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.

Presented by Senator CARNEY of Cumberland.
Be it enacted by the People of the State of Maine as follows:

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 7. 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. 8. 38 MRSA §1303-C, sub-§19-E is enacted to read:

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

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 E, §4, is repealed and the following enacted in its place:

22. Recycling. "Recycling" means the series of activities by which material is collected, transported, sorted and processed for use as an industrial feedstock in place of
raw materials to manufacture new products with minimal loss of material quality and quantity. "Recycling" does not include energy recovery or energy generation by any means, including, but not limited to, advanced recycling, combustion, gasification, incineration, pyrolysis, solvolysis, hydropyrolysis thermal desorption, waste-to-energy, waste-to-fuel or any other chemical or molecular conversion process.

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


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

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

SUMMARY

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