

HB0807-ENV_MACo_SUP.pdf

Uploaded by: Butler, Alex

Position: FAV



House Bill 807

Task Force to Review and Update the Maryland Recycling Act

MACo Position: **SUPPORT**

To: Environment and Transportation
Committee

Date: February 17, 2021

From: Alex Butler

The Maryland Association of Counties **SUPPORTS** HB 807. The bill would establish a task force to review and update the Maryland Recycling Act (MRA), providing an avenue for sensible changes.

The MRA is an important piece of State policy that outlines waste diversion and recycling efforts at the state and local level. Periodic updates to the Act are important to maintaining the relevance and effectiveness of the policy. HB 807 establishes a well-balanced task force charged with examining the MRA for potential updates. The task force would be made up of representatives from state and local government as well as the waste industry.

In Maryland, county governments are the principal actors in achieving the State's recycling goals. Counties operate the entire range of solid waste facilities, including recycling centers and facilities. Counties actively promote to residents the importance of recycling, and deliver the collection infrastructure that enables widespread resident participation. Even as recycling programs globally face challenges with back-end markets and other system shocks from outside Maryland, it is county governments who lead Maryland's response to continue work toward our shared goals. HB 807 recognizes this central role, and brings county perspectives to these deliberations.

HB 807 outlines a practical approach to updating the Maryland Recycling Act. Accordingly, MACo urges the Committee to give HB 807 a **FAVORABLE** report.

The Maryland Recycling Network Response - HB807 T

Uploaded by: Houstle, Peter

Position: FAV



February 12, 2021

**To: Maryland House Environment and Transportation and Economic Matters Committees
Re: HB 807 Task Force to Review and Update the Maryland Recycling Act**

The Maryland Recycling Network promotes sustainable reduction, reuse and recycling (the 3 "R's") of materials otherwise destined for disposal and the purchase of products made with recycled material content. We achieve these goals through education programs, advocacy activities to affect public policy, technical assistance efforts, and the development of markets to purchase recycled materials and manufacture products with recycled content.

The Maryland Recycling Network (MRN) enthusiastically supports House Bill 807, sponsored by Delegate Sara Love. House Bill 807 calls for the creation of a 17 member task force to review and recommend updates to the Maryland Recycling Act by December 1, 2021.

Careful review of the Maryland Recycling Act, enacted in 1988, is most appropriate given the passage of 33 years. It is important to ensure the act is updated to embody the best of environmental objectives. Furthermore, MRN especially appreciates that House Bill 807 provides for an MRN representative to serve on the task force.

Finally, MRN thanks the House Environment and Transportation Committee, the full House and Senate for recently approving House Bill 164/Senate Bill 116 - Department of the Environment - Office of Recycling - Recycling Market Development. This correctly places market development at the center of Maryland's recycling efforts.

The Maryland Recycling Network stands ready to serve as a sounding board and resource for legislators and others interested in pursuing our mission. Please do not hesitate to contact me via email phoustle@marylandrecyclingnetwork.org, phone 301-725-2508 or mail - MRN, PO Box 1640, Columbia MD 21044 if you have any questions or would like additional information regarding the above.

We look forward to working with you to continue the strides we have all made to improve Maryland's recycling programs in a time- and cost-effective manner.

Sincerely,

Peter M. Houstle
Executive Director

HB0807_FAV_NWRA_TF to Review & Update MD Recycling

Uploaded by: Kasemeyer, Pam

Position: FAV

Maryland-Delaware Solid Waste Association

a chapter of the



**National
Waste & Recycling
AssociationSM**

Collect. Recycle. Innovate.

TO: The Honorable Kumar P. Barve, Chair
Members, House Environment and Transportation Committee
The Honorable Sara Love

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman

DATE: February 17, 2021

RE: **SUPPORT** – House Bill 807 – *Task Force to Review and Update the Maryland Recycling Act*

The Maryland Delaware Solid Waste Association (MDSWA), a chapter of the National Waste and Recycling Association, is a trade association representing the private solid waste industry in the State of Maryland. Its membership includes hauling and collection companies, processing and recycling facilities, transfer stations, and disposal facilities. MDSWA and its members **support** House Bill 807.

Recycling and waste management has been the focus of significant consideration by this Committee, specifically, and the General Assembly, generally, over the last few years. The commitment to enhance recycling in the State and address related issues regarding waste reduction and environmentally responsible processing and disposal have highlighted the fact that the Maryland Recycling Act has not recently been the subject of specific review and evaluation. The proposed Task Force and its charge may provide an avenue to address the objective of increasing recycling rates and/or better understanding the state of recycling in the State. MDSWA appreciates the sponsor's inclusion of the Association in membership of the Task Force and looks forward to working with the other stakeholders if the legislation is enacted.

For more information call:

Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
410-244-7000

Love Testimony_HB 807_DLH (004).pdf

Uploaded by: Love , Sara

Position: FAV



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

**Sponsor Testimony for HB 807 –
Task Force to Review and Update the Maryland Recycling Act**

Last interim I participated in the Chair's Workgroup on Waste & Recycling. The workgroup sent a survey to all the counties and Baltimore City; sixteen jurisdictions returned our survey. Many jurisdictions offered suggestions as to how to amend the Maryland Recycling Act (MRA) to give more flexibility to jurisdictions and to more accurately count the materials they collect. Among these suggestions were adding cooking oil, windshields, and construction & demolition debris to the MRA as materials that would count to a county's recycling rate.

Following the workgroup, Chair Barve, Workgroup Chair Lierman and I sent a letter to Secretary Grumbles laying out the amendments suggested by the jurisdictions. In his response, the Secretary laid out some of the challenges that adopting those amendments would pose. After talking with many stakeholders, we agreed that rather than amending the MRA in bits and pieces, it made more sense to establish a task force. This task force would consist of a number of stakeholders and will address amending the MRA in a holistic manner. One of the key questions the task force will address is: are we counting the right things? That is, are the materials that we are counting towards a recycling rate the materials whose collection will help the environment? This is a key question that must be answered by the stakeholders before we can add or subtract certain materials.

For these reasons, I respectfully request a favorable report.

HB0807-E&T-FAV.pdf

Uploaded by: Mehu, Natasha

Position: FAV



BRANDON M. SCOTT
MAYOR

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

HB 807

February 17, 2021

TO: Members of the Environment & Transportation Committee
FROM: Natasha Mehu, Director of Government Relations
RE: HOUSE 807 – Task Force to Review and Update the Maryland Recycling Act
POSITION: SUPPORT

Chair Barve, Vice Chair Stein, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** House Bill (HB) 807.

House Bill 807 would establish a Task Force to Review and Update the Maryland Recycling Act (MRA) which will report recommendations on or before December 1, 2022 to submit to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee. The task force will be made up by representatives from local government and the solid waste industry.

Under the Maryland Recycling Act (Maryland Environmental Article, Title 9-505), counties must produce a recycling plan that provides for a certain recycling rate of the waste stream by weight. For each county with a population over 150,000 which includes Baltimore City, the required recycling rate is 35%.

There are several reasons that it would be beneficial to update the Maryland Recycling Act. Updates could include improved metrics, perhaps incorporating the metrics that the Maryland Department of the Environment (MDE) identified in April 2019; could move beyond recycling to incorporate aspects of Executive Order 01.01.2017.13, Resource Recovery Plan for Maryland; and could move to the next level of waste reduction. An improved measurement system will better recognize waste diversion efforts and provide a more accurate picture of environmental efforts in Maryland.

Currently, Baltimore City, and other counties, spend staff time and resources to mail out hundreds of letters and e-mails to businesses requesting them to report their recycling activity for the year. Unfortunately, there is a low response rate to those requests. The reporting process is onerous for counties and businesses, and does not provide an accurate depiction of the recycling rate. The law to determine recycling rates is based on tonnages, even though the waste stream

has changed significantly in recent years. For example, electronic communications replacing newspapers and other print, and in an effort to decrease greenhouse gas emissions and other environmental impacts, light-weighting packaging and film pouches have replaced heavier glass jars and aluminum cans. In addition, the current law placed an emphasis on end-of-life management of materials and does not consider the impacts of waste prevention. It does not include many materials that are recycled and diverted, such as construction and demolition debris (C&D). Therefore, the State's recycling rate established by the MRA does not provide a full picture of recycling activity due to incomplete reporting, restrictions on the materials that are included as "MRA recyclables" and the use of the limited metric of tonnage.

As the conversation shifts to focus on waste reduction and the circular economy, it may be time to update the MRA to look beyond recycling and to incorporate these aspects. This legislation will give all stakeholders the opportunity to discuss and research ways to improve the Maryland Recycling Act in order to reassess the goals and determine how to better reach and measure those goals. The recommendations of the workgroup will provide potential improvements that could be made to the Maryland Recycling Act.

We respectfully request a **favorable** report on House Bill 807.

HB 807 - MoCo - DEP (GA 21).pdf

Uploaded by: Samman, Amy

Position: FAV



Montgomery County

Office of Intergovernmental Relations

ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

HB 807

DATE: February 15, 2021

SPONSOR: Delegate Love

ASSIGNED TO: Environment and Transportation

CONTACT PERSON: Amy Samman (amy.samman@montgomerycountymd.gov)

POSITION: Support (Department of Environmental Protection)

Task Force to Review and Update the Maryland Recycling Act

House Bill 807 establishes a task force to review and update the Maryland Recycling Act (MRA). The bill also requires the task force to report its findings and make recommendations to the General Assembly on or before December 1, 2021.

The Montgomery County Department of Environmental Protection (MCDEP) supports House Bill 807. MCDEP believes this is an important first step to understanding current recycling levels in the State and determining an up-to-date, clear definition of recyclables. This could promote recycling and assist in identifying market weaknesses and strengths to help develop further recycling programs.

For the foregoing reasons MCDEP supports House Bill 807 and respectfully requests a favorable Committee report.

HB0807_MDE_LOI.pdf

Uploaded by: abbott, tyler

Position: INFO



February 17, 2021

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

Re: House Bill 807 - Task Force to Review and Update the Maryland Recycling Act

Dear Chair Barve and Members of the Committee:

The Maryland Department of the Environment (MDE) has reviewed House Bill 807 entitled *Task Force to Review and Update the Maryland Recycling Act*. MDE is supportive of efforts that involve updating the MRA through collaborative efforts with counties, the private sector, and other stakeholders, and would like to share additional information regarding this bill.

House Bill 807 would establish the Task Force to Review and Update the Maryland Recycling Act (MRA). The bill would require MDE to establish and participate in the task force, which is charged with reviewing and making recommendations on how to update the MRA. On or before December 1, 2021, the task force would be required to report its findings and recommendations to several committees in the Maryland General Assembly. The Secretary of the Environment would be required to designate a chair for the task force, appoint several specified members, and participate or designate a MDE representative to participate on the task force. Additionally, MDE would be required to staff the task force. It should be noted that it may be difficult for MDE to convene the task force and for the task force to complete its review of the MRA, formulate recommendations, and write the final report in the 5-month period between July 1 and December 1, 2021.

The MRA serves as the primary law governing waste diversion in Maryland. In order to be considered an MRA material that counts toward a county's MRA recycling rate, the material must be defined as a "recyclable material" and be included in the "solid waste stream" definition under §9-1701 of the Environment Article. Recyclable materials is defined as those materials that would otherwise become solid waste for disposal in a refuse disposal system and may be collected, separated, composted, or processed and returned to the marketplace in the form of raw materials or products. Solid waste stream is defined as garbage or refuse that would, unless recycled, be disposed of in a refuse disposal system and includes organic material capable of being composted that is not composted in accordance with MDE's composting facility regulations. Solid waste stream does not include hospital waste, rubble, scrap material, land clearing debris, sewage sludge, or waste generated by a single individual or business and disposed of in a facility dedicated solely for that entity's waste. To capture additional materials in the calculation of the MRA recycling rate, the defined term "solid waste stream" would need to be amended to include those materials.

When questions arise under current law whether a material should count towards the MRA recycling rate, MDE uses the guidelines developed by the U.S. Environmental Protection Agency (EPA) and their *Measuring Recycling: A Guide for State and Local Governments* document. Except for certain reusable materials (*e.g.*, retread tires, refurbished pallets, etc.) and industrial materials that, if not recycled, would have been disposed of in a solid waste acceptance facility not dedicated solely for the management of that entity's waste, Maryland and EPA count similar materials in their recycling rates. However, EPA is presently working to update its methodology for measuring the national recycling rate as part of its goal to increase the U.S. recycling goal to 50 percent by 2030. EPA explained that this national goal will provide the benchmark to evaluate the success of collective efforts to improve the nation's recycling system. EPA is currently soliciting public comments to inform the methodology and identify key data points that the agency may include when calculating the national recycling rate as it relates to: sources of recyclable material; material streams; material management pathways; material destination; and other considerations.

Under the MRA, each county and Baltimore City are required to recycle either 20 or 35 percent of its waste depending on population size. The law also establishes a statewide waste diversion rate, which is defined as the sum of the MRA recycling rate plus a source reduction credit of up to 5 percent. Counties can earn a source reduction credit through activities designed to reduce the amount of waste going to the waste stream. If additional materials were used to calculate a county's MRA recycling rate, the mandated MRA recycling rates themselves would need to be increased. Failure to do so would make the current mandated rates of 20 and 35 percent serve little purpose in encouraging continuous improvement in recycling.

In 2017, the governor signed the executive order entitled *Resource Recovery Plan for Maryland*, which required MDE to consult with stakeholders and recommend to the governor, among other things, voluntary statewide goals to encourage continuous improvement in sustainable materials management. In making these recommendations, MDE sought to incorporate principles of the State's sustainable materials management policy, also established in the executive order. Goals and metrics that take a sustainable materials management approach should: consider the impacts of materials management throughout the entire lifecycle of products; be linked to the State's environmental goals; account for the differences in impacts from different types of materials; and seek to incorporate the most comprehensive data available. In 2019, MDE published its final goals and metrics recommendations, which establish voluntary goals to reduce per capita waste generation, statewide greenhouse gas emissions and energy usage related to materials management, and material-specific recycling rates.

Thank you for your consideration. We will continue to monitor House Bill 807 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.

Sincerely,



Tyler Abbott

cc: The Honorable Sara Love
Kaley Laleker, Director, Land and Materials Administration