

February 2, 2022

Maryland General Assembly
Senate Education, Health and Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

Written Testimony in opposition of: Senate Bill No. 321:

Submitted by:
Stratton Kirton
Recycled Rubber Coalition

Dear Chair Pinsky, Vice Chair Kagan and members of the Education, Health, and Environmental Affairs Committee,

My name is Stratton Kirton and on behalf of the Recycled Rubber Coalition, I am writing in opposition to Senate Bill No. 321. Requiring synthetic turf producers to maintain responsibility for sold, installed fields from manufacture to final disposal is absurd, logistically burdensome, and completely misses the mark on encouraging responsible reuse and recycling of fields. In the end, if enacted, this bill would only result in needless complications and less available recreational spaces for Marylanders.

The Recycled Rubber Coalition is a group representing rubber recyclers, synthetic turf companies, and other groups with an interest in the rubber recycling industry. Our members have a history of operations in Maryland, including a number of turf fields in the state, and thus care deeply about what happens here and how it could affect Maryland.

The Recycled Rubber Coalition and the entire rubber recycling industry have made great strides promoting the reuse and recycling of rubber materials—and one of the materials rubber is frequently recycled into is synthetic turf. As an industry whose primary function is ensuring reuse, the recycled rubber industry greatly supports the synthetic turf industry's longstanding commitment to promoting the responsible reuse and recycling of turf fields. In recent years, the Synthetic Turf Council has released resources such as model programs and industry guidelines that would effectively encourage and support turf recycling—at a much lower risk to the taxpayer than the measures proposed in Bill 321. These guidelines, which can be used by field owners, school boards, athletic directors, government agencies, and municipal officials, outline best practices on proper disposal and reuse methods. To assist field owners and related groups, the guidelines break down exactly how each component of synthetic turf can be recycled or put into a secondary use. The industry has worked to educate customers on all their available options.

The chain-of-custody structure mandated by Bill 321 presents a number of serious complications, which will likely result in an abundance of "orphaned" synthetic turf fields and unnecessarily confusing jurisdictions. The chain-of-custody process currently outlined in Bill 321 places reporting and tracking responsibility on the producers of artificial turf, rather than field owners or companies who are contracted and paid to dispose of fields at the end of their life. With synthetic turf having a long lifespan of around 10 years or more, it's easy to imagine that some producers may end commercial operations during that time. This reality of industry would result in fields being "orphaned" by the time the field

needs to be replaced—with no clear responsible party. In addition to this complication, many synthetic turf fields are composed of materials sourced from multiple manufacturers, leaving companies unclear on how to assign ownership to a single party. Furthermore, the chain-of-custody mandated by this bill would not correctly track synthetic turf that has traveled out of state and then returned to Maryland, as there is no chain-of-custody reporting outside of Maryland. A clear, simple solution would be to assign these responsibilities to field owners or the companies hired to dispose of the fields. These parties would have more direct knowledge of the state of the field at the time of removal and be overall best-equipped to manage end-of-life processing. Further, owner responsibility would reduce the risk of "orphaned" fields as well as make chain-of-custody more straightforward.

A clear, simple solution would be to assign these responsibilities to field owners, or the companies hired to dispose of the fields. These parties would have more direct knowledge of the state of the field at the time of removal and be overall best-equipped to manage end-of-life processing. Further, by shifting responsibility to owners, the bill would ensure that turf owners retain their property and bargaining rights by enabling them to pursue recycling and reuse options for their fields at the end of their lifespans.

The needlessly complicated policies in Bill 321 could discourage schools and recreation departments from buying synthetic turf in the first place, leaving Maryland students, athletes, and residents worse off. The imposition of burdensome tracking responsibilities—and fear of future regulations—could quickly result in higher costs for the installation, maintenance, and disposal of turf fields in Maryland schools and parks, as turf manufacturers begin to pass tracking costs on to buyers. Turf owners, who purchased these fields with the knowledge they would someday need replacing, would likely be able to deal with these issues at lower costs than manufacturers. The increase in costs that would be associated with this bill could force school districts to opt out of upgrading to ADA-compliant, year-round turf fields, leaving Maryland children and athletes worse off.

In all, the Recycled Rubber Coalition remains dedicated to ensuring the responsible recycling and reuse of synthetic turf systems. While we unfortunately cannot support this bill, the Coalition would be happy, along with the Synthetic Turf Council, to provide counsel on future bills to encourage the recycling of synthetic turf, rubber, and related materials.

Thank you for your consideration.

Stratton Kirton

Spokesperson

The Recycled Rubber Coalition