

BDC - 2023 - SB 782 - green procurement.pdf

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Position: FAV

To: Budget & Taxation Committee
From: Bioenergy Devco
Subject: Senate Bill 782, State Procurement - Purchasing Preferences - Compost, Mulch, and Soil Amendments and Recycled Aggregate
Position: Favorable
Date: March 7, 2023

Bioenergy Devco supports Senate Bill 782, State Procurement - Purchasing Preferences - Compost, Mulch, and Soil Amendments and Recycled Aggregate.

This testimony is offered on behalf of Bioenergy Development Company (BDC), the foremost providers of anaerobic digester solutions and is a pioneer in this sector. The core expertise of our company lies in planning, producing and constructing the plants. For over 20 years and more than 250 biogas plants, our qualified team of engineers, biologists, chemists, agronomists, designers and marketing experts has significant experience in the design, construction and operation of anaerobic digester power plants and thus offers expertise in service, consultation and biological support.

Bill Summary: Senate Bill 782 requires that a preference is made to products produced from municipal solid waste, food waste, sludge, yard waste, clean wood waste or other organic material provided it is of satisfactory quality and competitively priced. A product is competitively priced if the price of the product is not more than 10% above the price of a comparable product manufactured from virgin materials. Lastly, Senate Bill 782 allows the Maryland Green Purchasing Committee to determine that a 15% price differential is in the best interest of the State.

State Policy on “organic recycling”: “Organic recycling” is a renewable resource that can be used to make new products, thus eliminating the need for manufacturers to use nonrenewable resources. “Organic recycling” also reduces greenhouse gas emissions and toxic waste. The State of Maryland has rightly prioritized “organic recycling.” In 2019, the General Assembly passed House Bill 510 defining “organics recycling” as processes in which organic material are collected, separated or processed and returned to the marketplace in the form of raw materials or products. Practices like composting and anaerobic digestion are examples of “organic recycling.” Section 9-1701(n)(1) of the Environment Article.

Additionally, in 2021, the General Assembly passed HB 264/SB 483 Solid Waste Management – Organics Recycling and Waste Diversion - Food Residuals, requiring. Beginning January 1, 2023, commercial entities that generate more than 2 tons per week of food residuals and are located within 30 miles of an organics recycling facility are required to separate and divert food residuals away from final disposal in landfills and incinerators.

Concrete/Aggregates: Producing concrete in the U.S. requires mining billions of tons of natural aggregates each year. Mining for these aggregates is not environmentally friendly. Transporting the aggregates to concrete-production facilities after mining is costly, and it also produces an abundance of greenhouse gases as well. Using recycled aggregates for concrete production will not only help to conserve natural aggregate resources and limit greenhouse gas production but it will help the construction industry save money.

Digestate: Digestate produced from an anaerobic digester can be used an ingredient in soil blends, such as topsoil. This soil will then be used for a variety of purposes, including building parks and gardens, environmental restoration projects, and road construction projects.

Currently, state procurement offers Environmentally Preferable Products (EPP), which are products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. Such products or services may include, but are not limited to, those that contain recycled content, minimize waste, conserve energy or water, and reduce the amount of toxics disposed or consumed.

Similarly, this bill would allow State agencies the flexibility to use a percentage of their infrastructure projects on such aggregate and/or digestate material which is sound environmental policy.

For these reasons, Bioenergy Devco respectfully requests a favorable report on Senate Bill 782.

SB782 Hester Testimony.docx (1).pdf

Uploaded by: Katie Fry Hester

Position: FAV

KATIE FRY HESTER
Legislative District 9
Howard and Montgomery Counties

Education, Energy, and
Environment Committee

Chair, Joint Committee on
Cybersecurity, Information Technology
and Biotechnology



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony in Support of SB782 – State Procurement – Purchasing Preferences – Compost, Mulch, and Soil Amendments and Recycled Aggregate

March 7th, 2023

Chair Guzzone, Vice Chair Rosapepe, and members of the Budget & Taxation Committee, thank you for your consideration of SB782, which will increase our state’s procurement of certain recycled or organic materials.

Our state has a long tradition of promoting sustainable materials management since the 2014 establishment of the Maryland Green Purchasing Committee. In order to meet Maryland’s climate goals, however, the General Assembly must continue to build on this work. We still generate a lot of “waste,” but we have begun to view that waste for what it really is: a resource out of place. Sustainable materials management means using these resources as efficiently as possible throughout their lifecycle, and studies demonstrate that diverting these materials from disposal to reuse results in a faster growing and more resilient economic system.

Utilizing sustainable materials in the construction process is a powerful way to decrease our environmental impact. One area that is ripe for state procurement is compost, mulch, aggregate and other ground covers. When we purchase these materials we have a choice: if we choose recycled products as opposed to products made from virgin materials, we are simultaneously reducing landfill volumes *and* lowering greenhouse gas emissions

To this end, SB782 directs a state unit responsible for public land maintenance to give preference to products made from municipal solid, food, or yard waste, as well as a number of other recycled or organic materials, so long as they are competitively priced and of satisfactory quality. The bill defines “comparably priced” as not more than 10% above the cost of virgin material products, but permits an additional 5% preference margin if the Maryland Green Purchasing Committee determines that amount to be appropriate.

Furthermore, today you will hear from Maryland-based companies that these materials are being manufactured in the state - and by shifting our purchasing power we can work towards our environmental goals while supporting our local economy. This modest bill is an excellent,

win-win opportunity for the environment. **For these reasons, I respectfully request a favorable report on Senate Bill SB782.**

Sincerely,

A handwritten signature in black ink that reads "Katie Fry Hester". The signature is written in a cursive style with a large, stylized "K" and "H".

Senator Katie Fry Hester
Howard & Montgomery Counties

SB782_FAV_Montgomery County Food Council .pdf

Uploaded by: Michelle Caruso

Position: FAV



March 7, 2023

2023 SESSION SUPPORT TESTIMONY
SBo782: State Procurement for Soil Amendments

BILL: SBo782: State Procurement - Purchasing Preferences - Compost, Mulch, and Soil Amendments and Recycled Aggregate

COMMITTEE: Budget and Taxation

POSITION: Testimony in Support of Senate Bill 0782

BILL ANALYSIS: Requiring each unit of State government to give preference to certain products produced from recycled or organic materials when purchasing compost, mulch, and other soil amendments or recycled aggregate.

Dear Chair Guzzone and members of the Senate Budget and Taxation Committee:

The Montgomery County Food Council (MCFC) urges you to **SUPPORT** this bill to require units within State governments to give preference to compost, mulch, and other soil amendments that come from recycled or organic materials.

Through this bill the State of Maryland will be able to promote procurement of soil amendments that come from organic and recycled materials. This will promote the recycling and composting of organic materials by strengthening the market for the materials. To maintain competitive pricing, the material will be given preference if the price is not more than 10% above the price of a comparable material produced from non-organic or recycled materials.

In 2022, the Montgomery County Food Council's Environmental Impact Working Group hosted a Symposium, *Food System Strategies to Address Climate Change*. Main findings from a year of research included recommendations to prevent food waste and expand diversified composting, including on-farm composting of food scraps. This affirmative procurement policy will build markets for recycled food waste and could help compost producers, like farmers, find markets. Promoting composting and recycling of organic materials benefits the environment and economy. Cycling nutrients and enhancing soil health and resilience will become increasingly vital as the impacts of climate change become more direct. Through this legislation, steps can be taken to ensure the promotion of a healthier environment, while also supporting local businesses and State-owned public lands.



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This legislation will support local farmers, value-added agriculture, and create more opportunities for success for our Maryland agricultural economy. **For these reasons, the Montgomery County Food Council supports SBo782 and urges a FAVORABLE REPORT for this bill.**

The Montgomery County Food Council is a nonprofit organization that serves as the primary connection point for businesses, nonprofits, government agencies, and residents around food system issues in our County. We bring together over 2,000 local and regional partners in community-wide education, advocacy, and capacity building initiatives. Our work cultivates a more resilient, sustainable, and equitable local food system by enhancing food access for the over 100,000 at risk for hunger, expanding food education opportunities for all residents, supporting our County's farms and food and beverage businesses, and addressing the impact of local food production, distribution, consumption and recycling on our natural resources

For more information, please contact Massa Cressall, Interim Executive Director, at the email and phone number below.



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SB 0782_IndivisibleHoCoMD_FAV_with_Amend_Alexander

Uploaded by: Peter Alexander

Position: FWA



SB782 – State Procurement – Purchasing Preferences – Compost, Mulch, and Soil 3 Amendments and Recycled Aggregate

Testimony before

Senate Budget and Taxation Committee

March 07, 2023

Position: Favorable with Amendments

Mr. Chair, Mr. Vice Chair and members of the committee, my name is Peter Alexander and I represent the 750+ members of Indivisible Howard County. Indivisible Howard County is an active member of the Maryland Legislative Coalition (with 30,000+ members). We are providing written testimony today in **support of SB782 with amendments**. We appreciate the leadership of Senator Hester in sponsoring this important legislation.

SB782 will require each unit of State government which maintains public land to give preference to the procurement and use of certain products produced from recycled or organic materials when purchasing compost, mulch, or other soil amendments, or recycled aggregate.

Composting is an important way to reduce landfill use while reducing the greenhouse gas emissions from organic wastes in landfills. By requiring compost to be used as a fertilizer rather than chemical fertilizers, a market is created for that compost and chemical applications can be reduced.

Further, this bill would give preference to the purchasing of several landscaping products from recycled sources, including municipal solid waste, food waste, sludge, yard waste, clean wood waste, and other recycled organic materials, along with recycled aggregate. However, sewage sludge has been an identified source of polyfluoroalkyl substances (PFAS) contamination on farmland, and therefore we are concerned about encouraging its use in state projects.

We support the use of all these recycled source materials with the ***notable exception of sludge*** which can be contaminated with PFAS.

Thank you for your consideration of this important legislation.

We respectfully urge a favorable report with the amendment to delete sludge from the list.

Peter Alexander, PhD
Woodbine, MD

The Maryland Recycling Network Response - SB 782

Uploaded by: Peter Houstle

Position: FWA



March 6, 2023

To: Maryland Senate Budget and Taxation Committee
Re: SB782 Purchasing Preferences – Compost, Mulch and Soil Amendments

The Maryland Recycling Network promotes sustainable reduction, reuse and recycling (the 3 "R's") of materials otherwise destined for disposal and the purchase of products made with recycled material content. We achieve these goals through education programs, advocacy activities to affect public policy, technical assistance efforts, and the development of markets to purchase recycled materials and manufacture products with recycled content.

Our members are county and municipal government recycling and organics materials managers, private sector companies engaged in recycling and organics materials management, and citizens who support recycling and organics materials management. We support both composting and anaerobic technologies to manage food and yard waste. We have a long history of supporting food waste recovery legislation in Maryland including HB 264, the Organics Recycling and Waste Diversion – Food Residual bill that was enacted into law in 2021. We have direct experience operating recycling and composting programs at the county and municipal government level. We know the ins and outs of recycling and organics materials management in Maryland. Our experience informs our comments.

We support SB 782 with an amendment.

Managing food waste is Maryland's next big step forward in recovering and turning our discards into useful products. The legislature took the first step with the enactment of SB483 in 2021, an organics recycling bill we supported. It took another step forward that year with the enactment of SB116, creating a recycling market development program at MDE, a bill we also supported. We thank Senator Hester for her co-sponsorship of both bills.

SB782 will help to create market demand for compost, mulch and soil amendments from a variety of sources including food waste. In particular, it makes the state of Maryland one of those markets.

Price preferences help to support a growing market. They show the state's interest in ensuring that the new food waste programs in Maryland have an increased likelihood of success. In addition, Maryland's state procurement agencies can establish a standard for the amount of organic materials and specify that standard in the procurement request. For instance, it could be "compost made of at least 50 percent organic materials from municipal solid waste, food waste, sludge, yard waste, clean wood waste or other organic materials".

We suggest one minor amendment to the bill. Add to (D)(1) "(III) The products are readily available". Along with (I) and (II) that is a part of EPA's Comprehensive Procurement Guidelines.

We thank Senator Hester for introducing this bill and for the support she has shown in expanding markets for our recyclables and organic materials.

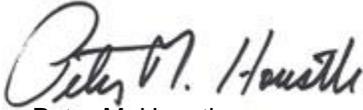
The Maryland Recycling Network stands ready to serve as a sounding board and resource for legislators and others interested in pursuing our mission. Please do not hesitate to contact me via email

Maryland Recycling Network
www.marylandrecyclingnetwork.org * (443) 741-8740

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