these materials back onto Oregon communities, and undermines the goals and principles of the RMA. Broad coverage of packaging is critical if the system is to be successful and cost-effective, and exemptions should be vetted more systematically and transparently.

Packaging exemptions would increase costs to Oregonians and producers still in the program.

- These proposed-to-be-exempted items will benefit from the recycling infrastructure and consumer education under the RMA, but would not be required to pay their fair share. The practical effect of these amendments would be to arbitrarily subsidize these packages at the cost of others.

The packaging proposed to be exempt under HB 4030 and the -1 amendment are not complete material categories

- For example, 'clamshell' packages used for berries use the same plastic used for tomatoes, leafy greens, baked goods, and *many* non-food products. Exempting only some of this type of packaging could create significant operational challenges, confusion, complicate compliance and generally undermine the RMA.



The RMA's process for exemptions makes bills like this unnecessary

- Oregon has a pathway for evaluating exemptions through an open and transparent regulatory rulemaking process that helps ensure consistency. Some materials are being considered for exclusion via this process. If there are concerns with this approach, improvements to the standardized exemption process would be more consistent and make more sense than favoring some producers in statute while others use the regulatory process the legislature created.

Small producers are exempt from paying fees

- To avoid undue burden on small businesses, small producers are already exempt from paying fees under the RMA. Small producers include: non-profit organizations, producers with revenue under \$5 million per year, and producers selling less than one metric ton of packaging in Oregon per year.

RMA producer fees are not duplicative

- Producer fees help cover the cost of properly sorting and marketing recyclable packaging. Those fees are not duplicative with the cost to purchase recycled content materials. Investments in collection and sorting at recycling facilities can have the effect of providing a cleaner, lower-cost feedstock.
- The RMA is designed to encourage producers to make better, less impactful packaging choices. Limiting exemptions helps ensure this incentive exists. Producer fees are lower for materials that are less costly to manage at end-of-life or have a lower environmental impact.

These proposed producer fees exemptions set a precedent that risks undermining the effectiveness of the RMA. They shift costs unfairly to the producers and consumers of other packaged food and goods, and undermine Oregon's effort to make recycling systems consistent and trustworthy. For these reasons, **the City of Portland opposes HB 4030 and currently proposed amendments -1, -5, and -6.** We respectfully ask that you allow the RMA to be implemented. If there are issues with the exemption process, that is the appropriate space for the legislature to focus its efforts.

Sincerely,



Eben Polk
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Bureau of Planning and Sustainability
City of Portland

