



House Bill 850

Solid Waste Management and Recycling – Mattresses and Box Springs

MACo Position: **OPPOSE**

To: Environment and Transportation and
Economic Matters Committees

Date: February 21, 2018

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **OPPOSES** HB 850. The bill would: (1) impose potentially costly and unworkable recycling mandates on counties with no State financial assistance; and (2) run counter to the more collaborative recycling policy approach used by the General Assembly for over a decade.

HB 850 would require a county to include a strategy for managing the disposal of mattresses and box springs in their recycling plan by October 1, 2019. The strategy must include: (1) eliminating the disposal of mattresses and box springs from landfills and incinerators; (2) preventing the dumping of mattresses and box springs; (3) recycling mattresses and box springs; and (4) promoting related business and social programs that create jobs for unemployed, homeless, disabled, or formerly incarcerated individuals and disadvantaged youths. The Maryland Department of the Environment would provide technical support but no financial support.

MACo acknowledges that mattresses and box springs are a “problem” item in the waste stream, being difficult to recycle and challenging to collect for disposal. However, the bill’s requirements would be very difficult for counties to meet. First, the bill would impose a costly new mandate on county governments. As the bill’s fiscal note indicates, county expenditures increase, potentially significantly just to implement the bill’s disposal and recycling requirements.

Further costs are accrued if counties must undertake additional litter enforcement activities mandated by the bill. Additionally, many counties do not own their own recycling facilities and nongovernmental recycling or social programs may be nonexistent in more rural areas of the state, making the jobs development component of the bill difficult or impossible for some counties to achieve.

Second, the mandate imposed by the bill is counter to the General Assembly’s recycling approach that has been in place for more than a decade. Recognizing the complexity of dealing with problem waste stream items like mattresses and box springs, the General Assembly has worked with counties and manufacturers to create comprehensive solutions for these items.

For example, the State has provided funding assistance to assist with the recycling of electronic items.¹ For other items, the General Assembly has allowed a county to count pre-existing private recycling programs as part of the county's recycling efforts.² The General Assembly has also explored making product manufacturers or sellers responsible for their products.³ For a product with little recycling or diversion potential, the General Assembly has considered banning the product.⁴ Finally, for extremely complex items like food and organic waste, Maryland has created inclusive and comprehensive task forces to create workable recycling or waste diversion policies.⁵

MACo believes that the issue of addressing mattresses and box springs in the waste stream is best addressed through either a manufacturer program or comprehensive task force approach. Counties can certainly be a participant in these efforts, but as HB 850 is currently drafted, it simply places another unfunded and potentially unworkable mandate on county governments. Accordingly, MACo urges the Committee to give HB 850 an **UNFAVORABLE** report.

¹ HB 575 of 2005 and HB 488 of 2007 (both passed)

² HB 685 of 2010 (passed)

³ Manufacturers were also held accountable under the electronics recycling legislation while HB 674/SB 168 (failed) considered the same for paint

⁴ HB 538/SB 651 of 2018 (pending) seeks to ban polystyrene food containers

⁵ HB 171/SB 99 of 2017 (passed)