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February 8, 2023

Senator Brian J. Feldman, Chair  
Senator Cheryl C. Kagan, Vice-Chair  
Senate Education, Energy, and the Environment Committee  
Maryland General Assembly  
2 West - Miller Senate Office Building  
Annapolis, MD 21401

**RE: Support for SB 222, Reducing Packaging Materials – Producer  
Responsibility**

Dear Chair Feldman, Vice-Chair Kagan, and Members of the Committee:

Thank you for the opportunity to submit testimony in support of **SB 222**.

For the past 50 years, local governments in Maryland have assumed primary responsibility for the financial and management burden of handling the millions of tons of waste generated in the state each year. They face decisions about how to budget for increasing and fluctuating prices based on international markets for recycled materials. They rely on waste disposal capacity that cannot be guaranteed in the long-term. And they cannot control the types of materials used by consumer brands for packaging, which becomes a local government responsibility to manage, no matter how unrecyclable that material might be.

A policy solution exists for Maryland to change this scenario – it's called extended producer responsibility (EPR) – and it holds brand owners responsible for financing and, to varying degrees, managing their post-consumer packaging. Four states – Maine, Oregon, Colorado, and California – have already enacted packaging EPR laws and about a dozen others, like Maryland, are considering such bills this year. These laws have been successfully operating for over 35 years across Europe and over 15 years in Canada. They have increased recycling rates in those countries and provinces and provided sustainable financing. Maryland communities will save tens of millions of dollars each year by switching to a packaging EPR system.

SB 222 contains all the necessary elements of successful EPR programs, including a producer responsibility organization, a stewardship plan, material fees that incentivize environmental performance, transparency and annual reporting, and performance targets. It also includes a multi-stakeholder advisory council to ensure meaningful input into the program from Maryland recyclers, local governments, environmental groups, and other entities. SB 222 also gives

municipalities the opportunity to participate in the packaging stewardship program by requesting reimbursement from the PRO for their recycling costs, including up to 50% of collection costs and the full cost of transporting and processing packaging materials. The bill also covers the cost of state oversight and enforcement of the program and exempts small businesses from the obligation to participate and pay fees.

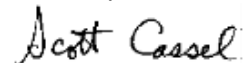
The Product Stewardship Institute is a policy advocate and consulting nonprofit that pioneered product stewardship in the United States along with a coalition of hundreds of state and local government officials. Since 2000, PSI has worked with numerous others to develop EPR policies for many of the 131 EPR laws enacted for 16 industry sectors. PSI created the model for packaging EPR that is central to SB 222 based on decades of research and partnerships with EPR practitioners around the world. Our model has also been applied directly or indirectly in the four U.S. packaging EPR laws and the dozen bills being heard in legislatures around the country.

This bill will provide sustainable funding from producers to relieve municipalities of the financial burdens they currently face in operating recycling programs and require clear, consistent consumer education on the proper end-of-life management of consumer packaging that will reduce confusion and contamination. SB 222 will create jobs, reduce waste and greenhouse gas emissions, and significantly invest in the transition to a circular economy throughout the state.

I respectfully urge the Education, Energy, and Environment Committee to report out SB 222 favorably from the committee.

If you have any questions, please feel free to contact me at (617) 236-4822, or [Scott@ProductStewardship.US](mailto:Scott@ProductStewardship.US).

Sincerely,



Scott Cassel  
Chief Executive Officer/Founder