



South Shore Audubon Society

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Mitigating the Climate Impacts of Waste

The South Shore Audubon Society advocates for the protection of people and wildlife, for clean air and biodiverse ecosystems. We appreciate the opportunity to submit these comments for consideration by the CAC.

The CLCPA was never meant to be stand-alone legislation. It can only serve as a foundation, which makes the work of the CAC and its unequivocal directives so critical to meeting our world-class legislation's towering targets.

Neither, as some in high places have suggested, was the CLCPA ever meant to be "feel-good legislation" on which we could hang our hat. Instead, we must hit the ground running, hold ourselves accountable and advance inexorably with candor, collaboration, and verve.

The CLCPA tells us where we must go but provides neither the specific roadmap nor the funding for how to get there. The CLCPA's targets will only be met if we adopt more sub-targets to aid in reaching the CLCPA's broader goals. And focused sub-targets will undoubtedly require more legislation and targeted funding.

Organic Waste

As the CAC Integration Analysis demonstrates, 100% diversion of organic waste from landfills by 2030 will be necessary to meet the state's emissions reduction targets. Incinerating and landfilling organic and inorganic waste is a shameful waste of beneficial resources. Toward this end, we urge the CAC to set a target of 2030 for ending combustion and landfilling of municipal organic waste, with timetables for phase-down.

We urge the following for mitigating organic waste:

- **Strengthen the Food Donation & Food Scraps Recycling Law.**

The two-ton weekly waste threshold should be reduced to one ton by 2024 and a half ton by 2027. Massachusetts serves as a successful role model. Broaden the law to apply to hospitals, nursing homes and K-12 schools.

- **Require a per/ton surcharge on all waste.**

Businesses and municipalities must no longer externalize the cost of waste.

- **Backyard residential composting must become more the norm.**

Composting is far more than an antidote to waste. Composting reaps a multitude of benefits that reinforce each other. Less organic waste translates into less methane released from landfills and less lost resources sent to incinerators. Less garbage collection requires less fuel and machinery.

Adding compost to the soil:

- provides valuable nutrients;
- improves soil structure;
- adds beneficial soil micro-organisms;
- suppresses certain plant diseases
- reduces the need for fertilizers and pesticides; and
- helps prevent soil erosion and nutrient run-off
- sequesters more carbon deeper in the soil.
- Enhances overall soil biodiversity

Healthy soil is critically important for all life on Earth, and biodiversity is the foundation of soil health. Soil biodiversity is the variety and amount of living organisms in the soil. Soil is by far the most biologically diverse zone of our planet, and it should come as no surprise that many soil organisms and their functions are still unknown. If we continue degrading our soil, we know not what we lose. By turning our household waste to black gold, we eliminate waste, conserve resources, and protect biodiversity in one stroke. By eliminating organic waste, we enrich life's multiplicity and all the good it brings. (1)(2)

However, residential neighborhoods will not become hubs for composting by legislation alone. An assertive, well-funded public education campaign must accompany targeted legislation.

Fund and empower Cornell Cooperative Extensions (CCEs) throughout NYS to train larger numbers of master gardeners who have specialized, advanced knowledge of composting. Cornell Cooperative Extensions already prioritize composting education, but they need much greater support and encouragement. We need an army of master gardeners to get out into communities to not only teach residents how to compost but why it's so important for their own personal lives as well as why waste reduction is of paramount importance for our state's environmental health and climate goals under the CLCPA.

Numerous other nonprofits in NYS focus on composting education; two on Long Island that have already contributed to composting education are ReWild Long Island and Transition Town Port Washington. Their programs must be supported and expanded.

The NYSDEC also needs increased staffing dedicated to composting so that they too can collaborate with CCE and assist with the training of other nonprofit groups who can in turn can empower more volunteers to educate more residents.

Distribution of compost bins should be significantly subsidized for residents who have completed composting training through CCE or other organizations. Those who complete a class should receive a simple certificate and encouragement to follow through on their commitment. Municipalities who have the largest number of trained home composters should get special recognition by the NYSDEC.

Those who have received one subsidized compost bin should be encouraged to apply for a second one if they can make the case that they have put the first one to good use and want to do more.

Small business landscapers must also become part of the solution. They must be discouraged from collecting so many leaves and grass clippings. Landscapers who have the means could also take some of the necessary organic waste collected on their customers' properties to their own properties for larger scale composting that they in turn can sell for profit.

Critically, funding should come from NYS, not from companies that seek to greenwash their image. CCE and other nonprofits have accepted funds from Covanta for composting education, which is a complete contradiction in messaging.

Our goal must be to starve Covanta's incinerator, not give the false impression that incineration is providing needed energy even as the burning spews greenhouse gases, dioxins and other toxins into our atmosphere. Instead, we must set target dates and timetables for phasing down organic waste incineration, as well as incineration of nonorganic materials and end renewal of 20-year permits for existing facilities.

● **Local solid waste management planning must incorporate food scraps recovery.**

This will benefit food pantries and programs to feed the food insecure. The Municipal Waste Reduction and Recycling Program must be funded at a level adequate to support composting programs and recovery of food scraps.

- **Engage farms certified by NOFA-NY (<https://nofany.org/>).**

Organic farmers should be funded to help educate farmers who run conventional farms about the value of compost. Conventional farms that switch to compost as an alternative to synthetic fertilizers should be recognized on a NYSDEC list for their efforts. Compost could also become a revenue stream for farmers who produce more than they can use.

- **More must be done to improve the quality and health of the compost we create.**

Composting organic waste that is laden with pesticides is counterproductive. Passing the Birds and Bees Protection Act (A7429A/S699D) would go a long way toward improving the quality of home and municipal composting. While this bill is critically important for protecting our pollinators and human health, it would also go a long way toward improving the quality of the compost we make and spread on our properties, and therefore, on the health of our soil.

Inorganic Waste

World Refill Day was June 16th, a timely reminder about our only sustainable option moving forward. We must and rightly should demand that plastic polluters reduce their plastic use by developing reusable and refillable packaging and bottles. (3)

Unfortunately, however there is a vast amount of growing evidence that industry will not act on their own initiative. Coca-Cola and other top polluters have since the 1990s both acknowledged the problem and focused on recycling promises, which have been repeatedly broken. (4)

Recycling must be ramped up, but we are not going to recycle our way out of our waste crisis, which is wreaking havoc on our health and on biodiversity, even as it compounds the global climate crisis. Sanitizing glass and toxic-free sturdy plastic bottles and containers, as was the standard protocol for decades, must make a resounding comeback. But industry is moving in the opposite direction, and consumers have become used to the convenience of a throwaway culture that pretends to recycle mostly everything, even as evidence mounts that we are recycling less and less of the waste in which we are so grossly immersed. The public knows little about consequences of waste for our health and our climate. Much more must be done to educate the public about what's really going on and what we must all do to ameliorate the problem. (5) (6) (7) (8)

As we have legislated in the CLCPA, Extended Producer Responsibility (EPR) must require specific targets and percentages be met over specific time periods. The CLCPA does not allow the fossil fuel industry to decide how much wind and solar energy will be produced and how much battery storage will be constructed over certain time periods- that fell under the responsibility and

authority of the NYS Legislature. And while the goals established under the CLCPA are lofty, they are commensurate with the climate crisis we face. How NYS legislates EPR should be no different than how it legislated the CLCPA because waste is intricately connected to the climate crisis. (9)

Besides the ample evidence that industry will not meet self-imposed targets, corporations only seek to address recycling issues in superficial, greenwashing ways and are making no effort to even dialog about the number of wasteful containers and amount of packaging they generate in the first place. Single-use containers and single-use packaging are becoming more the norm, not less. Less recycling and more single-use plastics production are impacting our ecosystems and human health. (10) (11) (12)

We urge the following for mitigating inorganic waste:

- Create significant incentives for the adoption of reuse and refill systems, which must be prioritized over recycling.
- Recycling programs, while critical to a sustainable future, must be viewed as secondary to reuse and refill systems. Simply put, we must engender less waste that would require recycling.
- A waste reduction requirement of 50% over a ten-year period is proportionate to the looming health crisis and contribution to a changing climate that plastics production in particular is engendering. Packaging companies will achieve these reductions through reuse and refill systems and by eliminating unnecessary packaging components. These specific rates and dates must be included in the EPR law, not set after the legislation has passed as industry would have it.
- The expedited construction of refillable infrastructure must be a priority. We need policies that require appropriate types of food to be provided in bulk, widespread development of bulk food dispensaries, and development of facilities designed to wash and redistribute refillable containers (e.g., bottle washing facilities). Small business owners who want to open bottle washing facilities should be given incentives and financial support. Such businesses would contract with larger packaging corporations to collect and redistribute clean bottles to these corporations.
- After packaging is reduced by 50% over a decade, 90% of the remaining packaging should come from post-consumer recycled materials, materials that are truly recyclable (such as paper, cardboard, and aluminum), or fully compostable materials. Clear minimum rates for post-consumer recycled content and recycling are necessary to ramp up the beleaguered recycling

industry. These rates and dates must be included in the law, not set after the legislation is enacted.

- Expanding the bottle law to include a larger variety of bottles and increasing the deposit from five cents to ten cents would significantly improve recycling rates, even as it would allow canners who collect these bottles off streets to earn more of the money they need to live. Toward this end, we support Assembly Bill A10184, introduced on May 5, 2022 by Assemblymember Steven Englebright and Senate Bill S9164 introduced by Senator Rachel May.

- The term “chemical recycling” is merely a euphemism for burning plastic and only ensnarls us in our throw away, single-use culture that is poisoning us even as it is exacerbating the climate crisis. Chemical recycling is a farce and should be squarely rejected by the CAC. (12) (13)

Chemical recycling technologies are highly polluting; they burn plastics, often producing fuels, which is inconsistent with CLCPA goals. These technologies are marked with failure and waste, with only eight of 37 proposed facilities since 2000 currently operating and none of these making new plastic. (14)

- New York Assembly Bill A1018518, introduced by Assembly Environmental Conservation Committee Chair Steven Englebright is an effective EPR bill that will legislate the targets outlined above. We urge the CAC to endorse this timely bill.

Businesses have no business setting their own voluntary targets that history proves they will never meet. Been there. Done that.

Instead, NYS must set eco-modulated fees. Industries must be rewarded financially and in the realm of public opinion for complying with waste and toxins reduction measures that are legislated by our representatives in government, and producers must be fined heavily for failing to meet the specific targets NYS sets for them.

Let us move confidently toward a waste-free world where NYS leads that way!

For a Green New York,

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Resources:

1. <https://oxford.universitypressscholarship.com/view/10.1093/acprof:oso/9780199575923.001.0001/acprof-9780199575923-chapter-4?gclid=CjwKCAjwqauVBhBGEiwAXOepka8pNv6dSf8ZD2rSmi0hrPcXQcmnYBCdDuw8aae1Zp1vRRh65 JpIBoCXAYQAvD BwE>
2. <https://www.environment.nsw.gov.au/topics/land-and-soil/soil-degradation/soil-biodiversity>
3. [World Refill Day - Refill - Join the Refill Revolution](#)
4. [The Coca-Cola Company and PepsiCo named top plastic polluters for the fourth year in a row | Break Free From Plastic](#)
5. [Microplastics in the soil environment: A critical review - ScienceDirect](#)
6. [Plastic's Toxic Additives | IPEN](#)
7. [Welcome to “Cancer Alley,” Where Toxic Air Is About to Get Worse — ProPublica](#)
8. U.S. plastic recycling rate drops to close to 5% - report | Reuters
9. <https://www.beyondplastics.org/plastics-and-climate>
10. THE WHY Frontpage: [Watch 'Coca-Cola's Plastic Promises' by \(thewhy.dk\)](#) Coca-Cola's Plastic Promises
11. THE WHY Frontpage: [Watch 'The Recycling Myth' by \(thewhy.dk\)](#) The Recycling Myth
12. THE WHY Frontpage: [Watch 'We The Guinea Pigs' by \(thewhy.dk\)](#) We the Guinea Pigs
13. [How Amazon, American Airlines and Subaru burn waste to make energy \(cnbc.com\)](#)
14. Patel D, Moon D, Tangri N and Wilson M (2020) All Talk and No Recycling: An **Investigation** of the U.S. “Chemical Recycling” Industry. Global Alliance for Incinerator Alternatives. 40p; NRDC2022 RECYCLING LIES: “Chemical Recycling” of Plastic is Just Greenwashing Incineration. Washington DC: NRDC. Report No.: IB: 22-02-A.