Proposal for Concurrence to Update the LWVNYS Position on Waste at the 2023 NY State Convention
Additional Materials

The LWV of Albany, Rensselaer, Saratoga, and Schenectady Counties (i.e., Four-League) respectfully ask you to support the board recommended concurrence at the state Convention in June 2023. The full position for concurrence is below with the change made for the name of the League in red font, if it passes.

Background:
Members of the LWV from the Albany, Rensselaer, Saratoga, and Schenectady Counties worked together in 2021-2022 to develop an updated Position on Waste. In 1991, the original position was written and focused on Solid Waste. The team evaluated the 1991 paper and decided to expand the focus to include greenhouse gases as waste, address ways to reduce the generation of waste, and to specifically address Environmental Justice.

Members drafted this Position on Waste so that local Leagues could educate their communities on best waste management practices and League members could advocate for/against proposed waste legislation at the local level. Our goal here is to expand this to the State level.

Rationale:
This proposed Four-League Position on Waste concurrence is in line with the June 2023-2024 LWVUS and 2022 LWVNYS Impact on Issues. In 2022, the LWVUS declared and supported a Climate Emergency and asked for local Climate Action Plans to step up the pace to move our communities in the right direction. It is also in line with the NYS Climate Leadership and Community Protection Act (Climate Act) which was signed into law in 2019.

At its June 2021 Biennial State Convention, the LWVNYS's members unanimously adopted a resolution declaring climate change an emergency and advising the League's 46 local chapters to implore state and local governments to adopt and publicize Declarations of Climate Emergency. Declarations of Climate Emergency acknowledge that humanity is in a climate emergency and encourage state and local governments to declare climate change an emergency and take action. Local, regional, and state efforts are needed to step up the pace. Local governments have an important responsibility to move our communities in the right direction. According to the Climate Emergency Declaration, the goal is to compel governments, at the local level and beyond, to adopt an emergency response to climate change.

Our Four-League Position on Waste addresses many specific waste and climate change issues in support of this declaration.

Partial List of League Support
LWVNY Albany LWVNYC
LWVNY Cortland LWV Rye, Rye Brook and Port Chester
LWVNY Rensselaer
LWVNY Saratoga
LWVNY Schenectady

Position in Full:

Members of the League of Women Voters of NYS agree that effective policies concerning waste are integral to ensuring the clean water, clean air and healthful environment guaranteed in the Environmental Rights Amendment to the New York State Constitution. We also agree that we're embedded in an ecosystem, and that the land, water, air, energy, waste, and biota in our ecosystem are dynamically interrelated. We agree that the concept of waste includes greenhouse gases, that waste management practices can themselves emit these gases, and that we urgently need to reduce the production of these gases in society and in waste management in order to preserve and restore the world's climate.

We agree that human health and safety, the wellbeing of wildlife, the preservation and restoration of habitat, and the conservation of primary materials such as timber, minerals, ores, and energy are deeply affected by our practices concerning waste. To protect these resources, the League supports policies that promote: the reduction of waste, the reuse of products and materials over disposal, and the responsible management of waste that can't be reused. We agree that our ultimate goal is a circular economy with zero waste.

The League supports, first, the following policies aimed at minimizing the production of waste:

1. **Products and buildings designed to accommodate deconstruction and reuse of component parts;**
2. **The use of durable materials and designs that prioritize longevity in product manufacturing and construction;**
3. **Support for repair, rather than disposal, of products;**
4. **Reduction of single-use plastics and items that cannot be recycled, and promotion of reusable packaging for products;**
5. **Limitation of greenhouse gas emissions and processes that produce them, such as the burning of fossil fuels, excessive fertilizer use, disposal of items containing refrigerants in a way that causes those refrigerants to leak, reliance on landfills for organic waste disposal; and**
6. **Regular monitoring of sources of potential greenhouse gas leaks and speedy fixes of leaks in lines carrying greenhouse gases (such as methane and refrigerants), and reduction of fugitive emissions from solid waste landfills, wastewater treatment plants, and appliances.**

We also support the following policies aimed at facilitating the transfer of discarded items and components to entities that can use them:

1. **The development and strengthening of easy-to-participate-in civic infrastructures**

for:

   a. **Recycling items to extract useful material for reuse in new products; and**
   b. **Collecting, processing, and transferring reusable items to new owners, including excess edible food from restaurants, grocers, and farms to groups addressing food insecurity; and**

2. **The expansion of community-based operations and facilities (e.g., composting, anaerobic digestion, and biochar pyrolysis) that enable communities to create useful products out of non-toxic organic waste, and the diversion of non-toxic organic waste from landfills (where it can produce fugitive methane emissions), towards beneficial use through these processes.**

For items that cannot be reused or redistributed, the League supports waste management policies that promote:

1. **An end to the processing of hazardous waste in ways that can spread its toxicity, including the use of incineration for waste that contains toxins;**
2. **Careful recovery, processing, and safe disposal of hazardous materials in the waste stream, including in biosolids and digestate byproducts of sewage treatment and biodigesters, and at concentrated animal feeding operations (CAFOs);**
3. **Careful capture and safe disposal of greenhouse gases, including refrigerants from products at time of disposal, and methane and nitrous oxide from large producers, including industrial sites, landfills, and CAFOs;**
4. **Corporate responsibility with public oversight for the end-of-life processing of products and packaging, including all related costs;**
5. **Limited miles of waste transport from its source to where it is processed and stored, with communities encouraged to take responsibility for their waste by, as much as possible, locating needed facilities within their boundaries;**
6. **Collaboration among communities in the siting of regional high-tech waste management facilities as needed to support reuse and recycling;**
7. **Environmental Justice in the siting of waste facilities and provision of services; and**
8. **Easy resident access to legal and responsible waste disposal methods.**

To reinforce these efforts, we also support:

1. **Green procurement policies that boost the market for products made with recycled, recyclable, and non-toxic de-constructable content;**
2. **The expansion of opportunities to purchase items with either reusable, returnable, or purchaser-provided packaging;**
3. **Adequate monitoring and enforcement of waste regulations;**
4. **A rapid transition away from fossil fuels to renewables, and away from high global warming potential (GWP) refrigerant gases to low GWP refrigerant gases;**
5. **The transformation of wastewater treatment plants from simply waste processing centers to facilities that emphasize the capturing of beneficial**

products (e.g., biogas) while ensuring removal of hazardous waste before returning to the environment;

6. **Reduction in the use of CAFOs and promotion of more sustainable farming methods;**
7. **Opposition to corporate secrecy about the toxicity of their products and processes; and**
8. **The embedding of sustainability principles into public information campaigns, school curricula and licensure certification programs.**

The League supports direct involvement of citizens and local governments at all stages of planning, development, operation, and monitoring of waste management plans and projects. The consumer should be educated to exercise care in purchasing, to demand quality products, to participate in reuse policies, to recycle, and to resist throw-away cultural practices. Standards for operation of these facilities should be established and enforced by the public sector, whether actual operations are conducted by private or public entities.

Pro/Con on Position on Waste

PRO

- The Four-League Position on Waste supplies specific advocacy information to support the goals of the State's Climate Leadership & Community Protection Act Scoping Plan encouraging people to advocate for laws that need to be passed to reach these goals.
- LWVUS has already signed on to a letter endorsing many of these points and calling for action to address them at the federal level. They also recommend development of local action plans to step up the pace to move our communities in the right direction. We need policies for the state and local level.
- The detailed objectives of this Waste Position are easy to understand and its format supports advocacy at the local level for specific environmental concerns.
- This position provides details in support of direct involvement of citizens and local governments at all stages of planning, development, operation, and monitoring of waste management plans and projects.
- This position supports the Environmental Rights Amendment to the New York State Constitution.

CON

- This Position contains a level of detail that may make it necessary to make future revisions

Appendix

Sample Programs and Policies Consistent with the Position:

Design for Deconstruction or Disassembly (DfD) – A movement devoted to reworking building and product design to maximize the usability of components at end of life. Pilot projects supported by the EPA: Fact Sheets on Designing for the Disassembly and Deconstruction of Buildings | US EPA

Reduction of refrigerant emissions: Recycling drives for appliances with refrigerants – Hudson Valley's Sustainable Warwick's drive is an example – can be used to collect appliances, safely draw refrigerants from them, and then send the refrigerants and other components of the appliance to reclamation centers to recycle and reuse.

Diversion of organic waste from landfills: Municipalities offering free or discounted compost bins for residents; Curb-side food-scrap pick-up programs by municipalities or private businesses; Excess food distribution programs.

Reduction of methane leaks from utility infrastructure: Visual depiction of sources of methane leaks, like those created by Massachusetts-based Home Energy Efficiency Team (HEET) of leaks in the MA utility network, raise awareness of and drive momentum to get leaking infrastructure fixed.

Sustainability Tracking and Roadmap Tool (START) – a sustainability tracking and benchmarking tool that helps K-12 Schools zero out their carbon footprint and incorporate sustainability into their curriculum.

Sample legislation addressing reduction in waste:

- NYS's Digital Fair Repair Act (S4104-A/A7006-B) passed in 2022 allows repair of digital equipment. Colorado passed a similar bill in 2022 allowing repair of wheelchairs. Many more items need to be added to the "right to repair" umbrella, including farm equipment.
- Extended Producer Responsibility legislation (multiple versions) and Bottle Bill legislation (S237/A6353), currently under consideration in the NYS Legislature and supported by the LWVNY, will lead to a reduction in single-use plastics and packaging.
- The All Electric Building Act (S562A/A920A) and the NY Home Energy Affordable Transition (HEAT) Act (S2016/A4592), among many related bills currently under consideration in the NYS Legislature, would address building-based greenhouse gas emissions.

Frequently Asked Questions:

1. *What do you mean by "fugitive emissions from appliances"?*

"Fugitive emissions from appliances" can come from leaky pipe fittings, and also, at the end of their lives, from removing them and disposing of them without proper procedures in place for capturing refrigerant gases in them. This article provides more context: https://en.m.wikipedia.org/wiki/Fugitive_emission

2. *What do you mean by "civic infrastructure"?*

By "civic infrastructure," we mean the set of processes or opportunities available in a community to support sustainability. An example is establishment of ways to dispose of food waste in such a way that it doesn't just get landfilled. Some communities have established composting services.

Some even provide curbside separate pickup of food scraps. Another example is the establishment of centers for recycling and reusing items. Finger Lakes ReUse (ithacareuse.org) is a good example.

3. *What do you mean by "safe disposal of hazardous materials"?*

We don't have anything specific in mind, but DEC has processes in place for hazardous waste disposal, and they're currently working on an update to that process. The current update will be directed at generators of large amounts of waste, but it is also important to provide avenues for regular households to dispose of items that we newly understand pose risks to the environment if not properly recycled – such as cans of refrigerants used to top off automobile air conditioning units, cans of fluorinated gas-based drain decloggers, and unspent rescue inhalers.

4. *In your discussion of the siting of waste facilities, what is our Plan B if a region lacks space within boundaries?*

The lack of a plan B is the dynamic behind environmental racism. Achieving other stated goals, like a zero waste circular economy, will help reduce the amount of waste that needs to be processed and accumulated.

5. *What are examples of easy resident access to legal and safe waste disposal processes?*

Examples include systems for HVAC contractors to dispose of collected refrigerant gases from discarded HVAC equipment without having to pay disposal fees (illegal venting is difficult to spot, but the incentive to do so is great the more cumbersome the process is for disposing of captured gases). Another example: establishment of a system (possibly supported by Extended Producer Responsibility) for collecting and capturing gases from things like asthma rescue inhalers.

References:

We Need Local Climate Action Plans | League of Women Voters (lwv.org)
Impact On Issues 2022 – 2024 | League of Women Voters (lwv.org)
Impact on Issues | League of Women Voters NYS (lwvny.org)
Climate Emergency and Greenhouse Gas Emissions in NYS | LWVNYS
LWVNYS League of Women Voters Climate Emergency Resolution
ELECTION LAW (lwvny.org)