



Wes Moore GOVERNOR

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Charles Glass, Ph.D., P.E. EXECUTIVE DIRECTOR

February 11, 2026

The Honorable Brian Feldman, Chair
Senate Education, Energy and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

Re: Letter of Information on Senate Bill 342 - Maryland Beverage Container Recycling Refund and Litter Reduction Program

Dear Chair Feldman and Members of the Committee,

The Maryland Environmental Service (MES) offers the following comments on Senate Bill 342 – Maryland Beverage Container Recycling Refund and Litter Reduction Program.

SB 342 would establish a statewide beverage container deposit and redemption program. The Maryland Department of the Environment (MDE) would need to stand up the program and approve a stewardship organization to run the program. The bill sets ambitious redemption goals (70% by 2030 and 90% by 2033) and recycling goals (65% by 2029 and 85% by 2032). By December 31, 2038, the goal is to return and refill at least 10% of all beverage containers in the State.

MES agrees with the objective of finding ways to reduce litter and contribute as much as possible to a more circular economy. As the only unit of state government tasked with operating environmental facilities such as composting facilities, materials recycling facilities (MRFs), and solid waste facilities, this general objective is central to MES's mission.

In 2025, the Maryland General Assembly passed, and Governor Moore signed into law, Chapter 431, Acts of 2025 (Senate Bill 901 – Environment - Packaging and Paper Products - Producer Responsibility Plans). This legislation established the framework for an Extended Producer Responsibility (EPR) program in the State. The program is designed to create a circular economy by encouraging companies to design packaging that is more durable, reusable, and easily recyclable. The program is also designed to help fund improvements to MRFs and collection systems in Maryland with the primary objective of increasing recycling rates and decreasing contamination.

The EPR program is now in the implementation phase, and will continue to be until July 2028,

and will not fully mature until at least 2030. This implementation period allows the State sufficient time to take a "measure twice, cut once" as the EPR program is quite complex and will have far reaching impacts on many different industries. As the EPR program matures, and packaging materials become more recyclable and sustainable, the MRFs are expected to handle an increased volume of materials. The EPR program is also designed to provide counties with a source of funding to assist with the cost of collection and processing of recycled materials.

The universe of materials the EPR program will capture includes beverage containers. In our view, it would be prudent to first allow MDE to stand the EPR program up, allow it mature, collect data on beverage container recycling and reuse rates, and THEN make decisions on whether to pivot.

Moving the goalposts now, before the EPR program matures, introduces uncertainty in the processing of recycled materials. MES operates MRFs in Maryland. These facilities collect and sort recycled materials, then sell the commodities in the commodities market to offset the costs of operating MRFs (this is true in both public and private MRFs). For publicly owned MRFs, which rely on county subsidies to compensate for low or zero tipping fees, removing high-value materials such as aluminum and PET will increase operating costs and will require shifting of increasingly scarce financial resources. For privately-owned MRFs, costs to collect and tipping fees will increase on area businesses and counties that do not own MRFs.

Thank you for the opportunity to comment. It is our hope that you will take these comments into consideration as you deliberate on SB 342.

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