



October 23, 2023

The Honorable Pete Harckham  
The Honorable Deborah Glick  
Senate & Assembly Committees on Environmental Conservation  
Roosevelt Hearing Room C  
Legislative Office, 2<sup>nd</sup> Floor  
Albany, NY 12210

**Testimony for the Joint Hearing on Solutions to Increase Effectiveness of the Bottle Bill**

Dear Chair Harckham, Chair Glick, and Members of the Senate and Assembly Environmental Conservation Committees,

On behalf of the Glass Packaging Institute (GPI), I am pleased to provide our perspective and testimony on solutions to increase the effectiveness of the Bottle Bill in New York.

GPI is supportive of expanding the state's bottle bill to capture all beverage containers, especially as serious consideration is being given to establishing a packaging-focused Extended Producer Responsibility (EPR) program. We believe these two programs can work effectively together, increasing recovery and recycling rates for all materials, reducing contamination of different commodity material streams, and supporting interest in and furthering development of reuse and refill programs.

While the hearing is not directly asking for a review of any specific legislative proposal, we do want to note that we did support the amendments made in S.237(A/B) (May) as it relates to expansion of the current program in New York. That said, there are several other concepts that should be explored to increase the effectiveness of the Bottle Bill. The glass industry has been working with stakeholders in several states to modernize deposit return systems, and for New York, we would highlight the following principles:

- Invest in the program to improve the ease and convenience of redemption
- Include coverage for the broadest array of beverages
- Allow for streamlined private-sector cooperative management to improve efficiency
- And, uniquely for glass, deposit return is a key foundation to a refill/reuse system

**Most importantly, it is critical to focus on the quality of the commodity material. The quality of the glass recovered through the deposit return (bottle bill) program is always much higher than any glass recovered through the curbside commingled recycling system, even when there is a dual-stream system in place in municipalities such as NYC.**

*Bottle deposit programs always have lower contamination and higher yields of glass compared to curbside systems.*

## **Glass Container Manufacturing & Glass Recycling in New York**

GPI is the North American trade association for the glass food and beverage manufacturing companies, glass recycling processors, raw material providers, and other supply chain partners within the industry.

New York is home to two glass container manufacturing plants, O-I Glass in Auburn and Anchor Glass in Elmira. Collectively, these plants produce several million bottles every day, many destined for local and regional customer end markets. Supporting the production of these glass bottles are glass recycling facilities in Farmington, Horseheads, and Jamaica, Queens. This is in addition to hundreds of bottle redemption machines and facilities throughout the state, where consumers redeem covered containers for eventual use in the production of new bottles and jars.

Glass is a core circular packaging material—non-toxic, reusable, refillable, and endlessly recyclable. The glass container manufacturing industry has a significant stake in the effectiveness of glass recycling programs. Recycled glass is a key component of the manufacturing process. The U.S. industry purchases about 2.3 million tons of recycled glass each year and the average bottle or jar contains 1/3 recycled glass. For every 10% of recycled glass added to the batch mix, energy usage can be reduced 2-3%, with additional corresponding reductions in greenhouse gas emissions. When you add the benefit of what is a better than 1-to-1 offset of raw materials saved by using recycled glass to make new containers, it is clear that using recycled glass has significant benefits to the environment of the region and should be prioritized.

The glass recycling processing facilities located in New York are built to handle the lower contamination levels of deposit return streams. This is a key reason we recommend expansion of beverages covered under the current bottle bill program—to take advantage of existing in-state processing capacity of cleaner streams. Although the Sims facility that handles New York City dual-stream material can handle its level of contamination and bring the useable glass all the way up to the level of furnace-quality (spec) recycled glass, the more highly contaminated curbside glass streams need to be processed in neighboring states. This is why GPI, as well as many other package industry stakeholders, believe that a bottle bill expansion works best in concert with a packaging EPR program. All curbside materials are more efficiently processed and have higher yields when most glass is collected through a bottle bill and the EPR program is primarily focused on plastics and fiber.

Quality and contamination are key differentiators to the value and potential end-markets for recycled glass. We estimate that nearly 60 percent of the recycled glass that makes it back to a container plant for reuse in new glass container production originates

from the ten bottle bills states, which provide the highest volume of clean, source-separated glass. This separation drastically reduces contamination, increases yield and the value of the material, and provides the best opportunity to return the glass to a manufactured product. The glass that is not recovered in this country is either not being collected for recycling or is passively (or purposely, depending on contractual agreements) lost to landfills and high levels of unaddressed single-stream contamination.

### **Improving New York’s Bottle Bill (Deposit Return System)**

New York’s bottle bill program has lower container recovery rates than other bottle bill states, but that is primarily due to the limited set of beverages currently covered in the system. Innovation in beverage product variety is increasing, and from a packaging perspective, it does not matter what kind of beverage is in the bottle. We believe that it is better to not limit the scope of the system based on what product is in the container.

In addition, we suggest consideration of the ideas below to improve efficiency and increase access and convenience for consumers wishing to redeem their containers—be it a glass bottle or other beverage package:

- **Redemption Convenience and Innovation:** In reviewing New York’s underlying bottle bill statute, there are geographic restrictions on where redemption centers or mobile redemption centers can operate (within ½ or ¼ mile of dealers that sell product under deposit). In some parts of the state that may be warranted for competitiveness reasons, but in more dense urban areas it may limit convenience. Rather than try to prescriptively legislate solutions, we advocate for the state to ***allow a non-profit cooperative beverage responsibility organization to be formed*** to manage the program in areas with low redemption or limited infrastructure. The reality of differential needs in certain geographic regions is already acknowledged in statute, especially in more populated parts of the state. This organization would be empowered to innovate and manage a multi-layered redemption system in the city using a combination of reverse vending machines (RVMs), redemption centers, bag drop<sup>1</sup> programs, mobile collection pilots, and/or scheduled neighborhood pop-up redemption opportunities to meet redemption goals.

The new “responsibility organization” would be along the lines of the cooperative distributor model in Oregon, but not necessarily limited to beverage distributors. This model was also added in recent amendments to the California bottle bill expansion in SB 1013 last year. California expanded the program to include wine and spirits, revised dealer obligations, and established a dealer cooperative to manage

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<sup>1</sup> Bag-drop programs in Oregon (OBRC BottleDrop) <https://bottledrop.com/green-bag-drop-options/> or Maine (Clynk) <https://www.clynk.com/how-it-works/> use barcodes affixed to bags dropped in retail parking lots and other locations to credit depositor accounts (within a prescribed time period) after sorting and counting at a centralized facility.

the retail side of redemption responsibilities in areas of low redemption. The New York organization could have an advisory board and report into the state agency but would be allowed to innovate and test redemption methods that may work more effectively in densely populated areas like New York City.

- **Revise use of unredeemed deposits:** When the unredeemed deposits are used to support other governmental general fund programs, as is the case in New York, it creates a budget disincentive to improve the system. The deposit program **needs financial support to evolve and innovate.** Investment is needed to improve program convenience. Funds in the Beverage Container Assistance program in Section 27-1018 of the existing code, or new changes to the use of unredeemed deposits, could be used for expansion of staffing, redemption infrastructure, education, and to support any infrastructure needs if the state promotes refillable containers.
- **Refill and Reuse:** Another key benefit of the deposit return system is its potential to serve as a foundation in building a reuse/refill circular packaging program for the state. This is a stated goal of many EPR packaging advocates, and another reason the two systems can and should work together. A deposit return system can better handle and sort refillable bottles and assist in gathering and redeployment of containers to be washed and distributed to participating beverage producers for refill. The state will likely need to help with investment in washing infrastructure, but the environmental benefit is proven when the bottle recovery rate is high. Deposit return systems working in concert with existing closed-loop hospitality beverage-focused programs result in extremely high return rates.

### **Myths and Misinformation**

A final note on common myths and misinformation that may be raised by others at this hearing or elsewhere. GPI often hears arguments from the solid waste and hauling industry regarding the loss of revenue should a bottle deposit program be expanded.

Some contend there is no difference in the quality and breadth of end-markets available for the glass collected through the bottle bill as compared to commingled curbside glass. These arguments are misleading. Bottle deposit return recycling rates are higher, the cost to process (sort) the material is less, markets are more robust and varied, and yield efficiency is greater. I have included some visuals and graphics (enclosure) that will help explain the differences. A ton of “MRF glass” may be 50 percent glass by weight but has negative value due to the cost of landfilling of the non-glass residual.

Expanding the bottle bill complements a packaging EPR program by further lowering those costs. Packaging EPR programs typically compensate communities for recycling collection. While some material will be diverted away from the curbside recycling system, as much or more packaging material will be diverted from landfill disposal, due to improved efficiency. Landfill expenses will decrease, and the quality of the remaining

curbside materials should increase, helping lower overall costs for the material managed in the EPR system as well.

Thank you for your consideration of our testimony highlighting the central role New York's bottle bill provides for quality and effective glass recycling. We look forward to answering your questions about glass and glass recycling and are committed to working with the Legislature constructively to enhance glass recovery and recycling in New York.

Sincerely,

A handwritten signature in black ink that reads "Scott DeFife". The signature is written in a cursive, slightly slanted style.

Scott DeFife  
President

**Enclosure**



*Picture of a Commingled Single Stream Recycled "Glass" - as delivered from a Materials Recovery Facility. Requires intensive sorting and cleaning prior to meeting furnace-ready specifications.*



*Color-sorted bottle bill glass delivered from redemption centers to transfer facility.*

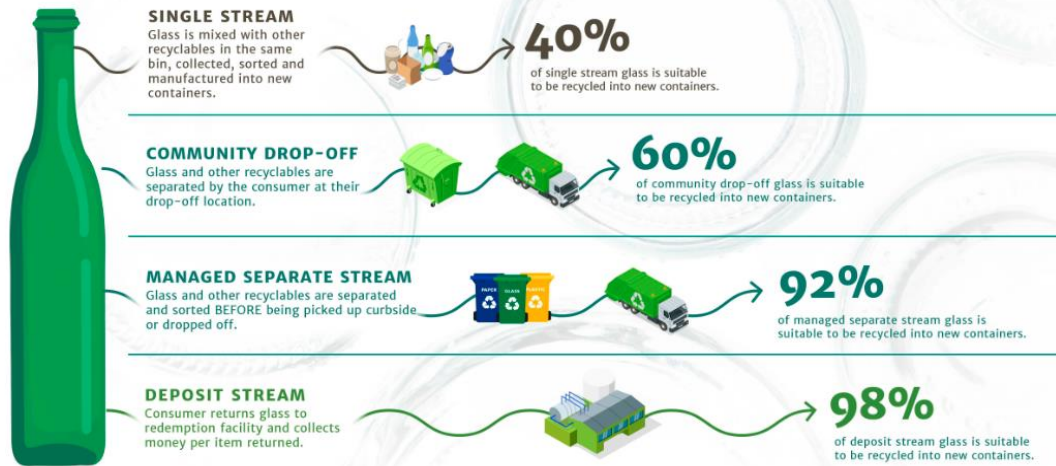


*Infographic on Efficiency and Yield-Loss from different glass collection streams*



## UNDERSTANDING RECYCLING STREAMS

How glass is collected affects the quality and volume of the material and influences yield and value.



Each system has its advantages. Single stream is convenient, produces high volume, but has higher contamination. Separate stream or drop-off is typically a cleaner glass stream with lower glass volume. Deposit systems produce high glass volume and higher quality glass.

[GPI.ORG](http://GPI.ORG)