



Solutions for a
Toxic-Free Tomorrow

Testimony of Sarah Woodbury, Director of Advocacy, Defend Our Health
In Support of LD 1541, “An Act To Support and Improve Municipal Recycling Programs and Save
Taxpayer Money”
Before the Environment and Natural Resources Committee
May 10, 2021

Good morning, Senator Brenner, Representative Tucker and members of the Environment and Natural Resources Committee. My name is Sarah Woodbury and I am the director of advocacy for Defend Our Health. Defend Our Health’s mission is to make sure that everyone has equal access to safe food and drinking water, healthy homes and products that are toxic-free and climate friendly. I am here to testify in support of LD 1541, “An Act To Support and Improve Municipal Recycling Programs and Save Taxpayer Money.”

Maine has always been a leader when it comes to recycling. Mainers want to do the right thing when it comes to recycling but confusion about what can be recycled coupled with lack of access to facilities, makes it hard for people to do so. It is unfair that municipalities and, ultimately, taxpayers bear the cost burden of recycling while the companies that make these products and packaging continue to benefit financially from their sale, yet bear none of the burden of disposing of the waste they create. The current system is untenable and costs Maine taxpayers between 16 and 17.5 million dollars a year. Recycling programs are expensive and can put a financial burden on our municipalities, forcing them to either cut back or do away with current recycling programs. This is bad for everyone.

Extended producer responsibility (EPR) will help shift the cost from taxpayers back to the corporations that create this packaging. EPR has been successfully implemented in other jurisdictions worldwide. Corporations like Wal-Mart and Amazon should be required to pay their fair share and lessen the financial burden on local municipalities. EPR will also encourage these corporations to produce less wasteful, less toxic packaging.

An important component of good product stewardship is to make sure that the packaging you are recycling limits exposure to toxic chemicals. Much of the packaging that we use today exposes those making it, and in some cases, those using it, to toxic chemicals. Additionally, these chemicals must be managed in the disposal or recycling of the product. Many toxic additives, like chemical flame retardants¹ and heavy metals,² present in material presented for recycling then find their way into the products made from the recycled material.

¹ Including flame retardants now banned or largely phased out like HBCD and PBDEs. See: Pivnenko, Kostyantyn & Granby, Kit & Eriksson, Eva & Astrup, T.F.. (2017). Recycling of plastic waste: Screening for brominated flame retardants (BFRs). *Waste Management*. 69. [10.1016/j.wasman.2017.08.038](https://doi.org/10.1016/j.wasman.2017.08.038).

²Turner, Andrew. (2018) “Black plastics: Linear and circular economies, hazardous additives and marine pollution.” *Environment International*. 117:308-318. [10.1016/j.envint.2018.04.036](https://doi.org/10.1016/j.envint.2018.04.036).



Those that create this packaging should be encouraged to move away from using these toxic chemicals and they should be required to pay for them to be disposed of and recycled correctly. LD 1541 includes language that takes into account the toxicity of packaging and provides incentives for eliminating toxic chemicals from packaging. In fact, the language around toxicity in LD 1541 is stronger than the language that was in last year's bill, LD 2104. The original draft of LD 2104 only addressed toxic chemicals that were regulated in food packaging. We argued last session that the bill should include a broader range of toxic chemicals that pose threats to health and the environment. LD 1541 includes language that addresses those concerns and expands the definition of toxicity to also include chemicals identified by the State as concerning under Maine's Safer Chemicals in Children's Products law.

LD 1541 creates a more equitable and fair system for recycling. It puts the burden of cost where it should be, on the producers, not municipalities and taxpayers. Extended producer responsibility just makes sense. Therefore, we urge you to unanimously vote "ought to pass."

Thank you for your time.