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April 23, 2025

Senator Denise Tepler, Chair
Representative Victoria Doudera, Chair
Joint Environment and Natural Resources Committee
Cross Office Building, Room 216
111 Sewall St.
Augusta, ME 04330

RE: Support for LD 1519, An Act to Create a Stewardship Program for Electronic Smoking Devices and Related Products

Dear Chair Tepler, Chair Doudera, and Committee members:

Thank you for the opportunity to submit testimony in support with modifications of **LD 1519**, An Act to Create a Stewardship Program for Electronic Smoking Devices and Related Products, which would establish an extended producer responsibility program for electronic smoking devices in Maine.

Many of PSI's state and local government members are challenged with figuring out how to best manage the growing waste from both reusable and single-use vapor devices. These devices contain batteries, electronic components, and residual nicotine, making them hazardous in standard waste streams, and costly to local governments and ratepayers to manage. The inability to remove batteries and liquid cartridges from single-use devices compounds these risks.

Each inhalant delivery system contains a lithium-ion battery that, if not properly handled, can pose significant environmental and safety risks. When improperly disposed of, these devices can cause fires in waste collection vehicles, processing facilities, and communities. Additionally, the valuable and critical materials in these batteries – including lithium, cobalt, and other metals – are lost to landfills instead of being recovered for reuse.

Currently, there is no coordinated system for collecting and disposing of these products, leaving local governments to bear high management costs, with disposal costs ranging from \$20 to \$60 per pound.

LD 1519 establishes a producer-funded program that would create a convenient collection and disposal system to ensure devices are properly managed. The program would require an electronic smoking device stewardship organization to conduct outreach and education, provide

reports on collected devices, and training and ongoing technical support to collection locations.

Targeted modifications would significantly strengthen the overall impact of the program. PSI recommends the following changes to strengthen LD 1519:

- Require retailer participation as collection locations; this will establish an accessible collection system where consumers can conveniently return products at their original point of purchase.
- Include reimbursement for household hazardous waste facilities that collect electronic smoking devices.
- Include target recycling rates as part of the program performance goals; due to a lack of alternative recycling options, incineration is the current best practice for disposal, resulting in the loss of valuable materials. However, many components of these devices are recyclable.
- Updating the definition of “producer” to include manufacturers and distributors, and, if no other responsible party is identified, the one who first sells electronic smoking device into the state should be required to take responsibility for the product. Currently the bill language allows retailers or wholesalers to “elect” to take ownership; however, this should be mandated.

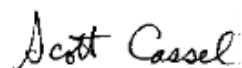
Additionally, the bill allows for multiple stewardship organizations. With multiple stewardship organizations, we recommend requiring a single joint website and contact information in order to create a cohesive program that the public can easily utilize.

Maine has long been a leader in environmental stewardship and producer responsibility programs. LD 1519 continues this leadership, creating a framework that can serve as a model for other states while protecting Maine's waste management infrastructure and environment by addressing an emerging waste management challenge.

The Product Stewardship Institute (PSI) is a national policy expert and consulting nonprofit that pioneered product stewardship in the United States with our members – a coalition of hundreds of state and local government officials, including those in Maine. Since 2000, PSI's facilitated dialogues, research, pilot programs, and policy models have shaped most of the 141 EPR laws enacted for 20 industry sectors, including Maine's EPR laws.

I respectfully urge you to **support LD 1519, with modifications**, for the financial and environmental health of Maine's communities and economy. If you have any questions, please feel free to contact me at (617) 513-3954, or Scott@ProductStewardship.US.

Sincerely,



Scott Cassel
Chief Executive Officer/Founder