

HB0173_DNR_SUP_EEE-3-26-24.pdf

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Position: FAV



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

March 26, 2024

BILL NUMBER: House Bill 173 – Third Reader

SHORT TITLE: State Buildings and State Highways-Collection of Yard Waste

DEPARTMENT’S POSITION: SUPPORT

EXPLANATION OF DEPARTMENT’S POSITION

This legislation serves to improve the disposal methods of yard waste generated in the course of gardening, landscaping, and tree trimming activities occurring on the grounds of state facilities through the prohibition of single-use plastic containers for such purposes. The Department of Natural Resources supports this effort..

We appreciate the adoption of DNR’s proposed amendments in the House to provide a minor exemption to the disposal of noxious weeds or invasive species – “solarization” is a best practice for the eradication of these types of plants. “Solarization” is the practice of placing these plants in such plastic bags and allowing them to “bake” in the sun, this in turn causes the destruction of the plants including seeds to ensure that there is no further spread of the species.

BACKGROUND INFORMATION

Disposing of organic plant waste such as leaves, garden waste, lawn cuttings, weeds, and prunings in single-use plastic containers is generally poor practice in that plastic does not decompose at the same rate as yard waste and prevents effective composting of organic material.

BILL EXPLANATION

This bill would prohibit a person from disposing of yard waste collected on the grounds of a State building or State highway in a certain container; require a person to collect yard waste on the grounds of a State building or State highway in a certain container; and generally relates to the collection of yard waste on the grounds of State buildings and State highways.

Contact: Dylan Behler, Director, Legislative and Constituent Services
dylan.behler@maryland.gov ♦ 410-260-8113 (office) ♦ 443-924-0891 (cell)

HB 173 MDE SUP.pdf

Uploaded by: Les Knapp

Position: FAV



The Maryland Department of the Environment
Secretary Serena McIlwain

House Bill 173

State Buildings and State Highways - Collection of Yard Waste

Position: Support

Committee: Education, Energy, and the Environment

Date: March 26, 2024

From: Jeremy D. Baker

The Maryland Department of the Environment (MDE) **SUPPORTS** HB 173 as amended.

Bill Summary

The bill would prohibit a person from disposing of yard waste collected on the grounds of a State building or State highway in a single-use plastic container. Additionally, it would require a person to collect yard waste on the grounds of a State building or State highway in a container that 1) will not be discarded with the yard waste; or 2) is compostable. The bill does allow for the use of plastic or other non-compostable materials when a person is disposing of noxious weeds or invasive species.

Position Rationale

Requiring that yard waste be collected in a container that will not be discarded with the yard waste or is compostable will save organic recyclers time and money because they will not have to debag the waste, lowering their costs. Lowered costs could be transferred to their customers making organics recycling that much more appealing. MDE anticipates that this will help promote the additional diversion of yard waste, which is already extremely high. MDE hopes that the state's leadership in this area will also encourage counties and municipalities to adopt similar policies, as it is a low effort, high impact countermeasure.

The majority of State agencies responsible for managing State property, including the Department of General Services and the State Highway Administration, currently use compostable containers or alternative methods when collecting yard waste. The Department of Natural Resources (DNR) also minimizes the use of plastic containers when collecting yard waste, except when eradicating invasive species.

Accordingly, MDE asks for a **FAVORABLE** report for HB 173.

Contact: Les Knapp, Government Relations Director
Cell: 410-453-2611, Email: les.knapp@maryland.gov

HB 173_MDSierraClub_fav_26Mar2024.pdf

Uploaded by: Martha Ainsworth

Position: FAV



Maryland Chapter
P.O. Box 278
Riverdale, MD 20738

Committee: Education, Energy, and the Environment

Testimony on: HB 173– “State Buildings and State Highways – Collection of Yard Waste”

Position: Support

Hearing Date: March 26, 2024

The Maryland Chapter of the Sierra Club supports HB 173, which aims to reduce the use of single-use plastic bags for yard waste by State employees or contractors on the grounds of a State building or State highway. It prohibits State employees or contractors from disposing of yard waste collected on the grounds of a State building or a State highway in a single-use plastic container. It further requires that yard waste containers not be discarded with the yard waste unless the yard waste containers are compostable. The prohibition on use of single-use plastic yard waste bags would reduce plastic pollution and contamination of compost at composting facilities.

We have no specific information on where yard waste from the grounds of State buildings and highways currently is sent – whether it is composted or landfilled – and, if composted, whether it is provided in plastic bags. According to correspondence with the Legislative Librarian at the Department of Legislative Services, the three departments that are most involved in yard waste removal are the Department of General Services (DGS), the Maryland Department of Transportation (MDOT), and the Department of Natural Resources (DNR). DGS already uses reusable containers to dispose of yard waste and MDOT usually collects a large volume of yard waste using heavy machinery that transports it directly to recycling centers. However, DNR and its contractors sometimes do use single-use plastic containers for yard waste, in some cases to contain invasive species and listed noxious weeds. Depending on where invasive species and noxious weeds are sent, single-use plastic containers may or may not be necessary.

Yard waste sent to composting facilities in plastic bags can result in substantial plastic pollution and contamination of the compost (see Exhibit 1). For that reason, at least thirteen counties will not accept yard waste in plastic bags.¹ But this prohibition is not universal, and some counties direct yard waste to a landfill, not a composting facility. The City of Baltimore and the City of Salisbury explicitly require that yard waste be placed in a plastic bag, and the websites of seven counties made no mention of concern for the type of yard waste bags.

While the exact extent of the use of single-use plastic containers to collect yard waste on the grounds of State buildings and highways is uncertain, yard waste is still accepted in plastic bags in some Maryland counties. Reducing plastic pollution in the environment is important and the cost of compliance, according to the fiscal and policy note, is minimal. We respectfully request a favorable report on HB 173.

Martha Ainsworth, Chair
Chapter Zero Waste Team
Martha.Ainsworth@mdsierra.org

Josh Tulkin
Chapter Director
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Attachment: Exhibit 1 - Shredded plastic bag waste at the Prince George’s County Yard Waste Facility in 2013, before a ban on plastic yard waste bags was enforced

¹ Based on a review of their websites, the following counties explicitly do not accept yard waste in plastic bags: Anne Arundel, Baltimore County, Caroline, Cecil, Charles, Frederick, Harford, Howard, Montgomery, Prince George’s, St. Mary’s, Somerset, and Washington (Hagerstown & Boonsboro). Garrett does not accept biodegradable yard waste bags and Worcester does not accept yard waste bags in general. In some of these places, yard waste is sent to a landfill; it is not clear in all cases whether the yard waste is being sent to a composting facility or a landfill.

Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has approximately 800,000 members.

Exhibit 1: Shredded plastic bag waste at the Prince George’s County Yard Waste Facility in 2013, before a ban on plastic yard waste bags was enforced



HB173 LEHMAN SENATE TESTIMONY.pdf

Uploaded by: Mary Lehman

Position: FAV

DELEGATE MARY A. LEHMAN
Legislative District 21
Prince George's and
Anne Arundel Counties

Environment and Transportation
Committee



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

House Bill 173

State Lands Collection of Yard Waste

March 26, 2024

Support

Chairman Feldman, Vice Chair Kagan, and esteemed members of the committee:

I am asking for your favorable report for HB 173, a bill that prohibits both state employees and contractors from using single-use plastic containers for yard waste when working on state lands and along state highways. Instead of single-use plastic bags, the bill requires that state employees and contractors to either use a compostable container, such as a brown paper yard waste bag, or a container that will not be discarded with the yard waste (e.g., a reusable container).

Under current Maryland law, there are no restrictions on the employment of single-use plastic containers for yard waste collection on the grounds of state buildings and along state highways.

HB 173 ensures that yard waste collected on state lands and along state highways is disposed of in a more environmentally conscious manner. When single-use plastic bags are used, the collected yard waste, along with the plastic bag, frequently ends up in landfill. According to the World Wildlife Fund, the bags then take up to twenty years to break down.¹ If it goes to a composting facility, the plastic bags are often shredded along with the yard waste. The issue of the disintegrating plastic forces the composting facilities to either invest in imperfect plastic-screening technology, which adds both time and cost to an already slow and expensive process, or to simply produce a contaminated product.

The introduced house bill was amended to 1) clarify that compostable bags be made of paper; and 2) exempt the use of plastic bags for the removal of noxious weeds and invasive species. DNR sometimes uses black plastic bags to kill these plants, once they have been removed.

To date, over one third of Maryland's counties have enacted similar policies for residential yard waste pickup. It is time for the state to operate under the same standards.

Thank you and I urge a favorable report.

¹World Wildlife Fund, "The Lifecycle of Plastics," July 1, 2021

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Uploaded by: Peter Houstle

Position: FAV



March 25, 2024

To: Maryland Senate Education, Energy, and the Environment Committee

Re: Support for HB173 State Buildings and State Highways – Collection of Yard Waste

The Maryland Recycling Network promotes sustainable reduction, reuse and recycling (the 3 "R's"), to ensure that the use of virgin materials is minimized, materials otherwise destined for disposal are reused or recycled and strong demand exists for buying products made with recycled material content. We achieve these goals through education programs, advocacy activities to affect public policy, technical assistance efforts, and the development of markets to purchase recycled materials and manufacture products with recycled content.

Our members are county and municipal government recycling managers, private sector recyclers, non-profit recyclers and citizens who support recycling. We have direct experience operating recycling and composting programs at the county and municipal government level. We know the ins and outs of recycling in Maryland. Our experience informs our comments.

We support this bill. Yard trimmings, leaves, grass and branches, are commonly collected for composting by local governments throughout Maryland. In fact, MDE's most recent waste & recycling report showed 384,506 tons of yard trimmings managed at 22 permitted composting facilities operating in 12 Maryland counties. This is a tremendous success story. Adding yard waste collected from state-owned properties including highways will only add to our success in composting this material and decrease it going to disposal.

We are delighted the legislation includes an amendment we suggested identifying paper bags as one of the two collection containers (see Section 2-901(D)). Maryland local government yard waste programs generally require those materials be set at the curbside in either a reusable container or a paper bag. Allowing paper bags along with reusable containers creates consistency in our composting efforts.

The Maryland Recycling Network stands ready to serve as a sounding board and resource for legislators and others interested in pursuing our mission. Please do not hesitate to contact me via email phoustle@marylandrecyclingnetwork.org, phone 301-725-2508 or mail - MRN, PO Box 1640, Columbia MD 21044 if you have any questions or would like additional information regarding the above.

We look forward to working with you to improve recycling in Maryland.

Peter Houstle
Executive Director

Testimony in support of crossover bill HB0173.pdf

Uploaded by: Richard KAP Kaplowitz

Position: FAV

CROSSOVER BILL HB0173_RichardKaplowitz_FAV

3/26/2024

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON CROSSOVER BILL HB#0173 – FAVORABLE

State Buildings and State Highways - Collection of Yard Waste

TO: Chair Feldman, Vice Chair Kagan, and members of the Education, Energy, and the Environment Committee

FROM: Richard Keith Kaplowitz

My name is Richard K. Kaplowitz. I am a resident of District 3. I am submitting this testimony in support of CROSSOVER BILL HB#0173, State Buildings and State Highways - Collection of Yard Waste

This bill is an attempt to begin to ameliorate the harm that plastic bags are creating in our environment. The disposal of yard waste can occur in a more favorable way with less negative effects on the environment if this bill is passed. The University of Colorado Boulder's Environmental Center has written about the harms of plastic bags, a harm this bill attempts to prevent.

“More than 100 billion plastic bags are used in America each year. One of the first steps to living an environmentally friendly lifestyle is to eliminate plastic bags from your life. This action can start to feel arbitrary - is switching to reusable bags really making that much of a difference? This article serves as a reminder to those who have eliminated plastic bags from their life that YES, it makes a big difference, and to encourage those who haven't eliminated plastic bags why it is important to do so.”¹

L.A. County Public Works has also documented the harms of the increase of plastic in our environment.

“Plastic bags are difficult and costly to recycle and most end up on landfill sites where they take around 300 years to photodegrade. They break down into tiny toxic particles that contaminate the soil and waterways and enter the food chain when animals accidentally ingest them. But the problems surrounding waste plastic bags starts long before they photodegrade. Our planet is becoming increasingly contaminated by our unnecessary use of plastic bags. Big black bin liners, plastic carrier bags carrying advertising logos, clear sandwich bags and a variety of other forms are all polluting our environment. They're lightweight, handy and easily discarded. Too easily discarded.”²

I respectfully urge this committee to return a favorable report and pass CROSSOVER BILL HB0173.

¹ <https://www.colorado.edu/center/2022/02/23/issues-plastic-bags-and-ripple-effect>

² https://dpw.lacounty.gov/epd/plasticbags/articles/googobits_07-21-05.pdf

HB173_IndivisibleHoCoMD_FAV_CrystalKonnySenate.pdf

Uploaded by: Crystal Konny

Position: FWA



HB173 – State Buildings and State Highways – Collection of Yard Waste

Testimony before

Senate Education, Energy, and the Environment Committee

March 26, 2024

Position: Favorable as amended in the House

Chair Feldman, Vice Chair Kagan, and members of the committee, my name is Crystal Konny, and I represent the 700+ members of Indivisible Howard County. Indivisible Howard County is an active member of the Maryland Legislative Coalition (with 30,000+ members). We are providing written testimony today in **support of HB173**, which prohibits disposal of yard waste collected on State property in a single-use plastic container. We appreciate the leadership of Del. Lehman and her colleagues for sponsoring this important legislation.

Methane is a powerful greenhouse gas that is produced when bacteria decompose organic plant matter in landfills. This bill enables composting the organic waste because there isn't a plastic bag in the way, and will effectively reduce methane ultimately coming from yard waste collected on state-owned property. It's an easy win for the environment.

Plastic bags are a huge problem for the environment on so many levels, from its production as a derivative of crude oil and natural gas, to litter, to not breaking down completely for many years.

Howard County has been prohibiting home owners from using single-use plastic bags for lawn debris for years. It makes yard waste compostable without further handling, and it eliminates the use of plastic bags for one use before then going into a landfill where they will not disintegrate for many years.

This bill allows the State to catch up with the Counties in mandating that plastic bags aren't used for yard waste. The members of Indivisible Howard County support such common-sense measures to reduce waste and clean up our environment.

Thank you for your consideration of this important legislation.

We respectfully urge a favorable (as amended in the House) committee report.

Crystal Konny
11605 Dark Fire Way
Columbia, MD 21044

HB 173

Uploaded by: Linda Norris-Waldt

Position: FWA



February 7, 2024
The Honorable Marc Korman
House Environment and Transportation Committee

Board of Directors

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Compost Crew
President

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Officer

Brenda Platt
Institute for Local Self-Reliance
Advisory Member

Elly Ventura
World Centric
Advisory Member

Re: HB173: State Buildings and State Highways - Collection of Yard Waste Position: Favorable with Amendment

Dear Chairman Korman and Members of the Committee,

The MD-DC Composting Council, a chapter of the US Composting Council whose purpose is to encourage collaboration among various organizations in the compost industry with a vision to convince the general public, lawmakers, and government officials that organics recycling and composting is an urgent public necessity, would like to support HB173 with some suggested amendments.

This bill advances efforts in Maryland to increase the diversion of organic material from disposal in the state, bringing benefits such as:

- reduction of methane emissions from landfills from diversion
- living wage jobs
- through use of compost, promote
 - Water savings and erosion mitigation
 - Decreased use of fertilizer which produces GHG emissions in its production
 - carbon sequestration through locking of carbon in soil and plant growth

We support HB173 for these reasons, and recommend that the bill be amended to require use of the compost generated in accordance with enacted HB586, which directs the Maryland Green Purchasing Committee to write specifications for purchasing compost, mulch or other soil amendments made from organic material. State agencies that purchase such material will need to include these specifications in their solicitations.

Additionally, we request that the bill be amended to state specifically that the called-for containers in the bill be certified compostable by a third-party lab that undergoes near-complete biological decomposition into carbon dioxide, water, inorganic compounds, and biomass in the intended permitted composting facility or facilities within the time period and to the extent specified by a recognized ASTM, ISO, CEN, or DIN compostability standard (e.g., ASTM D6400-19 for plastics). or field testing organization and that they must not be allowed to be in anything that isn't certified compostable (for example: a compostable bag inside of a plastic bag).

Lastly, please add a provision to the bill that calls for education of state personnel and, where appropriate, the public, about the materials that are acceptable in the containers; contamination is devastating to the viability of composting programs and markets. Please don't hesitate to reach out if we can answer your questions.

Sincerely,
Kristie Blumer, President
Maryland-DC Composting Council

