



DEP Updates: Statewide Materials Management Plan & EPR for Packaging

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MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

Protecting Maine's Air, Land and Water

Statewide Materials Management Plan Update for January 2024



Photo courtesy of Marut Khobtakhob



Materials Management Plan

The Department must analyze and plan for managing, reducing, and recycling solid waste. Plan revisions every 5 years must:

- Be based on the waste and food recovery hierarchies and recycling and waste reduction goals
- Provide guidance and direction to municipalities in planning and implementing waste management and recycling programs
- Next plan published by **January 1, 2024**
- Please review the plan and share your feedback with us this coming January!
- Get details on 30-day public comment period:
<https://www.maine.gov/dep/rules/index.html>



Snapshot of Actions to Support Waste Reduction - 2019 Plan

- ✓ Support local initiatives to reduce wasted food through technical assistance and grant funding prioritization
- ✓ Specify reuse and repair infrastructure and program development as eligible activities within competitive grant opportunities
- ✓ Develop strategies and supporting educational materials for municipalities to reduce consumption through community sharing arrangements (tool and equipment lending libraries, repair cafes, school “share tables”, and swap shops, etc.)



Gathering Feedback for 2024 Materials Management Plan Update

The Department held five regional meetings across Maine in Presque Isle, Machias, Orono, Augusta, and Portland during spring and summer of 2024 to gather stakeholder feedback.

- Meetings could be attending in person or remotely
- Some stakeholders provided written feedback for what they'd like to see included in the 2024 plan update
- All meeting recordings and public comments received from our stakeholder input process are available on our website:
<https://www.maine.gov/dep/waste/programs/materials.html>



Common Themes from Early Public Feedback for 2024 Plan

- More regionalization is needed, especially in rural areas
- Materials management should be treated as a necessary public utility so diversion programs (recycling, composting, etc.) aren't cut out in favor of cheaper options (disposal)
 - Maine law requires municipalities provide solid waste disposal services and demonstrate reasonable progress toward statewide recycling and waste reduction goals.
- EPR for packaging is applauded, but there are concerns about municipal capacity, data tracking, and workloads to participate
- Areas of concerns: sludge, landfill capacity, lithium-ion batteries (fire risk!) HHW and e-waste



Common Themes from Early Public Feedback for 2024 Plan

- Stakeholders want state leadership and technical assistance with materials management, especially for infrastructure and economic development and facilitating regionalization
- Priorities: elevating waste reduction over recycling, more support and infrastructure for organics diversion, deconstruction and programs to reuse, refill, repair, and share
- The Department wants to support community groups interested in working on these issues! We can help with:
 - Data, networking, organization, connecting groups or people across the state with mutual goals and interests



Photo courtesy of Orbon Alija



Maine's EPR Programs

- EPR for Packaging: will help fund municipal recycling programs and build out recycling infrastructure over time
 - Currently in rulemaking; get involved, share your feedback:
 - <https://www.maine.gov/dep/waste/recycle/epr.html>
- EPR programs allow municipalities to recycle items including batteries (11 lbs. and under), electronics, mercury-added lamps and thermostats, and paint at a reduced cost or free
 - Let's expand coverage across the state; municipal participation is key!
 - Certain mercury-added lamps will be banned from sale as of January, 2026 (only linear fluorescent and CFLs)
- NEW pharmaceuticals program ensures access to safe disposal of medications statewide
- Bottle Bill Updates: modernization act, PCR requirements



What is the Department Doing?

- Gathering data to measure progress and prioritize:
 - **SWIFR Grant:** characterizing all materials disposed across the state including demo debris and MSW, assessing residential food scrap management and existing organics transportation system
 - **Climate Pollution Reduction Grant:** studying food loss and waste or surplus food that could be diverted to higher and better uses, including food rescue, animal feed, or composting/anaerobic digestion
- Administering Waste Diversion Grant Program
- Ongoing data tracking and analysis, reporting on waste diversion activities around the state
- Enforcing single-use plastic bans (plastic bags and polystyrene foam food service items)



Maine's Waste Diversion Grants

- Open to public and private entities
- **Highest priority:** Proposals from municipal or regional associations
- **High priority:** Increasing removal and recycling of organic materials from municipal waste streams
 - Underserved areas
 - Waste prevention: food rescue, reuse, repair, lending libraries, etc.
 - Education and outreach
 - Addressing a statewide need
 - Reducing greenhouse gas emissions
 - Expanding the type of materials recovered



Photo courtesy of herb007



Extended Producer Responsibility (EPR) for Packaging Program Update



Photo courtesy of AegeanBlue



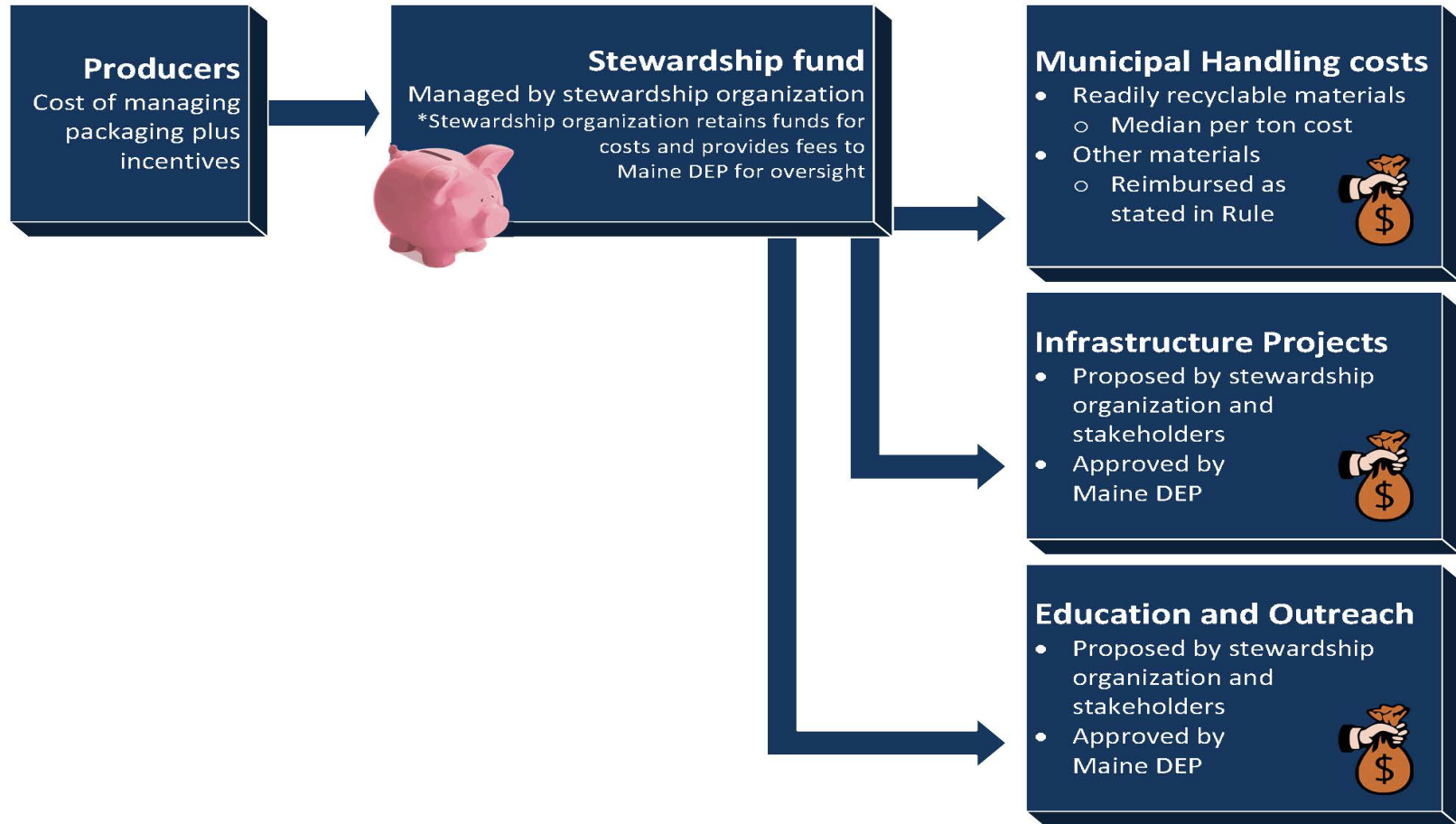
Stewardship Program for Packaging

- The program's purpose is to—
 - reduce the volume and toxicity of packaging material
 - increase the recyclability of packaging material
 - offset municipal costs for the management of packaging material
- Packaging material that '...leaves a point of sale with or is received by the consumer of a product...' is covered

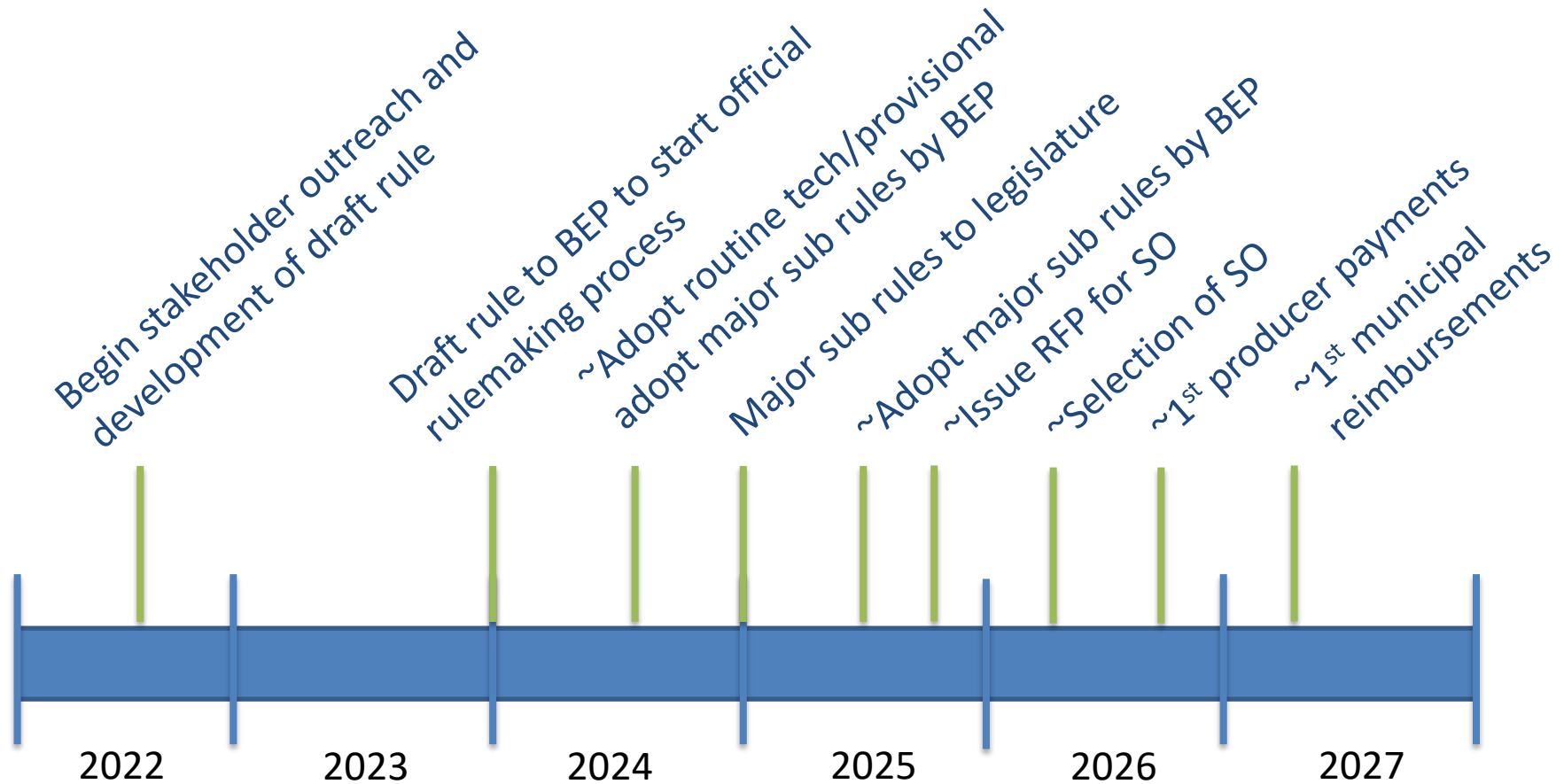




Money Flow – EPR Packaging



Program Timeline



Rulemaking Comment Phases

- Comments speaking to conceptual draft rules provided before October 31 will more easily be incorporated into draft rules
- Informal rulemaking to conclude this month with draft rules going to the Board in December
- Formal rulemaking to commence December 2023 which includes more time to provide comments



Program Elements

- Program will maintain—
 - Pre-existing services
 - Municipal level decision making
 - Waste/recycling contractor associations
- Reimbursement model
- Participation requires a municipality—
 - Provide for collection and recycling of readily recyclable materials, and
 - Report annually



Requirement: Providing Collection

- Provide for the collection of packaging material types on the readily recyclable list
- Options include—
 - Source separated or single stream drop-off
 - Curbside service
 - Add to an already existing and collected stream
 - Contract with another municipality to allow for use of its transfer station



Readily Recyclable

- Criteria included in rule, not a list
- Process for annual review, and adjustments as necessary, to the list with consideration of input from participating municipalities, recycling establishments and producers and final approval from the DEP
- Initial list to initiate with effective date of the rule and follow a similar process with an adjusted timeline



Requirement: Reporting

- Tonnage
 - A participating municipality must report on tonnage
 - A contractor may provide tonnage directly to the SO on behalf of participating municipalities
- Costs
 - All costs must be reported, therefore participating municipalities may need to report on costs in addition to their contractors
 - A contractor may provide costs directly to the SO on behalf of participating municipalities
 - Municipalities report on costs as identified during its complete cost study with the SO













Cost Studies

- SO must conduct cost studies with participating municipalities to—
 - Obtain information required to determine per ton costs, and
 - Create a cost reporting plan that identifies cost information that must be annually reported
- Cost studies
 - Complete cost studies chosen randomly
 - Follow-up cost studies when there is a significant change to operations











Cost Reporting Plan

- Examples of information participating municipalities may need to report:

<p>Labor cost</p> 	<p>Maintenance cost for all equipment</p> 	<p>Number of trips traveled for on-road vehicles</p> 	<p>Annual miles traveled for on-road vehicles</p> 	<p>Maintenance cost for all structures</p> 
<p>Total metered energy</p> 	<p>Average price per unit of energy</p> 	<p>Revenue shared cost/ton</p> 	<p>Contractor cost/ton</p> 	<p>Tons of material managed for recycling</p> 

Cost Reporting Plan, cont.

- Examples of information documented by the SO during a cost study:

<p>Miles per routes traveled by on-road vehicles</p> 	<p>Price paid for all equipment</p> 	<p>Expected lifespan for all equipment</p> 	<p>Purchase year for all equipment</p> 
<p>Price paid for all structures</p> 	<p>Expected lifespan for all structures</p> 	<p>Purchase year for all structures</p> 	<p>Percent allocation</p> 



Requirement: Auditing

- Participating municipalities and their contractors must be audited by the SO
- Auditing will review—
 - Contents of mixed packaging streams entering receiving facilities for processing, and
 - Contents of commodities sent for recycling



Municipal Reimbursement

- Reimbursement uses median cost per ton to manage packaging material by type for similar municipalities
- Method for reimbursement for the collection, processing, and transportation costs for—
 - Readily recyclable packaging material recycled
 - Not readily recyclable packaging material



Investments

- Municipalities will be able to apply for funding for infrastructure and education investments such as—
 - Education campaigns
 - Recycling equipment and structures
- Funding to be saved for major investments such as—
 - Regional transfer stations
 - MRFs





Questions?

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