

Testimony of Pat Ianni, Falmouth, ME, in SUPPORT of LD 1541,
An Act to Support and Improve Municipal Recycling of Programs and Save Taxpayer Money
Before the Environment and Natural Resources Committee
May 10, 2021

Senator Brenner, Representative Tucker, and members of the Joint Standing Committee on Environment and Natural Resources, thank you for this opportunity to offer testimony in support of LD 1541 (and in opposition to LD 1471). In the four decades I have spent working as an environmental scientist and regulatory specialist, here in Maine and across the country, I have had the opportunity to work with clients to mitigate their environmental risks in many ways, including helping them reduce their waste generation impacts. I am now retired and offer my testimony as a concerned citizen.

I am also a long-distance runner who has run throughout Maine for over 30 years during which time I have grown frustratingly accustomed to seeing the amount of litter along our roadsides in Maine increase exponentially over the years. As we all know, it is a trait of human nature that most people will not discard items of value whether through littering or proper disposal. Coincidentally, this human behavior seems to support my observation that most roadside litter is comprised of “packaging waste”, much of which might be characterized as **non-essential, valueless, single-use** materials, mostly plastic and cardboard/paper. Interestingly, bottles and cans covered under Maine’s container Extended Producer Program (i.e., “the Bottle Bill”) are much less frequently found. As I spend much of my daily run picking up this litter, I have come to observe that our Maine roadsides look like those of a third-world impoverished nation where easy trash disposal methods are not accessible to the average citizen.

The problems created by excess “non-essential single use packaging waste” are complex, and highlight the inability of our waste management programs, recycling systems, and municipalities to handle the volume of waste; however, this problem has a *relatively simple solution – reduce, or better yet, eliminate non-essential single use packaging*, especially that made from plastic (i.e., petroleum) which never fully decomposes. However, in order to achieve that solution, because current business practices in our consumption-driven society prioritize short-term convenience over long-term human health and environmental protection, this problem will require a complex set of steps to achieve this simple goal.

Today you have heard from many eloquent and impassioned speakers who have testified about (a) the detailed actions needed to successfully address the packaging waste conundrum; (b) the fact, as stated in the January 2019 Maine Department of Environmental Protection (MEDEP) “Annual Product Stewardship Report”, that a large portion of our current municipal waste stream is packaging waste which is no longer recyclable due to shifts in the international markets resulting in the end-of-life disposition being placed on municipalities and tax payers; (c) the many other successful Extended Producer Responsibility (EPR) programs already adopted by Maine and many other states and countries; (d) the more than 500 brands who conduct business in Maine and also share responsibility for Canada’s Recycling Programs; and (e) our failure as a state to meet our recycling goal which was first enacted in 1989. Therefore, I won’t repeat the persuasive arguments made by so many others who are well informed on those details, but rather, I want to focus on the end goal of eliminating this unnecessary packaging waste deluge. While we have the means to eliminate the source of the problem, we, as a society, have chosen not to do so for many years. However, LD 1541 will make large strides to solve this very significant, yet unnecessary, problem of excess waste packaging.

Here are a few thoughts I often contemplate about why we are now facing this problem and how LD 1541 can resolve a large part of the problem:

- While the opponents of this bill say they favor an EPR program where the producers can “run the show” and the stakeholders can have a say, rather than a program administered by the MEDEP or so-called “government”, these same producers have had many years to fix this problem, but, for some reason, have not been motivated to do so.
- But now, after waiting years for the producers of products which are often wrapped in multiple layers of unnecessary single use packaging to address this problem, the State of Maine is boldly taking the lead.
- I believe LD 1541 will increase the “PAIN” (i.e., COSTS) imposed on the product manufacturers enough to effectively incentivize them to REDUCE or ELIMINATE unnecessary single use packaging.
- I also think most manufacturers will NOT pass along any increased costs they incur onto consumers (as indicated by Allagash Brewing in their testimony), but, if they do, consumers will respond by not purchasing those products which will effectively further incentivize the manufacturers to either absorb the increased costs for recycling their trash, or better yet, stop producing it. It is more likely that the EPR program proposed in LD 1541 will save the

manufacturers money because they will STOP using so much unnecessary packaging. In the long run, it is my hope that the product manufacturers will receive a strong signal and will ultimately stop using excess packaging!

- Reduction in the overall use of packaging by product manufacturers will reduce their costs and will also allow them to reduce the fees this bill might impose on them.
- By reducing the amount of packaging, the average consumer will not be FORCED to purchase the extensive unwanted packaging along with the desired needed goods we buy online and at the supermarket, drug store, and convenience store. Some of us can remember grocery stores where every single product (including even fresh produce!) did not have multiple layers of packaging especially that made from plastic. We apparently have forgotten how to sell products without such overuse of packaging.
- By reducing the amount of packaging, we will reduce the amount of wastes that need to be recycled (and recycling is not an energy-free activity).
- Ultimately, we also just might see less litter along our roadways which consists mostly of non-essential, worthless packaging, hence, that is why it is tossed so freely out the windows of passing cars.
- Wastes are wastes – it doesn't matter which "waste stream" they enter – i.e., residential, commercial, or industrial – they all eventually end up in our landfills or incinerators when they can't be recycled.
- Wasteful, unnecessary packaging that ends up as litter decomposes slowly or not at all and contaminates our soils, lakes, streams, bays and oceans with the chemical components of the packaging materials. These chemicals and non-decomposed particles enter our drinking water, our food systems, and ultimately, our bodies through our unintentional ingestion.
- The costs to society from packaging wastes are ultimately borne by all of us – we pay in increased taxes to manage the disposal or recycling of these wastes, we pay by having to fund the cleanup of contamination caused by these wastes, and we pay by having to deal with the adverse health effects on ourselves.

Our existing recycling approach is flawed, and this proposed EPR program will create a system of economic incentives and disincentives to minimize the negative impacts of these packaging wastes, provide stable funding to offset the costs of recycling, and hopefully, reduce the amount of packaging used by the producers and increase recycling. Ultimately, I hope LD 1541 will also help society work towards reducing our overly consumptive practices. In the meantime, I would like to see the

manufacture and use of unnecessary single use packaging be significantly reduced, and I hope we can effectively move toward a more circular system where the portion of those unnecessary waste materials that cannot be eliminated from the market stream, can be recycled.

Please consider the above, and I hope, for the good of all Mainers, that you will vote Ought to Pass for LD 1541. **Together, as a State, let's turn off the packaging waste tap!!**