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Res. No. 423

A Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.1749/S.1464, also known as the Packaging Reduction and Recycling Infrastructure Act, which would establish an extended producer responsibility system for packaging.

By Council Members Nurse, Abreu, Riley, J. Sanchez, Epstein and Louis

Whereas, Packaging material, which includes plastic, steel, aluminum, and glass containers, as well as boxboard, cardboard, and cartons, constitutes approximately 30 percent of the waste stream in the United States; and

Whereas, Local municipal governments, including those in New York State, are required to fund the management of discarded packaging material 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, often causing municipal governments to pay millions of dollars annually to administer their recycling programs; and

Whereas, For fiscal year 2026 New York City has budgeted $46 million, excluding personnel salary, for collecting and processing recyclables; and

Whereas, New York State's current recycling system places unreasonable burdens on local governments to collect, manage, and market recyclable materials, when it is the producers of consumer goods and packaging that have control over which materials are placed on the market; and

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

Whereas, Producers have little incentive to design packaging 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 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 materials have been adopted in many European Union member states and Canadian provinces, as well as other parts of the world, with states such as Sweden and Spain achieving recycling rates for packaging materials upwards of 60 percent; and

Whereas, Enacting EPR for packaging 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; and

Whereas, S.1464, introduced by State Senator Pete Harckham, and companion bill A.1749, introduced by Assembly Member Deborah Glick, would establish an EPR system that requires producers of packaging materials to pay a fee to a third-party Producer Responsibility Organization ("PRO") commensurate with the cost to recycle those materials; and

Whereas, The PRO would then disburse this fee paid to local governments to fund recycling programming; and

Whereas, According to a memo published by the New York City Mayor's Office, this EPR system could provide New York City with annual revenue of $150 million or more; and

Whereas, A.1749/S.1464 would also require that the PRO facilitate coordination between producers of packaging material and waste service providers to increase the efficiency of recycling programs such that a greater proportion of solid waste is diverted to the recycling waste stream; and

Whereas, The bill also establishes standards that require producers to reduce packaging and use more post-consumer recycled content, prohibits the use of certain toxic substances in packaging material, and imposes various other requirements on the PRO and producers; and

Whereas, Shifting the cost of recycling collection and processing from local governments to producers of packaging material will incentivize them to design for reduction and recyclability and reduce the volume of material that is disposed of through unsustainable waste management practices; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.1749/S.1464, also known as the Packaging Reduction and Recycling Infrastructure Act, which would establish an extended producer responsibility system for packaging.

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