

Empty Can Industries, LLC
Tupper Lake, NY

2025-01-28

RE: 2025 Joint Legislative Budget Hearing – Environmental Conservation/Energy

Dear Members of the NYS Assembly and NYS Senate,

My name is Gregory Swart, I am the owner and operator of Empty Can Industries, LLC, a bottle and can redemption center located in Tupper Lake.

I am writing in support of updates to New York State's Returnable Container Act (AKA "The Bottle Bill"). The Bottle Bill in New York and the similar laws in the nine other states that have Bottle Bills are single-handedly the most important pieces of legislation that reduce litter, reduce waste, and increase recycling, all while creating jobs without cost to local government. Studies have found that Bottle Bills do all of this without hurting consumer demand or increasing costs and are widely supported by the public.

Unfortunately, some of these bills have declined in effectiveness over the years as they have not been updated to keep with the times. The five-cent deposit isn't worth the same as it was 3 years before I was born (I will turn 40 this year!). The lack of deposits on non-carbonated beverages, wine, liquor, and particularly spirit-based seltzer cans, is very confusing to my customers. They would like to simply return all of their containers at once and not pick and choose as they do now. With a refreshed and updated bottle bill, New York State will see reduced litter and increased recycling. A bill that is well crafted can also support recycling infrastructure and not overly burden local grocery, convenience, and liquor stores.

The redemption center industry is struggling, and the NYS leadership needs to fulfill their role in the process. The rate that redemption centers receive per container is set in the law, it cannot be changed without amending the law. Despite repeated attempts and a full court press in 2024, we have been left behind. I have owned my business since 2009, the year the last handling fee was increased. I am running my business on 2009 rates. Does any other business operate that way? Luckily for me, I have a second job to supplement my income, but many of my fellow owners are not as lucky and 150+ have closed in recent years. This did not have to happen, and the bleeding can stop now with an increase in the handling fee.

In previous years I had hired summer staff to help me keep up with the volume of containers, but I have not been able to do so in recent years with the cost of all of my expenses continuing to rise.

Ideally, an updated law with a 10-cent deposit, an increased handling fee, and beverage container expansion with few limitations can be passed this session. It is important that the handling fees increase as soon as possible to stabilize our industry and also allow for new businesses that can be prepared to handle the future volumes that the expanded bill will create.

A few other thoughts to consider:

- If the law is expanded, keep exceptions to the law to a minimum. It is very difficult now to sort through containers for water with sugar (no deposit) and water without sugar (has a deposit) or energy drinks

with no fizz (no deposit) or fizz (deposit) now. The more exhaustive the list, the easier it is for the customer.

- If the law is expanded, there is no need to wait years to implement the expansion of beverages. The system already exists. Adding containers to the pickup list is an easy process in 2025, it is basically updating an excel list. Labeling will take time to change, but the law can be implemented prior to the labels being updated. I have watched the expansion process in other states and from my observation the easiest process is to implement the deposit soon and give time for labeling to catch up. This is easiest for both the redemption centers and the beverage owners.
- There needs to be a registration list for beverage containers. The number of containers now that have a NYS deposit but are basically unredeemable because there is no way for redemption center owners to track down who sells the beverages is significant. This is not hard to do, Maine and Vermont already have a publicly available list. In fact, I use it as a resource. These lists are easily found on the respective state's website, I have provided links here.
 - <https://www.maine.gov/dep/sustainability/bottlebill/index.html>
 - <https://dec.vermont.gov/waste-management/solid/product-stewardship/bottle-bill>
- I live in a rural area, which has access to recycling, but it is limited especially to with respect to the big cities. Recycling may not be the highest priority for all of my customers, but they redeem their bottles and cans because it is easy for them, and they want their money. I also redeem thousands of dollars of bottles and cans for local non-profit groups. The bottle bill is successful in the North Country!
- I have also worked at a redemption center in Maine, studied the laws of most of the other states and traveled to many of the states to understand how the various laws work. While there is no perfect system, I can tell you that there is a lot of room for improvement in New York's system. Maine (new as of this year), California, and Hawaii have all structured their bottle bills to simplify sorting from brand to material or material and size. Vermont allows mixing of certain brands (known as "commingling"). New York should seriously consider this type of change. Maine or Vermont's model would probably best fit New York and it would reduce costs for redemption centers, and the system overall. I estimate a system like Maine's would reduce my sorting requirements from well over 150 different categories or "sorts" to ten to twenty depending on how the law was implemented.
- Over the years, I have traveled all around New England. All but New Hampshire and Rhode Island have Bottle Bills. Maine has one of the most extensive Bottle Bills in the county and Connecticut just expanded their bottle bill and increased the deposit. As I have traveled from Maine to New Hampshire, I saw no difference in price or product selection. I very much doubt that the bottle bill has much impact on beverage sales. How many people really won't drink a beer or buy a \$3 soda or a \$5 energy drink because of a \$.05 or \$.1 deposit? Common sense would tell anyone that there are lot more inputs into a product price than simply the bottle deposit or handling fee. People didn't stop drinking bottled water when a deposit was instituted in 2009, they won't stop drinking juice or sports drinks when the deposit is added this time.
- One last item. The 2009 Bottle Bill included provisions for grant funds for both for-profit and not-for-profit entities. It is my understanding that this grant has never been made available to anyone, much less for-profit business. In fact, the grant portal from NYSDEC specifically excludes profit business.

This needs to be updated. The State receives millions of dollars per year. A small fraction of that invested back in the system would greatly improve the redemption process. If that grant was available to right now, I would invest in counting and sorting machinery and growing my business. In fact, the machine I intend to purchase is made in New York!

Thank you for your time and consideration. These updates are crucial to my small business, hundreds of other small businesses, not-for-profit groups, our environment and the citizens of New York.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory Swart', with a stylized flourish at the end.

Gregory Swart