



TESTIMONY OF JULIE TIGHE, PRESIDENT
JOINT SENATE AND ASSEMBLY ENVIRONMENTAL CONSERVATION COMMITTEES
HEARING ON RECYCLING-RELATED ISSUES
October 21, 2019

Thank you, Chairmen Kaminsky and Englebright and members of the Senate and Assembly Environmental Conservation Committees for holding this hearing and for the opportunity to testify today. Thanks to your leadership and that of Governor Cuomo, New York State has set a course to lead the nation in dealing with the climate crisis with the passage of the Climate Leadership and Community Protection Act (CLCPA). As we all know, to meet the ambitious mandates outlined in this bill, all sectors of our economy will have to innovate and transition quickly to a net-zero carbon and cleaner energy future.

This includes a major rethinking about how we can transform the policies that we have in place to deal with our solid waste. It also includes a commitment to rally public support to decrease their carbon footprint by reducing the amount and type of waste that is generated in the first place. Earlier this year, under your leadership several top NYLCV priorities were passed that will make progress toward a zero waste to landfill goal. Thanks to your efforts, and that of Governor Cuomo, we look forward to the elimination of single-use carryout plastic bags and the requirement of large generators of food waste such as restaurants, supermarkets, and sports stadiums to provide excess food to food pantries and send their food scraps to organics recycling facilities. We also salute the legislature for coming together and passing legislation creating a paint stewardship program that requires paint manufacturers to accept unused paint for recycling, or safe disposal, which we hope the Governor will sign very soon. Looking ahead, NYLCV wants to encourage you to go even further this coming budget and legislative year to

untie several of the knotty problems that are holding back the advancement of economic and environmental progress in this area.

Extended Producer Responsibility

Extended producer responsibility, or EPR, laws in New York State have reduced the amount of waste sent to landfills and shifted the cost of responsibly disposing of a product to consumers and manufacturers rather than taxpayers and local governments. New York already has an EPR law for consumer electronics as well as prescription drugs. There are a range of products that could be handled with EPR laws, including paper and packaging, carpet, various household chemicals, and furniture. In the coming year, we believe it is crucial to adopt an EPR law for paper and packaging to address what is currently one of the more difficult waste streams impacted by the worldwide market disruption for recyclable commodities. In the long term, rather than tackle each of these products one by one via standalone legislation, we urge the state to consider a framework EPR law that would allow for the inclusion of future products via regulation. Given our state's expertise in crafting these programs, we see this as an opportunity to work with corporations who have committed to higher degrees of sustainability and responsibility to actualize their commitments here in New York State.

The Bottle Bill

Of course, the best known EPR legislation is the Bottle Bill. The Bottle Bill is due for another update to reflect the current consumer and recycling market trends. We believe now is the time to consider an expansion that will cover all glass beverage containers, including wine, liquor, and other non-alcoholic bottles. While glass is particularly problematic for municipal recycling programs as it contaminates other materials, it can successfully be processed when segregated from other recyclables. We have also heard concerns from many municipalities about further impacts on the viability of curbside recycling programs if the bottle bill removes additional plastic beverage containers, which are more valuable than other plastics in the recycling commodities markets. That is why our recommendation at this time is to address glass only in any bottle bill expansion. We also support explicitly authorizing and providing

incentives for the use of refillable containers. This is a growing trend in the craft beer market, which is something that was widely used for milk in the not so distant past, can reduce waste.

Creating Markets

In the long term, New York needs to invest in in-state recycling capability. We cannot rely on other countries, or even other states, to take responsibility for our waste. Most important, we need to invest in finding new uses for materials. To achieve this, NYLCV supports proposals to require robust recycled content of materials sold and used in the state, and the use of the State's procurement power to attract private sector investments in developing products, such as using ground glass in cement for subbase, parking lots, sidewalks and bike paths. Further, state economic development funds should be made available for the development of new recycling facilities for paper, metal, glass, plastic, and organic waste.

Municipal Aid

In the short term, the State should explore tools, financial, technical, and others to support municipal recycling programs. Recycling has rapidly become more expensive across the state and experience has shown that even temporary stoppages in recycling programs can have long-lasting consequences. The State should consider what kinds of financial and operational aid it can provide to municipal recycling programs until the market has stabilized.

Public Education

Contamination is always a serious problem in the recycling market but is especially so when the market is as tight as it is right now. The easiest thing the State can do to reduce contamination is to invest in consumer education - the average person who wants to recycle is unlikely to know that a pizza box with grease stains on it is not recyclable, or that which of their hair product containers are recyclable can vary by jurisdiction. Consumer education campaigns can be highly effective when properly designed, funded, and implemented. The State could also enact legislation to standardize which product types and materials are collected through curbside collection programs. This would reduce confusion and make consumer education campaigns less complicated. We must also move away from being a disposable society. Public education should focus on the critical need to reduce how much waste we each generate and

how easy it is to reuse a product, whether it a bag or a refillable container such growler for beer, and in Brooklyn, kombucha too!

Excelsior

The role that recycling plays in the global climate crisis cannot be solved overnight or with a silver bullet solution however it will require budget commitments and new legislation in the upcoming year to stay on track with our CLCPA mandates. We urge you to think of this as an opportunity to rethink how and what we recycle and ultimately find pathways to dramatically reduce the amount of waste we send to landfills. Thank you again for holding this hearing. NYLCV and our members look forward to working with you on this issue.