



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 280 – MARYLAND RECYCLING ACT – RECYCLABLE MATERIALS AND
RESOURCE RECOVERY FACILITIES – ALTERATIONS

TESTIMONY OF DELEGATE LORIG CHARKOUDIAN

FEBRUARY 9, 2021

Chair Barve, Vice Chair Stein, Members of the Environment and Transportation Committee and Members of the Economic Matters Committee:

Maryland is building the framework in the state to move us towards a future of zero waste. In order for the state to reach this goal, we need an accurate overview of how the state is currently reducing, reusing, or recycling our waste. HB 280 will give more clarity in our accounting and measurement process to help the state reach its zero waste goals.

According to the Maryland Department of the Environment, source reduction goals, also known as waste prevention or pollution prevention, is the elimination of waste before it is created. To help the State meet its annual Waste Diversion goal of 40%, Maryland created a source reduction credit system for use by its 23 counties and Baltimore City. The credit system that went into effect in 2000, acts as an incentive to counties to boost their waste diversion rate by up to 5%.¹

HB 280 will change the way statute is currently written to align with the goals behind source reduction. In current statute, it says:

- (s) “Resource recovery facility” means a facility in existence as of January 1, 1988 that:
 - (1) Processes solid waste to produce valuable resources, including steam, electricity, metals, or refuse-derived fuel; and
 - (2) Achieves a volume reduction of at least 50 percent of its solid waste stream.

- (d) A county that achieves a reduction of at least 5 percent in the volume of its waste through the utilization of 1 or more resource recovery facilities in operation as of January 1, 1988, shall be considered to have achieved a reduction by recycling of 5 percent of its solid waste stream.

¹ “Source Reduction,” Maryland Department of the Environment, accessed February 10, 2020, https://mde.maryland.gov/programs/LAND/RecyclingandOperationsprogram/Pages/source_reduction.aspx

This section was written into statute to accommodate the incinerator in Baltimore. However, according to the Environmental Protection Agency, burning for energy recovery does not constitute waste minimization². Since incineration is not consistent with the goals behind source reduction, HB 280 will remove that source reduction credit.

MOM's organic market, founded in Maryland, paid a premium price to a private broker to recycle plastic bags customers dropped off at their store. MOM's and their customers believed these bags were being recycled into other goods and products, but to their horror learned they were being burned at BRESKO for the entire length of their contract. The broker stated that Maryland's recycling laws allowed them to recycle in this way.

The Maryland Department of the Environment currently allows incineration ash to be counted towards a county's recycling goal³. HB 280 will remove incineration ash from being considered a recyclable material towards a county's recycling goal. Incineration ash represents a waste product from a waste disposal system, rather than recycling, which is designed to pull materials out of the disposal system and give them a new life.

HB 280 will help the state of Maryland achieve a more accurate accounting and measurement of waste reduction and recycling.

I respectfully request a favorable report on HB 280.

² "Energy Recovery from the Combustion of Municipal Solid Waste (MSW)," Environmental Protection Agency, accessed February 3, 2021, <https://www.epa.gov/smm/energy-recovery-combustion-municipal-solid-waste-msw>

³ "Maryland State, County and City Recycling," Maryland Department of the Environment, accessed February 10, 2020, <https://mde.maryland.gov/programs/LAND/RecyclingandOperationsprogram/Pages/recyclingrates.aspx>