



# Maryland

## Department of the Environment

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary  
Horacio Tablada, Deputy Secretary

February 26, 2020

The Honorable Kumar P. Barve, Chair  
House Environment and Transportation Committee  
House Office Building, Room 251  
Annapolis, MD 21401

### **Re: House Bill 988 - Environment - Business Recycling Reporting Requirements**

Dear Chair Barve and Members of the Committee:

The Maryland Department of the Environment (MDE) has reviewed House Bill 988 entitled *Environment - Business Recycling Reporting Requirements* and we would like to provide information regarding this proposed legislation.

On or before March 1, 2021, and annually thereafter, the proposed legislation would require a nonprofit or commercial business (a “business”) that generated recyclable materials to submit to the county a recycling report that includes the following information: the amount, by weight, of solid waste generated; the amount and types of material recycled by the business; and other information required by the county. This information would be submitted to assist a county in preparing the annual report on solid waste and recycling for the preceding calendar year submitted to MDE as required under § 9-1705 of the Environment Article. The proposed legislation would establish penalties for a business that fails to comply with the reporting requirement and would authorize the county, municipality, or other local government to enforce the requirement. The proposed legislation would also amend existing law to require, rather than authorize, a county to require a property owner or manager of an apartment building, a council of unit owners of a condominium, or an owner or tenant of an office building to report recycling activities to the county.

Achieving more recycling and waste avoidance requires the participation of State and local governments, businesses, and individuals. To this end, Governor Hogan signed Executive Order 01.01.2017.13, Waste Reduction and Resource Recovery Plan for Maryland, reaffirming Maryland's commitment to waste reduction and recycling by emphasizing collaboration across State and local agencies, the private recycling sector, and citizens to establish and make meaningful progress towards waste diversion goals. The executive order also focuses on sustainable materials management. Sustainable materials management calls for reducing the environmental impact of the materials we manufacture, purchase, use, and manage throughout their entire lifecycle.

Under the Maryland Recycling Act, each county must plan for and achieve a minimum recycling rate of either 20 or 35 percent, depending on population. If House Bill 988 passes, the increase in business reporting would assist counties in meeting their mandatory recycling rates. However, some businesses, especially small businesses, may not presently collect the data required to be reported to

counties under this proposed legislation. Most businesses do not weigh the solid waste and recyclables that they generate and may not have data on recyclables broken down by material type. Businesses may need to obtain this information from their solid waste and recycling haulers, but haulers may not have the capability of providing this data for individual customers since material from multiple customers is typically combined in a truck and not weighed until the end of the route. It may be necessary for a business to estimate the weight of solid waste or recyclables generated based upon volume.

Several counties already require businesses to report their recycling activities to the county. Montgomery County requires all businesses to recycle and requires certain businesses to report their activities to the county. Prince George's County requires commercial and industrial property owners to provide exterior recycling receptacles at their properties and to annually report the amount of county-designated recyclable materials collected. Harford County has established an online form where business can voluntarily report their recycling data. Although most counties do not require businesses to report their recycling activities to the county, some businesses do so voluntarily. MDE has established an "Annual Business Recycling Reporting Survey" form that allows businesses to voluntarily report their recycling activities to their resident counties so that these efforts can be captured in the counties' recycling rates. MDE is in the process of converting this form to an electronic form to allow for online reporting to the counties.

Thank you for your consideration. We will continue to monitor House Bill 988 during the Committee's deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or by e-mail at [tyler.abbott@maryland.gov](mailto:tyler.abbott@maryland.gov).

Sincerely,



Tyler Abbott

cc: The Honorable Stephanie Smith  
Ms. Kaley Laleker, Director, Land and Materials Administration