



EANY SUPPORTS

Shifting the Recycling Burden and More



Memo 74

[A.10185 \(Englebright, et al.\)](#)

[S.9493 \(May, et al.\)](#)

Explanation

This legislation creates an Extended Producer Responsibility (EPR) program for packaging, which will help tackle our solid waste crisis and fix our struggling recycling system. An average of 6.8 million tons of packaging waste is produced each year in New York, constituting 40% of the total waste stream. Most of this packaging is sent to landfills, burned in incinerators, or winds up as litter on our streets and beaches. Litter that washes into streams, rivers, and ultimately the ocean amounts to between 9 and 16 million metric tons of plastic pollution entering the ocean each year, the equivalent of a garbage truck dumping its load into the ocean every minute.

In addition, the state of our recycling system is on tenuous ground, with municipal curbside recycling programs struggling every day to stay afloat. 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.

A strong EPR policy is desperately needed to shift the responsibility and cost onto the producers of products to support municipal recycling programs, improve recycling, and to spur real waste reduction measures. This legislation achieves those things and more, including establishing goals and targets for use of post-consumer materials in packaging, reusable packaging alternatives, bans toxic chemicals in packaging, and excludes chemical recycling and other waste to fuel processes as methods of recycling.

Summary

This bill amends Article 27 of the Environmental Conservation Law by adding in a new Title 33 to provide for an extended producer responsibility program for packaging. This legislation would shift the financial burden of managing packaging waste from taxpayers to the producers that put packaging on the market as well as significantly reduce the amount of packaging and plastic waste produced in New York State.