



April 19<sup>th</sup> 2023

Honorable Chair Brenner and Members of the Joint Standing Committee on Environment and Natural Resources

**In re: Opposing LD 1660 An Act to Provide That Advanced Recycling Facilities Are Subject to Solid Waste Regulation and That Advanced Recycling Does Not Constitute Recycling"**

We the undersigned organizations representing industries and workers across Maine respectfully request your opposition of LD 1660 - An Act to Provide That Advanced Recycling Facilities Are Subject to Solid Waste Regulation and That Advanced Recycling Does Not Constitute Recycling.

We are committed to the safety of our products and to the protection of public health. We support Maine legislators efforts to protect it's communities, environment and natural resources, however we respectfully oppose LD 1660 for the following reasons:

**This bill provides that advanced recycling technologies are not considered recycling facilities or recycling.** ME LD 1660 prohibits advanced recycling technologies including pyrolysis and gasification from being considered recycling and instead links these technologies to the destruction of waste materials under solid waste regulation. **Advanced recycling processes remanufacture post-use plastics back into useful products.**

Advanced recycling enables our ability to remake many "hard-to-recycle" plastics which cannot be recycled through mechanical recycling operations. Advanced recycling helps us decrease plastic waste by taking products that currently do not have strong end markets (e.g. films, pouches, tubes) to be converted back into their basic chemical building blocks. It supports continued progress toward zero waste and sustainability goals for communities and states. And it enables us to turn more plastics into a wide variety of new products—including highly regulated applications such as food-grade packaging— instead of landfilling them.

**This legislation in contrary to 23 other states that have passed legislation to properly classify advanced recycling facilities as manufacturing operations.** Advanced recycling legislation has passed in 23 states that include bipartisan legislation that moved forward in Kansas, Michigan, Pennsylvania and Virginia. Legislation has also passed in Indiana and awaits the Governor's signature.

Democratic Governors Laura Kelly (Kansas); J. B. Pritzker (Illinois); Ralph Northam (Virginia); John Bel Edwards (Louisiana); Andy Beshear (Kentucky); and Gretchen Whitmer (Michigan) signed legislation classifying advanced recycling as manufacturing. These states recognize the

ways that advanced recycling can contribute significantly to a circular economy wherein plastics are repurposed rather than disposed.

**Advanced recycling is NOT incineration.** Advanced recycling converts post-use plastics into their original building blocks, specialty polymers, feedstocks for new plastics, waxes and other valuable products. This process takes place in the absence of oxygen or very little oxygen. Combustion requires oxygen. Incineration is the combustion or destroying of unsorted municipal solid waste.

**Advanced recycling facilities are subject to the federal, state and local regulatory authorities.** A [recent report](#) found that averaged-sized advanced recycling facilities have air emissions that typically are on par or lower than common industrial facilities such as food manufacturing and community institutions such as hospitals and universities.

**These technologies are not expected to produce dioxins and are strictly regulated and monitored by federal, state, and often even local air emissions authorities.** Advanced recycling facilities are subject to the Clean Air Act, the Clean Water Act, and state and local authorities. They also need to obtain operating permits from applicable states and continue to monitor and report various air emissions as they operate. AR facilities would also be subject to potential fines and closure for operational and product safety violations. State environmental officials have the tools they need to properly regulate the facilities.

**This legislation would close Maine to economic opportunities of advanced recycling.** These investments have the potential to serve new markets in the coming months and years. If Maine became a hub for advanced recycling technologies and converted just 50% of the currently landfilled plastic feedstock in the state, it could generate over \$78 million in economic output each year and up to 310 manufacturing jobs. The premise of LD 1660 therefore would limit Maine from benefitting from these investments and economic development opportunities

In closing, we would like to reiterate the importance of distinguishing the conversion of everyday household plastic items and packaging via manufacturing processes such as pyrolysis and gasification from the destruction and disposal of hazardous, non-plastic waste. The processes which remanufacture plastics back into useful products should remain distinct from other processes that dispose of waste. We urge the committee to oppose LD 1660 to ensure that Maine ability to recycle and recover more types of plastics be protected, while simultaneously ensuring state leaders can protect their communities from unwanted development.

Thank you for your consideration.

Sincerely,

American Chemistry Council

American Fuels & Petrochemical Manufacturers

Association of Home Appliance Manufacturers

Berry Global

Braven Environmental

Brightmark

Consumer Brands Association

Flexible Packaging Association

Household and Commercial Products Association

Plastic Energy

Plastics Industry Association

Printing United Alliance

Sealed Air

U.S. Tire Manufacturers Association

Vinyl Siding Institute