



May 10, 2021

Good Morning Chair Brenner, Chair Tucker, and Distinguished Members of the Environment and Natural Resources Committee:

The Surfrider Foundation Maine Chapter submits this testimony in **strong support of LD1541**, an act to support and improve municipal recycling programs and save taxpayer money.

Surfrider supports extended producer responsibility (EPR) for packaging laws that inspire less wasteful packaging at the production phase and hold producers accountable for the cost of recycling and waste disposal, as well as for cleanup, of their packaging. Right now, the financial burden of this waste management falls primarily on taxpayers and municipalities, which is not only unfair, it also leads to more waste. Tricky or impossible-to-recycle packaging is what we have now as a result of producers not being incentivized to rethink sustainability in packaging and consider the costs of managing waste. LD1541 is a paradigm shifting bill that will correct this problem.

While recycling education programs can be helpful, we have had recycling education efforts in place for decades and yet the single-use plastic packaging and trash problem continues to worsen.

We know that we cannot educate, recycle or even repackage our way out of the plastic pollution and waste problems; to stop adding single-use plastic to our mounting trash and recycling issues and truly solve the problem, we must advance source reduction strategies that put a stop to single-use plastic production concurrent with mechanisms like EPR for packaging, which also fix our recycling infrastructure and systems.

Under this Committee's leadership, Maine has made good progress over the last few years in passing good policies that will achieve single-use plastic source reduction. LD1541 is the next logical step to implement EPR for packaging alongside other concurrent strategies: our strong bottle bill and the plastic film bag and foam foodware bans to be implemented beginning July 1, 2021.

EPR for packaging is a smart policy that is proven in the European Union and in Canada to produce the intended results;^{1,2} it is not an extreme or new idea. It is a proven methodology to meet the ends we seek in Maine of reducing toxic plastic pollution and waste and then improve reuse and recycling systems.

The Surfrider Foundation is grateful that LD1541 would phaseout incineration as an allowable alternative collection method after three years. We would recommend that §8 be lightly amended to also explicitly disallow the use of chemical conversion (also known as pyrolysis or gasification) to process post-consumer plastic waste. The plastics industry is heavily promoting this conversion technology in multiple state bills across the U.S. right now, referring to the practice as “advanced” or “chemical” recycling. Chemical conversion is a different method with new branding for the continued incineration of plastic waste, which leads to new air and water pollution problems while not reducing the production of single-use plastic packaging and items in the first place.³

Section 8 could be amended to list “chemical” and “advanced” recycling, as well as pyrolysis and gasification, as methods of processing plastic waste that are not to be considered recycling and not to be allowable alternative collection methods.

This is important to properly steer waste management in Maine, as waste-to-energy projects that incinerate plastics are a false solution to plastic pollution. Incinerators emit more carbon dioxide per unit of electricity (2988 lbs./MWh) than coal-fired power plants (2249 lbs./MWh).⁴

Incineration of plastic creates significant greenhouse gases, suffered disproportionately around the world by communities of color and low-income communities,⁵ while plastic left to degrade in the environment over thousands of years continues to release greenhouse gases. The only solution to plastic pollution is to stop making so much plastic in the first place.

¹ <https://www.europen-packaging.eu/wp-content/uploads/2021/03/EUROPEN-factsheet-on-EPR-for-used-packaging.pdf>

² https://cdn.ymaws.com/www.productstewardship.us/resource/resmgr/packaging/2020.03.17_PSI_EPR_for_PPP.pdf

³ https://www.no-burn.org/wp-content/uploads/CR-Briefing_June-2020.pdf

⁴ U.S. EPA, <http://www.epa.gov/cleanenergy/energy-and-you/affect/air-emissions.html>

⁵ <https://www.wastedive.com/news/majority-of-us-incinerators-located-in-marginalized-communities-report-r/555375/>



In 2018, the Intergovernmental Panel on Climate Change⁶ concluded that we must cut global greenhouse gas emissions by 45% by 2030, and we must reach zero net emissions no later than 2050. Yet plastic production is on the rise. Petrochemicals are 99% derived from fossil fuel feedstocks, constituting the fastest-growing form of oil consumption globally.⁷ Industry forecasts predict that they will account for 50% of the demand for oil by 2050. The time to act to curb this is now.

Because plastics have known negative effects on marine ecosystems, human health and our climate, the stark increase in manufacturing of plastics is pushing vast amounts of greenhouse gases into our atmosphere. Coupled with the potential interference of microplastics with the biological carbon pump by way of reducing the ability of phytoplankton to handle carbon through photosynthesis and reducing the ability of zooplankton to transport carbon by degrading its ability to feed, reproduce and survive, it is clear that to properly address climate change, plastic expansion must be curbed. LD1541 will help advance us toward this goal while generating less overall waste, saving taxpayers money, and improving reuse and recycling systems.

On behalf of the Surfrider Foundation, our Maine Chapter, and our thousands of supporters who love the ocean, waves, and beaches, I urge you to please **vote ought to pass on LD1541**.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Melissa Gates".

Melissa Gates
Pronouns she/her/hers⁸
Northeast Regional Manager
Surfrider Foundation

⁶ https://report.ipcc.ch/sr15/pdf/sr15_spm_final.pdf

⁷ <https://www.ciel.org/wp-content/uploads/2017/09/Fueling-Plastics-Fossils-Plastics-Petrochemical-Feedstocks.pdf>

⁸ <https://www.cultureamp.com/blog/sharing-gender-pronouns-at-work>