

Advisory Council Meeting #30

Producer Responsibility:
Packaging and Paper Products



Maryland
Department of
the Environment

September 10, 2026

Housekeeping

- Appointed advisory members must indicate that they are in attendance by typing their name and affiliation into the “chat” function, or their attendance will not be recorded.
- Please remain on mute so that no background noise disrupts any speakers or inquiries
- Please use the raised hand function so that all persons have the opportunity to provide feedback. Public participation is reserved for the last 10 minutes of the meeting.

Agenda



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1. New Advisory Council Members Introduction
2. Registration Update
3. Exempt Producer Form
4. PCIA Exemption Request Review
5. Round 2 Regulations Definitions Discussion
6. Public Participation

New Advisory Council Members Introduction

Tiffany Harvey
Mick Arnold
Andy Hackman

Missed registration? What to expect next.

Missed Registration



PRO responsibilities regarding unregistered producers: [COMAR 26.04.14.D\(2\)](#)

To report an unregistered producer ([MDE's Producer Responsibility webpage](#)):

Contact Information

For additional information, questions, or to report a producer who has not registered per the requirements established in the Packaging and Paper Products - Producer Responsibility Plans Act and associated regulations, please contact the **Resource Management Program** at mde.epr@maryland.gov or **410-537-3314**.

Presentation - Producer Registration Update

Circular Action Alliance

Exempt Producer Form

Exempt Producer Form



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MARYLAND DEPARTMENT OF THE ENVIRONMENT
Land and Materials Administration - Resource Management Program
1800 Washington Boulevard - Suite 610 - Baltimore, Maryland 21230-1419
410-537-3314 - 800-633-6101 x3314 - www.mde.maryland.gov

Exempt or Excluded - Producer Determination Request Packaging and Paper Products - Producer Responsibility

Authority: Title 9, Environment Article, Annotated Code of Maryland, and Code of Maryland Regulations (COMAR) 26.04.14

IMPORTANT: This application should only be filled out by:

1. Entities who are not considered producers due to an exclusion or an exemption as identified in COMAR 26.04.14
2. Entities who are considered a producer for some covered materials, but are also producers of excluded or exempt materials, as identified in COMAR 26.04.14

This form should not be completed by an entity that is not the obligated producer. If the obligated producer has already registered in accordance with the producer hierarchy established in the definition of "producer" as set forth in [COMAR 26.04.14.02](#).

Completed forms to be submitted to mde.spr@maryland.gov

Section I - General Information

Legal Name of Entity Applying (organization name): _____
Facility/Site Mailing Address: _____ City: _____ State: _____ Zip Code: _____
Link to Website: _____

Contact Legal Name: _____
Contact Title: _____
Contact Email: _____ Contact Telephone No.: () - -

Classification. I am filling out this form because:

- ☐ I have determined that I am not an obligated producer, per statute and regulations.
☐ I have determined that I am an obligated producer for some covered materials, but I am also a producer of exempt materials.

Section II - Status Determination: State the reason for determination selected in Section I.
I am not a producer because I am (select reason(s) below):

- ☐ a State, or federal agency, a political subdivision, or other governmental unit
☐ a registered 501(c)(3) charitable organization or 501(c)(4) social welfare organization
☐ a "de minimis producer" who:
☐ introduced less than one ton of covered material into the State
☐ weight per unit by category of covered material (see categories of covered materials for registration in COMAR 26.04.14.03): _____
☐ the number of units sold or distributed per year into the State: _____
☐ earned global gross revenues of less than \$2,000,000.
☐ a mill that uses any virgin wood fiber in the products it produces
☐ a paper mill that produces container board derived from 100 percent postconsumer recycled content and non-postconsumer recycled content

Exempt or Excluded Material - Producer Determination Request
June 2026

Page 1



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COMPLIANCE GUIDE FOR REGULATIONS COMAR 26.04.14 Packaging and Paper Products - Producer Responsibility

This compliance guide sets forth how producers of covered materials must comply with the Code of Maryland Regulations (COMAR) [26.04.14 Packaging and Paper Products - Producer Responsibility](#). This document is for informational purposes and **should not** be construed as legal advice. Affected establishments should consult the [law](#) (Environment Article, §§9-1702, 9-1707, 9-2501 through 9-2512, Annotated Code of Maryland), and the regulations, or consult legal counsel. This document is subject to change.

This guidance document supports the initial round of regulations intended to facilitate the development of the Packaging and Paper Products - Producer Responsibility program in Maryland, adopted on May 5, published on May 15 and effective on May 25, 2026. Regulation development is ongoing. To participate in rulemaking associated with the current draft regulations and future regulation development, please send an email to mde.spr@maryland.gov and request addition to the Maryland Department of the Environment's extended producer responsibility email list to receive notifications.

Table of Contents

Summary of the Regulations	2
Definition of Key Terms	2
Covered Materials	10
Categories of Covered Materials for Registration	11
Excluded and Exempt Materials	12
Producers	18
Registration Requirements	20
Alternative Collection Programs	22
Record Keeping, Reporting and Production of Records	23
Timeline	24
Enforcement	25
Advisory Council	27
Frequently Asked Questions	29
Appendix A - ? - Am I a Producer	App A 1-3

Exemption Request Review

Pressurized Cylinder Industry Association (PCIA) Exemption Request



Attn: Bradley Baker

Program Manager, Resource Management Program

Maryland Department of the Environment

Sent via email: bradley.baker1@maryland.gov, mde.epr@maryland.gov

shannon.mcdonald@maryland.gov

From: David Keeling, Executive Director, Pressurized Cylinder Industry Association

Date: July 15, 2026

RE: Exemption Request for Pressurized Cylinders Under COMAR 26.04.14.02B(16)(k)

Based on the recently released 'Compliance Guide for Regulations COMAR 26.04.14', on behalf of our producer members, we would like to formally request an exemption for all refillable and non-refillable pressurized cylinders supplied to covered entities.

The [Pressurized Cylinder Industry Association](#) was incorporated in June 2023 to represent the interests of pressurized cylinder brands and producers in the development of extended producer responsibility legislation. PCIA is made up of leading brands supplying both refillable and non-refillable pressurized cylinders to US consumers, including Cascade Designs, Inc., The Coleman Company Inc., Johnson Outdoors Gear Inc., Manchester Tank, Sterno Group LLC, Worthington Enterprises, and YSN Imports.

COMAR 26.04.14.02B(16)(k) exempts primary packaging used to contain hazardous or flammable products regulated by the 2012 OSHA Hazard Communication Standard ([29 C.F.R. §1910.1200](#)) when those regulatory requirements prevent the packaging from being waste reduced, reusable, recyclable, or compostable, as determined by the Department. A combined exemption request is provided for the range of cylinders covered by the legislation (e.g., refillable and non-refillable) given the exemption considerations are consistent across formats, sizes and gas types.

The attached analysis provides the rationale for the Maryland Department of Environment to provide this exemption:

Sincerely,

David Keeling, Executive Director

Pressurized Cylinder Industry Association

E: davidkeeling@cylinderindustry.org

T: 414-630-9382

Justification for Exemption of Pressurized Cylinders Under COMAR 26.04.14.02B(16)(k)

1

Request received by MDE on July 15, 2026

PDF available on the [MDE Producer Responsibility Webpage](#):
“*Exemption Request - Pressurized Cylinders (July 15, 2026)*”



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Consideration: Round 2 Regulations

Potential Terms

The following terms* were shared by MDE for consideration/review:

Majority component
Minimum Compostable or Recyclable List
Waste reduction or source reduction
Reimbursement rate
Service Provider
Service Packaging
Refill
Reuse
Multifamily
Mixed-use
Curbside collection or On-Site Collection Service

Additional terms provided by external stakeholder in the survey for MDE to consider:

Post-consumer recycled content means the portion of a covered product's total weight that is composed of postconsumer recycled materials, as determined by a material balance approach that calculates total postconsumer recycled material as a percentage of the total weight of the covered product." "Postconsumer recycled content" does not include preconsumer or postindustrial secondary waste material or materials and by-products generated from, and commonly used within, an original manufacturing and fabrication process." (Sierra Club)

Recycling Access means the ability to access covered services for recycling through one or more methods, including curbside collection, alternative collection programs, and drop-off collection. (AMERIPEN)

Responses Received = 12

*Note that this is not an exhaustive, final or decisive list of terms



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Public Participation



Advisory Council Co-Chairs

Upcoming Meetings

Upcoming meetings: Dates/Times



Thursday October 8 from 9-11 am ET

Tuesday December 8 from 9-noon ET - **HYBRID** meeting
(in-person space is limited, [register today!](#))

To be added to the list notification for all EPR PPP discussions, please send a request to mde.epr@maryland.gov



Resource Links

Maryland Specific Information

- Link to [Environmental Articles beginning §9-2501](#)
- Link to [COMAR 26.04.14](#)
- [Regulations Impacting Small Businesses \(signup\)](#)
- [Archived MD Advisory Council Meetings](#)
- [MD Needs Assessment \(pub. 2025\)](#)

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