



Empowering Communities, Advocating Solutions.

MEMORANDUM IN SUPPORT

PACKAGING REDUCTION AND RECYCLING INFRASTRUCTURE ACT

S.4246B – HARCKHAM

A. 5322B – GLICK

Description: Requires brand owners to take responsibility for their products throughout their entire product life cycle, by bearing the cost of proper recycling of product packaging, while minimizing packaging materials, improving recyclability, and reducing the toxicity of their products.

Justification

NYS is suffering from a growing solid waste and recycling crisis. From rural upstate communities to New York City, and throughout our suburbs, local recycling programs in every part of the state are struggling to survive as costs have skyrocketed.

An estimated 40% of NY's municipal solid waste is composed of product packaging and paper products (e.g. plastic containers, steel cans, plastic film, glass bottles, cardboard). Unfortunately, only about 17% of our waste is being recycled properly. Instead of being recycled, much of this waste is ending up as litter in our communities, plastic pollution in our waterways, shipped to landfills, or burned in incinerators. Approximately 860,000 tons of recyclable material is being trashed in NYS annually.

Currently, producers bear no responsibility for disposing of packaging waste they create. Large brands have externalized the cost of collection, transportation, sorting, and processing of waste onto our municipal recycling programs and local taxpayers.

The Packaging Reduction and Recycling Infrastructure Act (also known as Extended Producer Responsibility or EPR) would require brand owners to take responsibility for their products throughout their entire product life cycle, by bearing the cost of proper recycling of packaging. Not only does this provide relief to local governments and taxpayers, but it also requires producers to minimize packaging materials, improve recyclability, and reduce the toxicity of their products. A packaging EPR law is recommended in the DEC's final Solid Waste Management Plan (2023-2032) to create a circular economy. Enacting the policy in NYS would:

- **Reduce waste:** This policy incentivizes producers to produce less packaging in the first place—this bill would reduce wasteful packaging 50% in 12 years.
- **Save taxpayers money:** Local governments pay millions of dollars annually to keep recycling programs afloat. An analysis by the NYS Product Stewardship Council & Recycling Partnership found that *adopting this policy is estimated to save \$420 million annually for local governments across the state!*

**CITIZENS CAMPAIGN FOR THE ENVIRONMENT SUPPORTS
(S.4246B / A.5322B) – Packaging Reduction & Recycling Infrastructure Act**

CCE is a 120,000-member non-profit, non-partisan advocacy organization that works to empower communities and advocate solutions that protect public health and the natural environment

February 12, 2024

- ***Increase recycling:*** New York’s recycling rate is approximately 17%, while countries that have adopted an EPR policy have rates reaching 70% - 80%. This policy will provide much-needed funding to upgrade recycling infrastructure.
- ***Eliminate Toxics in Packaging:*** Protects our environment and public health by prohibiting toxic chemicals such as PFAS and heavy metals, while also establishing a process to prohibit additional toxic chemicals in the future.
- ***Reject false solutions:*** The bill includes a strong definition of recycling that does not perpetuate environmentally harmful processes, including so-called advanced or chemical recycling
- ***Provide a working structure:*** The bill defines the roles and restrictions of the Packaging Reduction Organization (PRO), which is responsible for development and implementation of Packaging Reduction and Recycling Plans.
- ***Provide strong oversight and enforcement:*** The bill establishes an office of inspector general at DEC to ensure the program is working effectively and producers are in compliance.
- ***Support businesses with implementation:*** The bill allows businesses to apply for state tax credits, which will help companies invest in new equipment needed for implementation. Small businesses, which generate less than \$5 million in revenue or produce less than two tons of packaging, are exempt the program.
- ***Reduce plastic pollution in our waterways:*** The bill would reduce plastic packaging that is ending up our waterways. Lake Erie is polluted with 381 metric tons of plastic while Long Island Sound has an estimated 165 million plastic particles floating in the water at any given time.
- ***Fight climate change:*** The policy can lower greenhouse gas (GHG) emissions by over 2.3 million metric tons — the equivalent of taking half a million cars off the road or reducing the state’s GHG emissions from waste by 18%. The NYS Climate Action Council’s Scoping Plan recommends EPR for packaging and paper to address GHG from the waste sector.

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