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Rep. Billy Bob Faulkingham
Testimony
In Support

LD 359 “An Act To Promote Energy Production from Recyclable Plastics”

Good morning Senator Brenner, Representative Tucker, and members of the Committee On Environment and Natural Resources. I am Representative Billy Bob Faulkingham and I am here to present LD 359 **An Act To Promote Energy Production from Recyclable Plastics.**

This amendment changes the title of and replaces the bill, which is a concept draft. It amends the State recycling goal to remove language that characterized as recycling the beneficial use of waste paper, waste plastics, waste wood, including wood from demolition debris, used motor vehicle tires or corrugated cardboard as a fuel in industrial boilers or waste-to-energy facilities for the generation of heat, steam or electricity only if the Department of Environmental Protection determines there is no reasonably available market in the State for recycling that waste.

This bill mirrors Governor Mill’s executive order 24 FY 19/20 of March 26, 2020. This bill would set in statute current practices under this executive order.

The governor has taken a great step in the direction of tackling a huge problem in our waste stream, by diverting waste from landfills to our waste to energy facilities where we can produce electricity.

This is an improvement we can enact permanently that will have many positive impacts.

1. Increase domestic energy production.
2. Reduce landfill waste.
3. Increase supply to waste to energy facilities; thereby reducing/eliminating dependence of foreign waste plastic.
4. Increase reserve fuel at waste to energy facilities; thereby avoiding shutdowns that cause energy supply disruptions and require using diesel fuel to re-fire the boilers.
5. Promote responsible separation of waste in municipalities by restoring recycling credits to towns that have downsized recycling collection because of lack of market.

This country and the world have a plastic problem. We produce too much of it, and we depend too heavily on it. At some point, people need to come together to reduce the demand for this plastic that we use on everything from wrapping plastic toys, in plastic wrappers, to wrapping fruit that comes off the tree with its own natural wrapper already.

But until that day comes, we need to deal with the plastic we produce now, in our own communities and our own state.

There are about 20 different categories of plastic material. Almost all possess their own characteristics, some easily recyclable, many not. Some can be melted down; others shredded mechanically or chemically broken down. They end up as pellets the size of small marbles. These go to fabricators that turn the material back into products.

The problem is that the product is three times as expensive as virgin — virgin being brand-new plastic made straight from oil and gas out of the ground. This is one of the obstacles to circularity: It costs a lot. There's not a lot of money to be made from recycling to begin with, and it's tough for recycled plastic to compete with virgin plastic made cheap by the boom in U.S. oil and gas production. And there aren't nearly enough recyclers in the U.S. to handle the tsunami of new plastic pouring out of the petrochemical industry.

When you factor in the collapse of the Chinese recyclable plastic market in 2018, there is virtually no plastic recycling market left in the United States on a scale that can handle what we produce. Can we say with any certainty that the plastic shipped to China was really being recycled anyhow? My guess is that a more than fair amount of it was being converted to energy over there. But that is my own speculation. At the height of America's recycling effort we were hitting 10% compared to European countries 35%-40%.

The U.S. outsourced so much of its recycling to Asia that the domestic industry languished. And there's the fact that plastic manufacturers keep making more and more of it, and consumer brands like Procter & Gamble, Nestlé and Walmart keep wrapping more consumer goods in it.

A report from ICIS, a plastics market research company, says the petrochemical industry will likely double its plastic manufacturing capacity from 2016 to 2024. And the American Chemistry Council, which represents, among others, plastics manufacturers, says it expects industry to spend nearly \$25 billion to build new plastic manufacturing capacity by 2025. (That compares with the \$1.5 billion that the industry plans to spend on cleaning up plastic waste.) The World Economic Forum has issued a report on plastic that predicts a doubling of production in the next two decades.

I'm not trying to be all doom and gloom here. But I am however pointing out the harsh realities of the world we live in. Unless we plan to create vast rolling hills of buried plastic garbage, or allow ourselves to be buried in our own plastic debris; we must follow the European example and start relying more on energy conversion.

We need to divert waste from landfills in order to protect soil and groundwater from contamination. It will prevent micro plastics from being blown into the seas and rivers. We can avoid the creation of methane - a potent greenhouse gas.

Waste-to-Energy does not compete with recycling – it goes hand in hand with and supports high quality recycling. Most countries with very high recycling rates – such as

Austria, Belgium, Germany and the Netherlands – also have high rates of Waste-to-Energy as a sink for pollutants and thereby have reduced landfill to almost zero.

I hope you will agree with the decision of Governor Mills to enact the current executive order, and I hope you will agree with myself that we need to do all we can to address this oncoming waste crisis.

Please vote OTP on LD 359 **with the amended title:** An Act To Amend the State Recycling Goal with Respect to the Beneficial Use of Waste.

Thank you for your consideration. I will answer any questions you may have.

Respectfully,
Representative Billy Bob Faulkingham