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Committee: Environment and Transportation

Testimony on: HB0036 – Environment – Packaging, Containers, and Paper Products – Producer Responsibility

Position: Favorable

Hearing Date: February 9, 2021

Bill Contact: Delegate Brooke Lierman

DoTheMostGood (DTMG) is a progressive grass-roots organization with more than 2500 members who live in a wide range of communities in Montgomery and Frederick Counties, from Bethesda near the DC line north to Frederick and from Poolesville east to Silver Spring and Olney. DTMG supports legislation and activities that keep all the members of our communities healthy and safe in a clean environment. DTMG strongly supports HB0036 because it will help Maryland reach its greenhouse gas (GHG) reduction goals, which is critical in our fight against the existential threat of climate change, and will reduce pollution in our environment.

Climate change due to global warming caused by GHG emissions is already here in Maryland. Maryland has set GHG reduction and renewable energy goals to mitigate the effects of climate change. Reducing waste is one of the quickest, easiest, and most effective steps a community can take to reduce its GHG emissions and reduce pollution of the environment by waste plastic, paper, and other materials. Producer responsibility laws such as HB0036 create financial incentives to encourage manufacturers to design environmentally friendly products by holding producers responsible for the costs of managing their products at end of life.

Producer responsibility is based on the principle that manufacturers (usually brand owners) have the greatest control over product design and marketing and have the greatest ability and responsibility to reduce toxicity and waste. Producer responsibility engages manufacturers in the entire lifecycle of their products, including end-of-life disposal. A shift to producer responsibility is necessary to enable a circular economy, since only producers can make safer products in the first place. Producer responsibility shifts the cost of disposal from municipalities back to the producers. Producers that are responsible for managing their products at the end of their useful life have an incentive to design products that don't use toxic and polluting ingredients, even if safer substances are more expensive upfront, to use recyclable materials, and to design products for easy disassembly to retrieve the components that still have value when a product is no longer useful. Without this incentive, economics will encourage producers to use materials with the cheapest upfront costs and externalize the cost of safe disposal. This often results in the development of nonrecyclable products and products for which there are no truly responsible disposal options.

Recycling programs are managed and financed primarily at the local level, either funded by taxpayers or by user fees on households. By transferring the costs of recycling to the product manufacturers, producer responsibility policies like those proposed in HB0036 can help:

- provide more convenient recycling programs for residents
- improve recycling rates
- drive more environmentally sustainable products and packaging
- reduce costs to local governments.

Producer responsibility will be new in Maryland, but it is not new in the US and around the world. There were more than 115 EPR policies across 33 states in the U.S in 2019, up from fewer than 10 in 2001. These policies target 14 different types of products, focusing on bulky or hard-to-recycle materials, such as electronics, paint, mattresses, carpet, fluorescent lighting and pharmaceuticals. Producer responsibility policies and programs have been in place in Europe since the early 1990s and are well established in Europe, Canada, Japan, and South Korea for a wide range of products. In Europe many countries have PPP recycling rates above 70% or 80%., whereas the U.S. recycles only 50% of PPP materials and as little as 8% of plastics. Producer responsibility programs are even beginning to be implemented in less developed or emerging countries, particularly in Latin America and Asia. It's time for Maryland to get on the producer responsibility bandwagon.

Increasing our recycling rate will reduce GHG emissions, protect our air and water, and create jobs. Yet the investment needed to expand and improve our recycling system cannot and should not be solely the responsibility of local or state government or waste haulers. Consumer goods companies need to help finance recycling infrastructure, operations, and education programs to increase the recycling of their products and packaging.

Producers may be ready for this, too. TV commercials for the “every bottle back” campaign by Coca-Cola, PepsiCo, KeurigDrPepper, and the American Beverage Association (everybottleback.org) have recently begun airing in Maryland. This circular economy campaign encourages consumers to recycle plastic bottles with their caps so the companies can make new bottles without new plastic.

A producer responsibility policy for packaging and paper products in Maryland will provide the opportunity to create an efficient, financially sustainable collection system for recyclable materials such as plastic bottles, aluminum cans, glass bottles, cardboard, and printed paper.

Therefore, DTMG strongly supports HB0036 and urges a **FAVORABLE** report on this bill.

Respectfully submitted,

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