

MAINE BEVERAGE REDEMPTION GROUP (MBRG) ANNUAL REPORT

Please Note: This annual report was originally finalized and approved by MBRG on July 23, 2026 but was held considering the NOV received from DEP on 7/24/26. The report was modified to better address items noted in the NOV.

The Department approved Commingling Plan attached to Department Order No. R-000036-PSP-B-N at page 37 of 37 limits the scope of the first MBRG annual report to “a summary of the Cooperative’s progress toward completion of the steps outline in Section 2(M)(1) of the approved Commingling Plan. This progress report is highlighted below.

CORPORATE STANDING – 06-096 C.M.R. ch.2 §10 (A)

MBRG was established as a corporation with the Maine Department of Secretary of State as a domestic nonprofit corporation with a date of incorporation of **February 19, 2025**.

RESPONSIBILITY ENTITY- Board; 38 MRS § 3107(3-B) and § 3107(3-B)(A)

MBRG signed bylaws note that the entity is “organized exclusively for such charitable, scientific, literary and educational purposes as are permitted to organizations exempt from federal income tax.” There are 11 Commingling Cooperative board members, representing the approved commingling groups. Bylaws adopted by the Board on **February 24, 2025**.

Funding of DEP –38 MRS §3107(3-B)(G)

October 31, 2025, \$600,000 annual payment fee was executed by individual commingling groups.

2026; DEP invoice dated May 8, 2026, was received with a due date of **June 22, 2026** for \$300,000 of the DEP \$600,000 fee. The statute provides that the DEP fee “shall not exceed” this amount, thus MBRG payment is in process to being paid with filing of this report as also required by 38 M.R.S. § 3107(3-B)(G). MBRG notes that the Department Order and Plan are dated April 9, 2026. MBRG had issued invoices on July 22, 2026 to all member commingling groups for their respective portion of the fee. Certain members of MBRG learned on July 29, 2026 that DEP would reject any payments received directly from members even though they had received payments by this format in the previous year. On August 5, 2026 the MBRG resolved to fund the MBRG bank account for the previously

invoiced amounts, and the MBRG will seek to transmit collected funds to the DEP via ACH by August 15, 2026 if not sooner.

Commingling Cooperative Annual Report- 38 MRS (3-B)(E-7)

For the report due April 1, 2026 only, the department may modify or waive any of the reporting requirements set forth in this paragraph upon a finding that the information required cannot feasibly be determined or provided by the cooperative due to a partial-year operation of the program and did so for this report as discussed above.

Asked for extensions , DEP did not specifically respond to the extension request to confirm or deny.

Implementation timeline summarized from section 2M1, noting that final plan was only received from DEP on April 9, 2026 (and is currently in appeals process):

	Item	DEP proposed	Progress
(a)	Cash account / GL accounts	04/09/26	Cash account is established. GL accounts to be established with onboarding of Administrator
(b)	Administrator	ASAP	Administrator has been selected and contract negotiations have begun and expected to be completed by August 31
(c)	IOD Sales Data	02/01/26	Guidance letter completed on 07/27/26
(d)	Advisory Group	03/31/26	Advisory meeting held on 09/11/2025
(e)	Unclaimed Deposits	04/15/26	Unclaimed deposits being accounted for by each individual commingling group
(f)	Refillable Study	04/15/26	Approved RFP document on 08/05/26
(g)	Sales Data	05/01/26	General sales/redemption data collected for 2025 for payment shares and guidance approved on 07/27/26 to begin receiving data by material type, etc.
(h)	Location Reporting	06/01/26	Not fully complete, but some members have reported.
(i)	Website	06/30/26	Not yet completed, expected as part of Administrator agreement, evaluating use of members existing websites in the meantime
(j)	Data Adequacy	07/01/26	See status of Administrator
(k)	Refillable Study	07/15/26	Approved final draft of RFP on 08/05/26
(l)	Registration	07/15/26	Cooperative delayed but pretty close to finalizing final draft of template to begin registration of labels from commingling groups while our Administrator

			comes online. Intending to offer current DEP registration list on publicly available site by August 15, 2026
(m)	Alternative Methods	07/15/26	Guidance letter completed on 07/27/26
(n)	Payment Share	08/01/26	MBRG has agreed on payment shares for current 2026 expenses using available 2025 data, and further has requested more detailed sales data to inform payment shares when full commingling commences.
(o)	Refillable Grant	08/01/26	Approved RFP document on 08/08/26
(p)	Payment Share Complaints	08/15/26	None received as of 08/07/2026
(q)	Sorting Guidelines	09/01/26	
(r)	Share Changes	09/01/26	
(s)	Pickup Responsibilities	09/15/26	
(t)	Allocations in Effect	10/01/26	
(u)	Full Commingling	10/01/26	

On July 28, 2026 completed and began distributing document to inform IODs of plan for collection and analysis of sales data, the process by which responsibilities will be determined, communicated, and implemented. Commingling groups will provide further communication to their own members during August include the process by which payment shares can be contested.

Cooperative finalized and approved draft of RFP on August 5, 2026 for Section 2)(N) study for refillable and reuse

Cooperative delayed but pretty close to finalizing final draft of template to begin registration of labels from commingling groups while our Administrator comes online. Intending to offer current DEP registration list on publicly available site by August 15, 2026

Administrator and MBRG determine adequacy of sales data and where alternatives will be used for upcoming year and communicates to DEP and, after hearing back from DEP, to IODs via commingling groups

Timeline of MBRG Compliance Activities

January 2026 – MBRG received Draft Order Plan; weekly Board meetings to review plan

February 2026 – MBRG Board request extension to respond by February 9, 2026.

March 2026- Draft RFP for administrative and management services reviewed

April 8, 2026 – MBRG members participate in DEP Cost & Carbon Efficient Technology Grants Program meeting

April 9, 2026 – DEP Order & Plan issued.

MBRG board meetings to analyze the Order and Plan details:

April 17, 2026, April 20, 2026, April 27, 2026, May 1, 2026, May 8, 2026

May 4, 2026 – MBRG issues the RFP for administrative and managerial services

May 5, 2026 – MBRG members participate in DEP Reuse Stakeholder Workshop

May 11, 2026 – MBRG appeal to the DEP Order & Plan is filed with BEP.

May 15 and May 28, 2026 – MBRG board meetings;

MBRG Administrative:

RFP bidders questions – scope of service details

Financial Institution- Maine Community Bank establishes cash accounts

D&O Insurance – Chalmers Insurance

DEP Invoice – Member share allocations

MBRG Plan Implementation:

IOD sales data template- Policy Guidance Letter

June 1, 2026 – MBRG unanimously votes to extend RFP deadline from June 5th to June 15th

June 15, 2026 – Three bidders' responses to RFP are received

Schedule for interview presentations: July 7, July 8 and July 10

MBRG Board meeting scheduled to finalize selection of RFP bidder: July 21st

July 21, 2026 – MBRG BOD conditionally selected a service provider for Administrator of the Cooperative pending execution of contract.