



March 17, 2025

Chair Denise Tepler and Victoria Doudera
Environment and Natural Resources Committee
Main Legislature
100 State House Station
Augusta, ME 04333

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

Dear Chair Tepler, Chair Doudera, and Members of the Maine Environment and Natural Resources Committee:

Thank you for the opportunity to provide testimony on LD 231. Just Zero opposes this bill and urges the committee to recommend that the bill should not pass. Just Zero is a national environmental non-profit that works to implement just and equitable solutions to climate-damaging and toxic production, consumption, and waste disposal practices.

We commend Maine for taking important measures to address the waste crisis and serving as a nationwide example for its work on waste prevention and reduction. However, LD 231 would be a step backward in its pioneering efforts. This bill reprioritizes the state's solid waste management hierarchy in a way that will incorrectly incentivize incineration and disincentivize recycling and composting. This bill will harm Maine residents and the environment through the pollution associated with incineration. Additionally, this bill will prioritize unproven methods of waste reduction over the proven methods of recycling and composting.

I. Benefits of Recycling and Composting Solid Waste

Recycling and composting are tried and true methods of reducing solid waste. These methods have the additional benefit of turning waste into valuable and generally non-toxic resources for Maine. These methods also reduce the climate damaging impact from our waste generation. In 2018, recycling and composting saved over 193 million metric tons of carbon dioxide in the United States.¹

When done right, recycling involves collecting and processing discarded materials and turning them into new products – ideally the very same products they were when discarded. In 2021 Maine successfully recycled 34.7% of its generated solid waste that would have gone to

¹ Environmental Protection Agency (EPA), [Recycling Basics and Benefits](#), Reduce, Reuse, Recycle (last updated Feb. 14 2025).

landfills.² This recycled material reduces the need for non-renewable resources and provides cost savings for companies that use recycled material. This also results in overall energy savings and benefits to the environment. Across the United States, the recycling industry also grows the economy through job creation, and revenue generation for local governments.³ LD 231, on the other hand does not provide these benefits and would frustrate the goals of Maine’s existing stewardship program for packaging and beverage container redemption program. Both programs aim to increase recycling rates, expand the recycling infrastructure in Maine, and support end markets for recyclable material.⁴

Composting is a natural process where bacteria and fungi break down organic material, like food waste and yard scraps, and creates a value-added material – compost – which replenishes soil and strengthens plant growth. Food waste makes up over 40% of the solid waste produced in Maine, and landfilling this waste results in climate damaging methane gas.⁵ Composting can divert the over a hundred thousand tons of food waste that goes to Maine’s landfills each year and create a product that benefits soil health, the agriculture sector, compost companies, and Maine’s overall economy. Passing LD 231 would interfere with the benefits composting provides Maine. Additionally, LD 231 conflicts with Maine’s existing Act Regarding the Reduction and Recycling of Food which seeks to prevent incineration of food waste.⁶ This law prioritizes diverting nutritious edible food to food insecure families and composting inedible food scraps over methods like incineration.⁷ The result of these methods are beneficial to Maine whereas methods like incineration harms the state. Furthermore, the conflict LD 231 has with this law would create confusion for Maine residents and businesses.

II. Negative Impact of Incinerating Solid Waste

LD 231 seeks to increase “Waste processing that reduces the volume of waste needing land disposal, including incineration” in priority above composting and recycling in Maine’s hierarchy of solid waste management.⁸ Since the main benefit of composting and recycling does indeed reduce the volume of waste needing land disposal, this bill’s reprioritization is not getting to the purpose of the hierarchy law. Instead, its purpose is to stealthily pave a way for incineration, and possibly other high heat and unproven technologies to manage Maine’s waste over composting and recycling.

Incineration of waste is simply burning trash. Fossil fuel companies place incineration and other high heat waste management practices under the guise of “waste-to-energy” technologies to deflect their toxicity and mislead the public that its benefits are on par with the those of recycling and composting. These methods are not equal. The output of incinerators includes toxic emissions that pollute our air and harm the health of surrounding communities – which

² Maine Dept. of Env. Protection (DEP), [Maine Solid Waste Generation and Disposal Capacity Report for Calendar Years 2020 & 2021](#), Department Reports, at 10 (Jan. 2023).

³ EPA, [Recycling economic Information \(REI\) Report](#), Sustainable Materials Management (last updated Jul. 16, 2024).

⁴ See 38 MRSA §2146; 38 MRSA §3101.

⁵ Resource Recycling Systems (RRS), [Food Loss and Waste Generation Study](#), DEP at 2, 7 (2024).

⁶ 38 MRSA §2101-B(1).

⁷ 38 MRSA §2101-B(1)(B),(D).

⁸ L.D. 231 (132nd Legis. 2025).

disproportionately have residents of low-income and/or people of color.⁹ The supposed energy generating benefits are meaningless when one understands that to make the same amount of energy, burning trash is *more* polluting than burning coal.¹⁰ Additionally, incinerators – unlike composting and recycling – do not eliminate the need for landfills. After incineration, roughly 30% of the incoming waste weight burned remains in the form of residual ash.¹¹ This ash contains high levels of dioxin, mercury, lead, polychlorinated biphenyls (“PCBs”), and polychlorinated naphthalene’s (“PCNs”).¹² The ash must then be disposed of in landfills where these pollutants eventually leach out and contaminate groundwater, drinking water, and surface water.¹³ Prioritizing a method that requires landfilling defeats the goals of Maine’s waste management hierarchy.

By disincentivizing composting and recycling, this bill would also impair the state’s existing goal of annually recycling or composting 50% of the solid waste generated in Maine.¹⁴ Maine is already having difficulty achieving this goal.¹⁵

III. Conclusion

Reprioritizing Maine’s solid waste management hierarchy as written in LD 231 is senseless and Just Zero urges the committee to vote no. This bill undermines Maine’s ongoing efforts to manage waste in ways that are beneficial to the state by incorrectly disincentivizing recycling and composting. Instead, it prioritizes methods that do not create value added products, are harmful, and conflict with the state’s existing waste management work. For these reasons, Just Zero opposes LD 231.

Thank you for your time and consideration of this testimony.

Respectfully submitted,

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⁹ Global Alliance for Incinerator Alternatives (GAIA), [Pollution and Health Impacts of Waste-to-Energy Incineration](#), No-Burn, at 1 (2019).

¹⁰ Mike Ewall, [Fact Sheet: Trash Incineration \(“Waste-to-Energy”\)](#), Energy Justice Network (Aug. 2023).

¹¹ GAIA, [Facts About Waste-to-Energy Incinerators](#), No-Burn, at 4 (2018).

¹² Jindrich Petrlik and Ralph Ryder, [After Incineration: The Toxic Ash Problem](#), International Pollutants Elimination Network, at 4–6 (2005).

¹³ *Id.*

¹⁴ 38 MRSA §2132(a).

¹⁵ DEP, *supra* n. 2.