

May 27, 2020

Commissioner Basil Seggos
NYS Department of Environmental Conservation
625 Broadway
Albany, New York 12233

Dear Commissioner Seggos,

Thank you for your public service during the covid-19 crisis. We also extend our thanks to the professional staff at the Department of Environmental Conservation (DEC) for their hard work during this difficult time.

As regions throughout the state begin to re-open, it is important that we work for a cleaner and more sustainable future. To that end, we urge the DEC to do the following three things without delay:

1. Take steps to enforce the statewide plastic bag ban, which took effect on March 1, 2020.
2. Inform supermarkets that they should not prohibit consumers from using reusable bags.
3. Inform stores that they need to resume the redemption of all 5-cent beverage container deposits.

Plastics Bags

According to the DEC, New Yorkers use a staggering 23 billion plastic bags each year. These plastic bags take over 500 years to break down, harming fish and other wildlife and clogging machinery at recycling facilities.

New York was off to a good start when the new plastic bag ban took effect on March 1, 2020 as many customers were bringing their own reusable bags. But when a Long Island-based plastic bag company sued the state to block the ban, the DEC agreed to an initial 30-day delay on implementation. Then the health crisis hit and the DEC extended the enforcement of the law twice, pushing the deadline for enforcement until June 15, 2020.

We strongly urge you not to unnecessarily extend the deadline any further but to instead put stores on notice that the DEC now anticipates they will soon be required to comply. We also urge you to educate the public that the existing law will soon go into effect.

This can be done in a way that protects the health of grocery store workers who may have concerns that consumers are not using clean reusable bags. Customers can be asked to pack their own groceries when they bring in their own bags, as the California Department of Industrial Relations Division of Occupational Safety and Health recommends.

Reusable Bags Are Safe and Cost-Effective

Banning plastic bags to merely shift to paper bags is not the most environmentally sound option. Paper bags are more expensive than plastic bags, costing stores more money. Instead, the DEC needs to return to supporting the use of reusable bags and inform stores that they cannot prohibit customers from using their own reusable bags.

There have been reports that some stores are prohibiting customers from using reusable bags, though such policies vary week by week. While some grocery workers are concerned about contracting the virus through contact with reusable bags, the Center for Disease Control recently amended their website to make clear that touching surfaces is not a significant mode of transmitting the virus. There is also no scientific evidence that reusable bags spread covid-19. The covid-19 virus appears to spread mainly from person-to-person when individuals are in close contact with one another, through respiratory droplets produced when an infected person coughs, sneezes, or talks.

Consumers can be urged to wash their reusable bags and can be asked to pack their own groceries, if they are able.

We request that the DEC inform stores that they cannot prohibit people from using their own reusable bags.

The Return of the “Bottle Bill”

In 1982, the NYS Legislature adopted one of the most sweeping and effective environmental laws in the history of the state. A simple mandatory nickel deposit on certain beverage containers has resulted in cleaner communities, better quality recyclables, and the creation of jobs. It is also an important source of revenue for many New Yorkers who are struggling economically.

Containers that have beverage deposits achieve a substantially higher recycling rate than containers that are recycled through municipal recycling programs. According to the Container Deposit Institute:

- Aluminum cans with deposits achieve a recycling rate of 78%. Without deposits, the recycling rate is only 36%.
- PET plastic bottles with deposits achieve a recycling rate of 59%. Without deposits, the recycling rate is only 14%.
- Glass bottles with deposits achieve a recycling rate of 64%. Without deposits, the recycling rate is only 14%.

Many consumers, having already paid the five-cent deposit and are stockpiling returnable containers at home. Social distancing must be established at the container return areas at stores, just as it has been done at check-out lines.

As New York State Reopens, We Must Renew Our Commitment To The Environment

At the start of the pandemic, we understood that certain issues needed to be put on the back burner. But it is now time to again enforce the plastic bag ban and the bottle bill in order to ensure the myriad of environmental benefits they provide.

9 million metric tons of plastic enter the ocean every year. In the next decade, there will be one pound of plastic in the ocean for every three pounds of fish. Plastics are now made from a byproduct of fracking. There are microplastic particles in the air we breathe and the food we eat. We need to be able to address the plastic pollution problem and boost recycling, while also working for a healthy and sustainable economic recovery from this health crisis.

We look forward to hearing from you on these important matters. Thank you.

Sincerely,

Judith Enck	Beyond Plastics
Eric Goldstein	Natural Resources Defense Council
Bill Ritchie	Albany County Central Federation of Labor
Debby Lee Cohen	Cafeteria Culture
Adrienne Esposito	Citizens Campaign for the Environment
Manna Jo Greene	Hudson River Sloop Clearwater, Inc.
Mark Dunlea	Green Education and Legal Fund
Elizabeth Moran	NYPIRG
Jeremy Cherson	Riverkeeper
Jackie Nuñez	The Last Plastic Straw
Don Riepe	American Littoral Society
Dorian Fulvio	350NYC
Susan Holland	AAUW Kingston NY
Barbara Spink	Advocacy Comm. of the Capital Region Creation Care Coalition
George Povall	All Our Energy
Jillian Liner	Audubon New York
Christine Campbell	Beyond Plastics
Justin Green	Big Reuse
Jennifer Scarlott	Bronx Climate Justice North
Rick Sprout	Broome Tioga Green Party
Christine Primomo	Capital Women
Mary Smith	Church Women United in New York State
Tracy Frisch	Clean Air Action Network of Glens Falls
Sally Courtright	Climate Reality Project
Karen Weissman	CloseTheLoopNYC

Judith K. Canepa	Coalition Against the Rockaway Pipeline
Michelle McAllister	Coalition to Save Hempstead Harbor
Cheryl Frank	
Joan Koster	Concerned Citizens of Rural Broome
Anthony Gronowicz	CUNY DIVEST from fossil fuels
Cara Sclafani	D3 Green Schools Group
Lori Vroegindewey	District 14 Green Alliance
Nancy Dwyer	Dwyer and Sons, LLC
Ruthann Richards	Environmental Action Club at Skidmore College
Kate Kurera	Environmental Advocates of New York
Anne Jaffe Holmes	Federated Conservationists of Westchester County
Michelle de la Uz	Fifth Avenue Committee
Laura Deney	Flicker filmworks
Ellen Connett	Fluoride Action Network
Christina Grace	Foodprint Group Inc.
Diana Wright	Foodscraps360.com, LLC
Joyann Cirigliano	Four Harbors Audubon Society
Sr. Margaret Solpra	Franciscan Sisters of the Atonement
Gary Lessard	Gary Lessard Consulting
Yvonne Taylor	Gas Free Seneca
June Summers	Genesee Valley Audubon Society
Deborah Kaplan	Goddard Riverside Green Keepers
Patricia Wood	Grassroots Environmental Education
Annette Brownell	Great South Bay Audubon Society
Suzie Ross	Green Ossining
Daniella Liebling	Green Party of Brooklyn
Joseph Naham	Green Party of Nassau County
Paola Dalle Carbonare	Healing & Protecting Our Land Together
Tara A DePorte	Human Impacts Institute
Karen MacWatters	Indivisible 518: Justice for All
Tara Drolkar	Mamaki
Jo Mispel	Mobilization for Change Community Garden
Lauren Cosgrove	National Parks Conservation Association
Judith K. Canepa	New York Climate Action Group
Wyldon King Fishman	New York Solar Energy Society
Bernice Mennis	New York Tri County Transition
Paul Tick	News from the Neighborhood

Jerry Rivers	North American Climate, Conservation and Environment
Jennifer Scarlott	North Bronx Racial Justice
Anthony Buissereth	North Brooklyn Neighbors
Ginger Storey-Welch	North Country 350 Alliance
Debra O’Kane	North Fork Audubon Society
Jennifer Wilson Pines	North Shore Audubon Society
Larry Federman	Northern Catskills Audubon Society
Robert Kolodny	NY Buddhist Climate Action Network
Manuela Zamora	NY Sun Works
Matt Malina	NYC H2O
Deborah Lynch	NYPAN SFL
Cassia Patel	Oceanic Global Foundation
Maryanne Adams	Onondaga Audubon
Jody Susler	Orange County Audubon Society
Sam Magavern	Partnership for the Public Good
Diana Wright	PAUSE – People of Albany United for Safe Energy
Tim Keating	Rainforest Relief
Kristin Norderval	Reduta Deux
Suzanne Carreker-Voigt	Regional Farm and Food Project
Charlotte Binns	RenewYorkCity
Benjamin Kogan	Reusable Solutions
Raju Rajan	ReWild Long Island, Inc.
Karen D’Alessandri	Rockland Audubon Society
Michael Chojnicki	SASD
Anne Swaim	Saw Mill River Audubon
Michelle Sterling	Scarsdale Conservation Advisory Council
Joseph Campbell	Seneca Lake Guardian
George Hoffman	Setauket Harbor Task Force
Catherine Skopic	Shut Down Indian Point Now
Teresa Kotturan	Sisters of Charity Federation
Sr. Joan Agro, O.P.	Sisters of St. Dominic of Blauvelt, New York
Howard Brandstein	Sixth Street Community Center
William Reinhardt	Solarize Albany
Mazeda A. Uddin	South Asian Fund For Education, scholarship and training (SAFEST
Brien Weiner	South Shore Audubon Society
Nancy Norton	Stone Quarry House
Maisy Noble-Buono	Sunrise Movement Albany

Daniel Lipson	SUNY New Paltz Environmental Task Force
Patrick Diamond	Surfrider Foundation, NYC Chapter
Margie Shepard	Sustainable Saratoga
Julia Calderon	Sustainable Warwick, Warwick
Tim Guinee	The Climate Actors
Tim Guinee	The NY Climate Reality Chapters Coalition
Lisa Adamson	Tri-County NY Transition
Drea Leanza	Troy Zero Waste
Orin Kotula	Unitarian Church of All Souls NYC
Ling Tsou	United for Action
Sarah Gallagher	Upper Green Side
Deyva Arthur	Upper Hudson Green Party
Miriam Gordon Robert Keilbach	UPSTREAM Veterans For Peace – NYC Chapter 34
Daniel Kushnick	Village of Mamaroneck CFTE
Jack W. Kanack	Weather Medic, Inc
Nada Khader	WESPAC
Melissa Elstein	West 80's Neighborhood Association
Terri Thal	West Branch Conservation Association
Susan Van Dolsen	Westchetser for Change
Tina Lieberman	Zero Waste Capital District