

Topic Paper: Fiscal and Racial Impact Statements

RMA Rulemaking 3: Prepared for Rulemaking Advisory Committee discussion – July 20, 2026

Summary of topic

As part of the rulemaking process, DEQ must present draft Fiscal and Economic Impact and Racial Equity Impact Statements for consideration by any Rulemaking Advisory Committee. The committee may provide verbal or written feedback to DEQ, and the input of the committee is incorporated into the final statements issued for Public Notice and Comment.

Questions for committee review and discussion are included later in this document. The Draft Fiscal and Economic Impact Statement is included as Attachment A to this document, and the Draft Racial Equity Statement is included as Attachment B.

Overview: Fiscal and Economic Impact Statement

The proposed rules are primarily amendments to current rules, which clarify and implement the 2021 Plastic Pollution and Recycling Modernization Act. In most cases, DEQ does not expect significant changes to the fiscal or economic impacts due to the proposed rules, except in seven proposals noted below.

Generally, the proposed rules would further clarify current obligations and operations. DEQ expects that the proposed rules could result in some general positive fiscal and economic impacts for all entities engaged in Oregon's recycling system. These general positive impacts would be seen in more efficient administrative processes and reduction of confusion that contributes to contamination and the costs of removing that contamination from materials collected for recycling.

DEQ expects that seven proposed rule elements may result in substantive fiscal or economic impacts, discussed in the Draft Fiscal and Economic Impact Statement:

1. OAR 340-093-0030: Definition for "effectively composted" (new rules)
2. OAR 340-090-0630 and 0640: Glass packaging (amendment)
3. OAR 340-090-0640 and 0650: Pressurized cylinders and aerosol containers (amendment)
4. OAR 340-090-0670 and OAR 340-096-0310: Responsible End Markets (amendment)
5. OAR 340-090-0720: Program Calendar (amendment)
6. OAR 340-090-0840: Covered Products (amendments)
7. OAR 340-090-0860: Producer Definitions (amendments)

Fiscal and Economic Impact Statement questions

1. Do the proposed rules appear to have a fiscal impact?
 - If so, what is the extent of the impact?
 - If so, are the impacts generally positive or negative, and to whom?

2. Would the proposed rules have a significant adverse impact on small businesses?
 - If so, how can DEQ comply with [ORS 183.540](#) to reduce that impact?

Overview: Racial Equity Impact Statement

ORS 183.335(2)(b)(F) requires state agencies to provide a statement identifying how adoption of this rule will affect racial equity in this state. DEQ expects that the proposed rulemaking will not significantly modify the racial equity outcomes previously discussed in the 2023 and 2024 RMA rulemakings.

In addition to the Racial Equity Impact Statement, DEQ must assess if, and how, the proposed rules would affect the agency's Environmental Justice goals. Many of the elements in the proposed rules are clarifications or adjustments, and DEQ does not expect those proposed changes to result in significant benefits or burdens for communities with environmental justice concerns. In Attachment B, DEQ does outline several proposed rules that could have implications for environmental justice-related outcomes, both negative and positive. DEQ also describes its actions taken to incorporate EJ analysis into the development of the proposed rules, and steps to be taken by the agency for the remainder of the rulemaking process.

Racial Equity Impact Statement questions

1. Do committee members agree with DEQ's assessment that the proposed rulemaking would not result in significant modifications to the racial equity outcomes of the 2023 and 2024 RMA rulemakings?
2. Do committee members have recommendations on other racial equity or environmental justice considerations DEQ should assess, or actions to take, prior to issuing notice for public comment on the proposed rules?

Contact

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