

Public Hearing – February 18, 2025 – Senate Education, Energy and the Environment Committee

Testimony Submitted by Dave Lefebvre, Circular Action Alliance

SB 901 – An Act Concerning Environment – Packaging Materials – Producer Responsibility Plans

Remarks

Thank you for the opportunity to present testimony regarding Senate Bill 901, An Act Concerning Environment – Packaging Materials – Producer Responsibility Plans.

I am here today representing the Circular Action Alliance, a nonprofit U.S. Producer Responsibility Organization (PRO) dedicated to implementing effective Extended Producer Responsibility (EPR) laws for paper and packaging. We are the selected PRO representative on the Maryland Advisory Council and want to thank you for bringing forward this legislation and affording us this opportunity to speak.

To date, CAA is the only organization approved to implement U.S. EPR laws for paper and packaging. Drawing from our experience in Oregon, Colorado and California, we've identified three primary concerns with the proposed approach in this legislation that, if addressed, will help ensure the success of your law and an impactful transition to packaging and paper EPR.

1. The legislation needs to clearly define the hierarchy of who is the responsible producer and avoid any potential ambiguity or conflict. We would recommend aligning with the more specific producer definition used in Minnesota with some minor alterations to align with the difference in covered materials.
2. The scope of covered materials also needs to be defined clearly as it pertains to who supplies the materials and to whom. For example, it should focus on packaging materials supplied to residential consumers and that can be managed through residential recycling systems.
3. Finally, it is important to limit the PRO's responsibilities to areas it has a practical ability to influence. Maryland has drawn from California for its source reduction targets. These targets are untested and will be difficult for the PRO to influence, let alone achieve and measure.

CAA has been engaged in every step of Maryland's EPR packaging process. We look forward to working with all of you to ensure the successful implementation of EPR in Maryland.

Thank you for your consideration. I am available to take questions at any time.