

**Testimony before the
Committee on Environment and Natural Resources
March 17, 2025**

**RE: Testimony in Opposition to LD 231 – An Act to Update the Solid Waste
Management Hierarchy**

Good morning Senator Tepler, Representative Doudera, and members of the Environment and Natural Resources Committee:

My name is Alex St. Pierre, and I am the Director of Communities & Toxics for the Conservation Law Foundation (CLF). CLF's mission is to conserve natural resources, protect public health, and build healthy communities in Maine and throughout New England.

CLF strongly **opposes** LD 231, which seeks to **prioritize incineration** in Maine's Solid Waste Management Hierarchy ("Hierarchy"), moving it from **one of the least preferred methods to even above recycling and composting**. This bill contradicts well-established environmental policies and ignores decades of research on the dangers of incineration.

Maine's Hierarchy is a legally binding framework designed to guide how the state regulates waste and promotes sustainability. 38 MRSA §2101, sub-§1. The Maine Department of Environmental Protection (MEDEP) enforces waste management laws in alignment with the Hierarchy, assists municipalities in handling their waste accordingly, and has to ensure that waste management facilities conform with the hierarchy in their permitting and operations. In short, **the Hierarchy has a major impact on waste management in the state**.

Incineration sits near the bottom of the Hierarchy because it is **one of the most toxic methods** for managing waste; it **pollutes our air, land, water and bodies**. The toxics from burning municipal solid waste include dioxins and furans, particulate matter that cause respiratory issues, per- and polyfluoroalkyl substances ("PFAS"), and heavy metals such as mercury, lead and cadmium. The leftover ash is also toxic, contaminating landfills and the environment.

Nobody wants to live near an incinerator; studies have found that those who do may be more likely to suffer **adverse health outcomes** including birth defects, miscarriages and infant deaths.¹ One study found mothers living near waste incinerators have more polychlorinated biphenyls (PCBs) and dioxins in their breastmilk.²

Incineration also emits greenhouse gases. According to the U.S. Environmental Protection Agency, in 2021, waste incineration released 12.8 million metric tons of carbon dioxide equivalent (“CO₂e”) emissions.³ Reports have found incineration emits more greenhouse gases than any other power source.⁴

Zero waste practices conserve far more energy than can be generated via incineration at waste-to-energy facilities.⁵ Source reduction, recycling, and composting can conserve three to five times more energy per ton of waste than is generated by incinerating that same ton of waste.⁶ Incineration, *regardless of its use*, should not be a solid waste management priority—as the current Hierarchy correctly reflects. **LD 231 would be a major step backwards.**

For all these reasons, CLF urges the committee to *oppose* this bill.

Respectfully submitted,



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¹ Peter Tait et al., *The Health Impacts of Waste Incineration: A Systematic Review*, Australian and New Zealand Journal of Public Health, (2020), available at: <https://pubmed.ncbi.nlm.nih.gov/31535434/>

² Ruth Parsons et al., *Polychlorinated dibenzo-dioxin/furan and polychlorinated biphenyl concentrations in the human milk of individuals living near municipal waste incinerators in the UK: Findings from the Breast milk, Environment, Early-life, and development (BEED) human biomonitoring study*, Environmental Research, (2025), available at: <https://www.sciencedirect.com/science/article/pii/S0013935124024927>

³ U.S. EPA, *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2021*, 7-3, (2023), available at <https://www.epa.gov/system/files/documents/2023-04/US-GHG-Inventory-2023-Chapter-7-Waste.pdf>

⁴ Neil Tangri, *Waste Incinerators Undermine Clean Energy Goals*, (2023), available at <https://journals.plos.org/climate/article?id=10.1371%2Fjournal.pclm.0000100>

⁵ Marie Donahue, Institute for Local Self-Reliance, *Waste Incineration: A Dirty Secret in How States Define Renewable Energy*, 11, (2018), available at <https://cdn.ilsr.org/wp-content/uploads/2018/12/ILSRIncinerationFinalDraft-6.pdf>.

⁶ *Id.*