NYPIRG NEW YORK PUBLIC INTEREST RESEARCH GROUP

TESTIMONY
OF THE
NEW YORK PUBLIC INTEREST RESEARCH GROUP
BEFORE THE JOINT HEARING OF THE
SENATE FINANCE & ASSEMBLY WAYS & MEANS COMMITTEES
REGARDING THE FISCAL YEAR 2026-27 EXECUTIVE BUDGET
ENVIRONMENTAL & ENERGY PROPOSALS
January 28, 2026
Albany, N.Y.

The New York Public Interest Research Group (NYPIRG) is a non-partisan, not-for-profit research and advocacy organization. Consumer protection, environmental preservation, public health, higher education affordability, and governmental reforms are our principal areas of concern. We appreciate the opportunity to submit testimony on the Governor's Executive Budget's environmental and energy proposals.

Governor Hochul's FY 2027 Executive Budget proposals include few environmentally beneficial initiatives to address the growing climate crisis or expand and improve environmental protection and remediation programs. What is most glaring is what is missing in her plans. We recommend that the final budget tackle important environmental issues that have either been left out or inadequately covered by the executive budget.

CLIMATE CHALLENGES

The planet and the public's health have never been so imperiled. When charted on a graph, 2023, 2024 and 2025 "seemed to jump up," said NOAA climate monitoring chief Russ Vose. When averaged together, those three years shoot above the 1.5-degree mark, according to the European climate service Copernicus.[1] That goal for limiting temperature increases, established in Paris in 2015, is likely to be breached by the end of this decade.[2]

"Greenhouse gas levels are record high. Global temperatures are record high. Sea level rise is record high. Antarctic sea ice is record low. It's a deafening cacophony of broken records. These are more than just statistics ... Extreme weather is destroying lives and livelihoods on a daily basis – underlining the imperative need to ensure that everyone is protected by early warning services," said WMO Secretary-General Professor Petteri Taalas[3]

"This year we have seen communities around the world pounded by fires, floods and searing temperatures. Record global heat should send shivers down the spines of world leaders," said United Nations Secretary-General António Guterres as he again urged leaders to commit to urgent action at the UN Climate Change negotiations, COP28.[4]

[1] European Centre for Medium-Range Weather Forecasts, ECMWF Robert-Schuman-Platz. 2025 Global Climate Highlights. https://climate.copernicus.eu/sites/default/files/custom-uploads/GCH-2025/GCH2025-full-report.pdf, January 2026
[2] World Meteorological Organization, Global temperature is likely to exceed 1.5°C above pre-industrial level temporarily in next 5 years. https://wmo.int/news/media-centre/global-temperature-likely-exceed-15degc-above-pre-industrial-level-temporarily-next-5-years, June 2024
[3] World Meteorological Organization, 2023 shatters climate records, with major impacts, 2023 https://wmo.int/news/media-centre/2023-shatters-climate-records-major-impacts.
[4] Ibid.

In response to the severe threat the world is facing, in 2019 New York State adopted one of the most ambitious laws in the nation to address the climate crisis, the Climate Act. The law established goals for reducing the state's greenhouse gas emissions (GHG) and prioritized just transition worker protections and social justice principles, with at least 35% of the benefits directed to disadvantaged communities. At its heart, the law requires the state to meet science-based GHG reduction and renewable energy goals: by 2030 40% reduction in statewide GHG emissions and 70% of electricity produced through renewable energy; by 2040 100% zero-emission electric generation; and by 2050 85% reduction in statewide GHG.

The United Nations states that the world must reduce GHG emissions by 43% by 2030 or civilization will be devastated.[5] *2030 is only six years away*. The UN declaration is in line with New York's goals and thus the state's climate goals set the floor – not the ceiling – for action. Missing those goals ignores climate science and puts New York on a trajectory that leads to unnecessary deaths, human suffering, and staggering costs from flooding, storms, and heatwaves.

New York's Enormous Costs and Harms From Climate Catastrophes are Growing

In its annual report, the National Oceanic and Atmospheric Administration found that from 1980-2024, there were 95 confirmed weather/climate disaster events in New York with losses exceeding $1 billion. These events included four drought events, five flooding events, one freeze event, 48 severe storm events, 16 tropical cyclone events, and 21 winter storm events.[6] 2024 saw the highest number of severe storms hit the state since these records began in 1980. In total, these events cost the state between $50 to $100 billion and cost the State up to $2 billion in 2024 alone.[6]

The *New York State Climate Impacts Assessment* Technical Chapter 2 provided the following key findings (emphasis ours):

> "Key Finding 1: Average and maximum temperatures have increased in New York State since the early 20th century and are projected to continue to rise throughout the 21st century. The state has warmed more rapidly than the national average, and winter is warming more rapidly than other seasons. Heat waves are expected to occur more often and become more intense, posing greater risks for human health, built infrastructure, ecosystems, and other sectors. New York City is projected to remain the warmest part of the state; northern regions will continue to be relatively cooler while still experiencing large increases in temperature and extreme heat.
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> Key Finding 2: New York State has experienced increases in total precipitation and heavy precipitation events, and these trends will continue through the end of this century. Heavy rainstorms that lead to flooding are projected to become more frequent across the state. Precipitation is expected to increase the most in winter. Lake-effect snowfall is projected to increase over the next few decades, but as temperatures continue to rise, more winter precipitation near the Great Lakes will fall as rain …
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> Key Finding 3: Climate change is creating conditions that will increase the frequency and severity of many types of extreme events. Several types of storms are expected to become more intense, with heavier rainfall, stronger winds, and higher storm surges along the coast driven by sea level rise. Short-term summer droughts could increase due to changing precipitation patterns and increased temperatures …

[5]United Nations Climate Change, "Climate Plans Remain Insufficient: More Ambitious Action Needed Now," 10/26/2022, https://unfccc.int/news/climate-plans-remain-insufficient-more-ambitious-action-needed-now#:~:text=The%20UN's%20Intergovernmental%20Panel%20on,be%20cut%2043%25%20by%202030.

[6] NOAA National Centers for Environmental Information (NCEI) U.S. Billion-Dollar Weather and Climate Disasters (2025). https://www.ncei.noaa.gov/access/billions/, DOI: 10.25921/stkw-7w73, January 2025.

> Key Finding 4: Sea surface temperature, sea level, and coastal flooding are increasing along New York State's coast. Sea surface temperatures are rising more rapidly in the state than the global average. Sea level along New York's coastline has risen almost 1 foot in the past century and is projected to increase by another 1 to 2 feet by mid-century, making chronic flooding more common in low-lying coastal neighborhoods ...
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> Key Finding 5: New York State's lakes and rivers have experienced increased water temperature, fluctuating water levels, and decreased ice cover, and these changes are expected to intensify in a warmer, wetter future. Lakes are projected to experience more severe summer heat waves and decreased winter ice cover as temperatures rise in the coming decades. The Great Lakes could experience greater year-to-year variability in water levels, driven by periods of drought and extreme precipitation. Flood intensity and damages are expected to increase with extreme rainfall and broader changes in streamflow."[7]

In New York City, an estimated 350 people each year die prematurely from heat-related causes according to a report by the Department of Health and Mental Hygiene.[8] The report states that:

> "Black New Yorkers are more likely to die from heat stress, with death rates two times higher than White New Yorkers. This inequity is due to past and current structural racism that creates economic, health care, housing, energy, and other systems that benefit White people and disadvantage people of color. Lack of access to home air conditioning (AC) is an important risk factor for heat-stress death. Among those who died from heat stress, the place of death was most often an un-air-conditioned home."[9]

Each year, an estimated 1,940 New Yorkers are killed by air pollution generated from fossil fuel combustion in buildings, the most of any state. Air quality is especially prevalent in low-income and communities of color.[10] In the New York City metropolitan area, communities of color are disproportionately exposed to dangerous PM2.5 particulate emissions associated with residential gas combustion. Communities of color are exposed to 17% more PM2.5 than the population average. Black New Yorkers specifically face 32% higher exposure.

Sea levels in New York City have risen by a foot since 1900 and are projected to rise by up to 5.4 additional feet by the end of the century. The city's floodplain contains nearly 20 percent of the city's area, and by the 2080s, large portions of some coastal neighborhoods could flood with greater frequency.[11] Even if New York meets its science-based climate targets, the costs to the state's infrastructure will grow. Inaction will only make those costs dramatically higher.

The Climate Catastrophe Requires Immediate Action

Anyone who understands – or is aware of – the science knows that policymakers in Washington neglect to respond to the growing threat of climate catastrophe. It is clearer than ever that the states must lead on

[7] NYS Climate Impacts Assessment Report Technical Chapter 2, January 24, 2024, https://nysclimateimpacts.org/wp-content/uploads/2024/01/Assessment-ch2-NYS-changing-climate-01-09-24.pdf.
[8] The Gothamist, Heat-related deaths in New York City soar in the last decade, report says July 6, 2023, https://gothamist.com/news/heat-related-deaths-in-new-york-city-soar-in-the-last-decade-report-says.
[9] 2023 New York City Heat-Related Mortality Report Summary https://a816-dohbesp.nyc.gov/IndicatorPublic/key-topics/climatehealth/heat-report/.
[10] New York Emits More Building Air Pollution Than Any Other State. Rocky Mountain Institute - Gruenwald, Talor; Mushegan, Stephen. https://rmi.org/new-york-emits-more-building-air-pollution-than-any-other-state/, May 2021
[11] City of New York News Release, https://www.nyc.gov/office-of-the-mayor/news/274-23/mayor-adams-releases-planyc-getting-sustainability-done-new-york-city-s-strategic-climate-plan#/0, April 20, 2023

climate. New York has the tools, know-how, and policy proposals to lead the nation with the implementation of its landmark Climate Act. NYPIRG supports many of the policy solutions included in the Climate Action Council (CAC)'s Scoping Plan and its critically important recommendations. To meet the timelines and benchmarks of the Climate Act, the Governor and Legislature must pass the following climate bills this session:

- Accountability of Costs for Data Centers Act (S.8540/A.9039)
- Stop Climate Polluter Handouts Act (S.3606/A.3675)
- "Bucks for Boilers" (S.3476/A.6489)
- Extend The J-51 Property Tax Exemption
- Reject the expansion or subsidies to nuclear power
- Support Programs like Empower+, the Gap Fund (S.3315A/A.2101), and Thermal Energy Networks

Accountability of Costs for Data Centers Act (S.8540/A.9039)
The Accountability of Costs for Data Centers Act establishes a service class and rate schedule for large energy use facilities (using 20MW or more), which are distinct from residential and smaller commercial customers. The bill requires that these entities bear the full energy costs of serving these facilities. The bill requires that the Public Service Commission not approve any change of rates or related updates unless such a proposal includes a service classification for large energy use facilities and an adjustment mechanism in compliance with this Act. Lastly, the Public Service Commission is required to ensure that these changes are in place no later than June 1, 2030.

The focus of this legislation is to ensure that not one residential utility ratepayer dollar be used to subsidize data centers – directly or indirectly. New Yorkers *already* pay among the highest rates in the nation.[12] Data centers are expected to need a fantastic amount of electricity, and they must not drive-up utility rates for New Yorkers.

In addition, not one electron from the *existing* grid should be used to power data centers. Another way to jack up utility rates is to subsidize data centers by diverting current electricity from the grid to power data centers.[13] If the owners of data centers want power, they should get their own. Moreover, whatever power they use must rely on "green" sources, not oil, coal, gas, or nuclear. New York should tell data centers "B.Y.O.*R.E.*" – bring your own *renewable* energy.

New York already has data centers and other energy "hogs."[14] But the state has not yet experienced the explosion of data center construction and energy use seen in other parts of the nation. New York should learn from those other experiences. In the absence of the above policy protections, New York should halt new data centers. New York ratepayers should demand policymakers act on *their* behalf, *not* Big Tech's.

Stop Climate Polluter Handouts Act: Wasteful Taxpayer Subsidies to the Fossil Fuel Industry (S.3606/A.3675)

[12] U.S. Energy Information Association, "Table E15. Total energy price and expenditure estimates (total, per capita, and per GDP), ranked by state, 2023," https://www.eia.gov/state/seds/data.php?incfile=/state/seds/sep_sum/html/rank_pr.html&sid=US.
[13] Institute for Energy Research, "Data Centers Drive Up Electricity Demand, Causing Concern for Grid Operators," August 27, 2025, https://www.instituteforenergyresearch.org/the-grid/data-centers-drive-up-electricity-demand-causing-concern-for-grid-operators/.
[14] U.S. Energy Information Association, "Tracking electricity consumption from U.S. cryptocurrency mining operations," https://www.eia.gov/todayinenergy/detail.php?id=61364.

The Stop Climate Polluter Handouts Act is an important application of the Climate Act on the state's fiscal policy. The State provides over $1.5 billion annually to the climate crisis contributors—the fossil fuel industry.[15] Ending state subsidies to the polluting fossil fuel industry is critical to help meet the Climate Act goals as the State is undermining the law by subsidizing the very industry that created this crisis. To the detriment of its citizens, the State is "talking out of both sides of its mouth" by providing funds to the polluting industrial sector it has statutorily declared needs to be phased out.

With the state experiencing an affordability crisis and a simultaneous multi-billion-dollar budget deficit due to Federal cuts, now is the time to rethink these handouts. Repealing just some of the indefensible fossil fuel industry tax subsidies will help close the budget gap and provide revenue to pay for priorities with real public benefit. The fact is that these tax giveaways to Big Oil would never be passed in New York State today.

The bill repeals the most egregious fossil fuel subsidies and saves the state approximately $350 million annually. It signals that the State is seriously and consistently abiding by the goals of the CLCPA and taking actions to transition to a climate-healthy future. For example, the bill ends: $146 million in airline fuel tax exemptions; $78 million in fossil fuel research and development and certain property tax exemptions; $58.8 million in petroleum gas tax exemptions; and limits subsidies in a number of economic development programs.[16] After a careful review, the legislative sponsors focused on eliminating these subsidies first as they have a limited impact on consumers. NYPIRG urges you to include eliminating taxpayers' subsidies in the final budget, specifically those that will have the least impact on the costs to the public.

"Bucks for Boilers" (S.3476/A.6489)

The *Bucks for Boilers Act* provides homeowners with subsidies to repair and weatherize their homes and replace their boilers with heat pumps while also mandating the phase-out of new fossil-fueled boilers starting in 2030 for small buildings and 2035 for larger buildings. Replacing energy systems is a major household expense. The Act authorizes the state to invest billions of dollars per year - about $50,000 per household - and offers upfront full-coverage subsidies to low and moderate-income households. Under this program, the average New York household would save hundreds of dollars per year through lower energy bills.

While replacing an aging oil or gas boiler with a new model costs several thousand dollars, home upgrades to higher energy efficiency and clean heat pumps adds a one-time cost that is another several thousand dollars up front. Furthermore, New York's housing stock is the oldest in the country with a median age of 66.[17] Most NY homes were built prior to the 1980's when modern insulation standards began. From poorly or uninsulated walls, decaying roofs, and older windows, New York's housing stock is in desperate need of upgrades and repair. That's why the Act authorizes the state to invest billions of dollars per year in homes and offers upfront full-coverage subsidies to low and moderate-income households.

Right now, New Yorkers' utility bills continue to rise as we fail to stay on track to hit the renewable energy mandates of the state's climate law, the Climate Leadership and Community Protection Act. It is estimated that 88% of New York households would save money on energy costs through Bucks for Boilers; low and

[15] Senator Krueger's office.
[16] Ibid.
[17] U.S. Census Bureau. "Median Year Structure Built by Tenure" American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B25037, 2024, https://data.census.gov/table/ACSDT1Y2024.B25037?q=B25037:

moderate-income households would save about 20% on their energy bills and realize those savings immediately.[18]

Bucks for Boilers will create tens of thousands of good, union jobs through strong labor standards tied to subsidies. Thus, New Yorkers would see money in their pockets both through lower energy bills and through good jobs. New York State must also slash climate pollution. Its aging and often energy-wasting buildings are the top source of such emissions. Installing heat pumps while updating building ventilation and weatherization would decrease air pollution for millions of families in New York.[19] The Bucks for Boilers Act helps New York meet the mandates outlined in the Climate Plan. NYPIRG urges you to include this measure in the final budget.

Extend The J-51 Property Tax Exemption

The Executive Budget includes legislation to extend the J-51 tax incentive to support capital repairs for New York City buildings. This important program can fund upgrades like heating system improvements, structural repairs, and energy efficiency measures, in order for buildings to comply with Local Law 97, which mandates pollution reductions from most large NYC buildings. J-51 includes rental protections for buildings that apply for the tax exemption. NYPIRG supports the extension of the J-51 Property Tax included in the Executive Budget in the final budget.

No Investment in Nuclear Energy or "Alternative" Fuels That Add to the State's Greenhouse Gas Emissions.

Not one dollar should be spent on building out dangerous, expensive fuel sources. The problems with constructing nuclear power plants are massive — given the legitimate safety concerns. Nuclear power plants have been plagued with construction delays,[20] cost overruns[21], taxpayer subsidies, dangerous risks from uranium mining,[22] and serious problems with the lack of long-term spent radioactive fuel storage capacity. To date, the only long-term spent radioactive fuel storage occurs on the site of the facility itself.[23] So, each nuclear power plant location is also a radioactive waste site.

Moreover, the new "advanced nuclear" technology has problems. A project to build a first-of-a-kind small modular nuclear reactor power plant was terminated earlier this year.[24] The project had the *only* small modular nuclear reactor design certified for use in the United States. The company cited lack of consumer interest and cost increases as the main reasons. The story is the same elsewhere, as delays, huge cost

[18] Decarbonizing NYS Homes. Win Climate; Shon, Max. Velez, Juan -Pablo. https://www.switch.box/b4b, April 2024

[19] PM2.5 polluters disproportionately and systemically affect people of color in the United States. Tessum, Christopher. Science Advances. https://www.science.org/doi/10.1126/sciadv.abf4491, April 2021

[20] Sanderson, C., "Nine critical clean energy technologies and the '$215 trillion net zero price tag'," Recharge, May 22, 2024, https://www.rechargenews.com/energy-transition/nine-critical-clean-energy-technologies-and-the-215-trillion-net-zero-price-tag/2-1-1647100.

[21] Groom, N., Hunnicut, T., "Exclusive: White House to support new nuclear power plants in the U.S.," Reuters, May 29, 2024, https://www.reuters.com/world/us/white-house-support-new-nuclear-power-plants-us-2024-05-29/#:~:text=The%20youngest%20U.S.%20nuclear%20power,plants%20are%20currently%20being%20built.

[22] National Library of Medicine, "Uranium Mining in Virginia: Scientific, Technical, Environmental, Human Health and Safety, and Regulatory Aspects of Uranium Mining and Processing in Virginia," https://www.ncbi.nlm.nih.gov/books/NBK201052/.

[23] U.S. Government Accountability Office, "Nuclear Waste Disposal," https://www.gao.gov/nuclear-waste-disposal.

[24] McDermott, J., Daly, M., "First-of-a-kind nuclear project is terminated in a blow to Biden's clean energy agenda," Associated Press, November 9, 2023, https://apnews.com/article/nuclear-power-nuscale-clean-energy-wind-biden-7f3a7fe754b77d8d6cbad8662b87a9c3.

overruns and the dropping cost of solar and wind power make "new wave" nuclear power a *questionable* option.[25] Relying on the promise of technology not currently operating commercially is a mistake.

The New York State Budget should not invest in alternative fuels such as "green hydrogen," or "renewable natural gas" (RNG). Like nuclear power, alternative fuels such as RNG and biofuel are risky, expensive and divert financing away from more sustainable policies such as energy conservation and efficiency. These "alternative fuels" have been supported by the fossil fuel industry as its "bridge fuel."[26] The rationale is to use such sources as a defense against efforts to stop the expansion of new fossil fuel infrastructure. Those arguments are obviously self-serving. Instead, policymakers should embrace power sources that do not contribute to greenhouse gas emissions, are currently (or will soon be) available, and end as quickly as possible reliance on fossil fuels – in other words keep those fuels in the ground as recommended by the world's experts.[27]

NYPIRG recommends that not one dollar be used for these dangerous, dirty fuel sources. Any state investment into energy infrastructure should go toward clean, cheap, renewable energy.

Support Programs like Empower+, the Gap Fund, and Thermal Energy Networks

The final budget should include important programs that support low- and moderate-income New Yorkers to afford to make their homes more energy efficient and healthy and support clean, renewable energy. The EmPower+ program provides insulation, air sealing, and energy efficient heating systems for tens of thousands of low- and moderate-income households each year. Its funding in the final budget should be increased to $200 million, not cut as the Executive Budget proposes. The Green Affordable Pre-Electrification (GAP) Fund addresses pre-efficiency and pre-electrification costs (like roof repair, mold mitigation, and electrical upgrades) that are prerequisite for households to be eligible to enroll in the EmPower+ and Clean Heat Programs. The final budget should include GAP Fund legislation (S.3315A/A.2101) and increase funding to $200 million to not exclude households in distress from efficiency upgrades, rather than capping the Fund at $2 million, which the Executive Budget proposes.

Lastly, thermal energy networks (TENs) provide the most efficient heating and cooling available and do so without fossil fuels. New York is leading the nation in developing both utility-owned and publicly owned TENs like the project at SUNY Purchase. Last year's budget included $200 million for a second phase of state-owned TENs on state college campuses and local municipalities as part of the Sustainable Future Program. We call for ongoing funding in the final budget through the Sustainable Future Program (or similar source) to complete and expand the reach of Thermal Energy Network projects to more regions of the state.

SOLID WASTE CHALLENGES

Waste Reduction, Recycling and Combating the Plastic Pollution Crisis

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[25] Ramana, M.V., "The collapse of NuScale's project should spell the end for small modular nuclear reactors," Utility Drive, January 31, 2024, https://www.utilitydive.com/news/nuscale-uamps-project-small-modular-reactor-ramanasmr-/705717/.

[26] Holland & Knight, "Future Fuels in the Maritime Sector – Building the Bridge to Hydrogen," April 16, 2021, https://www.hklaw.com/en/insights/publications/2021/04/future-fuels-in-the-maritime-sector-building-the-bridge-to-hydrogen#:~:text=alternative%20fuels%20and%20energy%20sources%20will%20be%20essential%20to&text=To%20that%20end%2C%20LNG%20has%20been%20viewed%20colloquially%20as%20a%20bridge%20fuel%20to.

[27] Gill, V., "Climate change: Fossil fuels must stay underground, scientists say," BBC, September 8, 2021, https://www.bbc.com/news/science-environment-58494391.

New York State has a solid waste, toxics, and plastic pollution crisis. A 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 the world has crossed a boundary.[28] Crucially, production of single use plastics shows no signs of slowing down and have been exponentially increasing. Since 1950, there has been a fifty-fold increase in plastic production. This number is expected to triple by 2050.[29]

The Climate Action Council's Scoping Plan recommends comprehensive action to reduce the state's generation of solid waste citing its role in the generation of greenhouse gases. The Plan states, "GHG emissions from the waste sector represent about 12% of statewide emissions, including landfills (78%), waste combustion (7%), and wastewater treatment (15%). Most of these emissions represent the long-term decay of organic materials buried in a landfill, which will continue to emit methane at a significant rate for more than 30 years."[30] The Plan recommends the following set of ambitious but necessary solid waste goals based on a long-standing statute (emphasis ours):

> "*Vision for 2030.* For solid waste management and WRRFs, the major contributors to emissions are associated with landfill emissions, though sources are also found at WRRFs and other facilities. To reduce emissions to achieve the required 2030 GHG emission reductions, significant increased diversion from landfills as well as emissions monitoring and leak reduction will be needed. A circular economy approach to materials management is understood and employed.
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> *Vision for 2050.* The Climate Act requires a more dramatic decrease in GHG emissions by 2050, achieving at least an 85% reduction (compared with 1990 levels). For solid waste and WRRFs, this necessitates a dramatic shift in the way waste is managed, to the point that landfills and combustors are only used sparingly for specific waste streams, and *reduction and recycling are robust and ubiquitous.* In addition, methods to monitor leaks and emissions are well developed and implemented, and those emissions are significantly reduced. The circular economy approach for materials management is fully implemented and embraced."

In 1988, the Solid Waste Management Act (ECL §27-0106) established in law the *preferred hierarchy of solid waste management.* The hierarchy established the following priorities to guide the programs and decisions of the New York State Department of Environmental Conservation (DEC) and other State agencies:

> • First, to reduce the amount of solid waste generated.
> • Second, to reuse material for the purpose for which it was originally intended or to recycle the material that cannot be reused.
> • Third, to recover, in an environmentally acceptable manner, energy from solid waste that cannot be economically and technically reused or recycled.
> • Fourth, to dispose of solid waste that is not being reused or recycled, or from which energy is not being recovered, by land burial or other methods approved by DEC.[31]

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[28] 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.
[29] 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.
[30] New York State Climate Action Council Final Scoping Plan, p.316. https://climate.ny.gov/resources/scoping-plan/.
[31] New York State Climate Action Council Final Scoping Plan, p.319 https://climate.ny.gov/resources/scoping-plan/.

Expand New York's Most Successful Recycling Program by Passing the Bigger, Better, Bottle Bill (S.5684/A.6543)

Unredeemed deposits under the Bottle Bill are collected and divided between the state and the containers' distributors. Eighty percentage (80%) of the monies collected from the unredeemed deposits are retained by state government, with $23 million being appropriated to New York's "Environmental Protection Fund."[32] The law also states that *if* the amount of unredeemed deposits exceeds $122.2 million, that excess is also used by the EPF. [33]

What happens if the deposit is increased, which will boost redemption rates, as well as dramatically expend the number of redeemable containers?

To answer this question, NYPIRG's analysis relies on New York data, estimates, and experiences in other states to develop the projected financial benefit resulting from modernization legislation.[34]

Basic Numbers

According to the New York State Department of Environmental Conservation, in 2023 the number of beverage containers that were covered under existing law and sold in that year was 9,333,342,418. Of that number, 6,376,291,019 were redeemed for their nickel deposits (68% redemption rate mentioned earlier).[35] Thus, we calculate that there are 2,957,051,399 beverage containers that are *not* redeemed. Each one of those containers had a nickel deposit, we estimate that there is $147,852,570 in total unredeemed deposits (combining both the state's and industry's shares).

Under New York law, that amount is split with 80 percent of it going to the state, we calculate that amount at $118,282,056.[36]

According to the Container Recycling Institute, *79 percent of all beverage containers are covered by the current law*.[37] Using that percentage, we estimate that there are 11,814,357,491 beverage containers. Based on our calculations, there are 2,481,015,073 beverage containers *not* covered by the law. [NOTE: The CRI percentage likely includes some containers not included in modernization legislation – dairy and dairy-like products, 100% fruit juice, and 100% vegetable juice products. We do not have estimates on the percentages of these products, but we do not expect them to exceed 10% under the most generous circumstances. Thus, we feel like it would not make a significant difference in our calculations.]

In order to develop reasonable revenue projections, we relied on data from Oregon, a state that raised its deposit to a dime. Increasing the deposit should boost redemption rates and thus impact changes in revenue derived from modernization of the Bottle Bill. In the first year of the increase in its deposit, redemption rates increased 9 percent.[38] [Note: Oregon's redemption rate continued to increase over time.

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[32] Container Recycling Institute, "Bottle Bill Resource Guide," https://www.bottlebill.org/index.php/current-and-proposed-laws/usa/new-york.

[33] New York State Environmental Conservation Law, §27-1012.

[34] Senate bill 237-C of 2024 and Assembly bill 3653-A of 2024.

[35] Communication with DEC, December 13, 2024.

[36] Our estimate is less than that which was reported by the State, $$121,105,169. New York State Department of Taxation & Finance, "Fiscal year tax collections: 2022-2023," https://www.tax.ny.gov/research/collections/fy_collections_stat_report/2022-2023-annual-statistical-reports.htm#:~:text=During%20SFY%202022%2D2023%2C%20the,business%20taxes%E2%80%94%2426.5%20billion.

[37] Container Recycling Institute, "Bottle Bill Resource Guide," https://www.bottlebill.org/index.php/current-and-proposed-laws/usa/new-york.

[38] Staub, C., " Dime deposit drives up Oregon return rate," Resource Recycling, August 13, 2019, https://resource-recycling.com/recycling/2019/01/29/dime-deposit-drives-up-oregon-return-rate/.

Assuming New York followed a similar track, the state should expect smaller revenues over time.] *Revenue impact from expanding the redemption requirement without an increase in the deposit.* As seen above, there are 2,481,015,073 beverage containers *not* currently covered under the Bottle Bill.

Assume that in Year 1 there is simply an expansion in the law to all containers without any exceptions. *And there is no increase in the deposit.* In this scenario, there are 11,814,357,491 beverage containers redeemable under the new Bottle Bill, each worth a nickel. However, the redemption rate stays unchanged at 68 percent. Thus, we calculate that there are 3,780,594,397 unredeemed containers each worth a nickel or $189,029,720. Based on our estimates, New York State would receive 80 percent or $151,223,776, roughly $33 million *more* than today.

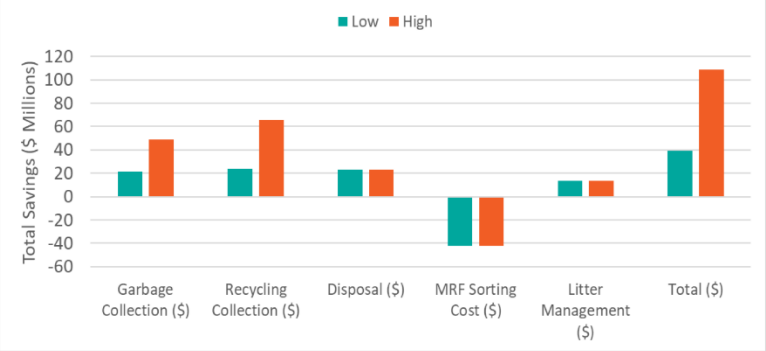
Revenue impact from expanding the redemption requirement with an increase in the deposit.
However, if the deposit increases to a dime, those numbers change. First, using Oregon as a model, the redemption rate would increase to 77 percent (68%+9%). In this scenario, we assume that there are 11,814,357,491 beverage containers redeemable under the new Bottle Bill. If 77 percent are redeemed, we calculate that leaves 2,717,302,222 that are not – **each worth a dime**. Thus, we estimate that under this scenario $271,730,222 would be available to split between the state (80%) and distributors (20%). New York State would receive $217,384,178, nearly $100 million *more* than it gets today.

Benefits to Local Governments

Last Spring, an independent analysis was conducted to qualify the savings to local governments if modernization legislation was approved in New York.[39] According to that analysis, New York's local governments could *save* tens of millions of dollars if lawmakers approved legislation to modernize the state's "Bottle Bill."[40] The report found that the state's local governments could save as much as $108 million if lawmakers approved the "Bigger Better Bottle Bill," designed to modernize the four-decade-old law.

According to the report, New York municipal governments could *save* at least nearly $40 million and as much as $108.6 million if the "Bigger Better Bottle Bill" is approved.

Figure 1: Summary of Savings New York State Municipal Collections Under 90% DRS Scenario



The report examined *six* localities to offer examples of specific savings. The report found that:

[39] The analysis was conducted by Eunomia, see: https://eunomia.eco/.
[40] The referenced reports can be found at:
https://www.nypirg.org/pubs/202504/Report_Expanded_Bottle_Bill_Impact_2025.pdf.

- **New York City** could see *savings* between $34.9 million and $80 million per year in municipal collection costs;
- The lower Hudson Valley suburban town of **Clarkstown** could see *savings* between $70k and $200k per year in municipal collection costs;
- The town of **Riverhead** in a rural section of Long Island could see savings between $30k and $110k per year in municipal collection costs;
- The small upstate city of **Troy** could see *savings* between $40k and $70k per year in municipal collection costs;
- The city of **Syracuse** could see *savings* between $90k to $190k per year in municipal collection costs; and,
- The city of **Buffalo** could see *savings* between $200k to $250k per year in municipal collection costs.

The report also found that

- "The modernized DRS [Deposit Return System] would lead to an additional 5.5 billion beverage containers recycled and **diverted from disposal** (e.g., landfill, incineration) or littered annually";
- "The modernized DRS would **reduce greenhouse gas emission**s in New York State by 358 thousand metric tons of CO_2 equivalent annually. This is equivalent to removing 83,500 gasoline-power passenger vehicles from the road per year"; and,
- "The modernized DRS would lead to an approximate 34% **litter reductio**n for beverage containers across New York state."

A Critical Response to the Recycling Crisis

As reported by the New York State Department of Environmental Conservation (DEC), waste reduction merits priority before recycling in the waste management hierarchy.[41] ("Reduce, Reuse, Recycle," as the well-known slogan urges.) Moreover, despite another state goal – to recycle the amount of garbage generated by 85% by the year 2050[42] – the governor proposes nothing significant to achieve that ambitious goal. This failure comes on the heels of a state-sponsored report that found New York's existing recycling efforts "lackluster."[43]

Expansion of the Bottle Bill can also help incentivize the use of refillable containers. For example, states with deposit laws have a higher share of refillable beer bottles than states without deposit laws.[44] Refillable containers help reduce solid waste, which must otherwise be disposed of in landfills or other garbage facilities. Many refillable containers can be used up to 50 times prior to their recycling.[45] An expansion of the Bottle Bill can help prevent the need to dispose of new solid waste.

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[41] New York State Department of Environmental Conservation, https://www.dec.ny.gov/chemical/8502.html.
[42] New York State Department of Environmental Conservation, " New York State Solid Waste Management Plan: Building the Circular Economy Through Sustainable Materials Management (2023 - 2032)," December 2023, https://dec.ny.gov/environmental-protection/waste-management/solid-waste-management-planning/nys.
[43] Center for Sustainable Materials Management, "Phase 2: New York Needs Assessment Current Recycling Systems in NYS: Residential, Commercial & Facilities Analysis," October, 2025, https://static1.squarespace.com/static/61dc6efed523942093c032af/t/690b8151cc7fe852038720e2/1762361681966/NY+Needs+Phase+2+-+Final+%283%29.pdf.
[44] Container Recycling Institute, https://www.bottlebill.org/index.php/benefits-of-bottle-bills/bottle-bills-promote-recycling-and-reduce-waste.
[45] Reloop, "Policy Instruments to Promote Refillable Beverage Containers," https://www.reloopplatform.org/wp-content/uploads/2017/10/Refillables-policy-Final-Fact-sheet-June30.pdf.

The importance of the program, and the need for modernization, was highlighted in the DEC's Solid Waste Management Plan which estimated that New York will reach its landfill "capacity life" in around 20 years (p. 20). The DEC called for a policy push toward a "circular economy." The state's Bottle Bill is an existing, successful example of that approach. *In fact, the DEC recommended that the state "Support proposals, such as modernization and expansion of the Bottle Bill"* (p.37).[46] **NYPIRG urges that you include modernization of the Bottle Bill in the final budget.**

Post-Budget: Pass the New York Packaging Reduction and Recycling Act (S.1464/A.1749)
NYPIRG strongly supports the concept of holding producers (or polluters) financially responsible for their waste and has been a longtime supporter of extended producer responsibility (EPR) policies. One of the most successful recycling and litter reduction programs in New York, the Bottle Deposit Law, is an extended producer responsibility policy.

We include this in our testimony not because we wish to see packaging legislation in the budget, we do not, but to highlight the need to tackle this issue during the session.

Over 99% of plastics are sourced from fossil fuels.[47] The most common source of plastic resin in the United States is natural gas. This means the more plastic society uses, the longer the fossil fuel industry is kept running. When Coca-Cola, PepsiCo, and Keurig Dr Pepper combined to pour 121 million tons of greenhouse gasses into the atmosphere, they eclipsed the entire climate footprint of Belgium.[48]

Microplastics have been found to cause both allergic reactions and cell death in humans.[49] Further, looking at hamsters, researchers have found that microplastics appear to lead to blood clotting in mammals.[50] Inhaling burnt plastics is a well-known cause of cancer, as many of the chemicals within plastics are made of carcinogens.[51] In fact, China's much publicized decision in 2018 to stop importing the nation's solid waste, was cited as a matter of public health.[52] Not that this decision stopped America from finding other poorer and developing countries to accept the nation's waste such as Bangladesh, Laos, and Ethiopia.[53] The world is also now at a point in which all inhale nanoplastics.[54] The science is clear that reliance on any plastics, not just single-use plastics, is a detriment to local and global human health.

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[46] New York State Department of Environmental Conservation, " New York State Solid Waste Management Plan: Building the Circular Economy Through Sustainable Materials Management (2023 - 2032)," December 2023, https://dec.ny.gov/environmental-protection/waste-management/solid-waste-management-planning/nys.
[47] Center for International Environmental Law, "Fueling Plastics, https://www.ciel.org/wp-content/uploads/2017/09/Fueling-Plastics-Fossils-Plastics-Petrochemical-Feedstocks.pdf, pg.1.
[48] Elgin, Ben, *Big Soda's Addiction to New Plastic Jeopardizes Climate Progress,* Bloomberg, July 12, 2022.
[49] Parker, Laura, *Microplastics are in our bodies. How much do they harm us?* National Geographic, April 25, 2022, https://www.nationalgeographic.com/environment/article/microplastics-are-in-our-bodies-how-much-do-they-harm-us.
[50] Thompson, Andres, *From Fish to Humans, A Microplastic Invasion May Be Taking a Toll,* Scientific American, September 4, 2018. https://www.scientificamerican.com/article/from-fish-to-humans-a-microplastic-invasion-may-be-taking-a-toll/.
[51] Campanale C, Massarelli C, Savino I, Locaputo V, Uricchio VF. *A Detailed Review Study on Potential Effects of Microplastics and Additives of Concern on Human Health,* Int J Environ Res Public Health.
[52] Sara Kiley Watson, China Has Refused to Recycle The West's Plastics. What Now?, N.P.R. June 28, 2018, https://www.npr.org/sections/goatsandsoda/2018/06/28/623972937/china-has-refused-to-recycle-the-westsplastics-what-now.
[53] Erin McCormick et. al., *Where Does Your Plastic Go? Global Investigation Reveals America's Dirty Secret*, The Guardian, July 17, 2019, https://www.theguardian.com/us-news/2019/jun/17/recycled-plastic-americaglobal-crisis.
[54] Ibid.

NYPIRG is pushing for the implementation of an Extended Producer Responsibility (EPR) program to ensure corporations are on the hook for a "cradle-to-grave" approach to reduce and be responsible for their packaging waste. A significant contributor to the waste and plastic pollution crisis is the fact that consumer brand-owners have no financial responsibility for the solid waste management of their product packaging. They have no requirements or incentives to reduce packaging waste, create reusable products, make packaging easier to recycle, or boost market demand by using more recycled content. EPR requires companies to be financially responsible for mitigating the environmental impacts of their product packaging, through reduction, recycling and reuse.

Waste accounts for 12% of statewide emissions, most of which comes from landfills that will continue to release significant amounts of methane, a greenhouse gas on steroids, for the next three decades.[55] Methane is 25 times more potent than carbon dioxide when it comes to global warming. Methane levels in the atmosphere have doubled over the last 200 years as a result of industrialization.[56] Reducing this pollutant rapidly would have a tremendous and immediate impact on mitigating the worst effects of climate change. It's more potent than carbon dioxide, but its lifespan is shorter – only about 12 years compared to centuries.[57] To reduce methane, the Plan will require robust composting. For other waste streams, effective recycling programs are recommended along with placing the responsibility on the producers for electronic waste and packaging. By 2050, landfills should be nearly non-existent.

The Climate Scoping Plan calls for "significantly increased diversion from landfills as well as emissions monitoring and leak reduction." Further saying, "a circular economy approach to materials management is understood and employed." The plan also calls for an expanded bottle deposit law to meet these targets.

The Plan is quite clear how necessary it is to enact an EPR program with real reduction targets, saying "The State should enact and implement new legislation in 2023 that creates an EPR/product stewardship framework. Alternatively, individual legislation should be enacted targeting products with the greatest GHG impact (such as packaging and printed paper, carpet, tires, textiles, solar panels, wind turbines, batteries, appliances, especially those containing refrigerants, and mattresses)."

DRINKING WATER CHALLENGES

The Governor proposed to keep flat the funding for the Clean Water Infrastructure Act (CWIA). The Assembly and Senate one-house budgets should *increase* funding to $600 million to better maintain New York's ability to provide safe water, a fundamental right for all its residents.

We urge the State Legislature to support the inclusion of the following initiatives to the FY 2026 Executive Budget to ensure that New York State adequately funds and approves timely climate crisis prevention and protection legislation, improved public health protections for all New Yorkers, and enhanced protection and remediation for the state's environment.

Improving Drinking Water Protection & Improvements

NYPIRG has a long and deep history of advocating for the safeguarding of drinking water supplies to protect them from leaking toxic waste sites, oil spills, sewage runoff, and other sources of pollution. New York's abundant groundwater and surface water resources are a precious natural treasure. The state has 17

[55] New York Climate Action Council, "Draft Scoping Plan," December 2022. https://climate.ny.gov/-/media/project/climate/files/NYS-Climate-Action-Council-Final-Scoping-Plan-2022.pdf.
[56] Misdary, Rosemary, *A lot more than gas stoves: A deep dive into what NY must do to meet its climate law,* Gothamist. January 23, 2023. https://gothamist.com/news/a-lot-more-than-gas-stoves-a-deep-dive-into-what-ny-must-do-to-meet-its-climate-law.
[57] Ibid.

watershed management units, and New York City has the largest unfiltered water supply in the country. Although the state's water systems predominantly deliver safe water to people, they are vulnerable to threats of contamination from an aging and crumbling water infrastructure and an industrial legacy of toxic sites. In addition, municipal water supplies and private wells that are contaminated need treatment, filters and sometimes alternative water supplies, to ensure people's health is protected, especially young children, the elderly, and chemically sensitized people.

New York needs to make sure that water supplies are protected from source to tap, which means that the state needs to properly fund water infrastructure systems, such as the pipes that deliver drinking water and remove wastewater. The State has gone decades without properly funding these systems, and billions of gallons of untreated sewage enter waterways and hundreds of water mains break annually.[58]

Over the next twenty years, it is estimated that New York needs to invest approximately $80 billion for wastewater and drinking water infrastructure updates, repairs, and replacements.[59] That figure does not include funds to preserve land around source water, septic system replacement, and water testing and filtration.

The New York Clean Water Infrastructure Act (CWIA). The Governor is proposing a $250 million increase which will result in more projects to replace lead pipes, cleanup toxic PFAS chemicals, prevent water main breaks, and more. The additional $250 million is to be spent to bolster water infrastructure that supports housing development. Any use of funds must support sustainable and affordable development in the final budget. adopted in March.

Lead in schools' drinking water. Despite a promise in her State of the State message to "filter replacements in schools will be reclassified as reimbursable expenses, making them eligible for funding through DEC, helping to provide essential water filters in New York's schools,"[60] we found no evidence of such a commitment in the Executive Budget. Moreover, such a commitment must be combined with a requirement that drinking water outlets must be filtered in order to protect schoolchildren.

The current law that requires schools to test their drinking water supplies for lead levels that are at or exceed 5 parts per billion no longer meets best practices for protecting New York's children from the threat of lead in school drinking water and leaves kids across the state susceptible to this well-known contaminant.

Because children spend so much time in school buildings during the prime years of their development, lead contamination in school drinking water is particularly dangerous. It's well-proven that lead exposure causes numerous negative health effects, including damage to the nervous system, learning disabilities, and impaired hearing.

Despite these efforts, lead contamination continues in New York schools' drinking water. Recent studies in the Buffalo, New York area school districts[61] and New York City area[62] found extensive lead

[58] Office of the State Comptroller, "A Partially Treated Problem: Overflows From Combined Sewers," May 2018, https://www.osc.ny.gov/files/local-government/publications/pdf/combined-sewers.pdf.
[59] Daily Gazette, "Infrastructure needs state's full attention," February 17, 2017, https://www.dailygazette.com/the_recorder/opinion/editorials/infrastructure-needs-state-s-full-attention/article_af8ed19b-ef18-56f4-990f-3ef424b41999.html.
[60] State of the State 2026 book, page 66.
[61] Buffalo News, https://buffalonews.com/news/local/education/article_753df42d-2c55-46c9-8df4-bf1f46f3e497.html#tracking-source=home-top-story.
[62] WABC-TV, https://abc7ny.com/post/lead-water-fountain-school-new-york/14201318/.

contamination in school drinking water. Recent audits by the State Comptroller's Office[63] highlight that many districts have failed to properly test and remediate outlets, placing children, teachers and staff at risk.

More and more health experts agree that prevention at every tap is the only way to stop lead contamination of school drinking water. Because lead testing is highly variable, the water from a fountain or faucet can be "highly hazardous"[64] even if several samples fail to detect lead. For this reason, New York's current "test and fix" policy is leaving the risk of lead contamination at thousands of taps where kids go to learn and play every day. Moreover, allowing New York's children to drink water with 5 parts per billion of lead is inconsistent with the consensus in the public health community that lead exposure is unsafe at any level.[65]

Instead, the Filter First approach calls for schools to replace all of their old, unfiltered drinking fountains with lead-filtering water bottle filling stations or hydration stations, and to ensure that there is at least one of these lead-filtering hydration stations for every 100 students and staff in each respective school building.

Not only does the Filter First approach help remove lead from drinking water,[66] but a study in Michigan showed that the state's school districts would save taxpayers' dollars compared to a "test and fix" policy like New York's current law.[67]

There is also growing data showing that access to drinking water through water bottle filling stations dramatically increases students' overall water intake, in turn improving health.[68] Water makes children healthier by helping their muscles, joints, and tissues, improving their digestive system and keeping their growing bodies hydrated. Healthy, active children learn better, perform better academically, and behave better.

New York can again lead on this important issue, by enacting what health experts across the nation are calling for: statewide protections that require the implementation of the Filter First policy throughout all schools in New York. NYPIRG urges that you include in the final budget a statewide Filter First initiative to ensure safe drinking water for all New York school children.

ENVIRONMENTAL CHALLENGES

Strengthen the Environmental Protection Fund. NYPIRG urges that you boost the Environmental Protection Fund (EPF) to $500 million. The EPF provides funding for numerous initiatives that are critical for protecting water quality, combating climate change, and keeping New York's public spaces clean. Additionally, EPF benefits every county of New York State, and supports over 350,000 jobs across a variety of sectors, and a recent study found that for every $1 invested in the EPF, $7 is returned to New York

[63] Office of the State Comptroller, https://www.osc.ny.gov/press/releases/2025/08/state-comptroller-dinapoli-releases-municipal-school-audits-0.
[64] National Library of Medicine, https://pubmed.ncbi.nlm.nih.gov/26896965/.
[65] U.S. Environmental Protection Agency, https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water.
[66] Ecology Center, https://www.ecocenter.org/filter-first-ensuring-safe-and-lead-free-drinking-water-schools-filtered-drinking-water-stations#:~:text=So%2C%20how%20can%20schools%20provide,transparency%20and%20communication%2C%20and%20funding.
[67] National Resources Defense Council, https://www.nrdc.org/sites/default/files/media-uploads/michigan-filter-first-cost-estimate-202001.pdf.
[68] American Heart Association and Voices for Healthy Kids, https://voicesforhealthykids.org/assets/resources/water-access-in-schools-fast-facts---february-2020-1582746312.pdf.

State.[69] However, the EPF should not be used to fund staff at the Department of Conservation, but spent directly on the needs of the state.

Create a statewide program to establish rebates for the purchase of electric lawn equipment in New York.[70] This proposal will play a critical role in reducing global warming pollution, improving air quality, and reducing noise pollution by promoting the adoption of quieter, zero-emission lawn care equipment.

We urge that the final budget offers rebates specifically for lawncare and landscape companies, as well as institutions such as state and local governments in New York. This will help support local businesses implement more sustainable practices across the state, benefiting all New Yorkers. This concept is based upon legislation (S.1574/A.2657) that has bipartisan support and made its way through the entire legislative process except final passage in the state Assembly as the session ended last year.

Research shows that gas-powered lawn equipment produces an outsized amount of air, climate and noise pollution–both in New York state and nationwide.

According to the Respiratory Health Association, gas-powered lawn equipment contributes to ground-level ozone and fine particulate pollution (PM2.5).[71] Even short-term exposure to these pollutants can cause or contribute to asthma, heart attacks, cardiovascular disease, and premature death.[72] It's estimated that in 2020 alone, gas-powered lawn equipment in New York produced almost 1.4 million tons of climate pollution, the equivalent to the emissions from more than 300,000 cars annually.[73]

Moreover, in a recent study from the Environment America Research & Policy Center, New York State ranked *third* in the country for fine particulate emissions from lawn equipment, and *fourth* in the nation for carbon dioxide emissions.[74] Gas-powered lawn equipment also emits high levels of carcinogens, such as benzene and butadiene, along with other toxic compounds, including formaldehyde (a known respiratory and skin irritant) and nitrous oxides (which can cause lung damage and disease and is one of the key precursor pollutants that combine chemically to form ground-level ozone).[75]

Incredibly, levels of air pollution from gas-powered lawn equipment are so high that operating a gas-powered leaf blower for just one hour produces as much smog-forming pollution as driving a car 1,100 miles – the distance from Albany to Jacksonville, Florida.[76]

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[69] We Love New York, "The Environmental Protection Fund Works," http://www.keepprotectingny.com./.
[70] See Senate bill 1574/Assembly bill 2657, https://www.nysenate.gov/legislation/bills/2025/S1574
[71] Respiratory Health Association, "Leaf Blowers Leave Lungs Vulnerable," https://resphealth.org/wp-content/uploads/2020/10/Gas-Powered-Leaf-Blowers-Leave-Lungs-Vulnerable.pdf.
[72] U.S. Environmental Protection Association, "Integrated Science Assessment (ISA) for Particulate Matter," https://www.epa.gov/isa/integrated-science-assessment-isa-particulate-matter.
[73] Environment America, "Lawn care goes electric," https://environmentamerica.org/center/resources/lawn-care-goes-electric/.
[74] Environment America, Frontier Group, U.S. Public Interest Research Group, "Lawn Care Goes Electric: Why it's time to switch to a new generation of clean, quiet electric lawn equipment," https://publicinterestnetwork.org/wp-content/uploads/2023/10/Lawn_Care_Goes_Electric_Oct23.pdf.
[75] U.S. EPA, "Characterization of Emissions from Handheld Two-stroke Engines," https://nepis.epa.gov/Exe/ZyPDF.cgi/P100GDP7.PDF?Dockey=P100GDP7.PDF.
[76] Colorado Public Interest Research Group, "Small Machines, Big Pollution: How shifting to electric lawn and garden equipment can significantly reduce harmful ozone pollution on Colorado's Front Range," https://publicinterestnetwork.org/wp-content/uploads/2022/12/CoPIRG-Foundation-report-Small-Machines-Big-Pollution-Dec-1-2022.pdf.

Gas-powered leaf blowers also are significant culprits of noise pollution. The vast majority of gas-powered leaf blowers exceed 70 decibels measured at 50 feet, which is considered dangerous to hearing. Additionally, this noise impacts the immune system, causes adverse cardiovascular effects, and impairs the learning, hearing, sleep, and language development of children.[77] Acoustic research also shows that gas-powered leaf blower's distinctive low-frequency noise penetrates further than other machine-generated sound waves, including through solid walls.[78]

The studies are clear: the impacts of both the air and noise pollution from gas-powered lawn equipment put the health of the most vulnerable community members–children, older adults, and those with underlying respiratory and other health conditions–at risk.

Given this, we urge that the final budget create a statewide program to establish rebates for electric lawn equipment. This will help transition New Yorkers away from the use of the dirtiest gas-powered lawn equipment such as lawn mowers, leaf blowers, and other handheld tools.

Thank you for the opportunity to testify.

[77] Erickson, L. C., & Newman, R. S. (2017). "Influences of Background Noise on Infants and Children." Current Directions in Psychological Science, 26(5), 451-457. https://doi.org/10.1177/0963721417709087.
[78] Walker E, Banks, JL (2017) Characteristics of Lawn and Garden Equipment Sound: A Community Pilot Study. J Environ Toxicol Stu 1(1) doi http://dx.doi.org/10.16966/2576-6430.106.