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Environment and Transportation  
Committee

*Chair*  
Environment Subcommittee

Joint Committee on Legislative Ethics



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## *The Maryland House of Delegates*

ANNAPOLIS, MARYLAND 21401

### **Delegate Stein's Testimony in Support of House Bill 992 Electronic Device Producer Responsibility Program - Established**

Chair Korman, Vice Chair Guyton, and Fellow Members of the Environment and Transportation Committee:

As a nation, we spend more than \$160 billion on consumer electronic products every year. These are great products, but their core materials must be managed safely. Some materials are toxic, most are reusable.

This bill deals with the recycling of electronics. But it's also a critical health and safety bill, because fires can be caused by electronics with embedded batteries.

First, the recycling part. Too many electronic products end up in landfills or worse. In 2005, with legislation sponsored by Del. Dan Morhaim, we set up a program that charged manufacturers fees to fund electronic recycling efforts.

Manufacturers were allowed to pay a reduced annual fee of \$500 if they set up their own collection programs for the public. Unfortunately, manufacturer-run collection programs have only captured 2% of total electronics collected under recycling programs (by weight) across the state. The bulk of electronics collected and recycled in Maryland are managed and funded by local governments.

Over time, fees collected by manufacturers have also proven to be inadequate. In only four years was the Maryland Department of the Environment able to provide grants of minimal amounts, \$15,000 in some cases, to localities to underwrite their electronic recycling programs.

As a result, most counties can't afford to recycle all the electronics they collect. Those that can recycle their entire collection overwhelmingly charge fees at the

public drop off or through local taxes. Tens of millions of pounds of electronics are therefore being landfilled in the state every year, due to lack of funding.

This bill would change that. It would set up a modern Electronic Device Producer Responsibility Program (EDPR) program, similar to ones in Oregon and Illinois, for the collection, recycling, refurbishment, and reuse of electronic devices. Producers of electronics would fund the cost of collecting and recycling TV's, laptops, monitors, and other household products through the creation of producer responsibility organizations, known as "PRO." Consumers will not be charged any fees and collectors of end-of-life electronics, such as local governments or retailers, would be fully funded to manage these programs, including their staffing. The bill will apply to in-store and online sales of covered electronics. Producer fees would also fund MDE to administer the program, although many administrative duties could also be shifted to a third-party "Electronic Device Coordinating Body" to streamline the manufacturer reporting and registration responsibilities on behalf of MDE and the PROs.

MDE would see increased funding almost immediately beginning March 2027, before its other program responsibilities kick in, through fees paid into a dedicated account in the State Recycling Trust Fund (SRTF). Mid-sized manufacturers would pay \$5,000 per year and large manufacturers \$10,000 per year to support MDE's administrative costs. These will provide enough funding and time for MDE to hire additional staff before PRO plans are due for MDE review in March 2029.

Most importantly, this bill is more than just a recycling bill. It is a critical health and safety bill.

Fires caused by batteries embedded in electronics are rapidly increasing in Maryland and across the United States. The EPA recently reported there are now 5,000 annual fires across 300 Material Recovery Facilities (MRFs). These incidents put workers at risk along with capital infrastructure like MRFs, transfer stations, collection sites, trucks, and other processing equipment. Our first responders are increasingly being dispatched to battery fires. Consequently, workers and first responders are exposed to more thermal runaway events, including toxic chemical flammable gas production, smoke, explosion, internal pressure rise, vapor cloud, and fire.

This bill will fund equipment and improve workplace safety by funding dedicated staff to monitor, sort, and load all electronic types, ranging from large, heavy TVs to Damaged, Defective, or Recalled (DDR) battery-embedded products requiring special handling.

All in all, this bill is a win for human health, the economy, and the environment. In closing, I would like to acknowledge and thank the Maryland Department of the Environment for their time and effort in working with us on this legislation over the interim. Their feedback has contributed to a much-improved bill and a more manageable program for their staff to implement. I look forward to working with them and incorporating any additional amendments as needed, to finalize this bill for passage this year.

I urge your support.