



CITY OF
**SOUTH
PORTLAND**

March 14, 2024

Board of Environmental Protection
17 State House Station
28 Tyson Drive
Augusta, ME 04333

SUBJECT: Proposed Rules for the Stewardship Program for Packaging (Chapter 428)

Chair Lessard and members of the Board, thank you for the opportunity to submit comments regarding the proposed rules for Chapter 428, the Stewardship Program for Packaging, established in MRS Title 38 §2146 (EPR rules). The following comments are submitted on behalf of the City of South Portland in support of the EPR rules.

I would like to start by commending the Maine DEP for their work on the proposed rules and the extensive stakeholder engagement process that went into creating them. I attended most of the stakeholder meetings and submitted comments at several steps along the way, and it is clear that the DEP listened to concerns, incorporated comments, and did an excellent job creating feasible rules for a complex program.

Currently, Maine municipalities and taxpayers are financially responsible for managing packaging materials while having little or no control over the composition or quantity. Since packaging producers have not been required to shoulder this burden, there has been little incentive to create less waste. The EPR program is an opportunity to hold packaging producers responsible, reduce materials entering the waste stream, and reduce the financial burden of waste management on municipalities and taxpayers. South Portland spends a considerable amount on waste management annually. We provide automated, curbside trash and single-sort recycling pick up on a weekly basis to properties with four or fewer housing units. In 2023 our combined waste and recycling hauling contract was \$927,458, our recycling tipping fees were \$68,005 (1,943 tons), and our trash tipping fees were \$433,697 (5,669 tons), totaling \$1,429,160 in waste management costs. According to the Maine DEP, approximately 30-40% of the waste stream is packaging material. This equates to approximately \$500,000 spent each year on managing packaging material. This rough calculation excludes some of the additional reimbursements costs included in the EPR rules, such as the cost of staff time and equipment. The EPR program would provide significant relief to the City and allow us to pursue additional waste diversion efforts that are not feasible with our current budgeting constraints.

South Portland is well-positioned to meet the EPR program participation requirements. We are an ecomaine owner community, we provide single-sort recycling for readily recyclable materials, and we have the personnel to complete the reporting requirements. However, we recognize that our position is not representative of many Maine municipalities. Since the National Sword policy went into effect in 2018, recycling markets have been limited, resulting in increased recycling costs. This has caused many Maine municipalities to make the difficult decision to reduce or eliminate their recycling programs. The

EPR program could provide the financial relief needed by municipalities to re-implement their full recycling programs. To ensure that all municipalities have an opportunity to participate in EPR, it is necessary that the Stewardship Organization provides assistance to municipalities who do not have the current funding or staff capacity to participate. We are encouraged to see that proposed rules include a required recycling needs assessment to determine what infrastructure and investments are needed for municipalities to effectively manage packaging material statewide. We also appreciate that the program goals include 100% municipal participation in the EPR program by 2040.

Thank you for your consideration of our comments in support of the proposed EPR rules.

Best regards,

A handwritten signature in cursive script, appearing to read "Susan Parmelee".

Susan Parmelee (She/Her)
Sustainability Program Manager
City of South Portland