

Joint Committee on Environment and Natural Resources

TESTIMONY IN SUPPORT

LD 1660 – An Act to Provide That Advanced Recycling Facilities Are Subject to Solid Waste Regulation and That Advanced Recycling Does Not Constitute Recycling
Public Hearing
Jacquelyn Elliott | May 8, 2023

Honorable Senator Brenner, Chair; Honorable Representative Gramlich, Chair; and Honorable Committee Members:

Thank you for the opportunity to submit testimony **IN SUPPORT OF LD 1660**. My name is Jacquelyn Elliott and I live in Waterboro. I am presenting this testimony as a long-time environmental health and justice advocate who has focused on shifting waste management policy toward sustainable options that protect public health and the environment; conserve valuable resources; and preserve disposal capacity. I am a member of [DWME](https://dontwasteme.wordpress.com/)¹ (Don't Waste ME) a citizens' group fighting for policies that actually protect communities from the harmful impacts of waste facilities. Those efforts include support for the principles of [environmental justice](https://www.epa.gov/environmentaljustice)² for all Maine's citizens to have agency and influence in the establishment of policies and regulations. Waste is a choice we make. We can, and should, choose to contribute to [actual](https://just-zero.org/)³ Zero Waste Goals that reduce what requires disposal; removes toxic inputs on the front end; reuses and recycles valuable resources; and establishes control of processing and disposal at the local level.

LD 1660 is foremost, a bill addressing processing plastic waste. It is important legislation and provides central elements that will assist to protect the public health and environment for the people of Maine from the fossil fuel and chemical industries' push to site fouling "Advanced Recycling" facilities. Industry is seeking situations where regulations are weak and has been influencing legislation across the country. With the concentration and control by the for-profit waste industry in Maine and across the region, it is imperative that Maine establish an appropriate framework around such efforts lest the state become a target for these dangerously despoiling enterprises. Last year, New Hampshire passed [legislation](https://www.gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?sy=2022&id=2058&txtFormat=pdf&v=current)⁴ opening the door wide to this industry when it removed regulation that required permitting and administration as waste facilities. There have been laws passed in 22 states that weaken regulation and oversight.

¹ <https://dontwasteme.wordpress.com/>

² <https://www.epa.gov/environmentaljustice>

³ <https://just-zero.org/>

⁴ New Hampshire General Court SB 367 relative to the regulatory status of advanced recycling and manufacturing facilities:

https://www.gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?sy=2022&id=2058&txtFormat=pdf&v=current

Advanced Recycling is an overarching innocuous term for technologies that include gasification, pyrolysis, methanolysis, and solvolysis. Initially these technologies were marketed under the heading of “[Chemical Recycling](#)”.⁵ But this jargon did not propagandize well, thus the relabeling to “Advanced Recycling”. These technologies all use heat and/or solvents to render plastics into chemical feedstock to ostensibly manufacture new plastic products. In application, Advanced Recycling mostly involves burning with a two-step process that first melts and boils plastics producing gases, chemicals, tars, oils, and other toxic waste byproducts. Much of what results as “product”, is burned as some form of waste-derived fuel.

It is important to put the claims of those promoting Advanced Recycling into the proper context. It is primarily a marketing and promotional campaign for the fossil fuel industry to enable the continuation of their ability to extract resources and produce single-use plastics which ultimately end up being burned. Advances in addressing [climate disruption](#)⁶ have necessitated the fossil fuel industry promote plastic production in their attempt to maintain profitability. Very little plastic can actually be recycled into high quality new, usable products. The Advanced Recycling industry is looking for loosely regulated opportunities that provide the capacity to operate cheaply and with little transparency. The industry seeks to be exempt from processes that allow for public participation in siting, permitting, and oversight. The effort is to stage what they want to do as “manufacturing” to avoid stronger regulation as waste processing.

Advanced Recycling efforts to locate facilities feed the cycle of environmental injustice and racism and perpetuate historical, systemic restrictions for effective citizen participation. More than three-quarters of these operations are in low-income and communities of color. **LD 1660 clearly provides that Advanced Recycling facilities and operations will be regulated under Maine’s solid waste laws and explicates that Advanced Recycling is in fact, NOT recycling.** Breaking down plastic into toxic chemicals to then be burned, is not recycling. Such operations should not be licensed to assert products being burned are recycled. Importantly, **LD 1660 codifies proposals for such facilities will be regulated with notice, comment, and permitting requirements applicable to ALL SOLID WASTE FACILITIES.**

Thank you for considering my comments and I ask the Committee **VOTE OUGHT TO PASS.**

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⁵ 2020, GAIA, (Global Initiative for Incineration Alternatives), *Chemical Recycling: Distraction, Not Solution*: https://www.no-burn.org/wp-content/uploads/CR-Briefing_June-2020.pdf

⁶ October 2021, Beyond Plastics, The New Coal: Plastics and Climate Change: <https://ieefa.org/sites/default/files/2022-09/Plastics%20are%20the%20New%20Coal%2C%20final%20version.pdf>