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THE MARYLAND HOUSE OF DELEGATES
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**HB 131 – ENVIRONMENT – SYNTHETIC TURF AND TURF INFILL – CHAIN OF
CUSTODY**

SUPPORT

GOOD MORNING MR. CHAIRMAN, MR. VICE CHAIR AND COLLEAGUES. I AM REQUESTING FAVORABLE CONSIDERATION OF HB 131 CREATING A CHAIN OF CUSTODY REPORTING SYSTEM FOR SYNTHETIC TURF FIELDS. THIS IS MY FOURTH YEAR WORKING ON THIS ISSUE AND MY APPROACH HAS EVOLVED OVER THAT TIME, BUT WITH THE EXCEPTION OF THE EFFECTIVE DATE, THIS IS THE VERY SAME BILL I BROUGHT TO THE COMMITTEE LAST YEAR. IT WAS NEVER VOTED ON BUT I AM OPTIMISTIC THAT WILL CHANGE THIS YEAR.

IN THE SPIRIT OF EXTENDED PRODUCER RESPONSIBILITY LAWS, WHICH EXIST ALL OVER THE COUNTRY FOR CARPET, PAINT, BATTERIES AND MANY OTHER PRODUCTS, HB 131 REQUIRES MANUFACTURERS AND PRODUCERS BUT ALSO OWNERS OF SYNTHETIC TURF AND TURF INFILL TO REPORT TRACKING INFORMATION TO THE MD DEPT. OF ENVIRONMENT FOR PUBLICATION ON ITS WEB SITE.

SYNTHETIC TURF, ALSO CALLED ARTIFICIAL TURF (AND SOMETIMES REFERRED TO BY A BRAND NAME SUCH AS ASTROTURF OR FIELD TURF) HAS BEEN GROWING IN POPULARITY FOR DECADES. YOU ARE GOING TO HEAR FASCINATING TESTIMONY BY A GROUP OF VOLUNTEERS WHO HAVE CONDUCTED A TURF INVENTORY ACROSS THE STATE OVER THE PAST YEAR. THE INFORMATION WAS NOT EASY TO OBTAIN AND DOES NOT GIVE AN ENTIRELY COMPLETE PICTURE OF SYNTHETIC TURF FIELDS IN MARYLAND, BUT IT SHEDS A LOT OF LIGHT ON A SHADOWY SUBJECT.

THAT IS PART OF THE CHALLENGE AND THE OPPORTUNITY THE BILL CREATES. BY FINDING OUT WHERE THESE FIELDS ARE NOW AND WHERE THEY GO AT THE END (AND OCCASIONALLY IN THE MIDDLE) OF THEIR LIVES, THERE WILL BE TRANSPARENCY AND AWARENESS THAT HOPEFULLY WILL LEAD TO INCREASED OPPORTUNITIES FOR REUSE, RECYCLING, REPURPOSING AND RESPONSIBLE DISPOSAL.

THIS CHAIN OF CUSTODY APPROACH TO A SIGNIFICANT SOLID WASTE CHALLENGE IS A REASONABLE ONE THAT IS NONETHELESS IMPORTANT FOR CREATING TRANSPARENCY AROUND SYTHETIC TURF AND TURF INFILL USE AND DISPOSAL.

THE BILL DOES THIS BY REQUIRING REPORTING TO MDE ABOUT WHERE FIELDS CURRENTLY EXIST IN MD AND WHERE THEY GO WHEN THEY ARE MOVED FOR REUSE, RECYCLING, REPURPOSING OR FINAL DISPOSAL.

TWO CATEGORIES OF REPORTERS: THE BILL PLACES REPORTING RESPONSIBILITY ON TWO DIFFERENT TYPES OF ENTITIES.

1. **FOR SYNTHETIC TURF FIELDS/INFILL INSTALLED PRIOR TO JANUARY 1, 2023**, THE OWNER OF THAT FIELD IS THE REPORTING AGENCY. THAT COULD BE A SCHOOL SYSTEM, PARKS AND RECREATION DEPARTMENT, MUNICIPALITY, UNIVERSITY, PRIVATE SPORTS CLUB OR OTHER ENTITY.
2. **FOR SYNTHETIC TURF FIELDS INSTALLED AFTER JANUARY 1, 2023**, THE PRODUCER(S)/MANUFACTURER(S) OF THE TURF FIELD/INFILL IS THE REPORTING AGENCY.

COPROMISE PROVISIONS IN HB 131 THE PURPOSE OF HB 131 IS TO CREATE A REPOSITORY OF INFORMATION ON A PUBLIC WEB SITE ABOUT WHERE SYNTHETIC TURF FIELDS EXIST IN MD AND WHERE THEY GO WHEN THEY ARE MOVED. IT DOES NOT ATTEMPT TO PRESCRIBE THE WAYS IN WHICH THE CARPET OR INFILL CAN OR SHOULD BE REUSED, REPURPOSED, RECYCLED OR DISPOSED OF. IT SAYS ONLY THAT THE INFORMATION MUST BE REPORTED TO MDE.

FOLLOWING LAST YEAR'S ENT HEARING, I MADE SEVERAL CHANGES AT THE REQUEST OF THE SYNTHETIC TURF COUNCIL INCLUDING:

1. INCREASING THE SQUARE FOOTAGE OF FIELDS THE LAW WOULD APPLY TO, FROM 5,000 SQ. FT. TO 15,000 SQ. FT.
2. DROPPING THE PENALTY PROVISION THAT GAVE THE ATTORNEY GENERAL DISCRETION TO FINE REPEAT OFFENDERS. FOR FAILURE TO REPORT CHAIN OF CUSTODY INFORMATION, A VIOLATOR WILL FIRST GET A WRITTEN WARNING, THEN A FINE OF UP TO \$500, AND FOR THIRD AND SUBSEQUENT OFFENSES, A FINE OF UP TO \$1,000.

AS A RESULT OF THOSE CHANGES, STC WITHDREW ITS OPPOSITION TO THE BILL AND INDICATED IT COULD LIVE WITH A CHAIN OF CUSTODY LAW.

MR. CHAIRMAN, I BELIEVE A CHAIN OF CUSTODY APPROACH IS WORKABLE FOR BOTH SYNTHETIC TURF FIELD OWNERS AND PRODUCERS. IT REPRESENTS A SIGNIFICANT STEP IN CREATING TRANSPARENCY AND ACCOUNTABILITY AROUND WHERE SYNTHETIC TURF AND TURF INFILL IS WITHIN THE STATE'S BOUNDARIES DURING ANY PHASE OF ITS LIFE CYCLE. I URGE A FAVORABLE REPORT.

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