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Capital Budget

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THE MARYLAND HOUSE OF DELEGATES
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Northeast Maryland Waste Disposal Authority Sunset Act (HB 161)
Testimony of Delegate Marc Korman—Favorable with Amendments

Thank you Mr. Chair, Mr. Vice Chair, and the members of the Environment and Transportation Committee. I come before you today to discuss the **Northeast Maryland Waste Disposal Authority Sunset Act (HB 161)**. The bill would require a sunset review of the Northeast Maryland Waste Disposal Authority (NMWDA) to determine whether or not we still need this authority,

The NMWDA is a quasi-governmental agency consisting of ten employees, which has operated without significant statutory change since its foundation in 1980. Its services and responsibilities include landfill services, landfill gas-to-energy, composting, recycling, solar energy, and trash incineration. Its member jurisdictions are Montgomery, Frederick, Carroll, Baltimore, Harford, Howard, and Anne Arundel Counties, as well as Baltimore City. Perhaps its most significant role was in building the waste-to-energy facility in Harford County, which closed in 2016; the Dickerson incinerator, the contract for which terminates in 2026; and the Baltimore City waste-to-energy facility, whose contract expires in 2031.

Almost all these functions, with the exception of trash incineration, are a duplication of services currently provided by the Maryland Environmental Service (MES). Indeed, in NMWDA's statute, Natural Resources Sec. 3-924, exists a provision regarding its eventual merger with the Maryland Environmental Service (MES).

One of the recommendations of the bipartisan State Transparency and Accountability Reform (STAR) Commission for Maryland for quasi-governmental agencies was to conduct a periodic sunset review of such entities and this bill would fulfill that purpose.

The legislation does the following:

- Directs the Department of Legislative Services to evaluate the Northeast Maryland Waste Disposal Authority's governance, technical abilities, effectiveness, efficiency, sufficiency of resources, adherence to and accomplishment of legislative objectives, and statutory purpose and to recommend whether the continuation of the Waste Disposal Authority is necessary in a report due by December 2024.

- Requires the Maryland Environmental Service to evaluate whether it can assume any necessary functions of the NWMDA.
- Prohibits the Waste Disposal Authority from issuing new bonds—it currently has no bonds outstanding—while the Department of Legislative Services evaluation is ongoing, something their most recent letter to the Spending Affordability Committee said they had no intention of doing.

We will be submitting three amendments for your consideration. The first removes the Maryland Clean Energy Center (MCEC) from the bill, largely because the Maryland Environmental Service can fill the role outlined for MCEC. The other two amendments relate to stakeholder engagement and clarification on continuity of NMWDA services.

There are two purposes of the bill. First and foremost, it will promote efficiency and eliminate redundancies between the Maryland Environmental Service and the Northeast Maryland Waste Disposal Authority, integrating the efforts of both agencies to serve the state more effectively. Second, as you will hear from some advocates, there are concerns that the NMWDA is fixed on 20th century approaches to waste management and a change is needed. While that may be so, the bill before you does not mandate any of those changes, close down any incinerators, or shift us to a zero waste policy. But it does require us to evaluate our General Assembly-created agencies to make sure they are serving us well. I urge a favorable report.