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May 11, 2022

Basil Seggos, Commissioner  
New York Department of Environmental  
Conservation  
625 Broadway  
Albany, NY 12233-1010

Alicia Barton, President and Chief Executive  
Officer  
New York Energy Research and Development  
Authority  
1359 Broadway, 19th Floor  
New York, NY 10018-7842

Re: Comments on Climate Action Council Draft Scoping Plan

Dear Commissioner Seggos and President Barton,

We, as representatives of the Onondaga County Resource Recovery Agency (OCRRA), want to offer our input and comments on the topics of recycling, solid waste, and materials management in response to the draft Scoping Plan of the Climate Leadership and Community Protection Act (Climate Act) put forth by the Climate Action Council (the Council). The goals of the Scoping Plan are to achieve the State's clean energy and climate agenda by reducing greenhouse gas (GHG) emissions, achieving net-zero emissions, increasing renewable energy usage, and ensuring climate justice.

**We believe it is critical that the NYS Climate Action Council take into consideration the impact of the implementation of the Climate Act, per the draft Scoping Plan, on the recycling, waste, and materials management sectors.** Reducing waste, increasing recycling, and recovering resources through sustainable waste management techniques are essential to achieving clean energy and climate goals. These goals also largely reflect [OCRRA's mission statement](#) and daily efforts. Landfills and Waste-To-Energy (WTE) facilities provide an essential public service because they provide for the safe and secure disposal of waste materials that are not feasible to reuse, recover, or recycle.

**Increased statewide recycling and recovery infrastructure will create jobs, reduce GHG emissions from transportation, and keep valuable natural resources in NY.** More investment in local recycling infrastructure and the promotion of domestic markets for re-use of post-consumer commodities is the best response to prevent the loss of commodities created by consumption and disposal. OCRRA strongly supports the enactment of broad Extended Producer Responsibility (EPR)/Product Stewardship requirements to support recovering resources from materials including packaging and printed paper, carpet, tires, textiles, solar panels, wind turbines, batteries, appliances (especially those containing refrigerants), and mattresses. The full life-cycle impacts of the Scoping Plan, including the new waste streams that will be created and natural resources that will be needed as we transition to net-zero emissions, are critically important to consider in advance of finalizing the plans for implementing the Climate Act.

**We strongly recommend that the NYS Climate Action Council recognize the financial and operational support of local waste reduction efforts as a key priority in the implementation of the Climate Act.** By supporting domestic recycling facilities and promoting markets for recovered resources such as post-consumer recycling and compost, more waste can be diverted from landfills. Additionally, more resources and facilities are needed for hard-to-manage residue from recycling and recovery efforts including plastics, digestate, biosolids, and municipal combustor ash.

**After emphasizing waste reduction, reuse, recycling, and composting, it is important to recognize that local energy recovery is part of the solution for lowering GHG emissions that contribute to climate change.** This fact is consistent with the [U.S. EPA waste management hierarchy for sustainable materials management](#). OCRRA implores the Council to acknowledge the benefits of energy recovery to meeting the Climate Act goals. In OCRRA's 2019 [Waste Quantification & Characterization Study](#), OCRRA concluded that if all recyclable and compostable material was pulled out of the county's municipal solid waste (MSW), there would remain approximately 43% that would require disposal. WTE extracts value from this waste through electricity production and substantially reduces the volume being landfilled. As the Office of the NYS Comptroller stated in its December 2018 report, [Local Governmental and the Municipal Solid Waste Landfill Business](#), landfills are a "non-renewable resource." However, until we can feasibly reach zero-waste at some point in the future, solid waste can serve as a renewable source of local energy.

**The Final Scoping Plan needs to acknowledge that WTE infrastructure will play an important role in the reduction of GHG emissions in New York State.** WTE facilities are net carbon reducers. Although combustion does generate CO<sub>2</sub>, data from Chapter 16 of the [Climate Act's Draft Scoping Plan](#) indicate that in New York State, 78% of waste-related GHG emissions come from 40% of the waste that is landfilled (GHG emissions: MSW mass ratio = 2:1) while 7% of the GHG emissions come from 15% of the waste that is combusted (GHG emissions: MSW mass ratio = 0.5 :1). This data clearly supports that landfilling generates approximately 4 times more GHG emissions per ton as compared to combustion. Furthermore, combustion of solid waste provides the innate ability to recover valuable metals and aggregates from solid waste which avoids greenhouse gases that would be created by mining for virgin materials. According to the [EPA's Documentation for Greenhouse Gas Emission and Energy Factors Used in the Waste Reduction Model \(WARM\)](#), approximately 1.83 metric tons of carbon dioxide equivalent (CO<sub>2e</sub>) tons are avoided per ton of steel recycled. **OCRRA's WTE Facility recovers over 11,000 tons of steel every year, equating to over 20,100 CO<sub>2e</sub> tons avoided every year just from steel recovery.** There is also recovery of approximately 1,300 tons of non-ferrous metals from the WTE facility with further GHG avoidance benefits. Additionally, combustion of solid waste reduces landfill airspace needs by approximately 90% and the weight of material transported to a landfill is reduced by approximately 80%. Consequently, processing waste through a WTE facility avoids substantial GHG emissions, reduces the amount of material being transported to distant

landfills, and the residual ash that is transported can be used as alternative daily cover at the landfills in place of soil or other more valuable covering material.

**Our Agency strongly believes that local waste management is critically important in order to avoid emissions generated by transporting waste to regional or out-of-state landfills.** By processing solid waste locally through our in-county WTE plant, OCRRA is able to reduce GHG emissions from waste transportation by over 70%. The energy recovery, greenhouse gas avoidance, and reduction techniques from local WTE facilities significantly support climate protection goals. Local solid waste management, especially those using WTE facilities, reduce GHG emissions as compared to exporting waste out of state due to avoided transportation and fugitive emissions from distant landfills.

**The Final Scoping Plan should consider that power generated from waste management techniques (e.g., WTE, landfill gas to energy systems, and biofuels) provide a benefit resulting from unavoidable public consumption.** Effort should be devoted to their strategic use, along with wind, solar, and hydropower.

**As leaders in solid waste management in New York State, OCRRA looks forward to working with the Council to protect our environment.** We support the goals of the Climate Act but feel that the scoping document falls short of identifying specific methodologies and sources of financial support needed to effectively achieve the goals set in the Scoping Plan. Additionally, the benefits that WTE facilities offer with respect to local waste processing, reduced transportation, minimizing landfill requirements, recovering resources, and displacing fossil-fuel based electricity generation are important to acknowledge and support. We appreciate the opportunity to comment on the Draft Scoping Plan and look forward to collaborating to achieve our many shared goals.

Sincerely,



Blair Page  
Chairman, Board of Directors



Kevin Spillane  
Executive Director

**RESOLUTION URGING NEW YORK STATE CLIMATE ACTION  
COUNCIL TO CONSIDER THE IMPACTS OF THE CLIMATE ACT ON  
SOLID WASTE MANAGEMENT DURING IMPLEMENTATION OF NEW  
LEGISLATION**

**WHEREAS**, the New York State Climate Leadership and Community Protection Act, otherwise known as the Climate Act, was signed into law and requires New York to reduce economy-wide greenhouse gas (GHG) emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels; and

**WHEREAS**, the law created a Climate Action Council charged with developing a scoping plan of recommendations to meet these targets and place New York on a path toward carbon neutrality; and

**WHEREAS**, the Climate Action Council developed a Draft Scoping Plan that serves as an initial framework for how the State will reduce greenhouse gas emissions and achieve net-zero emissions, increase renewable energy usage, and ensure climate justice; and

**WHEREAS**, the Climate Act has succeeded in bringing attention to the need for reducing destructive GHG emissions through careful planning, innovation, and refocusing of the state's priorities to create a more sustainable future for all New Yorkers; and

**WHEREAS**, Onondaga County Resource Recovery Agency (OCRRA) continues to advocate for New York State to reduce harmful GHG emissions due to solid waste management techniques, specifically methane produced by landfills, by providing greater state assistance in the development of organics waste diversion programs, such as Onondaga County's compost programs, to avoid combusting or landfilling food and other organics; and

**WHEREAS**, OCRRA continues to advocate for the state to reduce harmful GHG emissions by enacting broad Extended Producer Responsibility (EPR)/Product Stewardship requirements to support recycling of packaging and printed paper, carpet, tires, textiles, solar panels, wind turbines, all batteries, appliances (especially those containing refrigerants), mattresses, and other GHG Emitting wastes; and

**WHEREAS**, OCRRA continues to advocate for the state to reduce harmful GHG emissions generated from waste disposal facilities by supporting domestic recycling facilities and markets for recovered resources, including compost, digestate, and recycled aggregate/building deconstruction materials, and

**WHEREAS**, OCRRA encourages that the Climate Action Council recognize that some waste generation is unavoidable, and consequently, the Agency strongly advocates for New York State to invest in local waste disposal solutions in order to reduce the impact of harmful GHG emissions that are generated by almost all communities across New York as they are forced to transport their solid waste further and further away to regional or out of state disposal locations resulting in a substantial carbon footprint from transportation alone; and

**WHEREAS**, with respect to the management of waste that is combustible, the Agency strongly feels that local waste incineration is less impactful than methane emissions from landfills, as can be calculated from the data contained in the Scoping Document, and that New York State should continue to invest in its current inventory of waste to energy combustors and strive to capture fugitive emissions from landfills, reduce waste that requires disposal, and create opportunities for the use of energy generated by solid waste management techniques; now therefore be it

**RESOLVED**, that the Onondaga County Resource Recovery Agency does hereby call upon Governor Hochul and the New York State Climate Action Council to consider the impact that inadequate local waste disposal capacity has on our climate crisis and consider supporting more food waste diversion programs; developing end markets for recycling programs and compost facilities; and creating strong, broad EPR legislation which will reduce waste and allow communities across the State to be able to invest in local waste disposal options, such as Waste to Energy Facilities, thus reducing the harmful GHG emissions created by transporting waste further and further away; and be it

**FURTHER RESOLVED**, that OCRRA's Board does hereby ask that a copy of this resolution and the accompanying letter from the Chairman of the Board and the Executive Director be forwarded by the Board Secretary to Governor Hochul and the Climate Action Council as a response to their request for comments on New York State's Scoping Plan for the implementation of the New York Climate Act. This Resolution shall take effect immediately.

Resolution Adopted Date: May 11, 2022

Vote: Ayes: 10 Nays: 0 Abstentions: 0

Signed:  \_\_\_\_\_