



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

**TESTIMONY OF
CARLA HOPKINS, DIRECTOR, DIVISION OF MATERIALS MANAGEMENT
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**SPEAKING IN OPPOSITION TO L D 1418
AN ACT CONCERNING SINGLE-USE DISPOSABLE WATER BOTTLES AND
WATER REFILL STATIONS**

SPONSORED BY REP GRAMLICH

**BEFORE THE JOINT STANDING COMMITTEE
ON
ENVIRONMENT AND NATURAL RESOURCES**

DATE OF HEARING

MAY 3, 2023

Senator Brenner, Representative Gramlich, and members of the Committee, I am Carla Hopkins, Director of the Division of Materials Management within the Bureau of Remediation and Waste Management at the Department of Environmental Protection, speaking in opposition to L D 1418

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The water bottles described in L D 1418 are covered under Maine's Beverage Container Redemption Program ("Bottle Bill Program") As required in 38 M R S § 3016(8), all containers collected as part of the Bottle Bill Program are required to be recycled and recycling establishments must report their recycling efforts under 38 M R S § 2145 While plastic water bottle-specific recycling data are not collected, the Bottle Bill Program in Maine had an estimated recovery rate of 66.8% for plastic beverage containers in 2021 This is well above Maine's 2021 statewide recycling rate of 33.7% and the national recycling rate of 34.7%

The Department supports the intent of this bill, keeping single-use plastic bottles out of the waste stream through reduction of waste generated at the source by encouraging the use of refillable water bottles This is consistent with Maine's Solid Waste Management Hierarchy However, L D 1418 would prevent any state agency from purchasing single-serving sized bottled water with the only exception being during an event for which a Governor's state of emergency proclamation has been issued pursuant to Title 37-B, section 742 There are instances in which the Department must purchase bottled water to provide safe drinking water to the public when a state of emergency has not been declared, such as in response to contamination of drinking water supply wells with contaminants such as petroleum products or PFAS During these situations, the Department must act quickly to provide safe drinking water as soon as possible and may not be able to dictate the size of water bottles provided by vendors for these situations Often the quickest way possible to provide potable water is through the purchase of bottles from a local provider Limiting the size of the water bottles to greater than single-use size for such emergencies may not always be feasible and may hinder quick response

The bill requires the Department to engage in education and outreach activities regarding the requirements of this section It also requires the Department to investigate complaints regarding noncompliance, which would therefore require the

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Department to initiate enforcement actions against recalcitrant retailers As these tasks will require Department resources, a fiscal note will be required

Thank you for the opportunity to provide testimony I am available to answer questions of the Committee, both now and at work session