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NYWEA SUPPORT MEMO

A.5028-A

IN ASSEMBLY, BILL NUMBER 5028-A. INTRODUCED BY MEMBERS OF ASSEMBLY ENGLEBRIGHT, LIFTON, THIELE, FAHY, D'URSO, GOTTFRIED, ORTIZ, PAULIN, LUPARDO, DENDEKKER, QUART, STIRPE, SIMON, SEAWRIGHT, HUNTER

AN ACT to amend the environmental conservation law and finance law, in relation to returnable bottles and the “Clean, Greener NY Act of 2013.”

SUMMARY OF PROVISIONS:

This legislation would amend the Environmental Conservation Law by expanding the Returnable Container Act, commonly known as the Bottle Deposit Law, to include more beverage containers. The expansion would include bottled noncarbonated beverages, noncarbonated juices that are less than 100% fruit or vegetable juice, coffee, tea, carbonated fruit beverages, wine, liquor, distilled spirit coolers, and cider. This legislation also establishes minimum post-consumer content for glass, aluminum, PET, and plastic beverage containers.

STATEMENT OF SUPPORT:

Expanding the Bottle Deposit Law will increase recycling rates, make communities cleaner, preserve natural resources and protect the health of New Yorkers. Over its 30-year history, New York’s Bottle Bill has been the state’s most effective recycling and litter prevention program.¹ In 2017, New York’s redemption rate was at 65%.² According to the Department of Environmental Conservation (DEC), the bottle bill reduces roadside container litter by 70%, and in 2016, 5.1 billion containers were recycled.³

Expanding the Bottle Deposit Law to include plastic containers is urgently needed to reduce plastic pollution littering NY’s waters and beaches. During Riverkeeper’s 2018 Hudson River Sweep, plastic beverage bottles were the third largest type of litter found.⁴

¹ New York State Association of Counties, “Bottle Bill White Paper,” June, 2016, p.1,

<http://www.nysac.org/files/NYSAC%20Bottle%20Bill%20White%20Paper.pdf>

² Container Recycling Institute, Bottle Bills in the USA: New York, <http://www.bottlebill.org/legislation/usa/newyork.htm>

³ DEC, New York’s Bottle Bill, <http://www.dec.ny.gov/chemical/8500.html>

⁴ Riverkeeper, “Hudson River plastic pollution – Detailed data from Riverkeeper Sweep 2018,” June 22, 2018, <https://www.riverkeeper.org/blogs/docket/plastic-pollution-data-sweep-2018/>

The 2018 New York State Beach Cleanup, which had cleanup sites from the shores of Lake Erie and Ontario to the shores of Long Island, found plastic bottles as the 7th largest type of litter cleaned up – 13,072 plastic bottles were collected.⁵ According to a recent report, experts estimate that over eight million metric tons of plastic waste ends up in the world’s oceans each year, and that amount is likely to increase dramatically over the next decade unless states and nations act.⁶

Plastic is ubiquitous, and found literally everywhere. In a March 19, 2019 NY Times article, Daniel Victor reported that according to local officials, “More than 1,000 assorted pieces of plastic, including 115 cups, 25 bags, four bottles and two flip-flops, have been found inside a dead sperm whale in Indonesia.”

Not only would this bill increase recycling rates and make our environment and community’s cleaner, but it would also help municipal recycling programs that are currently facing a recycling crisis.

It's been ten years since New York's Bottle Deposit Law was last expanded in 2009 – it's time to finish the job to include most non-carbonated beverages, wine, liquor, and cider. NYWEA would further recommend that the additional funds created by any deposit levied on wine, spirits or hard cider be sent exclusively to the Environmental Protection Fund (EPF). By having a continual flow of revenue, the EPF can continue to be a source of funding for many different environmental projects into the foreseeable future. In addition, it may also alleviate some constraints in the State Budget to funding this account.

NYWEA strongly supports passage of this legislation.

⁵ New York State Beach Cleanup, “2018 NYS Beach Cleanup Advanced Results,” September, 2018, <http://www.nysbeachcleanup.org/>

⁶ Schwartz, J., “Study Finds Rising Levels of Plastics in the Oceans,” *The New York Times*, February 12, 2015, https://www.nytimes.com/2015/02/13/science/earth/plastic-ocean-waste-levels-going-up-study-says.html?_r=0.