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March 7, 2022

Delegate Kumar Barve, Chair
Delegate Dana Stein, Vice-Chair
House Environment & Transportation Committee
Maryland General Assembly
House Office Building – Room 251
Annapolis, Maryland 21401

RE: Support for HB 1226, Mattress Stewardship Program

Dear Chair Barve, Vice-Chair Stein, and Members of the Committee:

Thank you for the opportunity to submit testimony in support of HB 1226, which will create a statewide mattress stewardship program for Maryland with sustainable funding from producers. HB 1226 will improve collection convenience, increase the number of mattresses collected and recycled, create jobs (including for those with barriers to employment), and significantly reduce the financial burden on local governments, whose scarce funding (made scarcer by the COVID-19 pandemic) competes with other important municipal services, such as hiring teachers and firefighters.

California, Connecticut, and Rhode Island have reaped the benefits of their mattress extended producer responsibility (EPR) laws, which were passed in 2013 as a result of PSI's facilitation of a model EPR bill with input from government and industry stakeholders. Since implementation, these three programs have collected more than eight million mattresses from hundreds of cities, towns, solid waste facilities, landfills, and other entities such as retailers, hotels, and universities.

In the first year of its program, Connecticut:

- recycled 63.5 percent of the state's discarded mattresses, an increase from only 8.7 percent recycled in the prior year;
- recycled 2,800 tons of steel, foam, and other materials;
- saved 1.7 million cubic feet of landfill space; and
- saved greenhouse gas emissions comparable to annual emissions from 875 passenger vehicles.

Nationally in the U.S., fewer than five percent of mattresses are recycled annually even though up to 90 percent of mattress components can be recycled and used to make steel, carpet padding, animal bedding, and mulch. Much of this bulky waste ends up in landfills or is illegally dumped, imposing significant management costs on local governments and taxpayers. EPR programs generally provide a continuous flow of high-quality material to mattress renovators, recyclers, and

manufacturing operations, allowing long-term investments in local recycling and manufacturing facilities that use recycled mattress components as a feedstock for new product manufacturing.

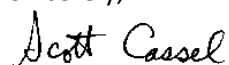
Although the three current mattress EPR laws have notably increased recycling, there are fundamental problems with the programs that we have identified since the first laws were passed eight years ago. These problems should not be repeated in Maryland. Based on our study of these programs and discussions with government officials who oversee them, PSI recommends the following changes to strengthen the bill:

- 1) **Ensure all mattresses, regardless of condition, are included in the program** as consumers pay a stewardship assessment on *all* mattresses purchased.
- 2) **Include provisions for penalties** for violation of the mattress stewardship law as a strong incentive to comply. Maryland's electronics EPR law includes penalties for manufacturers and retailers who fail to comply with the law.
- 3) **Require the Advisory Board to provide ongoing advice** on development and implementation of the program through review of program plans and annual reports. This provides continuing program transparency and an opportunity for local governments, mattress recyclers, environmental groups, environmental justice organizations, and other stakeholders to provide ongoing input into the program, which will enhance program effectiveness.
- 4) **Require retailers to provide educational materials**, developed and provided by producers, to consumers to increase public awareness about opportunities to collect and recycle mattresses through the program.
- 5) **Rather than a uniform assessment on all mattresses, require that the stewardship assessment be differentiated** to: (1) be fairer so that people buying mattresses that cost less to recycle (e.g., a simple mattress) pay less than those buying mattresses that cost more to recycle (e.g., large, multi-material mattresses with electronic gadgets); (2) incentivize use of post-consumer recycled content; and (3) incentivize the reduction of toxics and resources (e.g., energy and water) associated with mattress production. At a minimum, PSI suggests that the state oversight agency conduct a study (paid for by industry) to be completed within one year of bill enactment that would recommend how such a system could be put in place.

PSI is a national nonprofit organization committed to reducing the health, safety, and environmental impacts of consumer products with a strong focus on sustainable end-of-life management. With members from 47 state environmental agencies and hundreds of local governments, as well as 120 partners from companies, organizations, universities, and international governments, we promote product stewardship initiatives across North America.

Thank you for your consideration and strong leadership on this important issue. If you have any questions, please feel free to contact me at (617) 236-4822, or Scott@ProductStewardship.US.

Sincerely,



Scott Cassel

Chief Executive Officer / Founder

Cc: Delegate Terri L. Hill