

HB0248/690010/2

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 248

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Montgomery” and substitute “Montgomery, Holmes, Levi, Stein, and V. Clagett”; in line 2, strike “Required Deposits on Returnable Beverage Containers” and substitute “Strategies to Reduce Solid Waste”; strike beginning with “Required” in line 3 down through “State” in line 4 and substitute “Strategies to Reduce Solid Waste”; strike beginning with the second “requiring” in line 6 down through “State” in line 7 and substitute “the management of solid waste processes in the State and strategies for reducing, reusing, and recycling waste material”; and strike beginning with “Required” in line 12 down through “State” in line 13 and substitute “Strategies to Reduce Solid Waste”.

AMENDMENT NO. 2

On page 1, after line 13, insert:

“Preamble

WHEREAS, From 1960 to 2007, the amount of solid waste material that Americans discarded increased from 2.7 pounds per person per day to 4.6 pounds per person per day. This represents 254.1 million tons of discarded household trash a year. Of this amount, 63.3 million tons were recycled, 21.7 million tons were composted, 31.9 million tons were burned, and 137.2 million tons were placed in landfills; and

WHEREAS, Landfills in Maryland and around the nation are rapidly filling, with local residents increasingly reluctant to support new landfills or expand existing ones; and

(Over)

WHEREAS, The United States Environmental Protection Agency estimates that all current landfills will be full in 20 years; and

WHEREAS, The use of landfills may be contributing to a wide range of environmental problems, including climate change as a result of the release of carbon dioxide and methane from organic materials placed in the landfills and pollution of neighboring lands and waters; and

WHEREAS, The use of incinerators also has negative environmental consequences as gases are released and other waste materials are generated; and

WHEREAS, It has been estimated that reducing or eliminating just the amount of organic waste placed in landfills could produce a reduction in greenhouse gases equal to the closing of more than 20% of the coal-fired power plants now in use; and

WHEREAS, Communities truck and ship solid waste ever greater distances, encroaching on rural communities and generating increasing amounts of pollutants and greenhouse gases, including the trucking of some Maryland waste to Virginia and other states; and

WHEREAS, Recycling and reuse can reduce environmental impacts by lessening the need for incinerators and landfills and by reducing the amount of energy required to produce goods used by business and consumers; and

WHEREAS, The failure to reuse materials to the maximum extent possible increases the long-term economic and environmental costs to consumers and

businesses as scarce raw materials and energy are used to replace products that can be recycled; and

WHEREAS, The economic and environmental costs of end-of-life disposal of the products we consume are real and often substantial. These costs should be considered when we examine decisions related to the production, distribution, sale, and ultimate disposal of products. These issues are particularly acute for products where potentially hazardous or environmentally damaging materials are associated with the manufacturing of the product, its packaging, and disposal; and

WHEREAS, There remain serious questions about the efficacy of current approaches towards recycling and reuse, especially in regard to the best way to recycle particular product categories, including questions related to the recycling of beverage containers, glass, plastic, and organic matter; and

WHEREAS, There has been considerable progress in identifying new approaches to the recycling of particular product categories, as well as alternative ways to handle the solid waste stream since this subject was last examined in any detailed way; and

WHEREAS, The potential may exist for the use of waste products to generate energy in an environmentally friendly manner; and

WHEREAS, There is a need for a comprehensive strategy when it comes to reducing the solid waste stream, and the strategy should include an examination of ways to reduce solid waste at every stage of the product life cycle, as well as reuse, recycling, composting, increased producer responsibility, and the exploration of alternative uses for different parts of the waste stream; and

(Over)

WHEREAS, There is considerable evidence that many of these strategies can also create new businesses and jobs and support the creation of new markets and industries in the State; now, therefore,.”

AMENDMENT NO. 3

On pages 1 and 2, strike in their entirety the lines beginning with line 16 on page 1 through line 29 on page 2, inclusive, and substitute:

“(a) There is a Task Force to Study Strategies to Reduce Solid Waste.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of the Environment, or the Secretary's designee;

(4) a representative of a county government, appointed by the Executive Director of the Maryland Association of Counties;

(5) a representative of a municipal government, appointed by the Executive Director of the Maryland Municipal League;

(6) a representative from the Product Stewardship Institute, appointed by the Executive Director of the Institute; and

(7) the following members, appointed by the Governor:

(i) three representatives of different businesses that specialize in the handling of solid waste;

(ii) one representative of the Maryland Environmental Service;

(iii) one representative of the farming community;

(iv) one representative of retail industry;

(v) one representative of the bottling and beverage industry;

(vi) two representatives who are involved in the business of recycling; and

(vii) three representatives of the public.

(c) The Governor shall designate the chair of the Task Force.

(d) The Department of the Environment shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) make a comprehensive examination of solid waste management processes, including:

(i) the present practice for the disposal of waste materials, including an examination of the current condition of the State's landfills, the use of incinerators, and the effectiveness of recycling and reuse efforts;

(ii) the effectiveness of the Maryland Recycling Act (MRA) and the Waste Diversion Rate, as well as the use and potential for expanding the State Recycling Trust Fund;

(iii) waste management and environmental issues arising out of specific categories of waste, including glass, plastics, metals, organic matter, construction debris, packaging waste, electronics, and hazardous and potentially toxic substances;

(iv) strategies being used elsewhere to reduce waste and its related environmental consequences through product design and alternative packaging, delivery, and disposal mechanisms;

(v) ways to encourage producer and manufacturer responsibility in the waste management process, including an examination of the potential of "Product Stewardship" initiatives underway at the national and local level;

(vi) alternative recycling and reuse strategies, and a comparison of the climate and environmental impacts of the strategies, focused on specific products, including yard waste, beverage containers, plastic bags, glass, hazardous household waste, electronics, paint, oil filters, chemicals, pharmaceuticals, batteries, tires, appliances, carpeting, and unused building materials;

(vii) the possibility of using different kinds of waste material to generate energy in safe and environmentally friendly ways;

(viii) alternative uses for waste materials generated from agricultural and manufacturing processes, as well as from household and governmental actions; and

(ix) the overall environmental impacts of different strategies and approaches toward handling the solid waste stream, including efforts to reduce those impacts at earlier stages of the product lifecycle;

(2) identify the components of a comprehensive, cost-effective Statewide Waste Stream Reduction Plan and identify specific suitable goals for reducing the State's various waste streams the lowest possible levels;

(3) identify components for a strategic plan that will transition the State away from environmentally harmful ways of disposing of waste and toward ways that minimize the size of the waste stream and its economic and environmental costs;

(4) determine the financial and operational components that must be part of our waste stream reduction strategy at the State and local level;

(5) examine ways in which the costs associated with different parts of the waste stream can more properly be allocated to those responsible for creating the wastes involved, including "pay as you throw" charging and variable waste disposal fees; and

(6) examine ways the costs associated with the waste stream can be reduced or mitigated through the creation of new markets focusing on the recycling and reuse of materials.

(g) (1) On or before December 31, 2009, the Task Force shall provide an interim report on its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

(2) On or before December 1, 2010, the Task Force shall provide a final report on its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”.

On page 2, in line 31, strike “7 months” and substitute “2 years”.

On page 3, in line 1, strike “December 31, 2009” and substitute “May 31, 2011”.