

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1660

S.P. 665

In Senate, April 13, 2023

**An Act to Provide That Advanced Recycling Facilities Are Subject
to Solid Waste Regulation and That Advanced Recycling Does Not
Constitute Recycling**

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CARNEY of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA §1303-C, sub-§1-D** is enacted to read:

3 **1-D. Advanced recycling.** "Advanced recycling" means a process that converts
4 municipal solid waste or plastic into basic raw materials, feedstock chemicals, waxes and
5 lubricants through any means, including, but not limited to, gasification, pyrolysis,
6 hydropyrolysis, solvolysis or depolymerization.

7 **Sec. 2. 38 MRSA §1303-C, sub-§1-E** is enacted to read:

8 **1-E. Advanced recycling facility.** "Advanced recycling facility" means a facility that
9 receives, stores and converts municipal solid waste and plastic using advanced recycling.

10 **Sec. 3. 38 MRSA §1303-C, sub-§11-A** is enacted to read:

11 **11-A. Depolymerization.** "Depolymerization" means a process through which heat,
12 pressure or solvents are used to break plastic polymers into oligomers or monomers.

13 **Sec. 4. 38 MRSA §1303-C, sub-§12-A** is enacted to read:

14 **12-A. Gasification.** "Gasification" means a process through which materials are
15 exposed to heat, converting carbon-based materials to synthetic fuels, chemical feedstocks,
16 waxes, lubricants or other substances and solid residues, slag, ash, char, liquid wastes or
17 wastewater.

18 **Sec. 5. 38 MRSA §1303-C, sub-§14,** as enacted by PL 1989, c. 585, Pt. E, §4, is
19 amended to read:

20 **14. Handle.** "Handle" means to store, transfer, collect, separate, salvage, process,
21 recycle, convert using advanced recycling, reduce, recover, incinerate, dispose of or treat.

22 **Sec. 6. 38 MRSA §1303-C, sub-§15-C** is enacted to read:

23 **15-C. Hydropyrolysis.** "Hydropyrolysis" means a process through which materials
24 are exposed to heat in the presence of hydrogen, converting carbon-based materials to
25 synthetic fuels, chemical feedstocks, waxes, lubricants or other substances and solid
26 residues, slag, ash, char, liquid wastes or wastewater.

27 **Sec. 7. 38 MRSA §1303-C, sub-§19-D** is enacted to read:

28 **19-D. Plastic.** "Plastic" means a synthetic material made from linking monomers
29 through a chemical reaction to create a polymer chain, including material derived from
30 either petroleum or a biologically based polymer, such as corn or other plant sources.

31 **Sec. 8. 38 MRSA §1303-C, sub-§19-E** is enacted to read:

32 **19-E. Pyrolysis.** "Pyrolysis" means a process through which materials are exposed to
33 heat in the absence of oxygen, converting carbon-based materials to synthetic fuels,
34 chemical feedstocks, waxes, lubricants or other substances and solid residues, slag, ash,
35 char, liquid wastes or wastewater.

36 **Sec. 9. 38 MRSA §1303-C, sub-§22,** as enacted by PL 1989, c. 585, Pt. E, §4, is
37 repealed and the following enacted in its place:

38 **22. Recycling.** "Recycling" means the series of activities by which material is
39 collected, transported, sorted and processed for use as an industrial feedstock in place of

1 raw materials to manufacture new products with minimal loss of material quality and
2 quantity. "Recycling" does not include energy recovery or energy generation by any means,
3 including, but not limited to, advanced recycling, combustion, gasification, incineration,
4 pyrolysis, solvolysis, hydrolysis, thermal desorption, waste-to-energy, waste-to-fuel or
5 any other chemical or molecular conversion process.

6 **Sec. 10. 38 MRSA §1303-C, sub-§22-A**, as enacted by PL 2019, c. 619, §2, is
7 amended to read:

8 **22-A. Recycling facility.** "Recycling facility" means a facility engaged exclusively
9 in the recycling of materials. "Recycling facility" does not include an advanced recycling
10 facility.

11 **Sec. 11. 38 MRSA §1303-C, sub-§32-B** is enacted to read:

12 **32-B. Solvolysis.** "Solvolysis" means a process through which materials are combined
13 with a solvent and subjected to heat or high pressure.

14 **SUMMARY**

15 This bill amends the definition of "recycling" and defines "advanced recycling,"
16 "advanced recycling facility" and terms used in those definitions in the laws governing the
17 management of solid waste. The bill provides that advanced recycling facilities are not
18 recycling facilities for the purposes of regulating solid waste. It also amends the definition
19 of "handle" to clarify that a facility that converts solid waste or plastic using advanced
20 recycling is a solid waste facility.