



March 7, 2022

To: House Environment & Transportation and Economic Matters Committees

Re: HB 1239 Environment - Plastic and Glass Products - Postconsumer Recycled Content Program

The members of the Maryland Recycling Network are involved in all aspects of recycling in Maryland. We are community and county recycling coordinators responsible for implementing and overseeing recycling programs, private sector companies that collect and process recyclables, agencies, non-profit organizations, and recycling activists. We promote the “3 R’s” of sustainable reduction, reuse and recycling of materials that are otherwise destined for disposal and the manufacturing and purchase of products made with recycled content. We achieve these goals through education programs, advocacy activities to affect public policy, technical assistance efforts, and recycling market development.

Our Legislation and Policy Committee members have direct experience operating recycling and composting programs at the county and municipal government level. They know the ins and outs of recycling in Maryland. Their experience informs our comments.

The MRN endorses HB 1239 as an important step forward in advancing recycling in Maryland. Markets are essential for the success of Maryland’s recycling programs. Last year the General Assembly took a major step forward with the passage of HB164 which created a recycling market development effort within MDE. We supported that effort and look forward to its successful implementation.

HB 1239 will aid last year’s successful legislation by requiring the use of recycled content in a number of plastic and glass packages and products. The requirements in the bill are achievable and will help to expand markets for the recyclables Marylanders put on their curbside.

We believe a standalone law, with specific targets and penalties, is essential to ensure that the producers of targeted plastic and glass packages and products take these requirements seriously and achieve them. Recycling cannot succeed without viable long-term markets. HB1239, in combination with HB164 from the last session, will help to provide the markets our curbside programs need.

We would suggest one amendment to replace Section 9-2409 Waivers with the following:

“The Department may grant a waiver pursuant to this section if the producer demonstrates, and the Department finds that:

(1) the producer cannot achieve the postconsumer recycled content requirements and remain in compliance with applicable rules and regulations adopted by the United States Food and Drug Administration, or any other State or federal law, rule, or regulation;

(2) it is not technologically feasible for the producer to achieve the postconsumer recycled content requirements;

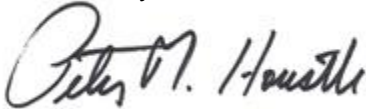
(3) the producer cannot comply with the postconsumer recycled content requirements due to inadequate availability of recycled material or a substantial disruption in the supply of recycled material; or

(4) the producer cannot comply for another reason as determined by the Department pursuant to rule, regulation, or guidance.”

The Maryland Recycling Network stands ready to serve as a sounding board and resource for legislators and others interested in pursuing our mission. Please do not hesitate to contact me via email phoustle@marylandrecyclingnetwork.org, phone 301-725-2508 or mail - MRN, PO Box 1640, Columbia MD 21044 if you have any questions or would like additional information regarding the above.

We look forward to working with you to continue the strides we have all made to improve Maryland’s recycling programs in a time- and cost-effective manner.

Sincerely,

A handwritten signature in black ink that reads "Peter M. Houstle". The signature is written in a cursive style with a large initial "P".

Peter M. Houstle
Executive Director