



2022: Advancing Product Stewardship in New York State

A major transition in materials management is underway in New York that holds manufacturers responsible for the end-of-life management of their products – particularly goods that are difficult to recycle or properly dispose of because they are bulky, potentially toxic or otherwise challenging for local solid waste managers.

This Product Stewardship approach is led by the New York Product Stewardship Council (NYPSC) and made possible by generous financial support and sustained collaboration from the NYS Association for Reduction, Reuse, and Recycling (NYSAR³), the NYS Chapter of SWANA; New York City Department of Sanitation; the Federation of NY Solid Waste Associations; Covanta Energy Corporation, and Sims Municipal Recycling, among others. NYPSC works closely with these organizations and with the Product Stewardship Institute (PSI), municipalities, and other partners to achieve its objectives.

Results: manufacturers of consumer electronics, rechargeable batteries, pharmaceuticals, paint and mercury thermostats have recently been brought into this innovative approach in NYS, with the groundwork laid for other products in the futures, including carpeting, mattresses, packaging and batteries.

2022 UPDATE

- Governor Hochul included Extended Producer Responsibility for **consumer packaging and paper products** in her Fiscal Year 2023 budget proposal. The Senate included a similar proposal in their budget. Unfortunately, the Assembly did not include this policy in their budget proposal. **NYPSC created a municipal toolkit** to provide municipalities information on how to support the Governor’s proposal which can be found at nypsc.org.
- In December of 2019, then Governor Cuomo signed the **Postconsumer Paint Collection Program** into law. Implementation of this law was delayed due to the pandemic but is expected to begin May 1, 2022.
- On June 15, Niagara County became the nation’s first local government to pass a **law requiring producers of solar panels** sold in the county to finance and manage the collection, reuse, and recycling of those panels when they are removed from service.
- The NYS Senate and Assembly are considering “same as” bills (S.5027B and A.9279, respectively) that would create a **manufacturer funded carpet collection and recycling program**. In addition to keeping carpet out of landfills, this bill will phase out PFAS chemicals in new carpet production.
- In February 2022, the NYS Department of Environmental Conservation adopted **regulations for the Electronic Equipment Recycling and Reuse Act**. These regulations include many of NYPSC’s recommendations including a strengthened convenience standard and a requirement for manufacturers to provide continuous collection at no cost to municipalities or consumers.
- NYPSC is also following closely the challenges with **e-mobility batteries and e-cigarettes** which are not currently covered under the NYS Rechargeable Battery Law. The NYPSC is hoping to see amendments to this legislation which will cover these dangerous products.
- After passing in 2018, the **Pharmaceutical Take Back Act** is expected to begin in 2022. The NYPSC and partnering environmental groups fought hard for this important policy and are anxious for its launch!

Objectives & Actions

NYPSC works to implement the principles of product stewardship by:

- Developing and recommending workable product stewardship policies and 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.