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HB 109

March 30, 2023

TO: Members of the Senate Education, Energy, and the Environment Committee

FROM: Nina Themelis, Interim Director of Mayor's Office of Government Relations

RE: HOUSE 109 – Task Force on Recycling Policy & Recycling & Waste System in Maryland

POSITION: SUPPORT

Chair Feldman, Vice Chair Kagan, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** House Bill (HB) 109.

HB 109 would establish a Task Force on Recycling Policy & Recycling & Waste Systems in Maryland to review the Maryland Recycling Act (MRA); study the recycling and waste systems in Maryland and make recommendations on updating the MRA and implement regional recycling and waste disposal facilities; and require the Task Force to report its finding by June 30, 2024.

Under the Maryland Recycling Act (Maryland Environmental Article, Title 9-505), counties must produce a recycling plan that provides for a certain recycling rate of the waste stream by weight. For each county with a population over 150,000, which includes Baltimore City, the required recycling rate is 35%.

There are several reasons that it would be beneficial to update the Maryland Recycling Act. Updates could include improved metrics, perhaps incorporating the metrics that the Maryland Department of the Environment (MDE) identified in April, 2019; could move beyond recycling to incorporate aspects of Executive Order 01.01.2017.13, Resource Recovery Plan for Maryland; and could move to the next level of waste reduction. An improved measurement system will better recognize waste diversion efforts and provide a more accurate picture of environmental efforts in Maryland.

Currently, Baltimore City, and other counties, spend staff time and resources to mail out hundreds of letters and e-mails to businesses requesting them to report their recycling activity for the year. Unfortunately, there is a low response rate to those requests. The reporting process is onerous for counties and businesses, and does not provide an accurate depiction of the recycling rate. The law to determine recycling rates is based on tonnages, even though the waste stream has changed significantly in recent years. For example, electronic communications replacing newspapers and other print, and in an effort to decrease greenhouse gas emissions and other environmental impacts, light-weighting packaging and film pouches have replaced heavier glass jars and aluminum cans. In addition, the current law placed an emphasis on end-of-life management of materials and does not consider the impacts of waste prevention. It does not include many materials that are recycled and diverted, such as construction and demolition debris (C&D). Therefore, the State's recycling rate established by

the MRA does not provide a full picture of recycling activity due to incomplete reporting, restrictions on the materials that are included as “MRA recyclables” and the use of the limited metric of tonnage.

As the conversation shifts to focus on waste reduction and the circular economy, it may be time to update the MRA to look beyond recycling and to incorporate newer metrics that reflect the recyclable materials of today and the efforts to divert or reduce waste. This legislation will give all stakeholders the opportunity to discuss and research ways to improve the Maryland Recycling Act in order to reassess the goals and determine how to better reach and measure those goals. The recommendations of the workgroup will provide potential improvements that could be made to the Maryland Recycling Act.

For the above stated reasons, BCA respectfully requests a **favorable** report on HB 109.