

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 850 (Delegate Hill, *et al.*)

Environment and Transportation and
Economic Matters

Solid Waste Management and Recycling – Mattresses and Box Springs

This bill makes several changes related to county solid waste management and recycling plans that generally relate to diverting mattresses and box springs from disposal in landfills and incinerators. Among other things, the bill requires counties to update their county recycling plans by October 1, 2019, to include a strategy for managing the disposal of mattresses and box springs. The bill also establishes new reporting requirements related to the disposal, recycling, and reuse of mattresses and box springs for the Maryland Department of the Environment (MDE) and the Department of Commerce.

Fiscal Summary

State Effect: MDE can review county plans, and MDE and the Department of Commerce can fulfill the bill’s reporting requirements, with existing budgeted resources. There is no impact on revenues.

Local Effect: Local expenditures increase, potentially significantly, for some jurisdictions to revise county plans and to implement new mattress disposal and recycling programs. Any impact on local revenues is unknown. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Potential meaningful.

Analysis

Bill Summary:

County Solid Waste Management and Recycling Plans

By July 1, 2019, each county plan must designate an appropriate county agency to be responsible for creating a workable plan to (1) prevent specified illegal dumping of mattresses and box springs; (2) encourage and promote the expansion and development of businesses that repurpose and recycle solid waste for the purpose of creating jobs and meaningful activities for specified disadvantaged individuals; and (3) eliminate, as soon as possible, the disposal of mattresses and box springs in landfills and incinerators.

Each county must revise its county recycling plan by October 1, 2019, to address the county's strategy for managing the disposal of mattresses and box springs, including methods for (1) eliminating the disposal of mattresses and box springs in landfills and incinerators, including the date by which the county proposes to achieve this method; (2) preventing the illegal dumping of mattresses and box springs; (3) collecting and deconstructing mattresses and box springs; (4) recycling mattresses and box springs; and (5) promoting related business and social programs, as specified.

Maryland Department of the Environment's Office of Recycling

The Office of Recycling within MDE is required to (1) encourage and facilitate local government and county programs that divert mattresses and box springs from disposal in landfills and incinerators and (2) collect and provide information on national and international programs for recycling and reuse of mattresses and box springs to the public and to local governments.

New and Expanded State Reporting Requirements

The bill adds to the existing biannual report that the Office of Recycling and the Maryland Environmental Service (MES) submit to the Governor and the General Assembly. In addition to the existing requirements, the report must also address (1) the availability of local, national, and international markets for recycling materials from deconstructed mattresses and box springs; (2) the activities initiated by the Office of Recycling pursuant to the bill; and (3) the progress made in the State on diverting mattresses and box springs from disposal in landfills and incinerators.

By January 1, 2020, MDE must report to the General Assembly on several specified topics, including (1) the projected impact on landfill capacity in the State from diverting mattresses and box springs from disposal in landfills; (2) the projected costs and benefits associated

with diverting mattresses and box springs from disposal in landfills and incinerators and recycling and reusing mattresses and box springs; and (3) the dates by which each county proposes to eliminate the disposal of mattresses and box springs in landfills and incinerators.

Also by January 1, 2020, the Department of Commerce must report to the General Assembly on the potential economic impact in the State for business growth and development and for job creation for specified individuals associated with diverting mattresses and box springs from landfills and incinerators and recycling and reusing mattresses and box springs.

Current Law:

Maryland Recycling Act

Maryland's recycling policy is guided by the Maryland Recycling Act, established by Chapter 536 of 1988, which sets mandatory recycling rates for State government and local jurisdictions in the State, as well as a voluntary statewide recycling goal of 60% by 2020. Each county (including Baltimore City) must prepare a recycling plan that addresses how the jurisdiction will achieve its mandated recycling rate. The plan must be submitted to MDE's Office of Recycling for approval when the jurisdiction submits its water and sewerage plan at least every 10 years. The plan must address a variety of topics associated with recycling, including methods to reduce the solid waste stream; the feasibility of source separation of the solid waste stream generated within the county; and the strategy for the collection, processing, marketing, and disposition of recyclable materials.

The Office of Recycling within MDE is required to submit biannual reports, in coordination with MES, to the Governor and the General Assembly on specified information related to recycling in Maryland. Beginning in 2009, MDE combined the *Maryland Waste Diversion Activities Report* and the *Solid Waste Managed in Maryland Report* into one report.

Executive Order 01.01.2017.13

In January 2017, Governor Hogan issued [Executive Order 01.01.2017.13](#) that addresses waste reduction and resource recovery in Maryland and rescinded Executive Order 01.01.2015.01, issued by Governor O'Malley, which established a "Zero Waste Plan" in Maryland. Among other things, Governor Hogan's executive order establishes that it is Maryland's policy that solid waste and recycling planning should, to the extent practicable, (1) minimize the environmental impacts of materials management over their entire life cycles, including from product design to production, consumption, and end-of-life management; (2) conserve and extend existing in-State disposal capacity

through source reduction, reuse, and recycling; (3) capture and make optimal use of recovered resources, including raw materials, water, energy, and nutrients; and (4) work toward a system of materials management that is both environmentally and economically sustainable in the long term.

Local Fiscal Effect: Local government expenditures may increase in fiscal 2019 and 2020 for some jurisdictions to revise their county solid waste management and recycling plans to incorporate a new strategy to manage the disposal of mattresses and box springs.

Local expenditures may also increase, potentially significantly, to implement new mattress and box springs' disposal programs, depending on the programs identified by the counties in their revised plans. For example, Calvert County advises that such a program may increase its costs by an estimated \$393,775 in the first year to hire two collection workers and to purchase collection equipment, and by an average of \$128,078 in future years for ongoing staff costs.

Additionally, depending on the number of mattresses and box springs diverted for recycling as a result of the bill, local transportation and recycling costs may increase, and local solid waste disposal costs may decrease. According to the Department of Commerce, costs to recycle mattresses are between \$5 and \$85 per mattress recycled. Increased collection opportunities may also reduce the illegal dumping of mattresses, thereby decreasing local expenditures. Finally, an increase in the recycling of mattresses and box springs may assist counties in meeting their mandatory recycling rates under the Maryland Recycling Act.

Any impact on local revenues from recyclable materials is unknown.

Small Business Effect: Small businesses engaged in mattress and box spring recycling or reuse may benefit from new business opportunities. Small businesses may also benefit from increased collection and end-of-life programs for the disposal of mattresses and box springs. Small businesses that sell or manufacture mattresses and box springs may incur additional costs related to end-of-life product management. Any impact on small businesses ultimately depends on the programs identified and implemented by counties in their revised county recycling plans.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Commerce; Maryland Environmental Service; Calvert County; Maryland Department of the Environment; Department of Legislative Services

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