

SB292– Favorable With Amendments
Neil Seldman
INSTITUTE FOR LOCAL SELF-RELIANCE
WWW.ILSR.ORG
nseldman@ilsr.org (202) 898-1610 x5210

SB292-Extended Producer Responsibility

Senate Finance Committee

February 17, 2022

Position: Favorable with Amendments

Dear Members of the Maryland Senate Finance 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 that the committee does not move SB0321 forward without necessary amendments. I have been an analyst of waste and recycling issues in the state of Maryland for many years and have worked for grassroots organizations and city/county agencies in Montgomery County, Frederick County, Carroll County, and Baltimore City.

The Bill needs improvement.

+ It fails to consider the consequences of giving extraordinary power to the companies that produce the waste, especially the petroleum/plastic industry. In CA and WA this type of bill failed for this reason. Legislators feared turning over public power to private global corporations. CA, TX, and federal bills deal with the crises of plastic and global warming by taxing plastic.

+ Bottle bills are better kept separate from EPR bills because EPR programs undermine bottle bills, as demonstrated in British Columbia, Canada. In that example, the Producer Responsibility Organization (PRO) makes more money from recycling even though bottle bills deliver cleaner materials. An independent bottle bill must have mandated refillables requirements: 10% by 2025; 25% by 2030; 50% by 2035.

+ The Bill lacks transparency and accountability.

+ There are no requirements for producers to reduce packaging or to redesign it to be more reusable, more recyclable, and less toxic.

+ There are no specific targets on reuse, recycling, and recycled content in the legislation, nor penalties for not reaching set goals. Investment funds must have quality control requirements to make sure investments are compatible with Zero Waste priorities.

The bill should be reconsidered. As you work on a new version of the bill I urge you to talk to Mary Lou Van Deventer, Urban Ore, Inc, British Columbia Bottle Depot and Recycling Association; Kristine Kubat, Recycle Hawaii, aide to HI State Sen. Laura Ocasio; Ruth Abbe, Zero Waste USA, Consultant; Martha Ainsworth, MD Sierra Club; Maggie Clarke, Manhattan, NYC Solid Waste Advisory Board. These experts have over 125 years of direct experience in waste and recycling management.

This group defines "wasting and recycling experts".

Ask them:

- Why are they opposed to PRO?
- Why are they opposed to putting bottle bills under the authority of PRO/EPR?
- Do they have suggestions for a better EPR bill?
- What would they do if the EPR bill failed? Is there an infrastructure investment plan?

Thank you for your time.

Neil Seldman