

HOUSE BILL 1146

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By: **Delegate Hill**

Introduced and read first time: February 8, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Office of Recycling – Mattresses and Box Springs**

3 FOR the purpose of requiring a county to include, in a certain recycling plan by a certain
4 date, a certain plan for decreasing the number of mattresses and box springs
5 disposed of in landfills; requiring the Office of Recycling within the Department of
6 the Environment to provide to local communities certain encouragement,
7 information, and examples relating to certain programs that divert mattresses and
8 box springs from disposal in landfills and incinerators; requiring the Office, in
9 coordination with the Maryland Environmental Service, to include in a certain report
10 certain information relating to the progress made in the State on diverting
11 mattresses and box springs from disposal in landfills and incinerators; requiring the
12 number of mattresses and box springs disposed of in landfills in the State to be
13 reduced by a certain percentage by certain years; prohibiting a person from burning
14 or incinerating a mattress or box spring for certain purposes; requiring the
15 Department, in coordination with certain entities, to report to the General Assembly
16 on or before a certain date; requiring the Department to report a certain update to
17 the General Assembly on or before a certain date each year; and generally relating
18 to the disposal of mattresses and box springs in the State.

19 BY repealing and reenacting, with amendments,
20 Article – Environment
21 Section 9–505(a)(18) and (19) and 9–1702(d) and (e)
22 Annotated Code of Maryland
23 (2014 Replacement Volume and 2020 Supplement)

24 BY adding to
25 Article – Environment
26 Section 9–505(a)(20) and 9–1715
27 Annotated Code of Maryland
28 (2014 Replacement Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, without amendments,
2 Article – Environment
3 Section 9–1702(a)
4 Annotated Code of Maryland
5 (2014 Replacement Volume and 2020 Supplement)

6 Preamble

7 WHEREAS, In the United States, it is estimated that approximately 20 million
8 mattress units are disposed of annually; and

9 WHEREAS, Mattresses and box springs deplete limited landfill space, create
10 flammable air pockets, damage equipment used at landfills, contribute to air pollution
11 when incinerated, contain nonbiodegradable synthetic foam and fibers and hazardous
12 flame–retardant chemicals that can leach into the drinking water, and contribute to
13 roadside litter when dumped illegally; and

14 WHEREAS, Mattresses and box springs pose practical challenges inherent to
15 disposal because mattresses and box springs are bulky and not easily compacted, making
16 transport and disposal inefficient; and

17 WHEREAS, Programs to address the disposal of mattresses and box springs that are
18 good for the environment and good for the economy have been implemented successfully in
19 other jurisdictions, including programs implemented through nonprofit organizations with
20 expertise in social enterprises; and

21 WHEREAS, St. Vincent de Paul Society of Lane County, Oregon, operates three
22 mattress recycling facilities, employs more than 500 individuals, including disadvantaged
23 individuals, diverts 17.8 million pounds of reusable and recyclable material annually from
24 landfills, and generates revenue that supports its social mission; and

25 WHEREAS, Under Executive Order 01.01.2017.13, Maryland has committed to
26 sustainable materials management practices, which use and manage materials as
27 efficiently and sustainably as possible; and

28 WHEREAS, According to Executive Order 01.01.2017.13, through source reduction,
29 reuse, and recycling, Maryland can extend existing disposal capacity, reduce the need to
30 construct new or expanded solid waste disposal facilities, conserve natural resources, and
31 support a productive economy through recovery of valuable resources; and

32 WHEREAS, According to Executive Order 01.01.2017.13, studies have shown that
33 diverting materials from disposal to reuse, recycling, and composting results in more jobs
34 and a more sustainable economy; and

35 WHEREAS, Executive Order 01.01.2017.13 establishes as the policy of the State that
36 solid waste and recycling should seek, among other things, to minimize the environmental
37 impacts of materials management over the materials' entire life cycles; and

1 WHEREAS, Implementing policies for mattresses and box springs is consistent with
2 existing State policy; and

3 WHEREAS, Providing examples of mattress and box spring recycling to Maryland
4 communities enables the consideration of environmental, economic, and social benefits in
5 addressing the disposal, collection, deconstruction, reuse, and recycling of mattresses and
6 box springs; now, therefore,

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
8 That the Laws of Maryland read as follows:

9 **Article – Environment**

10 9–505.

11 (a) In addition to the other requirements of this subtitle, each county plan shall:

12 (18) For a county with a population greater than 150,000 according to the
13 latest Department of Planning projections, include a recycling plan by July 1, 2014 that:

14 (i) Provides for a reduction through recycling of at least 35% of the
15 county’s solid waste stream by weight or submits adequate justification, including economic
16 and other specific factors, as to why the 35% reduction cannot be met;

17 (ii) Provides for recycling of the solid waste stream to the extent
18 practical and economically feasible, but in no event may less than a 15% reduction be
19 submitted; and

20 (iii) Requires full implementation of the recycling plan by December
21 31, 2015; [and]

22 (19) For a county with a population less than 150,000 according to the latest
23 Department of Planning projections, include a recycling plan by July 1, 2014 that:

24 (i) Provides for a reduction through recycling of at least 20% of the
25 county’s solid waste stream or submits adequate justification, including economic and other
26 specific factors, as to why the 20% reduction cannot be met;

27 (ii) Provides for recycling of the solid waste stream to the extent
28 practical and economically feasible, but in no event may less than a 10% reduction be
29 submitted; and

30 (iii) Requires full implementation of the recycling plan by December
31 31, 2015; AND

32 **(20) BY DECEMBER 31, 2024, INCLUDE A PLAN FOR DECREASING THE**

1 **NUMBER OF MATTRESSES AND BOX SPRINGS DISPOSED OF IN LANDFILLS.**

2 9–1702.

3 (a) There is an Office of Recycling created within the Department.

4 (d) The Office shall:

5 (1) Assist the counties in developing an acceptable recycling plan required
6 under § 9–1703 of this subtitle and § 9–505 of this title, including technical assistance to
7 the local governments;

8 (2) Coordinate the efforts of the State to facilitate the implementation of
9 the recycling goals at the county level;

10 (3) Review all recycling plans submitted as part of a county plan as
11 required under § 9–505 of this title and advise the Secretary on the adequacy of the
12 recycling plan; [and]

13 (4) Administer the Statewide Electronics Recycling Program under Part IV
14 of this subtitle; AND

15 **(5) (I) ENCOURAGE LOCAL COMMUNITIES TO CONSIDER**
16 **IMPLEMENTING PROGRAMS THAT DIVERT MATTRESSES AND BOX SPRINGS FROM**
17 **DISPOSAL IN LANDFILLS AND INCINERATORS AS A BENEFIT TO THE ENVIRONMENT,**
18 **THE ECONOMY, AND SOCIAL VALUES;**

19 **(II) PROVIDE TO LOCAL COMMUNITIES THE MOST UP–TO–DATE**
20 **INFORMATION ON LOCAL AND NATIONAL PROGRAMS FOR THE RECYCLING AND**
21 **REUSE OF MATTRESSES AND BOX SPRINGS; AND**

22 **(III) PROVIDE TO LOCAL COMMUNITIES FOR CONSIDERATION**
23 **EXAMPLES OF MATTRESS AND BOX SPRING RECYCLING PROGRAMS THAT CREATE**
24 **JOBS FOR:**

25 1. **UNEMPLOYED INDIVIDUALS;**

26 2. **HOMELESS INDIVIDUALS;**

27 3. **DISADVANTAGED YOUTH;**

28 4. **INDIVIDUALS WITH DISABILITIES;**

29 5. **INDIVIDUALS WHO WERE INCARCERATED IN A LOCAL,**
30 **STATE, OR FEDERAL CORRECTIONAL FACILITY; AND**

1 **6. OTHER DISADVANTAGED INDIVIDUALS.**

2 (e) Beginning on January 1, 1990, and biannually thereafter, the Office shall, in
3 coordination with the Maryland Environmental Service, study and report to the Governor
4 and, subject to § 2-1257 of the State Government Article, the General Assembly on:

5 (1) The availability of local, national, and international markets for
6 recycling materials;

7 (2) The identification and location of recycling centers, including an
8 analysis of existing recycling centers and the need to expand these facilities or construct
9 new recycling centers;

10 (3) Programs necessary to educate the public on the need to participate in
11 recycling efforts;

12 (4) The economics and financing of existing and proposed systems of waste
13 disposal and recycling;

14 (5) State procurement policies for the purchase of recycled materials;

15 (6) Programs necessary to reduce the amount of solid waste generated for
16 disposal by a State agency or unit;

17 (7) The liaison role with local governments, the federal government, and
18 the private sector;

19 (8) The percentage reduction in the amount of solid waste that has been
20 achieved by each county; [and]

21 (9) Economically feasible methods for the recycling of scrap automobile
22 tires, batteries, and white goods; **AND**

23 **(10) THE PROGRESS MADE IN THE STATE ON DIVERTING MATTRESSES**
24 **AND BOX SPRINGS FROM DISPOSAL IN LANDFILLS AND INCINERATORS.**

25 **9-1715.**

26 **(A) THE NUMBER OF MATTRESSES AND BOX SPRINGS DISPOSED OF IN**
27 **LANDFILLS IN THE STATE SHALL BE REDUCED BY:**

28 **(1) 15% BY 2026; AND**

29 **(2) 90% BY 2035.**

1 **(B) A PERSON MAY NOT BURN OR INCINERATE A MATTRESS OR BOX SPRING**
2 **AS AN ALTERNATIVE MEANS OF DISPOSAL.**

3 **(C) ON OR BEFORE DECEMBER 1, 2021, THE DEPARTMENT SHALL, IN**
4 **COORDINATION WITH THE OFFICE OF RECYCLING, THE DEPARTMENT OF**
5 **COMMERCE, THE MARYLAND DEPARTMENT OF LABOR, AND THE GOVERNOR'S**
6 **OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS, REPORT TO THE**
7 **GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT**
8 **ARTICLE, ON:**

9 **(1) HOW EACH COUNTY MANAGES MATTRESS AND BOX SPRING**
10 **WASTE;**

11 **(2) THE PROJECTED LIFE SPAN OF LANDFILL CAPACITY IN EACH**
12 **COUNTY;**

13 **(3) HOW THE LANDFILL CAPACITY WILL BE AFFECTED IF**
14 **MATTRESSES AND BOX SPRINGS WERE NO LONGER DISPOSED OF IN LANDFILLS;**

15 **(4) A COST BENEFIT ANALYSIS OF:**

16 **(I) A STATEWIDE VERSUS A COUNTY APPROACH FOR THE**
17 **MANAGEMENT OF MATTRESS AND BOX SPRING WASTE;**

18 **(II) THE EFFECTIVENESS OF DIVERTING MATTRESS AND BOX**
19 **SPRING WASTE FROM INCINERATION AND REFUSE TO RECYCLABLES AND REUSABLE**
20 **MATERIALS; AND**

21 **(III) THE POTENTIAL FOR A STATEWIDE PROGRAM VERSUS**
22 **COUNTY PROGRAMS TO:**

23 **1. PROMOTE INNOVATION AND INDUSTRY FOR**
24 **RECYCLING AND REUSE OF THE COMPONENT PARTS OF MATTRESSES AND BOX**
25 **SPRINGS;**

26 **2. PROMOTE WORKFORCE DEVELOPMENT, WITH A**
27 **FOCUS ON WORKFORCE DEVELOPMENT IN UNDERSERVED COMMUNITIES; AND**

28 **3. PROMOTE MARKETS FOR THE RECYCLABLES AND**
29 **REUSABLE MATERIALS THAT ARE DERIVED FROM THE COMPONENT PARTS OF**
30 **MATTRESSES AND BOX SPRINGS;**

1 **(5) A PROJECTION FOR THE TYPES OF JOBS THAT WOULD BE**
2 **CREATED UNDER A STATEWIDE PROGRAM AND COUNTY PROGRAMS;**

3 **(6) A RECOMMENDATION ON HOW TO IMPLEMENT A STATEWIDE**
4 **MATTRESS AND BOX SPRING RECYCLING PLAN;**

5 **(7) AN ANALYSIS ON THE USE OF GATE FEES AND ADVANCE**
6 **RECOVERY FEES, INCLUDING ANY DISADVANTAGES FOR IMPLEMENTING EITHER**
7 **FEE;**

8 **(8) HOW THE RECOMMENDED STATEWIDE PLAN WILL WORK TOWARD**
9 **THE GOAL OF REDUCING INCINERATION WASTE AND INCREASING RECYCLABLES;**
10 **AND**

11 **(9) AN ANALYSIS OF OTHER STATES' RECYCLING PROGRAMS,**
12 **INCLUDING:**

13 **(I) DR3 IN OAKLAND, CALIFORNIA AND EUGENE, OREGON;**

14 **(II) BYE BYE MATTRESS IN CALIFORNIA, CONNECTICUT, AND**
15 **RHODE ISLAND; AND**

16 **(III) SPRING BACK RECYCLING IN NORTH CAROLINA,**
17 **COLORADO, TENNESSEE, UTAH, AND WASHINGTON.**

18 **(D) ON OR BEFORE DECEMBER 1, 2022, AND EACH DECEMBER 1**
19 **THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN**
20 **ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, AN UPDATE**
21 **ON THE ITEMS REPORTED UNDER SUBSECTION (C) OF THIS SECTION.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2021.