



*SUSTAINABILITY  
OFFICE*

SUSAN G. PARMELEE

August 22, 2024  
Maine Department of Environmental Protection  
17 State House Station  
Augusta, ME 04333

SUBJECT: EPR for Packaging Reposted Draft Rules

Dear Brian Beneski and Team:

Thank you for the opportunity to submit comments on the reposted draft 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.

The City of South Portland is overall supportive of the updates to the EPR draft rules. It is clear that the Maine Department of Environmental Protection has incorporated changes based on feedback provided by the Board of Environmental Protection, stakeholders, and the general public, and we appreciate the hard work and attention to detail. Our only suggested amendment is in regard to disposal reimbursements for non-recyclable packaging. As written in Section 13(D), municipalities that send their non-recyclable municipal solid waste to a landfill will receive one third of the median cost of recycling readily recyclable material, as opposed to municipalities who send their municipal solid waste to an alternative management facility, such as a waste-to-energy incinerator, who will receive two thirds the median cost of recycling readily recyclable material. While we acknowledge that an alternative management system is preferred to landfilling, alternative management systems are not equally accessible throughout the state. Many municipalities are not within a reasonable distance of this type of facility, many are in long-term waste contracts, and some incineration facilities experience recurring maintenance challenges that prevent them from taking on new contracts. We recommend that reimbursements for non-recyclable materials be the same, regardless of end of life management.

At this time, it is the City of South Portland's primary concern that the rulemaking process move forward. While we appreciate the complexity of the topic, our concern is that a prolonged process of minor edits will result in a delay in program implementation. The EPR for Packaging program was created in large part to alleviate municipalities from the financial burden of managing packaging material. Many communities are depending on this financial support to continue or start their recycling programs and cannot afford to wait.

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

Best regards,

A handwritten signature in black ink, appearing to read "Susan Parmelee".

Susan Parmelee  
Sustainability Program Manager  
City of South Portland