



**Bill:** HB796 - Recycling - Prohibition on the Chemical Conversion of Plastic  
**Committee:** Environment and Transportation  
**Hearing Date:** February 25, 2025  
**Position:** **Favorable**

Dear Chair Korman, Vice-Chair Guyton, and Committee Members:

We respectfully urge a favorable report on HB796. Plastics production continues to increase and, according to OECD, is globally expected to triple by 2060. We enthusiastically support source reductions in plastic, transitions to reusable replacements for single-use items, and increased access to mechanical recycling options that keep materials at their highest and best use, protect human health, and prevent plastic leakage to the environment.

Counting chemical conversion processes (such as plastics-to-fuels or plastics-to-feedstocks-for-fuels) as recycling entrenches a problematic and growing waste stream and can create unfair competition with mechanical recycling markets. This contributes to an unlevel playing field and does nothing to stem plastic production.<sup>1</sup> Converting plastics to fuels removes materials from circulation and creates incentives for linear extraction and use rather than remanufacture into similar new products.

Additionally, at a time when consumer confidence in recycling systems is already faltering, it is critical to ensure that we maintain a robust and transparent definition of recycling in Maryland that does not confuse consumers.<sup>2</sup> This will help us build confidence and participation in real recycling programs around the state. In order to meet our state recycling goals and realize the full benefits of our new packaging producer responsibility program, it is essential to ensure maximum consumer utilization and confidence in the environmental benefits and expected end markets for curbside recycling programs. The success of these programs goes hand-in-hand with the outreach and education to prevent litter and plastic pollution to the environment.

This bill is also narrowly focused on plastics-to-fuels chemical recycling processes which have low yields and high energy requirements.<sup>3</sup> These conversion processes do nothing to address source reduction of plastics

<sup>1</sup> <https://www.nrdc.org/bio/renee-sharp/plastics-industrys-latest-deception-mass-balance>

<sup>2</sup> <https://www.nrdc.org/sites/default/files/chemical-recycling-greenwashing-incineration-ib.pdf>

<sup>3</sup> <https://pubs.acs.org/doi/10.1021/acssuschemeng.2c05497> (“Mechanical recycling outperformed all other technologies, as well as virgin plastic production across economic and environmental considerations, but it exhibited lower material qualities and other technical metrics.”)

or to accomplish the goal of recycling materials into new, valuable, products.<sup>4</sup> After considering stakeholder engagement and public input, the U.S. Environmental Protection Agency (USEPA) recently published its *National Strategy to Prevent Plastic Pollution* and reaffirmed its “long-standing position that the Agency does not consider activities that convert non-hazardous solid waste to fuels or fuel substitutes (“plastics-to-fuel”) or for energy production to be “recycling” activities.”<sup>5</sup> The Product Stewardship Institute also distinguishes outputs in determining whether a process is recycling.<sup>6</sup>

Maryland’s recycling policies should be transparent and trustworthy and designed to reduce linear plastic production. We need to increase real recycling for products that cannot be designed for reuse rather than creating just the appearance that more plastic is being recycled when it is actually being converted to fuels. We respectfully urge the Committee to issue a favorable report on HB796.

Contact:

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<sup>4</sup> National Caucus of Environmental Legislators,

<https://www.ncelenviro.org/articles/chemical-recycling-backend-fix-or-toxic-technology/>

<sup>5</sup> [https://www.epa.gov/system/files/documents/2024-11/final\\_national\\_strategy\\_to\\_prevent\\_plastic\\_pollution.pdf](https://www.epa.gov/system/files/documents/2024-11/final_national_strategy_to_prevent_plastic_pollution.pdf) (USEPA clearly excluded plastics-to-fuels from recycling, and also noted that, in evaluating whether *other* types of plastics-to-plastics recycling could potentially have a role in a “circular economy,” USEPA would consider criteria such as material retention thresholds, proven scalability, economic viability, cumulative impacts, and more.)

<sup>6</sup> “Most U.S. governments and a growing number of international standards do not consider (including plastics-to-fuel) to be recycling.”

<https://productstewardship.us/wp-content/uploads/2023/01/2022-11-Report-Packaging-PSI-Chemical-Recycling-Paper.pdf>