



# MARYLAND DEPARTMENT OF THE ENVIRONMENT

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Martin O'Malley  
Governor

Robert M. Summers, Ph.D.  
Acting Secretary

Anthony G. Brown  
Lieutenant Governor

February 15, 2011

The Honorable Joan Carter Conway, Chairperson  
Members of the Senate Education, Health, and Environmental Affairs Committee  
Senate Education, Health, and Environmental Affairs Committee  
Room 2 West, Miller Senate Building  
Annapolis, MD 21401

**Re: Letter of Information, Senate Bill 221: Environment - Decabrominated Diphenyl Ether - Trace Amounts**

Dear Senator Conway and Committee Members:

The Maryland Department of the Environment supports SB 221 which adds an allowable *de minimus* concentration of one tenth of 1% to the existing controls on deca-BDE. This will facilitate recycling as allowed in the existing statute and remove regulatory uncertainty where the concentrations clearly indicate that deca-BDE was not added as a flame retardant. We have heard credible concerns from various industrial interests and believe this will address their concerns without in any way compromising the intent of the existing statute.

Thank you for your consideration of this information as you review SB 221. Please contact me at 410-260-6301 or [lnissley@mde.state.md.us](mailto:lnissley@mde.state.md.us) if you would like to discuss any of these issues further.

Sincerely,

Lisa Nissley

Cc: Richard Eskin, Director, Air and Radiation Management Administration  
Heather Barthel, Director, Legislation and Policy

