



June 5, 2020

Commissioner Basil Seggos
NYS Department of Environmental Conservation
625 Broadway
Albany, New York 12233-0001

Dear Commissioner Seggos:

On May 27, 2020, we sent you a letter co-signed by 120 New York environmental and community organizations urging you to begin enforcing the state's new Bag Waste Reduction Law, which was supposed to go into effect on March 1, 2020. Due to litigation by a plastic bag company, the DEC agreed to several extensions; the most recent of which will expire on June 15, 2020.

As the Department of Environmental Conservation (DEC) itself has documented, New Yorkers use a staggering 23 billion single-use plastic bags each year. These bags take over 500 years to break down, harm fish and wildlife, are one of the most common items found in beach and river clean ups, clog gutters and sewers, take up space in New York's rapidly filling landfills, and jam machinery at recycling facilities, causing injuries and slowing work.

The last agreement was that DEC would not enforce the law through June 15, 2020, which is right around the corner. The time has come for the DEC to inform all stores that they need to stop handing out plastic bags and comply with the law by a date certain.

DEC recently released a public statement to the media stating that "Retailers across the state are complying." Unfortunately, that is not the case. Most retailers are *not* complying with the new law.

To bolster what we have seen with our own eyes, Beyond Plastics asked the public to inform us if the stores they shop at are complying with the bag ban or are still handing out single-use plastic bags, free of charge. In less than one week, we have heard back from nearly 100 New Yorkers across the state identifying stores failing to comply with the ban in their neighborhoods and towns.

We did not want to clog up your inboxes by having these concerned citizens contact you directly, so we have compiled this information in the attached spreadsheet instead. You can also see photographs taken in the past week from stores around the state in the attached PDF.

We urge DEC to issue a clear public statement that stores must comply with the law after the judge issues his decision. DEC can begin enforcement by contacting each of the stores listed in the attached spreadsheet to inform them of their legal obligation to comply with the law and also by issuing a public statement that the law will be fully in effect.

The judge in the case did not issue a Temporary Restraining Order. DEC has already agreed to three extensions. New York's environment should not have to wait further to experience the benefits of this important new law.

Thank you for your consideration.

Sincerely,

Judith Enck
President, Beyond Plastics

Attachments:

- Spreadsheet containing a listing of more stores currently out of compliance with the plastic bag ban.
- Collection of images submitted by Beyond Plastics supporters taken in stores across New York State that are not complying with the plastic bag ban.

Cc:

- Assemblymember Steve Englebright, Chair, NYS Assembly Committee on Environmental Conservation
- Senator Todd Kaminsky, Chair, NYS Senate Committee on Environmental Conservation