



March 7, 2023

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Delegate Dana Stein, Vice Chair
House Environment and Transportation Committee
Delegate C.T. Wilson, Chair
Delegate Brian M. Crosby, Vice Chair
House Economic Matters Committee
Maryland General Assembly
House Office Building, Room 251
Annapolis, MD 21401

RE: Support for HB 930, Mattress Stewardship Program

Dear Chair Barve, Vice Chair Stein, Chair Wilson, Vice Chair Crosby, and Members of the Committees:

Thank you for the opportunity to submit testimony in **support** of HB 930, which will create a statewide mattress stewardship program for Maryland with sustainable funding from producers.

The Product Stewardship Institute (PSI) 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 extended producer responsibility (EPR) policies for many of the 131 EPR laws enacted for 16 industry sectors.

California, Connecticut, and Rhode Island have reaped the benefits of their mattress EPR laws, which were enacted in 2013 as a result of PSI's facilitation of a model EPR bill with input from government and industry stakeholders. PSI has since helped develop next generation mattress EPR legislation in Oregon, which enacted a law in 2022 that is expected to be implemented in 2024.

Since the first program launched in 2015, the three original state programs have recycled more than 10 million mattresses collected from hundreds of cities and towns, including at solid waste facilities and other entities such as retailers, hotels, and universities. In the first year of its program, Connecticut:

- recycled 63.5 percent of the state's discarded mattresses, an increase from only 8.7 percent recycled in the prior year;
- recycled 2,800 tons of steel, foam, and other materials;
- saved 1.7 million cubic feet of landfill space; and
- saved greenhouse gas emissions comparable to annual emissions from 875 passenger vehicles.

HB 930 is consistent with current EPR best practices and contains the key elements necessary for successful implementation of an effective battery EPR law, including: 1) **performance goals** to drive program effectiveness; 2) **annual reporting** to monitor program implementation; 3) **convenience standards** to ensure that the program is accessible state-wide; and 4) **education and outreach**, including resources targeted at overburdened and vulnerable communities, to raise public awareness about how to recycle mattresses. The bill also contains other elements of successful stewardship programs, including a stewardship plan and plan reevaluation requirements to improve the program based on lessons learned as the program is implemented and matures. If enacted, the program will provide financial benefits of up to \$4.8 million per year.

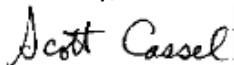
Nationally in the U.S., fewer than five percent of mattresses are recycled annually even though up to 90 percent of mattress components can be recycled and used to make steel, carpet padding, animal bedding, and mulch. Much of this bulky waste ends up in landfills or is illegally dumped, imposing significant management costs on local governments and taxpayers. EPR programs provide a continuous flow of high-quality material to mattress renovators, recyclers, and manufacturing operations, allowing long-term investments in local recycling and manufacturing facilities that use recycled mattress components as a feedstock for new product manufacturing. HB 930 will improve collection convenience, increase the number of mattresses recycled, create jobs (including for those with barriers to employment), and reduce the financial burden on local governments.

Although the three original mattress EPR laws have notably increased recycling, there are fundamental problems with the programs that we have identified since these first laws were passed eight years ago. These problems should not be repeated in Maryland. Based on our study of these programs and discussions with government officials who oversee them, PSI recommends the following changes to strengthen the bill:

- 1) Include requirements that are part of Oregon's industry-supported law to:
 - Provide **financial compensation to collection sites** for their costs to collect and manage unwanted mattresses;
 - Provide for **bulk pickup service at no cost** to collect a minimum of 100 mattresses at one time; and
 - Provide for **storage containers at no charge** at collection sites.
- 2) **Rather than a uniform assessment on all mattresses, require that the stewardship assessment be differentiated** to: (a) be fairer so that people buying mattresses that cost less to recycle (e.g., a simple mattress) pay less than those buying mattresses that cost more to recycle (e.g., large, multi-material mattresses with electronic gadgets); (b) require use of post-consumer recycled content; and (c) require the reduction of toxics and resources (e.g., energy and water) associated with mattress production. At a minimum, PSI suggests that the state oversight agency conduct a study (paid for by industry) to be completed within one year of bill enactment that would recommend how such a system could be put in place. These are standard features in other US EPR programs.

Thank you for your consideration and strong leadership on this important issue. If you have any questions, please feel free to contact me at (617) 236-4822, or Scott@ProductStewardship.US.

Sincerely,



Scott Cassel

Chief Executive Officer/Founder