



**February 5, 2026**

**RE: Discussion Questions for the Curbside Covered Materials List [Recyclable and Compostable] - Regulatory Framework.**

On behalf of AMERIPEN – the American Institute for Packaging and the Environment – please see the below responses to the corresponding discussion questions the Maryland Department of the Environment (MDE) shared for the February 10 Advisory Council meeting. AMERIPEN appreciates the opportunity to offer its perspective and is happy to discuss it further with MDE.

1. The “curbside” list should be bifurcated to identify what can be collected directly from individual customers (i.e., residences and other covered entities) and what can be collected from drop-off and other alternative collection services. This recognizes the diversity in collection methods currently available, and that will be suitable as more materials are accepted for recycling. Additionally, it helps to lessen contamination and recognizes the diversity in material recovery facilities (MRFs) in how and what they can accept for successful processing. Collection standards should be modulated based on the sub-list and dynamics of each material. Consult the Minimum Recyclable List and Additional Materials List in Colorado’s EPR program for an effective model.
2. The Circular Action Alliance (CAA) has developed a Cost to Manage framework for reimbursement that should be flexible enough for Maryland’s law; AMERIPEN thus recommends deferring establishment of reimbursement standards to the Producer Responsibility Organization (PRO) plan rather than regulations.
3. Amended lists should be provided to relevant parties within 10 working days using a distribution list or portal. Reimbursement (and collection) requirements should take effect no more than one year after an update to the list for the update materials, in line with what is proposed under California’s regulations. The PRO should manage education resources internally and is incentivized to update educational materials in a timely manner to ensure appropriate collection; specification in rule is unnecessary.
4. The “curbside” list should be made available online in accessible format like webpages and downloadable PDFs and in physical formats like mailers or cart labeling, as the PRO determines most effective. AMERIPEN encourages MDE and the PRO to collaborate informally before and during the development of educational resources to work through issues and arrive at mutually agreeable designs ahead of public distribution.
5. Alternative collection systems are a crucial part of a successful packaging EPR system. Not all materials are suitable for municipal pick up from a covered entity for a variety of reasons, so these alternative systems must be considered and integrated. A variety of options exist, including retail takeback, drop-off, and subscription services. See the response in #1 above for more information.