



**Testimony in Opposition to
LD 231, An Act to Update the Solid Waste Management Hierarchy**

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Senator Tepler, Representative Doudera, and members of the Joint Standing Committee on Environment and Natural Resources, my name is Vanessa Berry. I am the Sustainable Maine Program Manager for the Natural Resources Council of Maine (NRCM), and I appreciate this opportunity to testify in opposition to LD 231.

Maine's Solid Waste Management Hierarchy, established in 1989 during the 114th Legislature, has served as a critical framework for guiding waste policy in our state. Recognizing the growing challenges of waste and litter, the Legislature passed LD 1431, "An Act to Promote Reduction, Recycling, and Integrated Management of Solid Waste and Sound Environmental Regulation." This law created a Maine Waste Management Agency, a Waste Management Advisory Council, an Office of Planning, an Office of Siting and Disposal Operations, and an Office of Waste Reduction and Recycling. These entities were tasked with gathering comprehensive data on waste generation and addressing resource recovery, setting Maine on a path toward more sustainable waste practices. At the heart of this framework was a clear goal: reducing and diverting 50% of the state's generated waste. After decades of effort, we have taken concrete steps toward achieving this objective, although we still are falling short.

The Solid Waste Management Hierarchy, which prioritizes source reduction, reuse, and recycling over disposal, is a well-established and widely recognized standard. "Reduce, Reuse, Recycle" is a phrase that is broadly known, not just in Maine, but nationwide. and for good reason. These three simple words in sequence describe the most environmentally and economically sound approaches to waste management. The strategies at the top of the hierarchy not only provide clear environmental benefits but also impose fewer long-term costs on taxpayers compared with waste disposal and incineration. Maine's "Reduce, Reuse, Recycle" hierarchy is consistent with the U.S.

Environmental Protection Agency's Solid Waste Hierarchy¹ and has guided Maine's policy decisions for decades.

LD 231 threatens to undermine the very foundation of this hierarchy by prioritizing waste incineration at facilities that exist solely to burn trash and generate electricity from steam turbines. While waste-to-energy incineration may play a role in handling residual waste that cannot be recycled or composted, it should never be elevated above strategies that preserve material resources. Prioritizing incineration could undermine efforts by communities to implement recycling, composting, and other proven waste reduction methods. Worse yet, this subversion of Maine's hierarchy could increase demand for disposal at a time when Maine's landfill and incinerator capacities are nearing their limits.

NRCM firmly supports maintaining the existing hierarchy, which ranks waste management strategies based on their effectiveness and environmental benefits. Source reduction and material reuse both eliminate waste at its origin, while disposal methods such as incineration and landfilling pose significant risks of emissions, water contamination, and land pollution. Recycling and composting provide clear environmental benefits and conserve natural resources, which are primary objectives of our waste hierarchy. Incineration does not provide these benefits, which is why we oppose this effort to elevate its position in Maine's waste hierarchy.

For these reasons, we strongly urge the Committee to reject LD 231 and uphold Maine's commitment to responsible waste management by voting "Ought Not to Pass." Thank you for your time and consideration.

¹ <https://www.epa.gov/smm/sustainable-materials-management-non-hazardous-materials-and-waste-management-hierarchy>