March 18, 2024

Chair Lessard,
Board of Environmental Protection
Augusta Civic Center
76 Community Drive
Augusta, Maine 04330

**RE: Draft Regulations – Charter 428: Stewardship Program for Packaging.**

Dear Chair Lessard, and members of the Maine Board of Environmental Protection:

Thank you for the opportunity to provide comments on the proposed rules implementing Maine's Stewardship Program for Packaging – more commonly known as the Extended Producer Responsibility for Packaging Program ("EPR for Packaging Program"). These comments are submitted on behalf of Just Zero.

Just Zero is a national non-profit environmental advocacy organization that works alongside communities, policy makers, scientists, educators, organizers, and others to implement just and equitable solutions to climate-damaging and toxic production, consumption, and waste disposal practices. We believe that all people deserve Zero Waste solutions with zero climate-damaging emissions and zero toxic exposures.

In 2021, the Maine Legislature enacted the first EPR for Packaging in the nation. This program – if implemented properly – will reduce packaging waste, increase recycling rates, and incentivize companies to redesign their products and packaging to be less toxic, and more sustainable. Just Zero strongly supports the proposed rules and applauds the Department of Environmental Protection ("Department") for its work in developing them. The Department drafted these rules after engaging in a robust and meticulous stakeholder process that encouraged all stakeholders to participate and share their perspectives.

We strongly support the inclusion of the enforceable program goals that mandate a reduction in single-use packaging, require a shift to reusable and refillable packaging; and set both overall and material specific recycling rates. These goals are further supported by a robust fee structure that is designed to penalize regulated producers that fail to make changes to their products and packaging to mitigate harm to the environment and public health.

Just Zero is strongly opposed to the arguments several lobbyists and stakeholders made during the public hearing on the proposed rules. We urge the Board to reject the arguments that seek to remove key aspects of the proposed rules.

Moreover, while we are supportive of the proposed rules, there are several areas where the rules are insufficient and therefore must be amended. Specifically, we urge the Board of Environmental Protection ("Board") to require the Department to revise the rules to:

(1) Prohibit all forms of so called "advanced" recycling technologies from counting as recycling under the program.[1] Amending the rules to include this prohibition would align the rules with a new legislation enacted this session.
(2) Prohibit packaging materials that can only be "recycled" through advanced recycling technologies from being considered readily recyclable.
(3) Clarify which actions count as reduction for the purpose of meeting the program goals. This includes prohibiting or penalizing companies from switching from readily recyclable packaging materials to non-readily recyclable packaging materials in order to meet the reduction goals.
(4) Add financial penalties for failure to meet the packaging reduction, and reuse and refill performance goals.

## I. The Board Should Approve the Proposed Rules and Disregard Arguments by Industry Lobbyists that Seek to Weaken Them.

At the March 7, 2024, public hearing, several lobbyists representing producers that will be regulated under the new program argued that the rules are too prescriptive and ambitious. They urged the Board to amend the rules to remove key provisions that are designed to hold them accountable for the waste they create. We strongly disagree. The Department developed these rules in a manner that balances the need to set clear and enforceable programs goals, with the need to provide the producers and the stewardship organization the flexibility to determine how the actions necessary to achieve the goals. Therefore, we urge the Board to reject arguments by the producers that would eliminate key provisions of the rules that are necessary for the success of Maine's new program.

Specifically, we urge the Board to retain the following provisions in the rules:

(A) The requirements that packaging material can only be classified as readily recyclable if at least two facilities in North America that operate in accordance with applicable environmental laws recycle the packaging material type"[2]
(B) All performance goals. The proposed rules include performance goals for the following categories: (a) participation, (b) collection, (c) reduction, (d) reuse, (e) readily recyclable, reuseable, or compostable, (f) base-material-specific recycling rate, (g) overall recycling rate, (h) post-consumer recycled material, and (i) litter.[3]

[1] As explained in these comments, advanced recycling – also called chemical recycling or molecular recycling – refers to an array of technology including pyrolysis, gasification, hydrolysis, and methanolysis. For the purpose of these comments, we will refer to these technologies as "advanced recycling."
[2] 06-096 C.M.R. Ch. 428, §4(C)(1)(a)(i).
[3] 06-096 C.M.R. Ch. 428, §3(A).

A. Packaging Materials Can Only Be Considered Readily Recyclable if There are At Least Two Facilities in North America that Can Recycle the Materials.

Restricting the packaging material types that can be considered "readily recyclable" to material types that have at least two facilities in North American that can actually recycle them is essential to the success of the program.

Which packaging material types are considered readily recyclable will have a significant impact on the overall success of the program. The readily recyclable list will be used to determine the overall recycling rate, material specific recycling rates, producer fees, compliance with certain program goals, and the reimbursement calculations for participating municipalities. Therefore, it is imperative that the criteria for determining which material types are considered readily recyclable results in a list of materials that are actually recyclable.

When packaging waste, especially plastic packaging waste is exported outside of the United States, there is a lack of sufficient data to determine that the materials are actually recycled. Instead, there is ample evidence to show that most of the packaging waste that is exported contributes to litter, pollution, and public health concerns in foreign nations.

Since the mid-1990's, due to the low-cost of shipping and foreign labor, the U.S. has exported a significant amount of packaging waste – primarily plastics – to other countries. For years, China was the largest repository of our waste. However, that changed in 2018 with China's National Sword policy which drastically reduced the amount of waste exported to the country. However, this policy did not end exports, it just changed which country received them.[4]

Since 2018, there have been more than 100 investigations and articles published showing that millions of tons of exported plastic wastes have been dumped or burned rather than recycled.[5] Exporting packaging waste such as plastics creates significant environmental and public health concerns for the receiving communities. For instance, a 2022 Bloomberg investigation found that flexible plastic packaging that starts of in Americans' recycling bins ends up at illegal dumpsites and industrial furnaces in regions of India.[6] This is not an uncommon occurrence. The Oregon Truth in Labeling Task Force found that there is a noteworthy potential for the mismanagement of recyclable materials when the materials are exported outside of the United States. The Task Force concluded that while domestic end markets such as a local mill will screen out

[4] Hiroko Tabuchi and Michael Corkery, Countries Tried to Curb Trade in Plastic Waste. The U.S. Is Shipping More, New York Times (Mar. 12, 2021)
[5] The Last Beach Cleanup, Listing of 100+ Investigations and Articles on Plastic Waste Exports.
[6] K. Oanh Ha, Amazon Packages Burn in India – Final Stop in Broken Recycling System, Bloomberg. (Dec. 27, 2022).

contamination and manage it safely and appropriately, the same is not necessarily true in other countries.[7]

Therefore, to ensure that packaging material types that are classified as readily recyclable are actually going to be recycled and not littered, burned, or buried in other countries, it is critical that the rules retain the requirement that a packaging material type can only be considered readily recyclable if there are at least two facilities in North America that operate in accordance with applicable environmental laws that can actually recycle the packaging material type.

B. The Board Must Retain the Performance Goals.

During the public hearing, several stakeholders argued that the performance goals are too prescriptive.[8] They also argued that the stewardship organization should complete a statewide recycling needs assessment before the program goals are finalized.[9] These stakeholders argued the needs assessment is necessary to set "more accurate, achievable goals."[10] Just Zero strongly opposes these arguments and urges the Board to adopt the performance goals in the proposed rules.

The legislation is extremely clear. The Department – through rulemaking – is responsible for setting program goals.[11] Producer responsibility does not mean producer control. Instead, it means that the producers are required to meet clear, well-defined program goals set by legislation and further refined by the Department through rulemaking. Moreover, nothing in the legislation indicates that the legislature wanted the stewardship organization to perform the statewide recycling needs assessment before the Department sets the program goals. Rather, the legislation was very clear that the rules – which include the performance goals – precede the needs assessment.

The legislation requires the Department to select and entire into a contract with a packaging stewardship organization to operate the EPR for Packaging Program.[12] To accomplish this, the Department must issue a request for proposals.[13] The proposals must include a description of how the bidder will conduct a statewide recycling needs assessment.[14] Importantly, the

[7] Oregon Truth in Labeling Task Force Report, "Truth In Labeling Final Report and Recommendations," June 1, 2022
[8] Megan Quinn, Stakeholders Call for More Details on Maine's Latest EPR Rules Draft, Waste Dive. (Mar. 11, 2024).
[9] *Id.*
[10] *Id.*
[11] 38 M.R.S.A. § 2146(13)(A)(5).
[12] 38 M.R.S.A. § 2146(3).
[13] 38 M.R.S.A. § 2146(3)(A).
[14] 38 M.R.S.A. § 2146(3)(A)(7).

Department may only issue the request for proposals, *after* the adoption of rules.[15] Therefore, it is clear the legislature intended for the Department to develop the program goals before the competition of the needs assessment.

Additionally, the performance goals that are currently in the proposed rules are achievable. According to a recent report by PEW, cutting packaging waste in half within a ten-year period aligns with what governments and industry are already equipped and capable of achieving.[16] The rules are significantly more conservative than a 50% reduction in ten years. Instead, the rules requiring a reduction in packaging waste no less than 20% from 2030 to 2039, no less than 40% from 2040 to 2049, and no less than 60% from 2050 onward.[17]

Moreover, several large producers have already made voluntary commitments which exceed the reduction, recycling, and recycled content program goals. For instance, Unilever has pledged to cut its non-recyclable plastic use by 50%, ensure all plastic packaging is reusable, recyclable, or compostable, and use 25% recycled plastic in packaging, all by 2025.[18] PepsiCo pledged to cut the use of virgin plastic by 50% across its food and beverage portfolio by 2030.[19] Again, these goals are more ambitious than the program goals.

Therefore, it is clear that the Department was legally required to develop the performance goals before the completion of the needs assessment and that the performance goals are realistic and achievable. Thus, the Board should retain them in the final rules.

## II. Advanced Recycling Should Not Be Included in Maine's EPR for Packaging Program.

While we strongly support the rules, there are areas where the rules aren't strong enough and therefore must be amended. The purpose of Maine's first-in-the-nation EPR for Packaging Program is to reduce waste and increase recycling. To accomplish this, the program cannot allow for false solutions like advanced recycling. Therefore, the Board should amend the rules to: (1) prohibit advanced recycling technologies from being considered recycling, and (2) clarify that packaging material types that can only be "recycled" through advanced recycling technologies cannot be classified as readily recyclable.

[15] 38 M.R.S.A. § 2146(3)(A).
[16] PEW Charitable Trust, *Breaking the Plastic Wave – A Comprehensive Assessment of Pathways Towards Stopping Ocean Plastic Pollution*. (July 23, 2020).
[17] 06-096 C.M.R. Ch. 428, §3(A)(#).
[18] Unilever, Rethinking Plastic Packaging.
[19] Ellen MacArthur Foundation, PepsiCo Commitments.

A. Background: Advanced Recycling is Not Recycling.

In theory, advanced recycling – sometimes called "chemical" recycling or "molecular" recycling - refers to an array of technologies that use heat and/or solvents to break down plastics into monomers (the building blocks of plastic), hydrocarbons, fuels, chemicals, and waste byproducts.[20] These technologies include gasification, pyrolysis, depolymerization, solvolysis, methanolysis, and hydrolysis.[21]

According to proponents like the American Chemistry Council, these materials can used to manufacture new plastic products.[22] The reality of advanced recycling, however, dramatically contrasts with these statements. Advanced recycling isn't an answer to our plastic woes. It's an expensive, risky, toxic, and climate-damaging process that doesn't improve recycling.[23] In fact, the only purpose of advanced recycling is to convince us to deepen our dependence on single-use plastics.[24] A goal that is in direct contrast with the purpose and intent of Maine's EPR for packaging program.[25]

In practice, advanced recycling means burning plastic derived fuels and toxic chemicals.[26] The process results in plastics being boiled down into gases, chemicals, tars, oils, and toxic waste byproducts, which are subsequently burned.[27] Little to no new plastics are manufactured.[28] In fact, all of the advanced recycling facilities operating at a commercial scale in the U.S. are using pyrolysis to create and burn plastic derived fuel.[29] Converting plastic into fuels is not considered recycling by national and international standards.[30] Nor does it comply with Maine's definition of recycling.[31]

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[20] Andrew Rollinson & Jumoke Oladejo, *Chemical Recycling: Status, Sustainability, and Environmental Impacts*, Global Alliance for Incinerator Alternatives, p. 7–12. (2020). In these comments we will exclusively refer to these technologies as "advanced recycling."
[21] *Id.*
[22] American Chemistry Council, Advanced Recycling – Overview.
[23] International Pollutants Elimination Network, *Chemical Recycling: A Dangerous Deception – Why Chemical Recycling Won't Solve the Plastic Pollution Problem.* (Oct. 2023).
[24] Kevin Burdis, *Loopholes, Injustice, & The Advanced Recycling Myth: The Fossil Fuel Industry Campaign to Keep Us Hooked on Plastics*, p. 10. (Dec. 2022).
[25] An Act to Support and Improve Municipal Recycling Programs and Save Taxpayers Money: Hearing on LD 1541 Before the J. Standing Comm. on Env. & Natural. Res. 130th Legis. (2021) (testimony of Rep. Grohoski, District 132.) As the lead sponsor of the bill, Rep. Grohoski's testimony should be viewed as an indication of the intent behind the law.
[26] *Id.*
[27] Dr. Veena Singla, *Recycling Lies: Chemical Recycling of Plastic is Just Greenwashing Incineration*, Natural Resources Defense Council, p. 2. (2022).
[28] *Id.* at 3.
[29] *Id.*
[30] See EPA's 1997 Measuring Recycling: A Guide for State and Local Governments and European Union, Directive of the European Parliament on Waste and Repealing Certain Directives, Pub. L. No. Article 3(17).
[31] 38 M.R.S.A. § 1771(7).

While proponents will argue that some of the plastic processed at advanced recycling facilities is used to manufacture new plastic products, this is extremely misleading. A report from the Department of Energy found that plastic processed through advanced recycling technologies – specifically pyrolysis and gasification – were rarely used manufacture new plastic products.[32] In fact, only 1 – 14% of the plastic processed at advanced recycling facilities were retained and used to manufacture new plastics.[33] In addition to resulting in virtually no recycling, the report also found that these technologies had significant economic and environmental impacts.[34] The report found that the environmental and economic impacts of pyrolysis and gasification are 10 to 100 times worse than using virgin plastics.[35] Additionally, the fuel derived from plastic pyrolysis is extremely toxic.[36] Reports from the U.S. Environmental Protection Agency have found that production of these fuels can emit air pollution that is to toxic, 1 out of 4 people exposed to it over a lifetime could develop cancer.[37]

B. The Board Must Amend the Rules to Explicitly Exclude Advanced Recycling Technologies from Being Considered "Recycling."

For the purposes of Maine's EPR for packaging program, recycling is defined as "transforming or remanufacturing of an unwanted product or the unwanted product's components and by-products into usable or marketable materials."[38] Importantly, the statute clarifies that recycling "does not include landfill disposal, incineration or energy recovery or energy generation by means of combusting unwanted products, components and by-products with or without other waste."[39]

The Board should require the Department to amend the rules to include a more robust definition of recycling which explicitly excludes advanced recycling technologies. As explained above, these technologies do not result in the recycling of packaging materials. Instead, plastic packaging is converted into toxic fuels and chemicals which are burned. This is in direct contrast with the statutory definition of recycling.[40]

Despite appearing to already prohibit advanced recycling technologies, clarification through rule is needed due to the lack of regulation and reporting requirements for advanced recycling

[32] Taylor Uekert, et al, *Technical, Economic, and Environmental Comparison of Closed-Loop Recycling Technologies for Common Plastics*, Department of Energy, ACS Sustainable Chem. Eng. 2023, 11, 3, 965–978.
[33] *Id.*
[34] *Id.*
[35] *Id.*
[36] Sharon Lerner, *This "Climate-Friendly" Fuel Comes With an Astronomical Cancer Risk*, ProPublica. (Feb. 23, 2023).
[37] *Id.*
[38] See, 38 M.R.S.A. § 2146(1)(R) and 38 M.R.S.A. § 1771(7).
[39] *Id.*
[40] See, 38 M.R.S.A. § 2146(1)(R) and 38 M.R.S.A. § 1771(7).

facilities. While the overwhelming majority of plastic processed at advanced recycling facilities is converted into fuel or toxic chemicals that are burned, a very small amount can – theoretically – be used to displace virgin fossil fuels when producing new plastic products. To make advanced recycling appear more viable, companies are claiming that advanced recycling processes result in a large amount of feedstocks which are used to make new plastic products. In some cases, companies are claiming advanced recycling processes result in recycling that is allowing them to reach impossibly high recycled content levels (20%[41], 30%[42], or 100%[43]) when the technical maximum that can be produced in the real world is 2% due to inherent additive contamination in the plastic itself.[44]

We strongly recommend amending the rules to incorporate ethe newly enacted definition of "plastic-to-plastic recycling."[45] This year, the Legislature enacted LD 1660, An Act to Ensure Proper Regulation of Chemical Processing.[46] This new law clarifies that any processes that convert plastic waste into fuel, chemicals, or other materials that are burned does not count as recycling under Maine law.[47] The law also clarifies that any technologies that alleges to break down plastic waste into feedstocks to create new plastic products can only be considered recycling if those processes exclusively result in the production of new plastic materials.[48]

> "Plastic-to-plastic recycling means the production from plastic waste of new plastic material, designed to be used as industrial feedstock in place of raw material for the manufacture of new products made of or containing plastic, by processing the plastic waste in a manner that, in producing the new plastic material (A) retains the chemical structure of the plastic waste; or (B) deconstructs the plastic waste into molecular precursors or intermediaries and then reconstitutes the precursors or intermediates into plastic polymers using methods that result *exclusively* in the production of new plastic material."[49]

Incorporating this definition into Maine's EPR for Packaging Program is necessary to both ensure consistency among Maine law and to protect this innovative new program from processes that will undermine the overall program goals.

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[41] Packaging Gateway, "Wendy's to introduce recycled plastic cups with partners," October 21, 2021
[42] Packaging World, Printpack, ExxonMobil, Pacific Coast Producers Bring Circularity to Fruit Cups, August 29, 2023
[43] PR Newswire, "ExxonMobil, Cyclyx, Sealed Air, and Ahold Delhaize USA demo advanced recycling for plastic waste," April 27, 2023
[44] Zero Waste Europe, Leaky Loop Recycling, October 26, 2023
[45] 38 M.R.S.A. §1303-C, sub-§ 19-E.
[46] S.P. 665 - L.D. 1660 (Mar. 2024).
[47] 38 MRSA §1303-C, sub-§19-E.
[48] 38 MRSA §1303-C, sub-§19-E
[49] *Id.* Emphasis added.

C. The Rules Must Prohibit Packaging Material Types That Are Only "Recyclable" Through Advanced Recycling Technologies from Being Considered Readily Recyclable.

As explained above, which materials can be considered readily recyclable is essential to the effectiveness of the new program. To ensure the program meets its intended purposes the criteria used to determine which material types are considered readily recyclable must be limited to materials that are actually recyclable. This means ensuring that material types that are only capable of being "recycled" through advanced recycling technologies are prohibited from being considered readily recyclable.

Currently, the draft conceptual rules establish a three-part test for determining whether a packaging material type can be considered readily recyclable. The packaging material type must be (1) marketable, (2) must have sufficient throughput, and (3) must have a sufficient recycling yield.[50]

A packaging material type can only be considered marketable if the recycling process "safeguards the environment and human health."[51] Additionally, recycling processes that are "inconsistent with applicable laws and conventions or are known to release materials into the environment" are cited as examples of processes that do not safeguard the environment or human health, and therefore, are not marketable.[52] A packaging material type will not be considered to have a sufficient recycling yield unless at least 60% of the weight of the packaging material type that is managed for recycling is ultimately recycled.[53]

The criteria for marketability and sufficient throughput alone implicitly prevent packaging material types that can only be processed through so-called advanced recycling technologies from being considered readily recyclable. As explained above, the overwhelming majority of plastics processed via advanced recycling technologies are not actually recycled, but instead concentrated into a harmful array of by-products that are subsequently burned and released into the environment.

However, given the efforts to promote advanced recycling through newly enacted EPR for packaging programs, the Board should require the Department to revise the rules to explicitly prohibit packaging materials that are processed through advanced recycling technologies from being considered readily recyclable. Again, we believe adding language that mirrors the new definition of "plastic-to-plastic" recycling from LD 1660 would accomplish this.

[50] 06-096 C.M.R. Ch. 428, §4(C)
[51] 06-096 C.M.R. Ch. 428, §4(C)(1)(a)(i).
[52] *Id.*
[53] *Id.*

## III. The Board Should Require the Department to Strengthen Key Programmatic Goals.

Overall, Just Zero strongly supports the program goals established in the draft rules. In any EPR for packaging program, the program goals are the primary lever for driving change. An effective and modern EPR for packaging program must set clear enforceable program goals which regulated producers are required to comply with. Failure to meet these goals must result in financial penalties. The rules as currently drafted accomplish this, for the most part.

However, the are some areas of concern. Specifically, a lack of clarity around what actions constitute reduction for the purpose of meeting the reduction goals. Additionally, there are currently no financial penalties for failure to comply with the reduction goals and the reuse and refill goals.

### A. The Department Must Clarify What Actions Constitute Packaging Reduction.

Just Zero strongly supports the packaging reduction requirements included in the proposed rules. A strong and impactful EPR for packaging program must do more than simply create a new funding source for waste management systems. A central goal of the program must be to reduce the volume of waste that is generated in the first place. The packaging reduction requirements included in the conceptual draft rules are designed to ensure that regulated producers redesign their product and packaging in a manner that reduces the amount of waste their products and packaging create.[54]

However, as currently drafted, we are concerned that the reduction goals will lead to an increase in unrecyclable plastic packaging. Despite being widely unrecyclable, most companies choose to package their products using plastics. Approximately, 40% of all plastic produced each year is used for packaging.[55] Virtually none of this material is recycled. In 2021, only 5% of all plastic waste generated by U.S. households was recycled.[56] This is unlikely to change, even with producer funded recycling systems, because most of this plastic isn't technically or economically capable of being recycled. In fact, a recent report from Greenpeace which surveyed 370 material recovery facilities in the United States found that only PET #1 and HDPE #2 currently meet federal guidelines for recyclability.[57] Therefore, all other forms of plastic do not even meet our weak federal requirements for recyclability, which primarily just focus on access to services.[58]

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[54] 06-096 C.M.R. Ch. 428, §(3)(A)(3).
[55] Laura Parker, Fast Facts About Plastic Pollution, National Geographic. (Dec. 20, 2018)
[56] Greenpeace, Circular Claims Fall Flat Again, p. 3. (Oct. 24, 2022).
[57] *Id.*
[58] See, 16 C.F.R. §260.12 The Federal Trade Commission's Guides for the Use of Environmental Marketing Claim, commonly known as the "Green Guides" states that a company can only make unqualified claims about the recyclability of a product or packaging if recycling facilities that can manage the product or packaging are available to at least 60% of consumers. Importantly, the federal requirements do not look into whether the materials sent to these recycling facilities are actually used to make new consumer products.

To address this, the Department has already revised the regulations. Initially, the packaging reduction requirements were based on the "total weight of packaging material reported by producers."[59] However, because plastic is significantly lighter than other types of packaging materials, it was likely that producers would choose to meet the packaging reduction requirements by switching from other, recyclable, and more environmentally friendly packaging types to plastic. In the final version of the rules, the Department amended the packaging reduction requirements to make clear that the goal is measured in "total units and total weight."[60]

While this was an important amendment, we are still concerned that the rules are not protective enough. Therefore, we urge the Board to require the Department to amend the rules to clarify that – for the purposes of complying with the reduction program goals – producers cannot switch from readily recyclable packaging materials to non-readily recyclable packaging materials. In lieu of an outright prohibition, the rules could reflect a higher fee for companies that switch from readily recyclable materials to non-readily recyclable materials.

Additionally, the Department should also clarify what practices can be used to meet the reduction requirements. This should include elimination of packaging and packaging components, packaging and product optimization through methods such as rightsizing and lightweighting, switching from single-use packaging to reusable or refillable packaging, or any combination of these actions.

B. The Department Must Establish Penalties for Failure to Meet the Reduction and Reuse Goals.

To ensure regulated producers are incentivized to meet the reduction and reuse goals, the rules must include enforceable penalties. These penalties should be levied against the Stewardship Organization if the performance goals are not met. Currently, under the rules, if the reduction or reuse goals are not met, the Stewardship Organization must study why the goals went unmet and make recommendations to accelerate compliance.[61] While it is important for the Stewardship Organization to evaluate why goals went unmet, it is equally important that the producers be financially penalized for failing to comply with clear program goals. This is the case for all other program goals. The two most important goals should not be an exception.

## IV. Conclusion

Maine's first-in-the-nation EPR for packaging program represents a significant opportunity. If implemented correctly, the program can reduce packaging waste and address stagnant recycling

[59] *See*, Maine Department of Environmental Protection, *Conceptual Draft Rules for Stewardship Program for Packaging: Part 2*, p. 6. (Sept. 2023).
[60] 06-096 C.M.R. Ch. 428, §(3)(A)(3).
[61] See, 06-096 C.M.R. Ch. 428, §(3)(A)(3)-(4)

rates. The program has the potential to fix Maine's broken and disjointed approach to managing packaging waste by creating a fairer and more sustainable approach that is funded by the companies that generate this waste in the first place.

Thank you for your time and consideration of these comments.

Respectfully submitted,

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Just Zero