



## Legislation Details (With Text)

**File #:** Res 0055-2022      **Version:** A      **Name:** Establish an Extended Producer Responsibility system for packaging and printed paper.

**Type:** Resolution      **Status:** Adopted

**In control:** Committee on Sanitation and Solid Waste Management

**On agenda:** 3/10/2022

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**Title:** Resolution calling upon Governor Kathy Hochul and the New York State Legislature to establish an Extended Producer Responsibility system for packaging and printed paper.

**Sponsors:** Adrienne E. Adams, Sandy Nurse, Tiffany Cabán, James F. Gennaro, Gale A. Brewer, Julie Won, Lincoln Restler, Kristin Richardson Jordan, Selvena N. Brooks-Powers, Alexa Avilés, Kevin C. Riley

**Indexes:**

**Attachments:** 1. Res. No. 55, 2. Committee Report 3/4/22, 3. Hearing Transcript 3/4/22, 4. March 10, 2022 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 3-10-22, 6. Minutes of the Stated Meeting - March 10, 2022, 7. Proposed Res. No. 55-A - 3/22/22, 8. Committee Report 3/23/22, 9. Hearing Transcript 3/23/22, 10. March 24, 2022 - Stated Meeting Agenda, 11. Hearing Transcript - Stated Meeting 3-24-22, 12. Minutes of the Stated Meeting - March 24, 2022, 13. Committee Report - Stated Meeting

Date	Ver.	Action By	Action	Result
3/4/2022	*	Committee on Sanitation and Solid Waste Management	Hearing on P-C Item by Comm	
3/4/2022	*	Committee on Sanitation and Solid Waste Management	P-C Item Laid Over by Comm	
3/10/2022	*	City Council	Introduced by Council	
3/10/2022	*	City Council	Referred to Comm by Council	
3/23/2022	*	Committee on Sanitation and Solid Waste Management	Hearing Held by Committee	
3/23/2022	*	Committee on Sanitation and Solid Waste Management	Amendment Proposed by Comm	
3/23/2022	*	Committee on Sanitation and Solid Waste Management	Amended by Committee	
3/23/2022	A	Committee on Sanitation and Solid Waste Management	Approved by Committee	Pass
3/24/2022	A	City Council	Approved, by Council	Pass

### Res. No. 55-A

Resolution calling upon Governor Kathy Hochul and the New York State Legislature to establish an Extended Producer Responsibility system for packaging and printed paper.

By The Speaker (Council Member Adams) and Council Members Nurse, Cabán, Gennaro, Brewer, Won, Restler, Richardson Jordan, Brooks-Powers, Avilés and Riley

Whereas, printed paper and packaging, which includes plastic, steel, aluminum, glass containers,

boxboard, cardboard, cartons, newsprint and magazines, constitutes approximately 40 percent of the materials by weight managed by municipalities and solid waste authorities in New York State; and

Whereas, local municipal governments in New York State are required to fund the management of discarded consumer packaging and printed paper and to take responsibility for achieving waste diversion goals; and

Whereas, the value of recyclable materials does not cover the cost to collect, sort, process, and market these items, causing recycling system ratepayers to pay millions of dollars annually to manage their recycling programs while the State loses an estimated 860,000 tons of potentially recyclable materials to trash each year; and

Whereas, such costs to New York City and recycling system ratepayers in 2021 are estimated at over hundreds of millions; and

Whereas, the State's current recycling system places unreasonable burdens on local governments to collect, manage, and market recyclable materials, when it is the consumer brand owners who have control over which materials are placed on the market; and

Whereas, costs paid by citizens and local governments to manage packaging and printed paper are, in effect, subsidies to producers that enable and encourage producers to design packaging and printed paper materials without regard to end-of-life management; and

Whereas, producers have little incentive to design packaging or printed paper to minimize waste, reduce toxicity, or maximize recyclability, creating a supply chain disconnect with environmentally sound, end-of-life management of these consumer materials; and

Whereas, Extended Producer Responsibility ("EPR") is an environmental policy approach in which producers (brand owners and importers) accept responsibility for the management of post-consumer products

and packaging so those who produce these materials help bear the costs of recycling; and

Whereas, EPR programs for packaging and printed paper have existed for up to 30 years in all European Union member states, across Canada, and other parts of the world, achieving recycling rates for packaging and printed papers upwards of 70 percent; and

Whereas, enacting EPR for packaging and printed paper could significantly increase recycling rates for residential materials, reduce consumer confusion and contamination in recycling streams, create green sector jobs, provide millions of dollars in savings for local governments and taxpayers, and lower greenhouse gas emissions by over 2.3 million metric tons annually; and

Whereas, New York State Governor Kathy Hochul has proposed a 2022-23 Executive Budget that includes Part RR, which would establish an EPR system for consumer packaging and printed paper and require producers to reimburse municipalities for recycling the packaging and printed paper they introduce into the marketplace; and

Whereas, Governor Hochul's proposal would incentivize producers to reduce packaging waste, make it easier to recycle the material they generate, invest in modernizing local recycling infrastructure across New York State, ensure that all New Yorkers have access to recycling and upgrade recycling infrastructure to achieve higher recycling rates, and provide clear, consistent consumer education, resulting in less confusion for residents and minimizing contamination in the recycling stream.

Whereas, Senate Bill S1185 seeks to establish an extended producer responsibility act requiring covered materials and product producers to develop and implement strategies to promote recycling, reuse and recovery of packaging and paper products; and

Whereas, Any EPR system enacted in New York State should seek to be further inclusive of community, public health, environmental, and environmental justice organizations' recommendations, including increased

representation on the Producer Responsibility Advisory board; and

Whereas, Any EPR system must ensure that it effectively incentivizes waste reduction, does not authorize “chemical recycling,” and requires removal of toxic chemicals from packaging materials; and

Whereas, EPR can work in tandem with and supplement New York State’s Returnable Container Act; and

Whereas, Making producers responsible for ensuring their materials are reused or recycled responsibly will incentivize them to design for reduction, recyclability, and reduced toxicity; now, therefore be it

Resolved, that the Council of the City of New York calls upon Governor Kathy Hochul and the New York State Legislature to establish an Extended Producer Responsibility system for packaging and printed paper; and

BE IT FURTHER RESOLVED, that the Council of the City of New York shall forward copies of this resolution to Governor Kathy Hochul, the New York State Legislature, and all others deemed necessary and proper.

NRC  
LS# 8022  
3/21/22