

**Written Testimony in Opposition to LD 1423,  
“An Act to Improve Recycling by Updating the Stewardship Program for Packaging”**

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We are writing to express our strong opposition to LD 1423, “An Act to Improve Recycling by Updating the Stewardship Program for Packaging.”

Maine’s current EPR law was the result of several years of work that included a lengthy rulemaking process with input from producers, legislators, municipalities, and environmental experts. It is a landmark policy that holds producers accountable for the packaging waste they create and seeks to incentivize them to use more sustainable packaging. For too long Maine municipalities and taxpayers have had to foot the bill for this waste. Now LD 1423 appears to be a last-minute attempt by producers to weaken the law and to delay its scheduled implementation next year.

LD 1423 would wrongly take away some of the administration of the EPR law from the Maine Department of Environmental Protection and instead relinquish it to a possibly more producer-friendly stewardship organization. This would result in reduced public accountability and transparency. In addition, LD 1423 adds a long list of exemptions from packaging fees for multiple products despite the previous extensive opportunity for producers to present these exemptions during the rulemaking last year. The current law once enacted gives the DEP authority to approve reasonable exemptions through a thorough rulemaking.

By weakening the current law, LD 1423 would be a setback for Maine’s environmental policies regarding waste reduction, plastic pollution, and climate change. Single-use plastics in packaging often end up in landfills, incinerators, or in the oceans and waterways where they break down into microplastics and ultimately can end up in the fish that we eat and the water that we drink. We need to incentivize producers to reduce single-use plastics in their packaging. LD 1423 would weaken responsible management of plastics by redefining post-consumer recycled content and by exempting multiple products that use plastic packaging. We are especially concerned with its rewrites of “responsible end market” and “toxicity” that open the door to chemical recycling as an acceptable method of recycling plastics. Chemical recycling is a false solution to our plastic problem offered by the plastic industry. It often uses toxic solvents, and it can generate its own hazardous waste and air pollution.

We urge the Committee to reject LD 1423 and instead support full implementation of the current EPR law as intended. Let us not prioritize producer’s profits over Maine’s environment, taxpayers, and municipalities.

