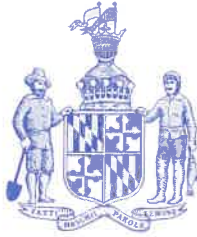


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February 11, 2020

TO: The Honorable Kumar P. Barve
Chair, Environment and Transportation Committee

FROM: Hannibal G. Williams II Kemerer
Chief Counsel, Legislative Affairs

RE: HB 179 – Maryland Recycling Act – Recyclable Materials and Resource
Recovery Facilities – Alterations (**SUPPORT**)

The Office of Attorney General urges this Committee to support HB 179. House Bill 179 repeals a county's authority to use one or more resource recovery facilities to achieve a 5% reduction in its solid waste mandatory recycling rates under the Maryland Recycling Act (MRA); excludes incinerator ash from the definition of "recyclable materials" for purposes of the Maryland Recycling Act, and repeals the definition of a "resource recovery facility."

House Bill 179 will encourage a reduction in solid waste efforts through a credit, which will in-turn, assist in achieving the statewide recycling goal of 60 percent by 2020, and reduce the harmful toxins associated with incinerator materials.

Under current law, "recyclable materials" means materials that (1) would otherwise become solid waste for disposal in a refuse disposal system, and (2) may be collected, separated, composted, or processed and returned to the marketplace in the form of raw materials or products. Incineration ash should not be included in this definition.

Incineration is a waste treatment technology that involves burning commercial, residential, and hazardous waste.¹ Although incinerator companies argue that incineration is economically friendly, and a safe alternative that allows for robust recycling programs, this is

¹ Ahmina Maxey, *What's Wrong with Burning Our Trash, Anyway?*, Conservation Law Foundation (May 14, 2018), <https://www.clf.org/blog/whats-wrong-with-burning-our-trash-anyway/>.



so.² Incinerator ash contains heavy metals and toxic compounds like dioxins, which leach into groundwater and rivers, and will likely be toxic for generations to come.³

For the reasons set-forth above, the Office of the Attorney General urges a favorable report of House Bill 179.

cc: Members of the Environment and Transportation Committee

² *Id.*

³ *Id.*