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Upper St. Lawrence RIVERKEEPER®

*Protecting the St. Lawrence River through Advocacy, Education and Research since 1978
...now and for generations to come.*

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February 18, 2020

Honorable Andrea Stewart-Cousins
Senate Majority Leader NYS Senate
Albany, NY 12247

Honorable Carl Heastie
Assembly Speaker NYS Assembly
Albany, NY 12248

Re: Support for Ban on Styrofoam in the 2020-21 NYS Budget

Dear Majority Leader Stewart-Cousins and Speaker Heastie:

On behalf of Save The River, the Upper St. Lawrence Riverkeeper and our 1000 members and 15,000 people that follow us online, we respectfully urge you to protect our communities and environment by banning Expanded Polystyrene (EPS) foam in the 2020-21 NYS Budget. We strongly support Governor Cuomo's proposed ban of EPS foam disposable food service containers for prepared food or beverages and loose fill packaging in his Executive Budget, and implore you to include this ban in your respective one-house budget proposals.

EPS foam, commonly referred to as "Styrofoam™", poses a significant risk to the health of our environment. Polystyrene containers and loose fill packaging are only used for a short time, but can remain in our environment for generations—littering open spaces, polluting waterways, and harming wildlife. In 2018, Riverkeeper conducted a shoreline cleanup of the Hudson River, its tributaries, and the New York City waterfront and found that foam pollution was the second most prevalent type of trash collected. Additionally, during their 2018 International Coastal Cleanup, the Ocean Conservancy collected over 2.3 million pieces of foam (over 580,570 foam take-out containers).

EPS foam doesn't biodegrade; instead it breaks into small pieces and eventually becomes microplastic pollution in our waterways. Once microplastics enter our waterways, they act as toxic sponges, accumulating toxic chemical present in the water, including pesticides and PCBs. The microplastics have been shown to accumulate toxins a million times higher than the surrounding waters. Studies show that when fish and aquatic life consume these microplastics, the chemicals are passed up the food chain to larger fish and wildlife, and ultimately, can end up on our dinner plates. Recent research completed at a major European University found nanoplastics in human feces of all eight people whose stool was sampled.

*Save The River envisions a healthy Upper St. Lawrence River that provides safe drinking water,
is home to a thriving range of indigenous species, and supports sustainable economic activity.*

EPS foam contributes to the more than 22 million pounds of plastic that pollute the Great Lakes and St. Lawrence River annually. Furthermore, polystyrene is manufactured from fossil fuels and requires intensive energy use and greenhouse gas emissions to produce and to ship.

EPS foam also poses a threat to human health. The U.S. Department of Health and Human Services' National Toxicology Program listed styrene, a chemical in EPS foam, is listed as "reasonably anticipated to be a human carcinogen." It is known to leach from food packaging containers into food or drinks, especially when exposed to heat. Exposure to styrene increases our risk of leukemia and lymphoma and can cause irritation of the skin, eye, upper respiratory tract, and the gastrointestinal tract. Over fifty chemical byproducts are released during the manufacturing of polystyrene, contaminating air, water, and communities that surround these facilities. There is no reason to continue using EPS containers when safer, more environmentally friendly alternatives exist.

In addition to the health and environmental impacts, EPS foam poses a risk to our recycling economy. EPS foam that is contaminated by food and beverages cannot be recycled, but it can pose a big problem for recyclers. Despite having no value in the recycling market, used EPS containers and packaging still end up in curbside collections and end up contaminating other recyclables at municipal recycling facilities. The lightweight, broken pieces of EPS foam containers and loose fill packaging are extremely difficult to capture and remove during the sorting process and end up contaminating valuable recyclable streams, most often paper. Although EPS makes up less than 1% of most municipal waste streams, it presents a disproportionately large problem for recycling programs.

Local restaurants along the St. Lawrence River have already begun to embrace sustainable take home food containers. Individual retailers, including McDonalds and Dunkin Donuts, have begun to phase out the use of polystyrene products voluntarily, although many others are slow or unwilling to make the change. In response to these adverse environmental, public health, and solid waste impacts, local governments are taking action to protect their communities. Ulster, Albany, Nassau, Suffolk, Westchester, and Dutchess Counties, as well as NYC, have banned EPS foam packaging. Cayuga County recently introduced a local law to ban EPS foam, while Yates and Tompkins Counties recently passed resolutions calling on New York State to ban EPS foam statewide.

On average, non-polystyrene products cost less than \$.01 more than polystyrene, and that price gap is quickly closing as more establishments, both locally and globally, move away from polystyrene products. Now, we need New York State to continue this momentum and preserve the health of our communities and treasured waterways that are so important to New York's economy.

Banning EPS foam containers and loose fill packaging in the 2020-21 NYS Budget is essential to protect waterways, open spaces, wildlife, and public health across New York. EPS foam pollution is a statewide issue, yet the impacts are felt locally and the burden of combating it has unjustly been placed on local municipalities. The Governor's proposal, which is nearly identical to legislation passed by many municipalities across the State, is comprehensive and will yield a substantial reduction in Styrofoam consumption, litter, and recycling contamination.

