



## House Bill 61

### *Environment – Solid Waste, Recycling, and Anaerobic Digestion*

MACo Position: **SUPPORT**

To: Education, Health and Environmental  
Affairs Committee

Date: March 22, 2016

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **SUPPORTS** HB 61 as amended by the House. The bill addresses important regulatory needs for both recycling and anaerobic digestion facilities but MACo believes counties should have a voice in the creation of the required regulations.

HB 61 requires the Maryland Department of the Environment (MDE) to adopt regulations governing recycling facilities and anaerobic digestion facilities. Anaerobic digestion is a promising technology that can help both urban and rural counties address food, human, animal, and other organic waste while simultaneously reducing greenhouse gas emissions and generating power. However, anaerobic digestion facilities have no chance of becoming widespread in Maryland until there is regulatory certainty over how they should operate.

Additionally, as materials recovery facilities (MRFs) sort and process recyclables collected through the single stream process, they are handling increasing amounts of what is currently defined as non-recyclable “solid waste.” Under current law, this could trigger the need for MRFs to apply for a solid waste disposal permit – an expensive and cumbersome requirement that was never intended to apply to them. HB 61 would allow MDE to adopt regulations to require recycling facilities like MRFs to meet reasonable public safety and health requirements while avoiding the need to apply for a solid waste permit.

The House amendments to HB 61 add clarifying provisions for sewage treatment works that conduct anaerobic digestion and facilities using sewage sludge. Per MACo’s request, the amendments also require MDE to consult counties and other affected stakeholders when creating the regulations. MACo feels this is equitable given that counties have been mandated by the State to be the primary entity responsible for recycling.

As amended, HB 61 allows MDE to make regulatory changes to encourage anaerobic digestion facilities in the state, protects recycling facilities from potentially onerous permitting requirements, and provides affected stakeholders with a voice in the regulation creation process. Accordingly, MACo would urge the Committee to give HB 61 a **FAVORABLE** report.