

**Date:** February 18, 2025

**Bill:** SB 901 - Environment – Packaging Materials – Producer Responsibility Plans

**Position:** Support with amendments

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Dear Chair Feldman and Members of the Committee:

Establishing Extended Producer Responsibility (EPR) for packaging materials, a significant portion of which are made from single-use plastic, would require producers to share responsibility for and materially contribute to the rising costs of managing waste and pollution created by the products they put on the market. The National Aquarium supports establishing an EPR for packaging framework through legislation that includes a packaging reduction goal and other clear and enforceable performance standards and accountability measures.

Stopping plastic pollution is one of the National Aquarium's three strategic conservation goals. The plastic pollution crisis has been well-documented as global plastic production has outpaced any other manufactured material, with a substantial portion of plastics manufactured used for packaging<sup>1</sup>. Plastic packaging makes up about 28% of our waste stream, and the U.S. is one of the world's top generators of new plastic production and plastic waste.<sup>2</sup> The U.S. spends at least \$11 billion to clean up trash 'leaked' into the environment<sup>3</sup>. Local governments in Maryland, like others around the nation and the world, are unable to keep up with the sheer volume of plastic waste. More than half of all plastic ever made is accumulating in landfills or in the environment<sup>4</sup>. Plastic breaks down into smaller pieces and endangers wildlife, contaminates the global food web and transports toxins harmful to human health. The burden and costs of mismanaged waste that becomes plastic pollution are varied, complex, and borne primarily by municipalities and taxpayers.

In short, our current waste management practices are unsustainable and require comprehensive systemic change. It is past time for Maryland to enact additional policies that support reduced production of and demand for plastic; encourage behavior change; clean up existing pollution; and provide for education and outreach. One key part of a comprehensive approach to address plastic pollution is a strong framework of EPR for packaging materials that complement other measures including minimum recycled content standards, a beverage container deposit return program, and additional policies that prioritize source reduction and reuse.

While this bill represents a step in the right direction, the National Aquarium wishes to see amendments that ensure the strongest possible EPR for packaging framework for our state. We applaud the provision that each participating producer must reduce packaging waste by 25%, although it is unclear how the Department of the Environment will enforce the requirement. Additionally, the bill tasks the Producer Responsibility Organization (PRO) with setting performance goals by packaging material but does not pair that with sufficient oversight or enforcement if goals are not met. If the state entrusts the PRO with this critical responsibility, there needs to be clear actions the Department must take if goals are not met to ensure accountability. Finally, the bill should clearly establish a process for determining what materials are considered recyclable or compostable.

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<sup>1</sup> Geyer, R. et al. 2017. Production, use, and fate of all plastics ever made. *Science Advances* (3):7. DOI: 10.1126/sciadv.1700782

<sup>2</sup> National Academies of Sciences, Engineering, and Medicine 2021. *Reckoning with the U.S. Role in Global Ocean Plastic Waste*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/26132>.

<sup>3</sup> The National Academies of Sciences, Engineering, and Medicine. 2021. *Reckoning with the U.S. Role in Global Ocean Plastic Waste*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/26132>.

<sup>4</sup> Geyer, R. et al. 2017.

We are committed to continuing to work toward strong legislation that enables Maryland to improve producer accountability for waste management that reduces the burden placed on taxpayers along with the harmful impacts of plastic pollution on our wildlife, ecosystems and human health. **We urge the Committee to address these concerns prior to advancing this important legislation.**

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