



Legislation Text

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Res. No. 384

Resolution supporting Senate bills S.5250 and S.7521 and Assembly bills A.11442 and A.7337, which would expand the application of the returnable container law to include more types of beverage containers, prohibit the disposal of recyclable materials at landfills and incinerators, and mandate that all unclaimed returnable container deposits be collected and returned to municipalities to assist in recycling and waste reduction efforts.

By Council Members Koppell, Avella, Gerson, Jackson, Lopez, McMahon, Recchia, Seabrook, Serrano and Vann

Whereas, the New York State Legislature first passed a returnable container law in 1982 that required a minimum 5-cent deposit on many bottles and cans; and

Whereas, This legislation created an economic incentive for the collection and return of these containers, and brought about a solution to the severe problem of bottles and cans littering parks, streets, sidewalks, beaches, farmland, and private property; and

Whereas, This law also promoted recycling and greatly diminished the quantity of waste sent to landfills and incinerators; and

Whereas, The current law covers only containers of carbonated soft drinks, mineral water, beer, other malt beverages and wine coolers. As a result, it omits many containers of common beverages now being sold in much larger quantities than when the returnable container law was first enacted, such as bottled water, sports drinks, iced tea and fruit juices; and

Whereas, There is no rational justification for not including these containers in the definition of beverages under the law requiring a deposit, and Senate bill S.5250 and Assembly bill A.7337 seek to remedy this by expanding the definition of "recyclable container" to include all containers for non-carbonated beverages, with the exception of liquor, wine and milk; and

Whereas, There is little in place now to stop haulers from disposing of these and other recyclable containers in landfills and incinerators.

Senate bill S.7521 and Assembly bill A.11442 would go further to prohibit the disposal of these containers at these sites. In addition, the increase in these types of items being subject to a deposit would, by itself, significantly decrease this unnecessary disposal of recyclables at landfills and incinerators; and

Whereas, Senate bill S.7521 and Assembly bill A.11442 would further support environmental conservation by requiring the recycling of newsprint, glass containers, metal containers, # 1 plastics, # 2 plastics, corrugated cardboard containers, paper board and certain mixed paper; and

Whereas, Currently a five-cent deposit is charged by bottlers and/or distributors for each covered container produced. This five-cents is intended to act as an incentive to consumers to return used containers. However, when a container is not recycled, bottlers and/or distributors are able to keep the five-cent deposit. As a result, a total of approximately \$ 85 million annually is retained by bottlers and/or distributors because their bottles and cans are not recycled; and

Whereas, Under Senate bill S.7521 and Assembly bill A.11442, all unclaimed deposits would be required to be remitted to the New York Department of Tax and Finance quarterly, would then be deposited in the Solid Waste Account of the Environmental Protection Fund and would be designated for use in municipal recycling and waste reduction projects; and

Whereas, Senate bills S.7521 and Assembly bills A.11442 would provide municipalities with additional funding to bolster their efforts and ensure that recycling programs are effective; and

Whereas, The returnable container law is now recognized as the single most effective law in our State's history at diminishing litter and encouraging recycling; and

Whereas, Senate bills S.5250 and S.7521 would create a positive economic stimulus for thousands of consumers to properly dispose of many additional beverage containers and put the burden of recycling these bottles and cans on their manufacturers. Additionally, these bills will promote the reuse of large quantities of metal, glass and plastic; now, therefore, be it

Resolved, That the Council of the City of New York supports Senate bills S.5250 and S.7521 and Assembly bills A.11442 and A.7337 which would expand the application of the returnable container law to include more types of beverages, prohibit the dumping of recyclable materials at landfills and incinerators and mandate that unclaimed returnable container deposits be collected and returned to municipalities to assist in recycling and waste prevention efforts.

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