



**February 11, 2026**

**Maryland House Environment and Transportation Committee  
Re: HB 331 Maryland Beverage Container Recycling Refund and Litter Reduction  
Program  
Oppose**

The Maryland Recycling Network's members are county and municipal government sustainability and recycling managers, private sector recyclers, non-profit recyclers and citizens who support recycling. We have direct experience operating recycling and composting programs at the county and municipal government level. We know the ins and outs of recycling in Maryland. Our experience informs our comments.

We strongly support increasing recycling in Maryland. We supported the packaging and paper extended producer responsibility (EPR) law that MDE is now implementing. In doing so, we supported holistic legislation covering virtually **all** packages, including beverage containers. We are an active member of the EPR for Packaging and Paper Products Advisory Council. We look forward to working with MDE and the Producer Responsibility Organization (PRO) as MDE prepares regulations for the performance goals, including recycling rates, affecting **all** packages. Our goal is a successful law that will be a model for other states.

Our Concerns Over Multiple Packaging-Related Laws

We understand the challenges MDE faces in implementing such a comprehensive law. In fact, the agency is not responsible for launching just one EPR program. MDE is also implementing the 2024 paint EPR law. Doing two programs at once is challenging. Fortunately, MDE has talented, dedicated staff working hard to meet those challenges.

In addition, two packaging PROs will complicate compliance for producers whose products include deposit containers, non-deposit beverages and other products. Their costs, reporting requirements and responsibilities will increase while they will receive no benefits from this diffuse set of authorities and requirements. Those two packaging PROs will also be complicated for MDE to manage as its staff navigates two separate packaging laws, regulations, and PROs for deposit beverage containers and all other packages.

Needs Assessment

The legislature required MDE to perform a Statewide Needs Assessment before the 2025 passage of the packaging EPR bill. The Needs Assessment provides a comprehensive view of Maryland's existing recycling status and infrastructure. It briefly considers container deposits and concludes "Additionally, while bottle bills and EPR for packaging programs may complement each other, it is important to consider their timing and implementation so that they do compete with each other for high-value materials or face other unintended consequences." (see pages 4-6) Clearly, due to a typo, the word "not" was intended to be between "do" and "compete". MDE should fully implement the law that covers all packages before creating PROs for small portions of packaging.

Other Concerns

In our deposit bill testimony in previous years, we urged the Committee to recognize Maryland's unique infrastructure for collecting and processing recyclables. Our state is fortunate to have seven processing facilities, known as Materials Recovery Facilities or MRFs. Four are publicly owned, three are privately owned. In addition, three privately owned "dump and bale" facilities process paper packages and products. When Maryland's PRO program plan is approved (probably two years from now), their relationship with local governments and other customers will change. At this point we don't know what that relationship will be. Under deposit programs, beverage containers are diverted from curbside collection to the new system. As a result, processing facilities and their customers lose that revenue stream. This causes immediate harm to both the facilities and their customers. These materials are only five percent of processed recyclables but can supply one-third to one-half of MRF revenue. Processing costs will go up when that revenue stream is lost. While the bill attempts to buffer losses to publicly-owned MRFs, the formula grants relief with one hand while taking it away with the other (see 9-1748). A new section (see 9-1751) attempts to reimburse all MRFs but misses the mark.

Conclusion

The Maryland Recycling Network urges the legislature to defer action on new laws for specific types of packages until the existing packaging EPR law and the paint EPR law are fully operational.

Sincerely,

Chaz Milller  
Chair, Legislative Committee  
Maryland Recycling Network

The Maryland Recycling Network stands ready to serve as a sounding board and resource for legislators and others interested in pursuing our mission. Please do not hesitate to contact MRN via email [phoustle@marylandrecyclingnetwork.org](mailto:phoustle@marylandrecyclingnetwork.org), phone 301-725-2508 or mail - MRN, PO Box 1640, Columbia MD 21044 if you have any questions or would like additional information regarding the above.