**[DATE]**

Honorable Steve Englebright

Chair, Assembly Standing Committee,

Environmental Conservation

The New York State Assembly

172 State Street

Albany, New York 12207

**RE: Support for 2022-23 New York State Executive Budget proposal part RR, Extended Producer Responsibility Act.**

Dear Chair Englebright:

**[Local Government Name] strongly supports part RR of the 2022-23 New York State Executive Budget proposal concerning the establishment of an extended producer responsibility (EPR) program for consumer packaging and paper products in the state.** This program is urgently needed to address the growing solid waste and recycling crisis facing local governments, taxpayers, and our environment. EPR for packaging and paper products will also support the recommendations of the Climate Action Council by reducing greenhouse gas emissions from waste across the state. **[Local Government Name]** applauds the commitment you have demonstrated to this critical issue through your sponsorship of A5801 in 2021, and we thank you in advance for your continued support.

From rural upstate communities to New York City, and throughout our suburbs, local recycling programs are struggling to survive. The value of recyclable materials does not cover the cost to collect, sort, process, and market these items. Due to extreme volatility in recyclable commodities markets, municipalities are faced with costly — and risky — contracts with service providers. Every day, we face the stark reality that it is often cheaper to landfill or incinerate materials than to recycle them. **In [Local Government Name], recycling costs exceed $\_\_\_\_\_ per year. [Insert additional local recycling challenges – do these costs exceed the cost of waste disposal? Have you been forced to scale back or pause services?].** This system is not sustainable.

Our current recycling system places unreasonable burdens on local governments to collect, manage, and market recyclable materials. We are expected to recycle, yet we have no control over the types of packaging materials brand owners (i.e., producers) put into the marketplace, many of which are not reusable or recyclable. Brand owners are disconnected from the end-of-life management of their products and packaging. They have little incentive to reduce packaging waste, make packaging easier to recycle, or boost market demand by using more recycled content. Furthermore, our patchwork of local recycling programs means materials that may be accepted for recycling in one community may not be in the next, resulting in widespread consumer confusion. We need to change this paradigm if we hope to make meaningful strides in addressing our solid waste crisis. Under an EPR system, brand owners would be financially obligated to cover recycling expenses for New Yorkers **[or Local Government name]**.

An EPR program for packaging and paper will shift responsibility for recycling from local governments, taxpayers, and ratepayers to producers. Local governments will have the flexibility we need to choose how and whether we participate in the program. We will also have the option to be reimbursed for our recycling expenses directly by producers, insulating us from volatile commodities markets and the significant financial risks we currently face to manage recycling programs. Critically, EPR will provide the funds necessary to modernize and expand recycling infrastructure so that our programs can handle more materials and accommodate increasingly complex types of packaging. Expansion of recycling services will also allow for greater access to underserved communities to ensure that all New Yorkers have the opportunity to recycle. We need the sustained funding that EPR will provide to expand services to more residents and better educate them about how to properly recycle and reduce waste.

EPR will reduce packaging waste and foster a circular economy for New York. Through financial incentives, producers will be rewarded for generating less packaging in the first place and making the packaging they do use nontoxic, reusable, and easier to recycle. They will pay more into the system if they make unsustainable packaging choices. Incentives and requirements for producers to use postconsumer content will stimulate recycling markets, supporting the circular economy we need.

New York State currently disposes of an estimated 860,000 tons of potentially recyclable materials, which adds significantly to the waste capacity pressures in the state. Capturing, sorting, and processing this lost material would create green sector jobs throughout the state. Currently, New York’s recycling rate is less than 20%. **[If you have a local figure for this, insert it here!].** Enacting this EPR law will increase recycling rates, reduce contamination, create green jobs, and provide millions of dollars in savings for local governments and taxpayers. It will also lower greenhouse gas emissions from waste, helping us reach our climate goals both locally and across the state. Municipal recycling systems desperately need to be modernized and improved. Local governments and New York taxpayers cannot wait any longer for this much-needed relief.

***We respectfully urge you to support the Extended Producer Responsibility Act for packaging and paper products.***

Sincerely,

*[Name]*

*[Position]*

*[Local Government Name]*