

HB307 – Favorable With Amendments
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HB307 -Extended Producer Responsibility

House Environment and Transportation Committee

February 2, 2022

Position: Favorable with Amendments

Dear Chair Barve and Members of the Committee,

Thank you for this hearing. For the record my name is Neil Seldman and I am a solid waste and recycling analyst for the Institute for Local Self-Reliance, based in Washington, DC. I am here to urge a Favorable With Amendments vote for HB307.

Extended Producer Responsibility is an effective solution to our current unsustainable waste stream - assigning the responsibility for recycling and waste management where it belongs, on the producer creating the pollution problem. EPR is an important polluter pays principle. However, we are concerned that in its current form, HB307 creates a polluter controls policy. It creates a Producer Responsibility Organization (PRO), which would have the force of law in Maryland without the ability of citizens to have access to decision making at the local level: where the impact of the legislation will be felt the most.

Instead of creating a PRO, the packaging industry should be taxed with proceeds going to state and local government; forming a permanent source of revenue for local governments that will ease the burden of managing waste and recyclables produced by the packaging industry. Or, if a PRO is to be used, the control of it should be manifested in small and mid-sized businesses in Maryland, not national and international conglomerates.

In Hawaii, the legislature is considering an EPR bill by State Senator Laura Ocasio, that will sunset the tax surcharge after proper Zero Waste infrastructure is implemented. There is an EPR bill recommended by grass roots organizations and businesses in Oregon to have a PRO controlled by small and mid sized businesses. not national and international Fortune 500 companies. These alternative approaches should be considered.

Some states are also considering a municipal reimbursement EPR bill that has a PRO but the money raised by the PRO is sent to government agency(s) for distribution. This is the policy

approved by the National Recycling Coalition, Sierra Club and the Global Anti Incineration Alliance (GAIA).

The American Recycling Infrastructure Plan prepared by the National Recycling Coalition, Zero Waste USA and the Institute for Local Self-Reliance should be considered as resources for creating EPR programs.

ILSR has been and remains available to work with the legislature to develop a Zero Waste and economic development legislative structure for Maryland.

Thank you,
Neil Seldman