

1 **2023 NYSAC Legislative Conference**
2 **Standing Committee on Climate Action**
3 **Resolution #1**

4
5 **Resolution in Support of Product Stewardship and Urging the**
6 **Establishment of a Stewardship Program for Packaging and Printed Paper**

7
8 **WHEREAS**, as noted in the Climate Action Council’s Final Scoping Plan, more than 18
9 million tons of municipal solid waste (MSW) is generated each year in New York State;
10 and

11
12 **WHEREAS**, 70 percent of MSW is made up of discarded products and packaging; and

13
14 **WHEREAS**, in New York, more than 18 million tons of municipal solid waste is
15 generated each year, or about five pounds per day for every person who lives in the
16 state; and

17
18 **WHEREAS**, greenhouse gas (GHG) emissions from the waste sector represent about
19 12 percent of statewide emissions; and

20
21 **WHEREAS**, the most significant GHG emissions impact during the lifecycle of
22 products and packaging result not from disposal but from the production of products
23 and packaging that eventually become waste; and

24
25 **WHEREAS**, the Climate Action Council’s Climate Justice Working Group has
26 expressed support for enacting broad Extended Producer Responsibility (EPR) or
27 product stewardship requirements to cover the end-of-life management of post-
28 consumer products and indicated that EPR should be a priority for addressing
29 emissions from the waste sector; and

30
31 **WHEREAS**, the Final Scoping Plan recommends the State enact and implement new
32 legislation in 2023 that creates a product stewardship framework or targets products
33 with the greatest GHG impact, such as packaging and printed paper, carpet, tires,
34 textiles, solar panels, wind turbines, batteries, appliances, and mattresses; and

35
36 **WHEREAS**, Governor Kathy Hochul introduced the Waste Reduction and Recycling
37 Infrastructure Act as part of her Fiscal Year (FY) 2024 Executive Budget proposal to
38 create an EPR program for packaging and paper products; and

39
40 **WHEREAS**, bills to create an EPR program for packaging and paper products have
41 also been introduced by Senator Peter Harkham (S.4246) and by Senator Rachel May
42 and Assemblymember Steve Englebright (S.9493/A.10185); and

43
44 **WHEREAS**, these EPR programs would significantly reduce waste and single-use
45 plastic packaging and would require producers to take responsibility for the end-of-life
46 management of their own packaging and invest in modernizing the operations at local
47 recycling facilities; and

1 **WHEREAS**, S.9493/A.10185 and S.4246 would also prohibit certain toxic and
2 dangerous chemicals in packaging, including per- and polyfluoroalkyl substances
3 (PFAS), ortho-phthalates, bisphenols, halogenated flame retardants, such heavy metals
4 as lead, cadmium and mercury, and other chemicals posing a threat to human health
5 and safety and to the environment; and
6

7 **WHEREAS**, not only would such an EPR program provide relief to local governments,
8 but it would also reduce GHG emissions from the production and disposal of consumer
9 goods by incentivizing producers to reduce waste and design products that are more
10 sustainable.
11

12 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
13 Counties (NYSAC) supports EPR as a policy tool to make producers legally and
14 financially responsible for mitigating the environmental impacts of their products and
15 packaging; and
16

17 **BE IT FURTHER RESOLVED**, NYSAC urges the Governor and Legislature to enact
18 an EPR program for packaging and printed paper to reduce waste by at least 20 percent
19 within five years and 50 percent within 10 years and shift the burden of managing the
20 ever-evolving packaging waste stream away from taxpayers and local governments and
21 onto producers and manufacturers; and
22

23 **BE IT FURTHER RESOLVED**, that NYSAC supports an EPR program that prohibits
24 toxic and dangerous chemicals in packaging, including those chemicals listed in bills
25 S.9493/A.10185 and S.4246, to protect public health and safety and avoid costs
26 associated with their production, transport, use, and disposal, including public health
27 costs, costs of environmental remediation, and costs of responding to such accidents as
28 the recent derailment in East Palestine, Ohio of a train carrying vinyl chloride; and
29

30 **BE IT FURTHER RESOLVED**, that NYSAC urges county representation on the
31 advisory council created to implement and oversee the program; and
32

33 **BE IT FURTHER RESOLVED**, NYSAC urges the Governor and Legislature to also
34 create an EPR framework to enable the State to create stewardship requirements for
35 additional products with significant GHG impacts, such as solar panels; and
36

37 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
38 New York encouraging member counties to enact similar resolutions; and
39

40 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution to
41 Governor Kathy Hochul, the New York State Legislature, New York State Department of
42 Environmental Conservation (NYSDEC) Commissioner Basil Seggos, New York State
43 Energy Research and Development Authority (NYSERDA) President and CEO Doreen
44 Harris, and all others deemed necessary and proper.