

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.