



Toxics Action Center
142 High Street, Suite 624
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April 3rd, 2019

To: Environment and Natural Resources Committee

From: Dana Colihan, Maine Community Organizer for Toxics Action Center

Good Morning, my name is Dana Colihan, I am a resident of Portland, ME, and I am the Maine State Community Organizer for Toxics Action Center. I am here today to strongly support LD 401, *An Act to Preserve State Landfill Capacity and Promote Recycling*.

At Toxics Action Center, we start our work with the core belief that everyone has a right to breathe clean air, drink clean water, and live in a healthy community where the government operates responsively and democratically. Our mission is to make these rights a reality by organizing side by side with community groups to tackle environmental threats, as well as develop and train non-traditional leaders to strengthen the environmental and social change movements.

Toxics Action Center has been around since 1987 and has helped over 800 communities prevent and clean up pollution. We work proactively to protect our health and environment throughout the region. From our work in frontline communities, we know that we have every reason to be concerned about the effects of waste facilities on public health and the environment, which is why we support this bill's initiative to further encourage recycling and conserve the capacity of state landfills.

I stand side by side with community members across the state from Hartland to Old Town, who are directly affected by landfills and this state's waste policies. It is of the utmost importance that Maine legislators prioritize and center the voices of the communities directly impacted by these issues. All too often, the people whose health is the most threatened, whose environment the most jeopardized, and whose quality of life the most degraded are not invited to the table when decisions impacting them are being made. Communities next to waste sites should not be the last to know when there is a fire abutting their land or when explosive levels of gas are detected next-door. LD401 prioritizes abutting communities public health and safety in these situations, and aims to ensure their equal protection and meaningful involvement throughout the process.

This bill is critical right now for three reasons: we need a new definition for Maine generated waste, we need to ensure recycled material isn't landfilled and that we are recycling as much as possible, and finally because we need to hold the trash industry accountable.

There are currently loopholes in Maine regulations and definitions that allow for waste originating outside of the state to be counted as "in State Waste." The Maine DEP's 2019 Maine Materials and Management Plan notes the large quantities of out-of-state construction and demolition debris being processed in Maine facilities despite the prohibition of waste from out of state being disposed of in state-owned facilities. Secondly, we know each year excessive amounts of recyclable material are disposed of at landfills, and yet are still counted as recycled material. Finally, in the absence of the absence of regulations, we have witnessed the waste industry developing their own structure and definitions around waste which the government has adopted. L401 was created through a collaborative citizen effort, it gives a much needed re-definition of in-state waste and recycling, and creates third party verifications for reporting tonnage, origin and types of waste.

We ask you to be proactive in protecting the people of the state of Maine and prioritize the voices of community members most severely affected by the impacts of landfills by supporting LD 401. Thank you.