State of Oregon
DEQ Department of Environmental Quality

Recycling Modernization Act Updates 2026
Draft Racial Equity Statement

Racial equity

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 described in the 2023 and 2024 RMA rulemakings.

Environmental justice considerations and analysis

ORS 182.545 requires natural resource agencies to consider the effects of their actions on environmental justice issues. Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, culture, education or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies. DEQ is committed to incorporating environmental justice best practices into its programs and decision-making, to ensure all people in Oregon have equitable environmental and public health protections.

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. However, in evaluating the proposed rules in the context of environmental justice, DEQ notes the following:

- The proposed amendments related to the collection obligations for pressurized cylinders and aerosol canisters are likely to result in inconsistent access to recycling for these materials in many areas of Oregon. The areas of the state most likely to have better access for people wishing to recycle these materials will be centered on higher-population and more urban areas with current access to transfer stations and hazardous material drop-off centers. More rural and remote areas of the state may not elect to accept these materials due to a lack of current infrastructure for management and transport. The inconsistency is not inherently one of environmental justice; however, DEQ will consider if communities with environmental justice concerns are being underserved by this proposed change as part of the ongoing program review and evaluations of the RMA Equity Study and general rulemaking updates.
- Similarly, the proposed amendments related to the collection of glass packaging could result in some inconsistency of recycling services for these materials. While many communities have shown a strong commitment to the collection of glass packaging regardless of financial incentives available, the proposed changes could result in some communities reducing their on-route services or making other changes based on local

operational needs. In many instances, the communities that discontinue or reduce service are likely to be those that are more rural or farther from the end markets for glass packaging, which also tend to be lower-income than the state average.

- The proposed amendments to the eligibility requirements for depots and drop off sites that wish to contract with the PRO is likely to correct an inadvertent exclusion of Tribal governments from equitable benefits of the RMA. The proposed change is likely to provide increased access to funding, through contracting for services, at depots and drop off sites operated by, or at the direction of, a Tribal government.

For this rulemaking, DEQ took the following steps to ensure better opportunity for meaningful engagement by the people and communities disproportionately affected by environmental justice issues associated with recycling:

- Appointing one member of the 11-person Rulemaking Advisory Committee with specific expertise related to environmental justice
- Holding a time-certain public input opportunity at each of the five Rulemaking Advisory Committee meetings where any person could provide verbal testimony to the committee and DEQ on any RMA rulemaking-related topic

Prior to issuing public notice and draft rule language, DEQ will request staff-to-staff engagement with the nine federally recognized Tribes operating in Oregon, specific to the proposed changes for PRO convenience standards related to contracting for drop off and depot sites at facilities operated by, or at the direction of, a Tribal government.

DEQ will include language access information on all public notices related to hearing and comment opportunities, to ensure people who speak and read languages other than English have equitable access to the rulemaking information and opportunities to comment. If a person requests translation or interpretation services for written materials or meetings, including the rulemaking hearing, DEQ will make all reasonable efforts to provide those services in a timely manner.

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities.

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