207-664-1700
execdirector@mrcmaine.org

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20 Godfrey Drive, Suite 300
Orono, ME 04473
www.mrcmaine.org

MRC Testimony on LD 1660 "An Act to Provide That Advanced Recycling Facilities Are Subject to Solid Waste Regulation and That Advanced Recycling Does Not Constitute Recycling
Robert Butler
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Senator Brenner, Representative Gramlich, members of the Joint Standing Committee of Environment and Natural Resources:

My name is Robert Butler. I serve on the Board of the Municipal Review Committee (MRC), the Waldoboro Select Board, the Maine Municipal Association Executive Committee and on a number of local committees that focus on municipal issues. I'm here on behalf of the MRC, its Board of Directors, and its Executive Director, Michael, Carroll, who could not be here to testify because he is working hard to restart the waste processing plant in Hampden.

I am submitting this testimony to express the MRC's opposition to LD 1660.

The MRC is concerned that LD1660 could compromise the efforts of its 115 member communities to process their municipal solid waste. Those communities utilize diversion technologies that are both proven, safe, relatively new and in full compliance with the National Recycling Policy.

The MRC does endorse LD 1660's concerns about the impact waste management processes could have on the environment. However, the MRC takes exception to the legislation's use of the defined terms "Advanced Recycling" and "Advanced Recycling Facility" which could be construed to apply to MRC's wholly owned subsidiary, Municipal Waste Solutions (MWS) and its processing facility in Hampden.

MRC purchased the Hampden Plant out of receivership last August, after an operating hiatus of more than two years. The plant had operated for 7 months prior to its shutdown in May 2020. Insufficient working capital and the impacts of COVID on operations and cross-border trade were key factors contributing to the shutdown.

Yes, the Hampden plant was designed and built for traditional recycling, using its advanced Materials Recovery Facility, or MRF, to separate merchantable cardboard, metal, mixed paper, and plastics from its members' waste streams. But the Plant was also designed to employ technologies to repurpose remaining waste residuals into a number of merchantable products by means of processes LD 1660 would appear to mischaracterize as "advanced recycling".

LD 1660's descriptive "Advanced Recycling" misses the mark. "Repurposing" is a far more accurate term and avoids confusion. "Repurposing" conveys the idea that saleable products are manufactured from municipal solid waste., which is what the Hampden plant does. Repurposing embraces the National Recycling Policy, which embraces the idea of the circular economy. For example, the Hampden plant diverts organics from the waste stream to an anaerobic digester to produce biogas. The biogas is treated to remove carbon dioxide, moisture and other contaminants to yield Renewable Natural Gas (RNG). The RNG is compressed to a pressure that allows sale and delivery to a Bangor Natural Gas pipeline located within 500 feet of the Hampden facility. Producing biogas from organic

solid waste is finding new purposes for discarded organics without increasing the plant's carbon footprint. We believe the manufacture of RNG from biogas should be encouraged.

Another example is the pulping of residual paper and natural fibers in order to repurpose them as raw material for manufacturers of pulp-derived products.

But what about plastics? The Hampden plant is well-positioned to incorporate technologies to repurpose plastics, keeping them away from landfills and incinerators.

A case in point is the chemical and advanced recycling processes used to convert waste plastics into feedstocks for manufacturing new products with minimal loss of material quality and quantity. LD1660 excludes these processes from recycling by definition. It's ill-advised to ignore or even deny the science that underlies new solid waste management processes.

And what about small-scale chemical, molecular and other advanced technologies to produce diesel fuels or home heating oil? They may be the most economic and environmentally sound options for diversion of plastics and other materials from landfill disposal, especially in rural areas of Maine where transportation costs are a huge consideration. To limit the value of those technologies is to gainsay real and potentially feasible and available options for facilities in rural areas, such as those the MRC serves.

Repurposing brings science to the process of waste management and value added to the waste stream. Sales of repurposed waste augment the revenues of waste processors and provide a return on the investments of its municipal owners.

The bottom line is that the MRC cannot support legislation that would discourage development of real, feasible options for diverting and repurposing waste..

MRC respectfully suggests that this committee reconsiders the waste hierarchy in light of improved waste management technologies and the National Recycling Policy's circular economy. Is it possible that "Reduce, Reuse, and Recycle" merits an overhaul? Isn't "Reduce, Reuse, Recycle and Repurpose" a more appropriate hierarchy, one that reflects ongoing efforts to employ sustainable solid waste diversion technologies in furtherance of the National Recycling Policy?

The MRC is committed to working with this Committee to find circular economy solutions to solid waste management that will benefit every Maine resident.

Thank you for your consideration of this important matter. Please do not hesitate to contact the MRC if you have questions or need additional information.