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Date: (Filing No. S-)

ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 665, L.D. 1660, “An Act to Provide That Advanced Recycling Facilities Are Subject to Solid Waste Regulation and That Advanced Recycling Does Not Constitute Recycling”

Amend the bill by striking out the title and substituting the following:
'An Act to Ensure Proper Regulation of Chemical Plastic Processing'
Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 38 MRSA §1303-C, sub-§2-C is enacted to read:
2-C. Chemical plastic processing. "Chemical plastic processing" means the processing of plastic waste using chemical or molecular methods into basic raw materials, feedstock chemicals, fuel for combustion, waxes or lubricants. "Chemical plastic processing" does not include plastic-to-plastic recycling.

Sec. 2. 38 MRSA §1303-C, sub-§19-D is enacted to read:
19-D. Plastic. "Plastic" means a synthetic material made from linking monomers through a chemical reaction to create a polymer chain, including material derived from either petroleum or a biologically based polymer, such as corn or other plant sources.

Sec. 3. 38 MRSA §1303-C, sub-§19-E is enacted to read:
19-E. Plastic-to-plastic recycling. "Plastic-to-plastic recycling" means the production from plastic waste of new plastic material, designed to be used as industrial feedstock in place of raw material for the manufacture of new products made of or containing plastic, by processing the plastic waste in a manner that, in producing the new plastic material:

- A. Retains the chemical structure of the plastic waste; or
- B. Deconstructs the plastic waste into molecular precursors or intermediates and then reconstitutes the precursors or intermediates into plastic polymers using methods that result exclusively in the production of new plastic material.

COMMITTEE AMENDMENT

1 "Plastic-to-plastic recycling" does not include chemical plastic processing.

2 **Sec. 4. 38 MRSA §1303-C, sub-§32-A**, as enacted by PL 2007, c. 583, §1, is
3 amended to read:

4 **32-A. Solid waste processing facility.** "Solid waste processing facility" means a land
5 area, structure, equipment, machine, device, system or combination thereof, other than an
6 incineration facility, that is operated to reduce the volume or change the chemical or
7 physical characteristics of solid waste. "Solid waste processing facility" includes but is not
8 limited to a facility that processes plastic waste through chemical plastic processing and a
9 facility that employs shredding, baling, mechanical and magnetic separation or composting
10 or other stabilization technique to reduce or otherwise change the nature of solid waste.

11 **Sec. 5. 38 MRSA §1310-N, sub-§5-A, ¶B**, as amended by PL 2023, c. 283, §1, is
12 further amended by amending subparagraph (2) to read:

13 (2) A solid waste processing facility that generates residue requiring disposal shall
14 recycle or process into fuel for combustion through methods other than chemical
15 plastic processing all waste accepted at the facility to the maximum extent
16 practicable, but in no case at a rate less than 50%. For purposes of this subsection,
17 "recycle" ~~includes~~ does not include chemical plastic processing and does include,
18 but is not limited to, plastic-to-plastic recycling; the reuse of waste generated
19 within the State as defined in section 1303-C, subsection 40-A, paragraph C; the
20 recovery of metals from waste; the use of waste or waste-derived product as
21 material substitutes in construction; and the use of waste as boiler fuel substitutes.

22 At least 50% of the waste that a solid waste processing facility characterizes as
23 recycled under this subparagraph must have been reused or recycled by the facility
24 through methods other than placement of the waste in a solid waste landfill, except
25 that a solid waste processing facility that was in operation during calendar year
26 2018, that accepts exclusively construction and demolition debris and that accepted
27 more than 200,000 tons of such debris in calendar year 2018 shall:

28 (a) Reuse or recycle at least 15% of such debris through methods other than
29 placement in a solid waste landfill by July 1, 2024;

30 (b) Reuse or recycle at least 20% of such debris through methods other than
31 placement in a solid waste landfill by July 1, 2025;

32 (c) Reuse or recycle at least 30% of such debris through methods other than
33 placement in a solid waste landfill by July 1, 2026;

34 (d) Reuse or recycle at least 40% of such debris through methods other than
35 placement in a solid waste landfill by July 1, 2027; and

36 (e) Reuse or recycle at least 50% of such debris through methods other than
37 placement in a solid waste landfill by July 1, 2028.

38 **Sec. 6. 38 MRSA §1310-N, sub-§5-A**, as amended by PL 2023, c. 283, §1, is
39 further amended by enacting at the end a new first blocked paragraph to read:

40 For the purposes of this subsection, a solid waste processing facility that processes plastic
41 waste through chemical plastic processing is deemed to generate residue requiring disposal.

COMMITTEE AMENDMENT “ ” to S.P. 665, L.D. 1660

1 waste through chemical plastic processing to satisfy financial assurance requirements
2 currently applicable to solid waste disposal facilities.

3

FISCAL NOTE REQUIRED

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(See attached)