



Testimony of Kurt Krumperman on Better Bottle Bill to Joint Legislative Budget Hearing
February 7, 2024

I represent Zero Waste Capital District, a 501c3 organization that is a coalition of organizations and individual volunteers that focuses on outreach, education, and policy advocacy to build the future of sustainable waste management. Governor Hochul's decision to leave the proposed Bigger Better Bottle Bill out of her executive budget is a tremendous mistake.

During this 41st anniversary of the initial implementation of New York's Bottle Deposit Law, the 'Bottle Bill' needs modernization by increasing the 5-cent refundable deposit to 10-cents on an expanded set of eligible beverage containers to improve the collection and recycling rates of these items.

New York's Bottle Bill has been the state's most effective recycling and litter prevention program (it is an Extended Producer Responsibility program that actually works). For example, in 2020, New York's redemption rate was at 64%. According to the DEC the current Bottle Bill reduces roadside container litter by 70%, and in 2020, 5.5 billion containers were recycled in the state. But the Governor knows we can do better, and she should support this improvement. It is essential that Governor Hochul include an expansion of state's Returnable Container Act in the state budget. By including legislation that expands and modernizes the Bottle Bill, New York will lead the way on reducing waste, litter, and greenhouse gas emissions. And, the modernized Bottle Bill will produce more revenue for the state which is why it belongs in the budget.

Not only would the expansion of the state's Bottle Bill increase recycling rates and make New York's environment and communities cleaner, it would also help municipal recycling programs that are currently facing a recycling crisis. Municipal recycling programs are especially struggling with glass containers in their recycling streams. When glass breaks in single stream curbside containers it can render much of the other materials unrecyclable for the municipality, or "contaminated". The expansion of the Bottle Bill to include wine, spirits, and hard cider would take a significant amount of the containers that municipalities are struggling with off their hands. It is estimated that New York municipalities will save up to \$70.9 million dollars with the expansion of the bottle bill. Municipal recycling programs are particularly struggling with glass contaminating their recycling streams. When glass breaks in curbside containers it

contaminates the rest of the materials and renders much of it unrecyclable for the municipality. The expansion of the Bottle Bill to include wine, spirits, and non-carbonated beverages, with a deposit increase from a nickel to a dime, will take a significant number of containers out of municipal. The costs of recycling many of the containers that are not covered under the state's Bottle Law are too high for many municipalities. For example, the costs associated with collecting and processing PET plastic bottles and glass per ton are higher than revenues per ton for scrap material. Expanding the Bottle Bill would eliminate these costs for municipal programs by creating a financial incentive (the deposit) for consumers to return and an obligation (the law) for retailers to accept these containers, relieving the burden on local government recycling programs.

It is essential that New York addresses its waste issues with a fully modernized Bottle Bill in the state budget—one that increases the deposit and includes additional containers. A modernized Better Bottle Bill needs to include the following provisions.

- Expanding the program to include wine, spirits, hard cider, and most non-carbonated beverages. A deposit system that includes these additional containers dramatically reduces litter and solid waste that would otherwise be discarded. Many other states have already added these containers to their laws. For example, Maine's law covers all beverages except dairy products and unprocessed cider.
- Increasing the deposit from 5-cents to 10-cents and use revenues to support recycling equity. States with higher deposit fees have higher redemption rates than states with a five-cent fee. In Michigan the deposit fee is 10-cents, and the redemption rate was 89% in 2019. Vermont has a 15-cent deposit on liquor bottles and the redemption rate for liquor containers was 83% in 2020. Increasing the deposit could also generate more revenues for the state, which can be used to address limits on redemption options in low-income communities and other litter and solid waste problems in such communities. The impact of the nickel deposit that was approved in 1982 has eroded over time. A mere inflation update would likely make that deposit nearly 15-cents. It's past time for New York to raise its deposit to a dime. Not only does a 10 cent deposit incentivize returns for bottle consumers, there of thousands of individuals often marginalized workers, who support themselves and their families on the proceeds of returning containers. These canners have not had a raise since 1983!
- Increasing the handling fee for redemption centers. The handling fee has not been raised since 2009 while costs have significantly increased. Redemptions centers are a key component of the returnable container program and yet over 100 redemptions centers have closed this past year due to the lack of a handling fee increase.

Here are some outcomes expected by modernizing the Bottle Bill as found in ReLoop 2022 "Reimagining the Bottle Bill" report as it relates to New York.

- Increase recycling rate of beverage containers from 69% to 92%
- 5.4 billion additional beverage containers recycled
- Green House Gas equivalent of taking 72,000 cars off the road
- Up to 34% reduction in litter
- Addition of 1,526 jobs

- \$171 to \$349 million to the state for reinvestment in the collection and recycling infrastructure

A 2023 Sienna College/NYPIRG opinion indicated significant support for the modernization of the Bottle Bill. 71% of respondents favored the expansion of the returnable container program to include teas, sports drinks, wine and liquor containers. It is time for the governor to act. Ironically, the New York Attorney General is suing PepsiCo for plastic pollution in the Buffalo River watershed. The modernized bottle bill directly addresses this problem at the source. Zero Waste Capital District has joined with over 100 organizations statewide in the Better Bottle Bill Coalition to urge Governor Hochul to include the modernized Bottle Bill in the executive budget. The environment can not wait. The canners cannot wait. The redemptions centers cannot go another year without a rate increase. Now is the time.

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