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March 11, 2024

Mr. Brian Beneski,
Bureau of Remediation and Waste Management
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

Re: Written comments on Chapter 428: Stewardship Program for Packaging

Submitted electronically via: rulecomments.dep@maine.gov

Dear Mr. Beneski:

Thank you for extensive and numerous opportunities to comment on the proposed Chapter 428: Stewardship Program for Packaging. While I previously testified in favor of the proposed rule before the Board of Environmental Protection on March 7th; and similarly I am submitting these brief written comments generally in favor of the proposal, I do have one (1) comment requesting that a change be made prior to adoption of the final rule. That change is in regard to the following:

Definition of "Alternative Management:" this definition (found on page 2 of the proposed regulation) essentially includes only incineration, as "volume reduction" is the only means of management between land disposal and composting on Maine's Waste Management Hierarchy. Therefore, according to this definition and how it is applied in the proposed regulation, municipalities could be reimbursed for the cost of *incinerating* their packaging waste, but municipalities that *landfill* their packaging waste would not be reimbursed for that cost.

The very first goal listed in the Department's summary of the proposed rule is to "*reduce the burden to municipalities of managing packaging material.*" If that burden is to incur the cost of landfilling the packaging material, then the goal should be to reduce that burden through reimbursement of that cost. This is particularly true for municipalities that have no other option but to landfill this material, such is the case in Aroostook County (and elsewhere). Those municipalities should not be penalized simply for their geographic location.

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To be fair and equitable, either the definition of Alternative Management should include landfilling, or it should not include any form of disposal – including incineration. Otherwise, this definition runs the risk of disenchanting the many Maine municipalities that use landfilling as their disposal option – and thus reducing municipal participation in the program.

Otherwise, I am in favor of the proposed rule.

Thank you for your consideration of my comments. I look forward to the Department's response.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Draper', with a large, stylized initial 'D'.

Mark Draper
Solid Waste Director