

Brownie Carson  
harpswell

To: Members of the Environment and Natural Resources Committee  
From: Brownie Carson, of Harpswell  
Re: Testimony in support of LD 1541  
Date: May 10, 2021

Senator Brenner, Representative Tucker, and members of the Environment Committee, thank you for offering this opportunity to speak in favor LD 1541, An Act To Support and Improve Municipal Recycling Programs and Save Taxpayer Money.

I would like to commend the sponsors for bringing this revised proposal for extended producer responsibility (EPR) for packaging back to the committee following last year's extensive work on this subject. As you know, there was some trepidation in the 129th about going down this path, even though much progress had been made before COVID caused adjournment in mid-March. It is now time to enact this legislation, and to create a comprehensive, sensible program to reduce waste and increase recycling of packaging material.

Every one of us deals with the question of what to do with packaging every day. We buy personal care products in a container (tube, bottle or jar) that are enclosed in a box, and then often wrapped in clear plastic. We order from Amazon, and goods often arrive in corrugated cardboard boxes, much larger than the item sought, surrounded by plastic, air-filled "pillows." (an improvement from Styrofoam pellets) We stop for fast food in our fast-paced lives, and have multiple layers of cardboard and paper to get rid of.

Packaging--cardboard, paper, glass, metals, plastic--is estimated to be 30-40% of material in Maine's municipal waste stream. For a variety of reasons, our rate of recycling has stalled, creating an ever-increasing volume of unwanted material headed to landfills. It is time to change course, and adopting extended producer responsibility is the path that makes most sense. Why? Because we have done it before, successfully, with beverage containers, rechargeable batteries, mercury-activated auto switches, mercury-containing thermostats, electronic waste, cell phones, mercury lamps, and paint.

With each new program, there has been skepticism--and, in some cases, outright opposition. Cost, lack of convenience, burden on consumers and affected industry, getting out front of other states, need for more study--All of these arguments have been heard before. Yet, Maine people support these programs, and other states often follow our lead or adapt and build on our initiatives to make them even better.

It was during my tenure with the Natural Resources Council nearly twenty years ago (2002) that this legislature enacted the law requiring removal of mercury-activated automobile switches (for convenience lighting in the cabin and trunk). The Alliance of Automobile Manufacturers openly threatened to sue in federal court if Maine went forward. The law was enacted, and the Alliance sued. We won, and the next two states to enact mercury switch removal laws were Texas and New Jersey. *Dirigo*, "I lead," is still applicable today.

The structure, operation, and cost-sharing elements of LD 1541 all make sense. Built in are incentives for less packaging material overall, more reusable and recyclable packaging, essential funding for municipalities now giving up recycling programs because of excessive costs, and independent operation of Maine's new product stewardship program with DEP oversight.

Might we need to make changes over time? Of course. But, we have been focused on building such a program since legislative direction in 2019, LD 1431. Countries in the European Union and five Canadian provinces have been operating EPR programs for years--in some cases, decades. It is time for us to join them.

I strongly encourage you to vote OTP on LD 1541. Thank you.