



Solutions for a  
Toxic-Free Tomorrow

Testimony of Sarah Woodbury, Director of Advocacy, Defend Our Health  
In Support of LD 1660 "An Act to Provide That Advanced Recycling Facilities Are Subject to  
Solid Waste Regulation and That Advanced Recycling Does Not Constitute Recycling"  
Before the Environment and Natural Resources Committee  
May 8, 2023

Senator Brenner, Representative Gramlich and members of the Environment and Natural Resources Committee. My name is Sarah Woodbury. I am the director of advocacy for Defend Our Health. Defend Our Health's mission is to make sure that everyone has equal access to safe food and drinking water, healthy homes and products that are toxic-free and climate friendly. I am here to testify in support of 1660 "An Act to Provide That Advanced Recycling Facilities Are Subject to Solid Waste Regulation and That Advanced Recycling Does Not Constitute Recycling".

LD 1660 provides that advanced recycling facilities are not recycling facilities for the purposes of regulating solid waste. It also amends the definition of "handle" to clarify that a facility that converts solid waste or plastic using advanced recycling is a solid waste facility.

Industry has worked hard over the past several years to convince lawmakers and the general public that so-called "advanced recycling" or "chemical recycling" is an environmentally safe way to deal with waste. This couldn't be further from the truth. Advanced recycling is just a fancy way of saying that they are burning the waste, and that is not safe for the environment or public health. LD 1660 would not allow advanced recycling facilities to be labeled as recycling facilities, a much-needed step to protect the health and environment of all Mainers.

Burning waste, as when using advanced recycling processes, can create hazardous waste. Using advanced recycling processes to manage plastic waste creates toxic chemicals such as phthalates and BPA, which are carcinogens and can cause respiratory and neurological issues. And, of particular concern here in Maine, using advanced recycling can release toxic PFAS into the environment. PFAS are highly mobile, and burning does not fully destroy these toxic chemicals. Instead, this type of disposal just ends up returning either the same chemical, or a byproduct of PFAS to end up in the air where they can travel for great distances<sup>1</sup>.

In 2019, Congress directed the Department of Defense (DOD) to incinerate PFAS waste such as aqueous film forming firefighting foam (AFFF) but it is unclear at what temperature PFAS is

---

<sup>1</sup> Stoiber, T., & Evans, S. (2020, July 11). *Disposal of products and materials containing per- and polyfluoroalkyl substances (PFAS): A cyclical problem*. Science Direct. Retrieved May 7, 2023, from <https://www.sciencedirect.com/science/article/abs/pii/S0045653520318543?via%3Dihub>



actually destroyed, if it is destroyed at all during incineration. Research is still ongoing. Because incineration is not successful in destroying PFAS, in 2022 Congress reversed course and put language in the 2022 National Defense Authorization Act (NDAA) requiring the DOD to stop using chemical recycling to dispose of aqueous film forming firefighting foam (AFFF) due to the dangers of PFAS getting out into the air and drinking water.

Any perceived benefits from advanced recycling are far outweighed by the dangers to the health and environment of Mainers. We should not allow this industry-driven attempt at greenwashing incineration to be allowed in the state. Therefore, we urge the committee to vote “ought to pass” on LD 1660. We do have one suggested amendment to the definition of recycling, which we would urge the committee to adopt. The language is below.

Suggested amendment language.

“Recycling” does not include energy recovery or energy generation by any means, including but not limited to advanced recycling, chemical recycling, combustion, gasification, incineration, pyrolysis, solvolysis, thermal desorption, waste-to-energy, waste-to-fuel, or any other chemical or molecular conversion process. It also does not include landfill disposal of discarded material or discarded product component materials, including the use of materials as landfill cover.

*That’s because the limitation on the technologies is limited to the purposes highlighted. If it is used for a different purpose, than there is no limitation. We would modify it as follows:*

“Recycling” does not include energy recovery, or energy generation, or the creation of hazardous chemicals by any means, including but not limited to advanced recycling, chemical recycling, combustion, gasification, incineration, pyrolysis, solvolysis, thermal desorption, waste-to-energy, waste-to-fuel, or any other chemical or molecular conversion process. It also does not include landfill disposal of discarded material or discarded product component materials, including the use of materials as landfill cover.