



Maryland

Department of the Environment

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

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

March 17th, 2021

The Honorable Paul G. Pinsky, Chair
Education, Health, and Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, Maryland 21401

Re: House Bill 61 – Environment – Statewide Green Business Certification Program – Establishment

Dear Chairman Pinsky and Members of the Committee:

The Maryland Department of the Environment (MDE) has reviewed House Bill 61, entitled Environment – Statewide Green Business Certification Program – Establishment and would like to offer a letter of information.

After multiple discussions with the Sponsor last year regarding HB896, MDE ended up supporting the bill with amendments. In the interim, MDE made a good faith effort to follow through with the intent of the legislation, even if it the legislation did not pass. The Maryland Green Registry, which is managed by MDE and described below, has always encouraged member organizations to share their environmental certifications through their online member profiles by including it as a checkbox on the application form. In 2020, there were multiple efforts to reach out to businesses and encourage them to update their certifications on the Green Registry. In January 2021, however, the program aimed to raise the visibility of these certifications by launching Certification Central, a campaign which encourages members to share their certifications, not only through their profiles, but in one place, a webpage where visitors to the site can learn about the variety of certifications available and the businesses that have worked hard to achieve them. It is MDE's understanding that Montgomery County would like the Department to support certain certifications, but MDE does not wish to rank which certifications are more worthy than others. For this reason, MDE believes our obligations under this legislation have been met and that this bill is no longer needed.

To encourage and support businesses and other organizations that have taken voluntary steps to reduce their environmental footprint, MDE established a free statewide program in 2009 called the Maryland Green Registry (www.green.maryland.gov). It includes about 580 member organizations that maintain online member profiles describing at least five environmental best practices and a measurable result related to at least one of those practices. It offers an annual Leadership Awards program for members that demonstrate significant results and a clear commitment to continual improvement and a Leadership Circle designation for prior award winners that continue to achieve significant new results. Each year, the program reports the annual results of the full membership and in 2020, members saved 176 million kWh of electricity, conserved 198 million gallons of water, reduced 9.4 million vehicle miles travelled, reduced 6.5 million pounds of waste and saved over \$76 million through a wide variety of sustainable practices.

Transparency is a hallmark of the program. The member profiles are maintained on a public-facing

website and may be sorted by organization type and geographic area. If consumers wish, for example, to identify a printing company that has adopted green practices, they would use the search bar on the member table to bring up the list of printers and then review each company's environmental best practices as well as information about any independently-audited certifications they've earned along with their location, website and contact information. In addition, the Maryland Office of Tourism indicates in its VisitMaryland.org database which lodging, food services, and tourist attractions are Maryland Green Registry members and provides a link to their member profile.

The Maryland Green Registry is not a certification program; however, and does not require on-site verification. This was a deliberate decision when the program was created. There are a number of concerns as a regulatory agency in terms of MDE's ability to review non-regulatory matters at regulated facilities, enforcement of certification standards, and responding to fraudulent claims related to certification. In addition, a statewide certification program requiring on-site verification would require significant new funding, and/or a fee-based system and the use of independent auditors.

A number of credible, nationally and internationally recognized environmental certification programs are currently available and we encourage Maryland Green Registry members to participate in these programs and to include that information in their profile. These programs, which include B-Lab, ISO 14001, and USDA Organic among others are fee-based and include on-site verification and program support. Montgomery County's Green Business Program and Prince George's County Green Business Program both recognize businesses in their jurisdiction that are certified under these programs, an approach that eliminates many of the concerns listed above.

Thank you for your consideration. We will continue to monitor House Bill 61 during the Committee's deliberations, and I am available to answer any questions you may have. Please feel free to contact me at tyler.abbott@maryland.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Abbott", with a horizontal line extending to the left.

Tyler Abbott

cc: The Honorable Emily Shetty