



February 9, 2021

Contact: Grant Loomis, VP Government Affairs @ 716-541-1736

MEMORANDUM IN OPPOSITION

S.1185-A (Kaminsky)

The Buffalo Niagara Partnership, on behalf of its members who employ more than a quarter of a million people in the region, opposes S.1185-A (Kaminsky) which would establish the Extended Producer Responsibility Act (EPR). The bill seeks to broadly shift end-of-life management of packaging (carton, glass, metal), paper and plastic products from municipalities to a broad class of producers and manufacturers at an untold cost. The EPR would create an unprecedented burden, alarming in both its size and scope. The timing of this proposal is bewildering, as many employers across New York are struggling to deal with the ongoing impacts of the COVID-19 pandemic.

New York has a statewide solid waste plan as well as county and/or multi-county recycling plans. As a result, there already exists a legal and operational infrastructure for secondary material recovery in New York. Lawmakers should focus their attention on how to best address operational, structural, and financial challenges within the existing system instead of creating a new one and shifting the financial burden to the private sector in the process. S.1185-A also advances an unworkable timeline for such a radical change reflecting a lack of understanding of exactly how such a significant new mandate would upend the recycling system across the state and burden manufacturers and producers.

Manufacturers and producers recognize the need to invest in programs and technologies designed to bring more residential and commercial materials into the market-driven recycling system and many private companies have led in this regard. This proposal ignores those contributions and, instead, looks to impose a massive new mandate at a time when New York State should be working overtime to ensure the viability of every business in New York. The lack of any serious effort to engage and consult key stakeholders directly tied to this proposal is also extremely concerning given the magnitude of such a proposal.

The BNP encourages New York State to focus on a comprehensive evaluation of current public recycling programs and efficiency rates, and solicit expert opinions from related industries, before harming companies that are already committed to responsible and efficient recycling.

For the reasons stated above, the BNP opposes this legislation.