

Urging The Expeditious Establishment Of A New York State Stewardship Program That Includes Both Packaging And Printed Paper

Referred to: The Energy, Environment and Sustainability Committee (Chairman Hewitt and Legislators Donaldson, Greene, Litts, Nolan, Stewart, and Walls)

Legislator Manna Jo Greene and Legislators Collins, Criswell, Donaldson, Hewitt and McCollough offer the following:

WHEREAS, in New York State, more than 18 million tons of municipal solid waste is generated each year, or about five pounds per day for every person who lives in the state; and

WHEREAS, half of all plastic items are single-use, and less than nine percent of plastic waste is recycled; and

WHEREAS, greenhouse gas (GHG) emissions from the waste sector represent about 12 percent of statewide emissions; and

WHEREAS, the most significant GHG emissions impact during the lifecycle of products and packaging result not from disposal but from the production of products and packaging that eventually become waste; and

WHEREAS, in addition to the climate impacts of waste, the costs associated with its recycling and disposal impose a significant burden on local governments and taxpayers; and

WHEREAS, an Extended Producer Responsibility (EPR) program for packaging and printed paper would significantly reduce waste and single-use plastic packaging and would rightly require producers to take responsibility for the end-of-life management of their own packaging and invest in modernizing the operations at local recycling facilities; and

WHEREAS, the Climate Action Council's Scoping Plan recommends New York State enact legislation to create an EPR framework or a targeted EPR program for products with the greatest GHG impact, including packaging and printed paper; and

WHEREAS, at its 2023 Legislative Conference, the New York State Association of Counties (NYSAC) unanimously adopted a resolution in support of EPR as a policy tool to make producers legally and financially responsible for mitigating the environmental impacts of their products and packaging; and

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WHEREAS, this resolution also urged the Governor and Legislature to enact legislation creating an EPR program for packaging and paper in 2023, consistent with the Scoping Plan’s recommendation; and

WHEREAS, a bill to create an EPR program for packaging and printed paper was introduced by Senator Peter Harckham (S.4246) and was subsequently amended (S.4246-A) to not include printed paper in order to match an Assembly version of the bill introduced by Assemblymember Deborah Glick (A.5352); and

WHEREAS, paper makes up fully one-third of municipal solid waste, and its decomposition in landfills generates climate-damaging methane emissions; and

WHEREAS, a life cycle study on the paper industry, cited in the Scoping Plan, found that recycling paper and using that recycled paper in production reduces the greenhouse impacts of paper manufacturing by two to six times compared to virgin manufacturing and landfilling or combustion; and

WHEREAS, the lack of a robust recycling market for printed paper poses major challenges to reducing paper waste and necessitates its inclusion in an EPR program with packaging, consistent with the Scoping Plan’s recommendations; now, therefore be it

RESOLVED, the Ulster County Legislature urges that the “Packaging Reduction and Recycling Infrastructure Act” (Bill S4246A/A5352) be amended to include printed paper and that this legislation be passed and signed into law no later than the 2024 Legislative Session, which is already a delay of one year beyond what has been recommended by the Scoping Plan; and, be it further

RESOLVED, that the Ulster County Legislature reaffirms its support for an EPR program that:

1. Clearly defines the roles and responsibilities of local governments, including the option to maintain their current operations and elect for reimbursement, elect not to participate, or discontinue services and leave the Producer Responsibility Organization (PRO) to ensure services are provided; and
2. Includes a clearly defined reimbursement mechanism to provide local governments that participate in the program with full and timely reimbursement;
3. Designates a recycling inspector general to enforce program requirements and ensure fees are sufficient to fully reimburse local governments for the costs they incur;

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4. Requires reuse and recycling of a minimum of 50 percent of packaging and paper waste by 2035 and a minimum of 75 percent of packaging and paper waste by 2050; and

5. Prohibits the toxic and dangerous chemicals in packaging, as listed in S.4246-A/A.5352, to protect public health and safety and avoid costs associated with their production, transport, use, and disposal, including public health costs, costs of environmental remediation, and costs of responding to such accidents as the 2023 derailment in East Palestine, Ohio of a train carrying vinyl chloride; and, be it further

RESOLVED, that the Governor and State Legislature equip the New York State Department of Environmental Conservation (NYSDEC) with sufficient staff and resources to administer an EPR program; and, be it further

RESOLVED, the Ulster County Legislature urges County representation on the advisory council created to implement and oversee the program; and, be it further

RESOLVED, the Ulster County Legislature again urges the Governor and Legislature to also create an EPR framework to enable the State to create stewardship requirements for additional products with significant GHG impacts, such as solar panels; and, be it further

RESOLVED, the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor Kathy Hochul, State Senator Michelle Hinchey, State Senator and Chair of the Environmental Conservation Committee Peter Harckham, Assembly Member Sarahana Shrestha, Assembly Member and Chair of the Assembly Committee on Environmental Conservation Deborah Glick, NYSDEC Commissioner Basil Seggos, and to the New York State Association of Counties to encourage member counties to enact similar resolutions,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Corcoran)

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Passed Committee: Energy, Environment and Sustainability on January 30, 2024

FINANCIAL IMPACT:

NONE

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 13th Day of February in the year Two Thousand Twenty-Four, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 16th Day of February in the year Two Thousand Twenty-Four.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature