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Department of Environmental Conservation
Commissioner
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The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Re: Extend the Public Comment Period on the Department of Environmental Conservation's Draft Solid Waste Management Plan

In the interest of providing adequate public participation on a major statewide policy document, the undersigned organizations and businesses write to strongly request the deadline for public comments on the Department of Environmental Conservation's (DEC) Draft Solid Waste Management Plan be extended by an additional 60 days from June 14th to August 14, 2023.

While we appreciate that the DEC has already extended the comment deadline for its ten year plan, we believe that more time for public participation is essential. The state's solid waste crisis continues to grow as many landfills are reaching capacity, municipalities are burdened with recycling costs, and plastics and other garbage pollution increasingly pose health and environmental threats. However, the State now has a plan of action with the Climate Action Council's Scoping Plan solid waste section that includes major recommendations and specific 2030 and 2050 visions.

The Scoping Plan recommends significant increased solid waste diversion from landfills as well as emissions monitoring and leak reduction from landfills, wastewater treatment plants, and other sites to achieve the required 2030 GHG emission reductions. The Scoping Plan calls for an even more "dramatic shift in the way waste is managed" by 2050; that landfills only be used sparingly for specific waste streams; that reduction and recycling are robust and ubiquitous; and that the circular economy approach for materials management is fully implemented and embraced.¹ It will take time to fully review, analyze and provide comments to the agency to ensure the DEC Plan includes all the necessary actions to achieve the Scoping Plan's 2030 and 2050 goals.

It has been over a decade since the DEC's last ten year plan. Since then, we have passed many major thresholds. For one, a January 2022 international report found the world is beyond the toxic tipping point. This scientific study, published in the journal *Environmental Science & Technology*, found that "the total mass of plastics now exceeds the total mass of all living mammals," a clear indication that we've crossed a boundary.² Secondly, plastic production is highly polluting. Over 99% of plastics are sourced from fossil fuels; the most common source in the United States is fossil gas. The solid waste industry accounts for an estimated 12% of the state's greenhouse gas emissions. Thirdly, plastic production is showing no signs of slowing down. Since 1950, there has been a fifty-fold increase in plastic production. This number is expected to triple by 2050³ while microplastics are already being found in human blood and breastmilk, and PFAS are reported to be increasingly more present in samples of rainwater.

¹ New York State Climate Action Council, Scoping Plan Full Report December 2022, page 319,

<https://climate.ny.gov/-/media/project/climate/files/NYS-Climate-Action-Council-Final-Scoping-Plan-2022.pdf>.

²*Environmental Science and Technology*, "Outside the Safe Operating Space of the Planetary Boundary for Novel Entities," January 18, 2022, <https://doi.org/10.1021/acs.est.1c04158>.

³ Carrington, Damien, "Chemical pollution has passed safe limit for humanity, say scientists," *The Guardian*, January 18, 2022, <https://www.theguardian.com/environment/2022/jan/18/chemical-pollution-has-passed-safe-limit-for-humanity-say-scientists>.

Crucially, half of the state's waste stream is managed in communities of color. In New York City, ninety percent of waste is handled in disadvantaged communities of color.⁴ Many of these communities are also coastline communities, presenting unique challenges to the state's approach. It is essential that the state seek as much engagement with these communities as possible.

With so much at stake, it is critical that New York get its ten year waste management plan right. The current timeline is inadequate for the public to review the draft plan and compare it with the CAC Scoping Plan, and develop and submit testimony. The DEC held only one online informational session for the public. The Draft Solid Waste Management Plan calls for thirty-three pieces of legislation that are included in the state's Climate Leadership and Community Protection Act. With the 2023 legislative session concluding so close to the current comment deadline, there is not enough time to integrate feedback on legislation that's passed during session, such as the Bigger Better Bottle Bill (May/Glick) and the Packaging Reduction and Recycling Act (Harckham/Glick). New Yorkers should be able to provide comments after they have a lay of the land with regards to solid waste legislation at the state level.

In order for New York to adequately address recycling policy and producer responsibility, fight climate change, and combat our waste crisis, it is essential that the deadline for public participation be extended by sixty days. We urge the DEC to support this important public participation measure requested by 107 organizations and businesses and extend the public comment deadline to August 14th, 2023. Thank you.

Sincerely,

⁴J.D. Allen, "State asks New Yorkers to consider waste as 'a concept of the past'." WSHU, April 12, 2023.

350 Brooklyn
350NYC
Abbott Bottle Return
Advocates for Cherry Valley
Albion Redemption Center
All Our Energy
Alliance for a Green Economy
APCO
Astoria Beer Depot
Bag O' Nickels Redemption Center
Beyond Plastics
Beyond Plastics Sullivan County NY
Bottle Depot
BPCA-NYS, Inc
Brookhaven Landfill Action and Remediation Group
Campaign for Renewable Energy
Can & Bottle Return
Capital Region Interfaith Creation Care Coalition
Church Women United in New York State
Civics United for Railroad Environmental Solutions, Inc
Clean Air Action Network of Glens Falls (NY)
Clean Air Coalition of Greater Ravena-Coeymans
Concerned Citizens of Allegany County
Concerned Citizens of Wyandanch Civic Association Inc.
Delaware-Otsego Audubon Society
Don't Trash The Catskills
Earth & Me
El Puente
Elramida Holdings inc
Environmental Task Force
Exchange Redemption Inc
Fifth Avenue Committee
Global Alliance for Incinerator Alternatives (GAIA)
Grassroots Environmental Education
Green Ossining
Green World 168 LLC
Indivisible Mohawk Valley
Inwood Indivisible
Jewish Climate Action Network NYC
Just Zero
Justice & Peace Ministry of Catholic Charities Tompkins/Tioga
Law Office of Gary A. Abraham
League of Women Voters of New York State
Liberty Beer Depot

Long Island Progressive Coalition
Lower East Side Ecology Center
Mega Beverage Redemption Center Inc
MT Returnables
Nassau Hiking & Outdoor Club
National Resource Defense Council
Neighborhood Redemption Center
Network for a Sustainable Tomorrow
Nickleback Bottle Return
North American Climate, Conservation and Environment((NACCE)
North Country Peace Group
Northern Catskills Audubon Society
Northern Watersheds Committee
Nuclear Information and Resource Service
NY Institute of Home Performance
NY Water Action
NYC H2O
Onondaga Audubon
Partners in Nutrition, LLC
Peckham Action Group of KeepItGreene
People for a Healthy Environment
Peoples Climate Movement - NY
Queens Climate Project
Quick Easy Bottle Returns inc
Ravena-Coeymans-Selkirk Teachers Association
Recycle For Education
RecycleTek
Reloop
Renee Parker Camden Cans & Bottle Return
Rockaway Beverage
Roctricity LLC
Roseadon Enterprises, Inc.
Rt 196 Bottle Return
S.A.V.E.
Safe Energy Rights Group
SASD
Seneca Lake Guardian
Sierra Club Atlantic Chapter
Sisters of St.Dominic of Blauvelt, NY
SoHo Alliance
Solarize Albany
South Beach Civic Association
South Country Peace Group
South Shore Audubon Society
Surfrider Foundation Eastern Long Island Chapter
Syracuse Cultural Workers
The Climate Reality Project, Western New York Chapter
The Crypto Water Inc.

The Environmental Recycling of NY
Tompkins County Climate Protection Initiative
United For Clean Energy
Upper Green Side
UUCGG Social Action Committee
Waste Not Want Not
WE ACT for Environmental Justice
Wellsville Redemption Center / Arc
Allegany-Steuben

Westchester Alliance for Sustainable Solutions
(WASS)
Western New York Drilling Defense
Western New York Environmental Alliance
Zero Waste Capital District
Zero Waste Ithaca
Zero Waste USA