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DEPARTMENT OF ENVIRONMENTAL PROTECTION



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TESTIMONY OF
BRIAN BENESKI, SUPERVISOR, RECYCLING PROGRAMS
DIVISION OF MATERIALS MANAGEMENT
BUREAU OF REMEDIATION AND WASTE MANAGEMENT
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

SPEAKING NEITHER FOR NOR AGAINST L.D. 479
AN ACT TO FACILITATE EXPANSION OF THE STATE'S RECYCLING EFFORTS
UNDER THE BEVERAGE CONTAINER REDEMPTION PROGRAM

SPONSORED BY REP. CHAPMAN

BEFORE THE JOINT STANDING COMMITTEE
ON
ENVIRONMENT AND NATURAL RESOURCES

DATE OF HEARING:

MARCH 17, 2025

Senator Tepler, Representative Doudera, and members of the Committee, my name is Brian Beneski and I am the Supervisor of Recycling programs, within the Division of Materials Management, in the Bureau of Remediation and Waste Management, at the Department of Environmental Protection, speaking neither for nor against L.D. 479.

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Maine's *Product Stewardship Law*, 38 M.R.S. § 1772 requires the Department to annually update the legislature on all product stewardship programs. This report is posted by the Department for a 30-day public comment period, comments received are appended to the report, and the report is sent to the legislature by February 15th each year. The report can include recommendations and draft legislation. Because the Department already has the authority to recommend changes or an expansion of what is currently covered under the Beverage Container Redemption Program through the Product Stewardship Law, the Department is neither for nor against the passage of this bill.

In addition to evaluating beverage containers, L.D. 479 would also require the Department to evaluate the inclusion of other consumer products that are not beverages. The Department does not support the inclusion of other consumer products in this evaluation, in part because other consumer products are already covered under the Stewardship Program for Packaging, 38 M.R.S. § 2146.

Currently, Maine's Beverage Container Redemption Program is the most inclusive in the country and includes nearly all recyclable beverage containers. In the past, the Beverage Container Redemption Program's exclusion of containers that are not readily recyclable may have created a perverse incentive, allowing manufacturers to avoid regulation by using a less recyclable container, but such containers will now be regulated under the Stewardship Program for Packaging, 38 M.R.S. § 2146.

The Beverage Container Redemption Program utilizes a 5-cent deposit to incentivize the collection and return of beverage containers – items that, prior to program inception, were becoming increasingly common on Maine's roadsides. The deposit is an effective tool for motivating citizens to collect and return bottles. A similar mechanism used in some of Maine's other stewardship programs is the \$5 bounty given to people turning in mercury thermostats or the \$4 bounty provided for each mercury auto switch. These

mechanisms are helpful where collecting an item is a challenge or priority and do appear to improve collection rates.¹

The Beverage Container Redemption Program also produces high-quality material for recycling, but not as a result of the deposit. This is a result of the degree of separation that takes place at redemption centers. With some exceptions, redemption centers produce glass bottles separated by color; color-separated, food-grade PET and HDPE; and aluminum and steel cans. These commodities have higher values and more uses than material that has not undergone this level of separation.

Implementing the Beverage Container Redemption Program comes with a cost to the manufacturers or initiators of deposit ("IODs") for beverages. Redemption centers are provided a 6-cent handling fee to collect and sort each container, and manufacturers or IODs still have the expense of picking up those containers from the redemption centers. Additionally, many of these facilities are operating just within their capacity. Any expansion to the program should be considered carefully, as adding more containers may result in requiring more separation, which could negatively impact these small businesses.

Significant changes were made to the Beverage Container Redemption Program in 2023. The Department has not had a chance to fully develop or implement the new program. Moreover, the Department has also not had a chance to fully implement the new Stewardship Program for Packaging. The Department believes the goals of this bill are already integrated into both of these programs.

¹Collection data from the National Vehicle Mercury Switch Recovery Program (NVMSRP) shows that states with bounties on mercury auto switches have significantly higher collection per capita than states without bounties. In 2021, the Container Recycling Institute estimated recycling rates of 56-75 percent for redeemable containers and 18 to 37% for non-deposit containers (see <https://www.container-recycling.org/index.php/key-facts>). Maine's beverage container redemption rate is approximately 80%.

L.D. 479: An Act to Facilitate Expansion of the State's Recycling Efforts Under the Beverage Container Redemption Program

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Thank you for the opportunity to testify before you today. I would be happy to answer any questions from the Committee, both now and at the work session.