



**SUSTAINABILITY
OFFICE**

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To Whom It May Concern:

My name is Susan Parmelee and I'm the Sustainability Program Manager for the City of South Portland. I am appreciative to the Maine Department of Environmental Protection for the opportunity to participate in the rulemaking process for Maine's Extended Producer Responsibility (EPR) for Packaging program. In December of 2022 the Department released background information regarding municipality reimbursement along with a series of questions for stakeholders to address. The following comments are South Portland's responses to a few of the questions provided.

How should municipalities get reimbursed for packaging that is not readily recyclable?

Producers of packaging material that is not accepted by local recycling facilities should be required to reimburse municipalities for the cost of trash disposal. For example, polystyrene foam is technically recyclable; however the price to ship the material to a viable facility and the minimal financial return make polystyrene recycling impractical. Recognizing that polystyrene is not readily recyclable and harmful to both the environment and human health, the Maine legislature banned the sale and use of polystyrene foam food serviceware in 2019. In order to discourage the production and distribution of similarly non-recyclable and harmful packaging products in Maine, it is necessary to charge producers for the price of landfill disposal. If the material were to become readily recyclable in the future, then the producer fee should be changed to that of a recyclable material.

Relatedly, the City of South Portland is concerned that packaging producers will set up ineffective stewardship programs to avoid paying fees for materials that are not readily recyclable. For example, retailers in Maine that offer plastic bags are required to provide take back programs. While providing a recycling option for bags and films is positive, the reality is that most plastic bags end up in the trash, and collection and disposal becomes the municipality's financial responsibility. We want to ensure that producers are paying for the packaging materials that end up in the municipal waste stream and not finding loopholes that do not result in effective recycling of the materials.

How can stewardship organizations best assist municipalities with auditing and reporting?

South Portland is fortunate to have the staff to collect and report information that will likely be required for the EPR program, however we recognize that is not the case for many Maine communities that would greatly benefit from this program. The stewardship organization should be available to educate and assist municipalities with the auditing and reporting process for at least the first few years of the program. As an ecomaine community, South Portland is also concerned with how reporting and auditing requirements will impact regional recycling facilities.

We are aware that recycling facility staff is already stretched thin and that it is challenging to find temporary workers. Rather than put the auditing burden on recycling facilities or municipalities, it would be helpful if the stewardship organization could contract third party waste auditors. It is likely that many recycling facilities will require updates to their equipment or additional staff trainings to provide the information to each municipality that is required for reporting to the EPR program. Reimbursements should be set aside for such updates.

What are examples of costs that might be overlooked or neglected when reporting municipal costs for recycling?

South Portland uses funding annually for recycling outreach and education. The City is always working to increase our recycling rate and striving to reach the State's goal of a recycling rate of 50% of municipal solid waste generated. Many packaging companies put unclear and misleading recycling labels on their products, which only furthers confusion amongst consumers who are trying to properly sort their recycling. For these reasons, the City stresses that a portion of reimbursements should go towards recycling education and outreach.

Thank you for the opportunity to provide comments on the municipal reimbursements for Maine's EPR for Packaging program. We look forward to working with the Department and continuing to be a part of the rulemaking process.

Sincerely,

Susan Parmelee
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