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MAYOR

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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.