

Environmental

Advocates

NY

EANY SUPPORTS



Shifting the Recycling Burden

Memo #11

[A.5801 \(Englebright, et al.\)](#)

[S.1185-B \(Kaminsky, et al.\)](#)

Explanation:

This legislation creates an Extended Producer Responsibility (EPR) program for paper and packaging, which will help tackle our solid waste crisis and fix our struggling recycling system. The U.S. generates an estimated three billion pounds of newspapers, magazines, cardboard boxes, plastic bottles, and metal cans for curbside pick-up and recycling each year, with much of it going to landfills or incineration.

The state of our recycling system is on tenuous ground, with municipal curbside recycling programs struggling to stay afloat and, in some communities, programs halted completely. The volume of curbside materials has increased over time with the proliferation of single-use convenience packaging, more packaging component parts, and increased consumer delivery and online ordering habits (especially during the COVID-19 pandemic). Problematically, the value of these materials is insufficient to cover the costs to sort and process the recyclables, with the problem exacerbated by China's 2018 policy to no longer import much of the world's recyclables.

EPR, or Product Stewardship, shifts the responsibility and cost onto the producers of products, and forces producers to consider the life-cycle management. This legislation uses a fee structure to incentivize producers to use post-consumer materials, reduce the amount of packaging, increase recycling rates, as well as use less toxics and harmful chemicals in the products.

This legislation will help:

- Shift material management costs from local governments and taxpayers to the brand-owners who produce consumer products;
- Provide an industry-backed funding source to help modernize New York's recycling system;
- Incentivizes product manufacturers to reduce packaging, use post-consumer materials in packaging, and seek more reusable packaging alternatives by subjecting the producers to lower costs for packaging designed with these specifications; and
- Create new jobs associated with material reuse, recovery, and remanufacturing.

Summary:

This bill adds new Title 33 to Article 27 the Environmental Conservation Law to establish an extended producer responsibility act for paper and packaging materials.
