

## Maine Packaging EPR #1 Comments

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Extended Producer Responsibility (EPR) is well-intended. It should address both the *quantity* of packaging materials Maine households and businesses encounter and, just as important, the *quality* of those materials, to ensure they can be recycled, reused, or repurposed. The hope is that EPR will move Maine in that direction.

My comments about EPR focus on 3 concerns:

1. Data accuracy and EPR program credibility. Many of Maine's towns are not a part of regional collection and waste processing efforts, and even those that are, do not have certified scales. Certified scales are expensive and unaffordable for most Maine municipalities. How can Maine municipalities keep accurate and credible track of the quantities of EPR-category waste without access to certified scales? In the absence of accurate data, how can towns accurately track such packaging materials for reimbursement purposes? The EPR program must ensure that ALL Maine communities have reasonable access to certified scales so they can measure the amounts and kinds of packaging against which reimbursements are to be made.
2. Ordinances. A model ordinance with provisions that address EPR is essential to the EPR Program to gain traction at the local level. The ordinance is needed:
  - To encourage the process of public deliberations about the importance of EPR to each Maine community and especially among communities that share transfer stations and/or waste processing facilities.
  - To educate each Maine community about EPR and how it will be implemented; and
  - To increase general appreciation of EPR as a source of municipal funds. If residents are asked to vote on a solid waste ordinance that addresses EPR and other solid waste disposal matters, chances for the program's success will likely increase. Some regard a Maine State EPR statute as an adequate substitute for a local ordinance, but an approved local ordinance would be a far more effective tool for increasing awareness, nurturing local participation and encouraging the capture of EPR funding for local waste disposal efforts.
3. EPR Could Discriminate against Disadvantaged Communities. EPR is a potential non-starter for less affluent communities that have neither the staff nor the waste processing infrastructure to measure and record the data needed to make the EPR program effective. The proposition that the program is "voluntary" essentially disenfranchises those communities that are not in a position to volunteer because they are unable to provide the data EPR needs to move the program forward. EPR reimbursements will go only to those towns that have the wherewithal to volunteer for the program. Those that cannot afford to volunteer because they lack resources, will be left behind. Guaranteeing the cooperation of regional waste processing facilities that represent the interests of groups of communities—whether disadvantaged or not—is

one way of mitigating discrimination. Regional processing facilities would be able to account for EPR category waste because they have certified scales. Moreover, they are in a position to share EPR reimbursements among their members. While not a totally satisfactory solution, recruiting the support of regional waste processing facilities in the EPR effort would simplify reporting and moderate unfairness toward those disadvantaged communities that have joined a regional waste processing system.