The undersigned businesses and organizations are supporting the "Affordable Waste Reduction Act," S.5062 (Martinez)/A.6191 (Jackson). Modeled on recently adopted Minnesota legislation, and informed by programs adopted in other states, it creates a more workable approach to increasing the recovery and reuse of post-consumer packaging and paper products, reducing, and decreasing the disposal of such materials, resulting in significant environmental and waste management benefits to New York State.

The entities supporting this legislation include those from across New York State and the United States, and include producers of regulated products and packaging, produce plastic, metal and other feedstocks; sell products at retail and on-line; collect and manage wastes; process and reuse post-consumer material – in short, we represent businesses engaged in virtually every activity that would be impacted by this legislation.

Importantly, this legislation reflects key policy objectives that should guide the development of any new expanded producer responsibility (EPR) law. It focuses on diverting post-consumer materials from disposal and into productive reuse, it promotes product designs that reduces material use and wastes and facilitates reuse, and it applies a material- and technology-neutral approach to EPR which will promote innovation in product design and material processing.

Equally important, the bill provides packaging and paper producers a central role in setting up a "producer responsibility organization" (PRO) to help develop and then implement the program, and requires producers to develop recycling, recovery, reuse and reduction targets based on real world experiences – including those coming from the handful of other states' that have already adopted EPR laws and are ahead of New York in the EPR implementation process.

The bill also avoids major problems with other EPR proposals in New York State, which focus more on material bans, unrealistic material reduction mandates and the disregard of new material management technologies.

Also, at a time when "affordability" is a major focus of lawmakers, we believe the EPR program to be established under S.5062/A.6191will minimize costs and inconveniences imposed on consumers. It will also result in the shift of significant share of municipal waste management costs onto the PRO set up and funded by producers, reducing direct costs on consumers. At the same time, it will maintain a small, ongoing financial commitment by municipal and private sector waste haulers and processers and will require waste management "service providers" who receive PRO reimbursement to meet performance standards established in a state-approved EPR stewardship plan – measures to help ensure an effective and cost-effective program. Even so, under this bill, 90 percent of the cost of managing post-consumer waste will be borne by the PRO, not households.

It is essential that the affected business have a major role in the EPR program design. But under this legislation, the PRO will have significant input from stakeholders. Importantly, this legislation requires an active role of a diverse advisory committee. Further, all components of the PRO's stewardship plan – including recovery, recycling, reuse, reduction and composting targets – are subject to public review and comment and to final approval by the Department of Environmental Conservation. In this respect, S.5062/A.6191 follows the approach set forth in statute that created other product specific producer responsibility laws in New York, including but not limited to e-waste, paint, car tires and batteries, among others. Under this legislation, the DEC will establish lists that identify categories of material that are considered recyclable and compostable, for which the PRO stewardship plan must provide collection and management services.

The PRO's stewardship plan will also be informed by - and be required to reflect the findings and recommendations of - a detailed recycling and material management needs assessment mandated by the bill. In fact, this process is already underway through a data assessment and collection process being financed separately by the DEC.

Other key features of the bill include: a definition of "producer" that has been informed by successive negotiations in other states that will place compliance obligations on entities best situated to assure compliance; a workable timetable for the development, review and implementation of this new EPR program that will capture the products of thousands of businesses; and requirements that the PRO help producers achieve material use reduction and the reduction of intentionally added hazardous materials in regulated products.

The creation of a statewide producer responsibility program covering the thousands of packaging and paper products purchased and used by everyday by New Yorkers will be complex undertaking, It will impose new costs on the producers of packaging and paper product producers, who will be required to redesign products and production facilities, invest in local material collection and processing equipment, and expand their capacity to introduce greater amounts of post-consumer materials into new products.

Therefore, it is essential that New York ensure that any such program is carefully designed to set realistic targets, avoids significant direct or indirect cost increases on consumers, and avoids significant restrictions on products used and enjoyed by New Yorkers.

We believe that S.5062/A.6191 would effectively addresses these concerns, and would result in a workable, affordable EPR program that advances key state environmental goals.

For these reasons, these organizations support approval of S.5062/A.6191.

(Signatories as of February 25, 2026, we will be updating this memo as we add additional supporters of S.5062/A.6191.)

Ag Container Recycling Council
Alliance for Automotive Innovation
American Beverage Association
American Chemistry Council, Northeast
American Cleaning Institute
American Apparel & Footwear Association
AMERIPEN
Amsty
Association of Home Appliance Manufacturers
Association of Non-Woven Fabrics Industry
Biodegradable Products Institute
Braskem
Business Council of New York State
Business Council of Westchester
Can Manufacturers Association
Capitol Region Chamber of Commerce
Carton Council of North America
CenterState CEO
Consumer Brands Association
CropLife
Flexible Packaging Association
Ingevity Corporation
International Bottled Water Association
International Sleep Products Association

Long Island Association
McDonald's Corporation
National Marine Manufacturers Association
New York Construction Materials Association
New York State Economic Development Council
PLASTICS Industry
Print & Graphic Communications Association
Responsible Industry for a Sound Environment (Rise) Rochester Technology and Manufacturing Association SABIC
Styrene Information and Research Center
Toy Association
Vinyl Institute
Wells Enterprises, Inc.
Western Plastics Association

For additional information, please feel free to contact Ken Pokalsky at The Business Council of New York State, 518-694-4460 or ken.pokalsky@bcnys.org.