



**HoCoClimateAction.org**  
Howard County, Maryland

**Testimony in SUPPORT of – SB292, *Extended Producer Responsibility***

**Hearing Date: February 18, 2022**

**Bill Sponsor: Sen. Augustine**

**Committee: Finance**

**Submitting: Howard County Climate Action**

**Position: Favorable With Amendments**

HoCo Climate Action -- a 350.org local chapter and a grassroots organization representing more than 1,450 subscribers, and a member of the Howard County Climate Collaboration -- supports Extended Producer Responsibility with amendments.

Important amendments are needed to address potential concerns with a Producer Responsibility Organization. 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. It's absolutely necessary that producers, who are best positioned to understand the options for packaging and their associated environmental and financial costs for disposal, have a strong incentive to make socially responsible choices.

However, we must be sure this bill will actually achieve its intended purpose. We propose the following changes to make the bill stronger:

- More explicit goals should be stated in the legislation. Without stating precise targets in the legislation, we risk the possibility that the producer responsibility plans will not include strong enough goals.
- This bill should provide stronger enforcement mechanisms for producers who fail to achieve the goals in their producer responsibility plan.
- The legislation is unclear about what constitutes a single violation that incurs penalties. This ambiguity may lead to a very weak interpretation that has penalties which are much too small for the size of the corporations being regulated.
- The position of local governments should be strengthened in this bill. Producers should have limited time to reimburse local governments. After the time limit, late fees should be imposed.
- Members of producer responsibility organizations should not be voting members on the advisory board as it would be a conflict of interest – advisory position only.
- This legislation should ensure that there is sufficient public oversight.
- This legislation should prohibit non-profit producer responsibility organizations from using funds generated by this program for litigation.

We encourage a FAVORABLE report for this essential legislation.

HoCo Climate Action

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