



2018 In Review: Advancing Product Stewardship in New York State

A transformation in materials management is underway in NY State, one that propels us toward a more sustainable system that holds manufacturers responsible for the end-of-life management of their products and packaging—particularly for goods that are difficult to recycle or properly dispose because they are bulky, potentially toxic, or otherwise challenging for municipal waste managers.

This **product stewardship** transformation is led by the New York Product Stewardship Council (NYPSC) and made possible by support from the NYS Association for Reduction, Reuse, and Recycling (NYSAR³); the NYS Chapter of SWANA; the Federation of NY Solid Waste Associations; the NYS Association for Solid Waste Management; Covanta Energy Corporation; and Call2Recycle, among others. NYPSC works closely with all these organizations and the Product Stewardship Institute (PSI), municipalities, and other partners to achieve its objectives.

Results: manufacturers of consumer electronics, rechargeable batteries, mercury thermostats, and pharmaceuticals are engaged in this innovative approach in NYS, and the groundwork has been laid for a similar approach to other products in the near future, including: paint, packaging, primary batteries, solar panels, and carpet.

2018 Achievements

Paint Stewardship

NYPSC worked in tandem with PSI and the American Coatings Association (ACA) to solidify and demonstrate local government support for Assemblyman Stirpe's paint stewardship bill [A 1038](#) (same as [S 881](#)). NYPSC shared educational materials, conducted outreach to Senate and Assembly members, and distributed a group letter of support that has gained **45 signatures** from state, regional, and local governments and organizations that support the bill. NYPSC also encouraged various stakeholders to submit a support letter or to pass a resolution in support of the paint stewardship program. The bill passed nearly unanimously in the Senate and gained more than 80 co-sponsors in the Assembly. A compromise bill proposed between the two houses passed the Senate, but did not reach the Assembly floor for a vote before the end of the legislative session. The bill is expected to be re-introduced in early 2019. More information is available at nypsc.org/paint.

Pharmaceuticals Stewardship

With great success, NYPSC tackled household-generated pharmaceutical waste on three fronts: policy, education, and infrastructure. **POLICY:** The NYS legislature passed the NY [Drug Take-Back Act](#), which the Governor signed on July 10. NYPSC played a leadership role in urging [the passage](#) of that legislation. In a strategic collaboration with Citizens Campaign for the Environment, NYPSC rallied local and regional governments to support the bill and provided recommendations to sponsors Senator Hannon and Assemblywoman Gunther that ultimately improved it. The new law—the fourth state law in the nation—requires pharmaceutical manufacturers to finance and

Objectives & Actions

NYPSC implements the principles of product stewardship by:

- Developing and recommending practical policies.
- Providing educational tools to individuals, businesses, organizations, institutions, local governments, the state legislature and elected officials.
- Providing effective leadership and guidance on product stewardship initiatives.
- Coordinating product stewardship initiatives locally, regionally and nationally.
- Working with manufacturers and their trade associations to develop effective product stewardship initiatives.
- Educating manufacturers, stakeholders, the public, elected officials and other decision makers on the benefits of product stewardship.
- Providing a forum for the exchange of information.
- Evaluating and, where necessary, recommending improvements to product stewardship programs once they are implemented.

manage the safe collection and disposal of unused medications and requires pharmacies with ten or more U.S. locations to participate as drug collection sites to help ensure convenient access for residents.

EDUCATION: NYPSC participated in all of DEC's roundtable meetings to provide [recommendations](#) on drug take-back best practices and program implementation, and to answer technical questions. NYPSC's contributions informed the development of DEC's [Pharmaceutical Stewardship Report](#) which recommended that an independent stewardship organization implement statewide take-back funded by drug manufacturers.

INFRASTRUCTURE: Meanwhile, NYPSC partnered with PSI and five hospitals serving rural New York State to build infrastructure and awareness through a six-month drug take-back pilot program and public education campaign. By the end of the program, which was funded by a grant from the USDA Rural Development Office, the hospitals had collectively diverted more than 1,500 pounds of unwanted household medications. The program culminated with a [national webinar](#) to share results and lessons learned, and an online [educational toolkit](#) that medical professionals in NY and nationwide are using to educate their colleagues and patients about proper drug disposal. At the end of the program, NYPSC helped all five hospitals join either DEC's drug take-back program or run their own programs.

Primary Battery Stewardship

While New York has a [rechargeable](#) battery extended producer responsibility (EPR) law, primary (single use) batteries continue to typically be disposed in the trash. In 2018, NYPSC supported Assembly Bill [A 6280-A](#), which sought to establish a primary battery recycling program paid for and managed by battery manufacturers. The program laid out in the bill could capture nearly 7 million pounds of primary batteries annually. NYPSC also recommended [revisions](#) that would improve the overall success and sustainability of the program.

Packaging Stewardship

In 2018, NYPSC explored how packaging EPR could benefit the materials management economy in New York State. The statewide recycling crisis has painfully exposed fundamental flaws in the current recycling system, which relies on municipalities to pick up the cost of managing waste products and packaging from which brand owners profit. An EPR system for packaging would require brand owners to ensure their packaging materials are reused or recycled responsibly — thus rewarding companies that use less material, switch to readily-recyclable options, and incorporate a higher percentage of recycled content in packaging.

In addition to packaging EPR presentations to NYSAR3 and SWANA-NY, NYPSC released a [model resolution](#) encouraging the New York State Legislature to consider the environmental and economic benefits that will be achieved by an EPR system for packaging. NYPSC encourages local and regional governments across the state to pass the resolution.

Electronics Stewardship

Armed with the extensive feedback and guidance that NYPSC provided in 2016, DEC has been developing draft regulations, expected to be issued in 2019, that will improve the State's electronics recycling and reuse law. NYPSC has been monitoring the state's progress and is ready to support the regulations and, if necessary, provide further recommendations to address key challenges and ensure municipal e-waste collection costs are covered.

Textiles Stewardship

NYPSC's 2017 [New York Textiles Summit](#), conducted with support and in collaboration with the New York State Pollution Prevention Institute (NYSP2I), Re-Clothe NY Coalition, NYSAR3, and PSI, strengthened relationships among key New York stakeholders committed to building a more sustainable textiles economy. Throughout 2018, NYPSC strengthened those relationships and [raised awareness](#) about the issue.

Plastic Pollution Prevention

With guidance from NYPSC, a national [Trash Free Waters](#) program released the comprehensive [Plastic Reduction Guide for Restaurants](#) that showcases impressive plastic reduction and cost savings achieved by local restaurants in

Greenport, NY. Building on that success, NYPSC and PSI received funding from NY Sea Grant to help restaurants, residents, and tourists in the Buffalo Niagara region replace disposable plastic products with alternatives that are compatible with existing recycling/composting infrastructure. The 18-month project will commence in 2019.

2019 Legislative & Stewardship Advocacy Priorities

1. **Educate** governments, recyclers, haulers, and other stakeholders about the benefits packaging EPR could offer to alleviate the statewide recycling crisis.
2. **Pass legislation** creating a statewide paint stewardship program modeled on an approach supported by the American Coating Association (ACA) through its PaintCare program.
3. **Advocate for strong implementation** of the Drug Take-Back Act, with the NY Departments of Health and Environmental Conservation, to ensure adequate collection convenience and public education.
4. **Ensure development and implementation of effective regulations** that will improve NY State's existing electronics EPR statute and collaborate with NYSASWM and NYS Association of Counties (NYSAC) to secure Environmental Protection Fund (EPF) grants to offset municipal e-waste collection costs.
5. **Seek voluntary or legislated product stewardship solutions** to address primary batteries, household hazardous waste, and solar panels.

2018 NYPSC Board of Directors

The NYPSC Board represents a wide range of stakeholders in solid waste and recycling, corporations, the environmental community, and local and state government representing rural, upstate, New York City, and Long Island. More information about NYPSC programs and our Board of Directors can be found at [NYPSC.org](http://www.nypsc.org).

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