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Testimony in Support of LD 1541

“An Act To Support and Improve Municipal Recycling Programs and Save Taxpayer Money”

Hearing Date: May 10, 2021

Senator Brenner, Representative Tucker, and distinguished members of the Joint Standing Committee on the Environment and Natural Resources:

I am the Sustainability Director for the City of South Portland, and I am here today to speak in support of LD 1541 *“An Act To Support and Improve Municipal Recycling Programs and Save Taxpayer Money.”*

South Portland has a goal to become a zero-waste community by 2050 (that means we will divert 90% or more of our waste from the waste stream). This is an ambitious goal that will fully transform the way residents and business consume and dispose of goods and materials. Reaching this goal is absolutely possible, but it will require us to transition away from the current, unsustainable model of consumption where we take resources, make products with excessive and complicated packaging, and then simply discard the “waste.” In its place we will grow a more circular economy that minimizes waste, uses resources efficiently, and incentivizes alternatives to single-use plastics. This is what we are working toward as part of *One Climate Future*.

But we cannot do this without changes at the manufacturer level to streamline packaging materials – which account for more than 40% of our waste stream. LD 1541 is crucial for reaching municipal and state recycling goals because it will restructure recycling from the front end by incentivizing manufacturers to design less wasteful and more recyclable packaging. Specifically, LD 1541 addresses three main issues with the current recycling system and effectively enables us to make progress toward our goals.

Issue 1: The complexity and inconsistency in packaging materials causes confusion among consumers. This confusion means people do not know what to put in their recycling bin, and leads to the contamination (often through “wish-cycling”) of recycling

loads. In South Portland, the average contamination rate from curbside collection is consistently over 20%. Last year, several loads contained upwards of 70-80% contamination. In response, the City has carried out several robust outreach campaigns to educate residents about proper waste disposal practices. This has included: publishing articles in the local paper, hosting displays at our local libraries, developing and promoting a searchable “recyclopedia” app, translating and distributing “do/don’t” materials, and mailing postcards to every household with information about common contaminants. South Portland has also hosted recycling interns every summer for the last three years to address high residential recycling contamination through a tagging program. Without clear, simple, recyclable packaging this will be an unending process.

LD 1541 appropriately places the responsibility on producers to make the recycling and waste management systems easier for consumers. A carefully calculated fee schedule will incentivize producers to design packaging that reduces consumer confusion. Corporations will be appropriately encouraged to produce packaging that is comprised of a single-material, properly labeled, and able to be readily recycled in Maine. This approach will effectively make recycling simpler and easier for consumers and municipalities.

Issue 2: Recycling rates are not improving. Despite consistent outreach and education initiatives to address contamination and increase recycling, the City’s recycling rate has either held steady or regressed over the past three years. Most recently, South Portland’s recycling rate decreased from 29% in 2020 to 24% in 2021. This is heading in the opposite direction of our goal to be a zero-waste community by 2050. The State of Maine faces a similar uphill climb to its stated goal since 1989 to reach a 50% recycling rate.

LD 1541 puts forward a proven solution to increasing recycling rates through Extended Producer Responsibility. Packaging material accounts for nearly 40% of municipal solid waste, much of which isn’t designed with recycling in mind. With more readily recyclable content entering the waste stream, municipal recycling programs would see higher recycling rates. This phenomenon has played out in countless Canadian provinces and European countries that have instituted EPR programs. Quebec, for example, boasts a recycling rate over 65% following the implementation of an EPR program.

Issue 3: The current cost of recycling is unsustainable. The confluence of the climate crisis and the crash of the recycling market necessitate an evaluation of all of the tools in



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the toolbox. In February of 2019, China's National Sword program effectively closed the country's doors to recycling imports from the United States. Waste management organizations scrambled to find new markets that could turn a profit on recycling materials. Despite best efforts to seek out buyers and favorable markets, these changes had a direct impact on municipal recycling programs. While this trend is reversing itself and new markets are forming, some municipalities have not been able to weather the volatility. In 2019, South Portland faced over \$100,000 in unanticipated contamination fees. The City of South Portland also spent over \$10,000 on recycling outreach and education. While the City has been able to weather this price volatility at the time, others communities have not been so fortunate. Rising costs passed on to municipalities and taxpayers from waste management organizations and companies have put recycling programs in jeopardy.

LD 1541 supports the continued and long-term viability of municipal. With this legislation, jurisdictions will receive financial support to maintain recycling programs throughout market fluctuations that would otherwise place a financial burden on the City and local taxpayers. Funds used to support critical education and outreach programs, in addition to costs associated with collection, processing, transportation, recycling, and disposal of packaging materials, will ensure the effectiveness and sustainability of municipal recycling programs across the state.

In January 2020, the City of South Portland adopted Resolve #9-19/20, supporting an extended producer responsibility for packaging law as endorsed by the Legislature. Even in a municipality and a state with codified commitments and public support for climate action, the current approach to recycling has proven to be neither sustainable nor effective. That is why the City of South Portland stands with other municipalities in support of LD 1541. We look forward to the opportunity to participate in an Extended Producer Responsibility Program and demonstrate national leadership in waste reduction.