



20 F Street
7th floor
Washington, D.C. 20001
recyclingpartnership.org

January 19, 2023

Joint Public Hearing on New York State Climate Action Council's Final Scoping Plan

New York State Senate

Albany, New York

Dear Chairs Krueger, Parker, and Harckham and members of the Senate Committees on Finance, Energy and Telecommunications, and Environmental Conservation,

Thank you for the opportunity to submit written testimony to the joint committee hearing on the Climate Leadership and Community Protection Act Scoping Plan.

The Recycling Partnership is a mission-driven national non-profit dedicated to improving recycling nationwide. We mobilize people, data, and solutions across the value chain to accelerate change and build a better recycling system. We do this through grantmaking, technical assistance, research, and policy engagement. We have been involved in the debate regarding extended producer responsibility (EPR) legislation for packaging in New York for three years. EPR is a proven technique for increasing access to recycling, improving resident participation, clarifying what packaging materials are and are not recyclable, and reducing the overall waste stream through placing fees on packaging and holding producers responsible for recycling the packaging they send into the marketplace.

Through New York's Climate Leadership and Community Protection Act (CLCPA), the state has committed to move forward a number of important initiatives to reduce climate impacts. We are writing to reinforce the importance of recycling as part of these commitments. Waste entering New York's landfills accounts for 12% of GHG emissions in the state. The potential for reducing this footprint is significant, but it cannot be achieved without shifting the burden for recycling away from taxpayers and placing it on companies.

There are examples from around the world of strong and successful EPR programs. Good program design includes creation of a non-profit governed by the companies obligated to pay for recycling. This group, commonly called a PRO, or producer responsibility organization, is required to pay for and administer recycling statewide. In turn, the Department of Environmental Conservation (DEC) would be empowered in the law to hold the PRO accountable through multiple enforcement mechanisms. A multi-stakeholder advisory committee would advise the PRO and DEC on program design and implementation. By setting fees that reward recyclability and penalize packaging that is not recyclable, the PRO can drive source reduction and create a stream of recyclable materials that find their way to robust markets and increase the amount of recycled content included in new packaging.

Since packaging consists of metals, glass, paper fiber, and plastics, there is significant opportunity to reduce environmental impacts through recovery and recycling of these valuable commodities. Recycling reduces the amount of original source material required to create new packaging. Additionally, particularly in the case of paper and paper packaging, recycling reduces short-term greenhouse gas emissions by preventing decomposition in landfills. The benefits of increased and improved recycling can support the state's achievement of its climate goals. Research from The Recycling Partnership finds that under an EPR program, New York has the potential to bring in 9.9 million new tons of recyclables annually, which will generate total environmental benefits such as avoiding 41.9 metric tons of CO2 equivalent, which is akin to avoiding emissions from 7.6 million cars.

We believe a well-designed and efficiently implemented EPR program could bring these benefits to New Yorkers if policy is enacted this year. We urge the Legislature and the Governor to move quickly to take advantage of this low hanging fruit and adopt an EPR model. New York should take its place alongside several other U.S. states and 50 other countries and provinces around the world which have enacted EPR for packaging. This includes Colorado, which puts the full cost of recycling onto producers and empowers them to improve the recycling system.

The Recycling Partnership stands ready to help inform, craft, and support both an effective policy and implementation of a successful EPR program. We look forward to engaging again this legislative session in Albany.

Sincerely,

A handwritten signature in black ink that reads "Michael P. Washburn". The signature is fluid and cursive, with a long horizontal flourish at the end.

Michael P. Washburn, Ph.D.
Senior Policy Advisor
The Recycling Partnership