

BRIAN E. FROSH
Attorney General



ELIZABETH F. HARRIS
Chief Deputy Attorney General

CAROLYN QUATTROCKI
Deputy Attorney General

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

FACSIMILE NO.

(410) 576-7036

WRITER'S DIRECT DIAL NO.

(410) 576-6584

February 9, 2021

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

FROM: The Office of the Attorney General

RE: HB 280 – Maryland Recycling Act – Recyclable Materials and Resource
Recovery Facilities – Alterations – **Letter of Support**

The Office of Attorney General urges this Committee to support HB 280. House Bill 280 repeals a county's authority to use one or more resource recovery facilities to achieve a 5% reduction in its solid waste reductions and 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 280 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 2021, 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 should not be included in this definition.

Incineration is a waste treatment technology that involves burning commercial, residential, and hazardous waste.¹ Incinerator companies argue that incineration is economically friendly and a safe alternative that allows for robust recycling programs, but this is not the truth.²

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

² See *id.*

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 280.

cc: Members of the Environment and Transportation Committee

³ *See id.*