



# Montgomery County

## Office of Intergovernmental Relations

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**HB 109**

**DATE: February 22, 2023**

**SPONSOR: Delegate Love**

**ASSIGNED TO: Environment and Transportation**

**CONTACT PERSON: Steven Shofar (steven.shofar@montgomerycountymd.gov)**

**POSITION: Support with Amendments**

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### **Task Force on Recycling Policy and Recycling and Waste Systems in Maryland**

Montgomery County strongly supports the passage of House Bill 109, which would create a Task Force on Recycling Policy and Recycling and Waste Systems in Maryland to review and update the Maryland Recycling Act (MRA). House Bill 109 proposes specific members of this Task Force, including one representative of each of the four largest counties in the State, and Montgomery County looks forward to serving in this important effort. Updating the recycling policy is important because it will allow us to: (1) improve our understanding of recycling levels in the State through the use of a common comparison with an up-to-date, clear definition of recyclables; (2) promote recycling; and (3) understand market weaknesses and strengths to develop further recycling programs.

The Maryland Recycling Act has been and will continue to be an important tool for Montgomery County and other counties to use for the purpose of quantifying our recycling success rates, being able to create accurate comparisons to peers, and most importantly, driving markets to expand recycling. However, as crucial as it is, the MRA has not been updated in recent years, even though the recycling markets have seen drastic change.

Another benefit of House Bill 109 is that it acknowledges the importance of waste on greenhouse gas emissions and requires evaluation of waste and recycling systems through that lens. Increasing recycling is important for reducing waste, but also in reducing emissions from energy consumption during the extraction process for new materials, reducing emissions from incineration and landfills, and by increasing the carbon storage from trees as a secondary effect of reduced extraction and deforestation. Properly recycling common recyclables – plastics and glass – can reduce emissions by 50% compared to new materials.

There are less common recyclables that also need greater focus. An updated MRA could enable this to occur. There are numerous other improvements that we hope will be addressed in a new MRA as well, particularly relating to definitions that need to be made

consistent. The Montgomery County Department of Environmental Protection has created a list of those, which can be found below for your information.

House Bill 109 is a very worthwhile piece of legislation. I urge the Committee to act on it expeditiously.

cc: Members of the Environment and Transportation Committee

### **Incongruent Definitions in the Current Maryland Recycling Act as Identified by the Montgomery County Department of the Environment**

1. No liquid material count towards Maryland Recycling Act (MRA) recycling even if currently recycled (versus burned for energy recovery or blended into biofuels). Specifically: motor oil, vegetable oil, animal protein/fats (liquid only), industrial fluids (nonhazardous), and antifreeze. This resulted in 6,821 tons in 2018.
2. Construction and Demolition (C&D) waste is not considered municipal solid waste though it is a significant amount of materials, in tons, that we manage. In 2018, this was 119,929 tons in Montgomery County. This category of materials bears reassessment, given opportunities in recycling that have grown in recent years, as well as goals for sustainable materials management and the embedded carbon. There is significant opportunity for greenhouse gas reductions through recycling C&D waste.
3. Glass is not counted as recyclable if from transportation equipment, but there is demand from automotive businesses to recycle this material.
4. Oxygen and propane tanks which are currently recyclable but do not count towards MRA recycled materials.
5. Roofing shingles are recyclable if from the manufacturing process (pre-consumer) but not if they are from a construction job (post-consumer) even if recycled. This may be a C&D classification issue. This was 34,183 tons in 2019.
6. Tires count at a rate of 12% of the total weight if burned in cement kilns for fuel. This is inconsistent with biofuel derived from refining.
7. Mandate reporting of recyclable materials by processors to the counties where recyclable materials were generated. This is currently an encouraged, voluntary effort, by the Maryland Department of the Environment (MDE). This voluntary level doesn't result in an adequate level of reporting, so we seek follow-through on making MDE Processor of Recyclables Reports mandatory.