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NY State Budget Forum
March 2, 2019

NY Academy of Medicine
1216 5th Avenue, Room 20

Honorable Senators:

Thank you for the opportunity to testify today.

My name is Thomas Outerbridge and I am General Manager of Sims Municipal Recycling (SMR). Sims has a long-term contract with the NYC Department of Sanitation (DSNY) to process and market all of the metal, glass and plastic (MGP) collected by DSNY through the NYC curbside recycling program.

I am here to express in the strongest possible terms our opposition to the proposal to expand the bottle bill to include additional plastic and metal beverage containers. The reason for our opposition is based on two simple facts.

The first fact is that placing a deposit on these containers will divert much of the material in the curbside recycling stream that has a positive financial value. Some of you may know that over the past 18 months, Chinese import restrictions have led to a collapse of the recycled paper market. Glass has never had value. We are left with metal and plastic to provide revenue to offset the cost of processing the residential curbside stream. The bottle bill expansion seeks to divert more metal and plastic containers into the deposit system.

The second fact is that diverting more plastic containers from the curbside program will jeopardize our all "rigid plastics" recycling program, which has helped increase recycling rates by 33% since it was instituted in 2013. That is because plastic cups, trays, "clamshells" and other packaging are only marketable when they are mixed with sufficient numbers of plastic bottles.

We can try to quantify the financial impact of diverting materials of value from the curbside program. I don't know how to quantify or even anticipate the

impact of telling New Yorkers to stop including these plastics in the recycling program, after having spent the last 5 years telling them the opposite.

I have worked for 30 years working to make recycling successful in NYC. Many people have contributed to getting us to where we are today, including elected leaders, lawyers, engineers, civil servants, advocates, businesses and their employees, collection workers, building custodians, and the millions of New Yorkers who separate their recyclables for collection.

From the beginning of mandatory recycling in 1989, the NYC curbside program has survived through budget cuts, fiscal crises, program changes, public skepticism, market fluctuations, and numerous other obstacles. Today we have a major challenge with the paper market, nevertheless, the City's curbside program has become the largest collection service in the county, by far. We have built large and sophisticated infrastructure, employ hundreds of people, and millions of New Yorkers participate.

It is frightening and frustrating to see this entirely optional, self-imposed and massively destructive law coming our way.

This is not just a City issue. The New York State Association of Counties is against this, as is NYSAR (the New York State Association for Reduction, Reuse & Recycling). That means virtually the entire public and private recycling sector that operates, maintains, and tries to grow public recycling programs is saying in no uncertain terms that this is a bad idea.

I appreciate your attention to recycling. It is incredibly important to those of us who work on it, it is an environmental activity most New Yorker participate in daily, and most New Yorkers want a robust, convenient and inclusive public program.

We urge you not to advance a law that will cause irreparable harm to curbside recycling.

Thank you.

NEW YORK STATE BUDGET FORUM - Hearing 3/2/19,
New York Academy of Medicine 1216 5th Ave. at 103rd Street, New York City
Comments of Catherine Skopic

Greetings. Thank you for this opportunity to comment on our State Budget. My name is Catherine Skopic. I live in New York City, am artist, educator, activist, Sierra Club member.

As the climate crisis is the greatest existential threat to our planet, this issue needs to be first and foremost in the Governor's budget. Although he has increased offshore wind from 2,400 megawatts by 2030 to 9,000 megawatts by 2035 and solar from 3,000 megawatts by 2023 to 6,000 by 2025 that is highly commendable, I did not see anything about eliminating fossil fuel infrastructure such as pipelines and gas compressor stations. We continue to be harmed by the negative health and environmental impacts of fossil fuel infrastructure.

The Governor's goals of New York State being 100% carbon neutral by 2040 and 70% of the State's electricity being generated from renewable energy by 2030 are also commendable, however, I share with the Governor, as he has included it in his energy mix, that nuclear power is NOT emission-free. In fact, considering the full life cycle of nuclear power from the mining of uranium to its transformation to yellowcake to its transportation and the over 30 steps in between, nuclear power is highly fossil fuel intensive.

Secondly, nuclear power creates thermal pollution. Water from rivers and lakes used to cool the reactors is circulated through the plant and then ejected back into the source, only now, it is at 110 or more, killing fish, plant life and emitting this extra heat into our atmosphere, causing more global warming. Nuclear is deemed by many to be the other great existential threat to our planet. And no one knows how or where to safely store nuclear waste - why make more of it? Right now we have 4 aging nuclear power plants that are costing us, the ratepayers, \$7.6 Billion over 12 years to bail out. This money is going to owner, Exelon, and is not available for the

renewable energy we need.

On the plus side, the Governor has budgeted, if I have this correct, \$70. Billion for communities to transition from fossil fuels to renewable energy. This is a joy to hear. Although we have not seen the details of how this money is to be allocated, I hope it will be fair and transparent, as this budget states is necessary for the increased education funding.

As a parent who wants to see a livable world for my daughter, all children and future generations, I commend the Governor for his renewable energy increases, urge him to go even further in this direction and to actually realize his admirable renewable energy goals.

Thank you, PEACE, Catherine Skopic



**STATEMENT OF THE NATURAL RESOURCES DEFENSE COUNCIL
AT THE NEW YORK STATE SENATE MANHATTAN DELEGATION'S
NY STATE BUDGET FORUM**

March 2, 2019

Good afternoon, Senators Krueger, Benjamin, Hoylman, Jackson, Kavanagh and Serrano.

My name is Eric A. Goldstein and I am New York City Environment Director at the Natural Resources Defense Council ("NRDC"). NRDC is a national, non-profit legal and scientific organization that has been active on a wide range of environmental health, natural resource protection and quality of life issues internationally, around the country and right here in New York, since our organization was founded in 1970. NRDC's main offices are based in Manhattan, our New York Legislative Director, Rich Schrader, is based in Albany, and we have close to 40,000 members in New York State alone.

First, on the issue of public transit financing, NRDC supports congestion pricing and urges you to do whatever is necessary to enact a congestion pricing law as part of this year's budget process; the region's beleaguered subway, bus and commuter rail system is in crisis and congestion pricing is a necessary step to advance needed capital investments in the systems that move millions of New Yorkers every day. There is no more important piece of environmental legislation this session.

Second, turning to the litter and pollution problems associated with single-use carry-out bags, NRDC supports the BYOBag Act, S95, introduced by Senators Kaminsky, Krueger, Hoyman, Kavanagh, Serrano and others. This bill would strengthen Governor Cuomo's proposed ban on plastic bags by placing a fee on paper and thicker plastic, with monies going to State's Environmental Protection fund. As the experiences in Chicago and other jurisdictions have established, legislation that just deals with plastic bags results in a large boost in the use of paper bags (and thicker plastic bags), substituting one set of environmental problems for another.

Finally – and the main purpose of our testimony today – NRDC is here to issue a warning about the proposed Bottle Bill expansion bill– S1508, Part F. This proposal would place a fee on additional, non-alcoholic beverages like sports drinks, energy drinks, and ready-to-drink coffees and teas. The Bottle Bill has played an important role in building up recycling participation across New York State and we strongly supported its enactment.

But this Bottle Bill expansion proposal is flawed – its' a wolf in sheep's clothing. It would remove many PET and HDPE (plastic #1 and #2) bottles, as well as aluminum cans, from materials that would be set out for municipal recycling collections. But these commodities have real value. These are materials that municipal recycling programs sell in the marketplace. And

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such sales help ensure the economic viability of curbside recycling operations. Removing these valuable materials from the mix of recyclables that would be sent to municipal recycling facilities following passage of the bill will punch a hole in the economic model of curbside recycling. And such a jolt would come at a time when municipal recycling facilities are already reeling from the recent loss of China as an off-take partner for many of the recyclables they collect. Indeed, if these materials are dropped from municipal recycling programs, it probably won't make economic sense to collect certain other rigid plastics for recycling – triggering another shift in recycling collections and further diminishing curbside recycling economics at programs around the state.

To be sure, there are materials that it does make sense to take out of our municipal recycling programs. These are the materials that are hard for cities to recycle -- low value materials like tires, mattresses, electronic waste, pharmaceuticals, and glass. But removing high-value products like PET and HDPE bottles and aluminum cans from municipal recycling programs would undercut the very programs we are ostensibly trying to preserve and expand.

For these reasons, NRDC opposes the proposed legislation to expand the Bottle Bill by creating a deposit system for additional non-alcoholic beverage containers.

Instead, if the Bottle Bill is to be expanded, it should be revised to include wine and liquor bottles, which are 99% glass since these bottles are problematic to handle in curbside recycling programs and have very weak or non-existent markets.

In sum, there would be significant adverse environmental impacts from expanding the Bottle Bill as currently proposed in the S1508, Part F, and there is no need to rush through a flawed piece of legislation. Please take the time to hear from all the affected municipal recycling operations from around the state, get their advice on the best way to expand or revise the Bottle Bill, and come up with a more sensible, economically wise approach instead of taking precipitous action as part of this year's budget process.

Thank you for your attention. Thank you for holding this special forum on a Saturday afternoon. And please feel free to reach out to my NRDC colleague Rich Schrader or me if you need additional information.