



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

SB 222

March 29, 2023

TO: Members of the Environment and Transportation Committee and the Economic Matters Committee
FROM: Nina Themelis, Interim Director of Mayor's Office of Government Relations
RE: Senate Bill 222 – Environment – Reducing Packaging Materials – Producer Responsibility
POSITION: SUPPORT

Chairs Barve and Wilson, Vice Chairs Stein and Crosby, and Members of the Committees, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 222.

SB 222 would require certain producers of packaging materials to individually, or as part of a producer responsibility organization, submit a certain packaging materials producer responsibility plan to the Maryland Department of the Environment (MDE) for review and approval. It would also prohibit a producer of certain packaging materials from selling, offering for sale, distributing, or importing certain packaging materials unless the producer, individually or as part of a producer responsibility organization, has an approved producer responsibility plan on file with MDE. SB 222 would require a producer responsibility organization to implement a producer responsibility plan within a certain amount of time after MDE approved the producer responsibility plan and establish a producer responsibility plan advisory council and authorizing a local government to request reimbursement from a certain producer that has an approved producer responsibility plan on file.

The City of Baltimore is supportive of SB 222. Baltimore's Less Waste, Better Baltimore (LWBB) plan includes recommendations for legislative actions that will help make progress toward the city's waste reduction goals. These recommendations include Extended Producer Responsibility (EPR) mandates passed at a state or federal level, product take-back programs passed at a state or federal level, and mandated recycled content (MRC) laws. SB 222 will play a part in meeting the recommendations put forth in the LBWW plan.

Baltimore provides single-stream recycling curbside services to residents, incurring costs of about \$ million a year. A reduction in packaging recyclables could decrease the volume of material the city collects for recycling, generating some savings on curbside collections expenses the City incurs. Under this legislation, Baltimore would be responsible for establishing a take-back program for covered materials. The City would require funds to set up and maintain such a program, as well as for any education or outreach materials required to facilitate the changes outline in the bill.

If, as a result of the passage of SB 222, small businesses are faced with higher producer costs, those small businesses could be negatively impacted. It is for this reason that the City also supports the provision that protects businesses with under \$1 million in revenue from the potential effect of the legislation. The State would need to research whether or not the fees and charges included in SB 222 would be passed down to small businesses. As a government entity, Baltimore City would be exempt from these fees. Additionally, the City could seek reimbursement for our recycling costs from the organizations covered under the provisions of the legislation.

For the above state reasons, the BCA respectfully requests a **favorable** report on SB 222.

*Annapolis – phone: 410.269.0207 • fax: 410.269.6785
Baltimore – phone: 410.396.3497 • fax: 410.396.5136
<https://mogr.baltimorecity.gov/>*