

**Attachment 1**

**SUMMARY OF EXPORTED Municipal Solid Waste TO DISPOSAL SITES**

(Sorted by STATE)

07/01/09

TO

02/28/09

Working Days:

199

DISPOSAL SITE	STATE	TONNAGE	PERCENTAGE	AVERAGE PER DAY
Bridgeport Resco	CT	0.00	0.0%	0.00
Big Run - ESI - Environ Solutions	KY	37,242.95	1.7%	188.10
Mountain View	MD	0.00	0.0%	0.00
Bridgewater Resource Center	NJ	0.00	0.0%	0.00
Kearny/Apex	NJ	0.00	0.0%	0.00
LI, emer Ref, HEMPSTEAD	NJ	39,040.78	1.8%	197.18
NJ, COVANTA, BK Districts	NJ	0.00	0.0%	0.00
NJ, COVANTA, ESSEX, Raymond Blvd	NJ	235,589.28	10.8%	1,189.84
QN, RAYMOND, ESSEX	NJ	32,373.61	1.5%	163.50
High Acres Landfill	NY	831.13	0.0%	3.19
New York Rail Logistics	NY	4,362.12	0.2%	21.98
Niagara Falls	NY	0.00	0.0%	0.00
Seneca Meadows	NY	74,289.11	3.4%	375.25
Seneca Meadows (ALBANY)	NY	0.00	0.0%	0.00
Westchester Resco, Peekskill	NY	80,489.89	3.7%	408.51
American Waste Disposal	OH	226.09	0.0%	1.14
Carbon/Limestone, Poland	OH	0.00	0.0%	0.00
Harrison County (Pending)	OH	0.00	0.0%	0.00
Ontario Angelica	ON,CN	0.00	0.0%	0.00
Alliance Sanitary (Empire)	PA	0.00	0.0%	0.00
American Refuel (Chester/Del/DCRRF)	PA	100,553.39	4.6%	507.85
Bethlehem Landfill	PA	102,401.87	4.7%	517.18
Blue Ridge Landfill	PA	124,875.91	5.7%	630.89
Commonwealth Envir System	PA	12,242.39	0.6%	61.83
Conestoga Landfill (MorganTown)	PA	39,761.44	1.8%	200.82
Cumberland County Landfill	PA	20,580.07	0.9%	103.94
Grand Central Sanitary	PA	0.00	0.0%	0.00
Greenridge Reclamation	PA	0.00	0.0%	0.00
Grows North	PA	128,135.93	5.9%	647.15
IESI Bethlehem	PA	0.00	0.0%	0.00
IESI Blue Ridge	PA	0.00	0.0%	0.00
Imperial Landfill	PA	0.00	0.0%	0.00
Keystone Landfill	PA	43,358.69	2.0%	218.98
Lakesview Landfill	PA	0.00	0.0%	0.00
Latrell Highland	PA	90,193.40	4.1%	455.52
Modern Landfill	PA	0.00	0.0%	0.00
Mostoller Landfill	PA	28,969.49	1.3%	146.31
Pine Grove	PA	0.00	0.0%	0.00
RCC/Shade Landfill (Resource Con)	PA	102,222.16	4.7%	516.27
South Hills Landfill	PA	0.00	0.0%	0.00
Southern Alleghenie	PA	0.00	0.0%	0.00
Superior Greentree (or Greentree)	PA	126,597.59	5.8%	639.89
Valley Landfill	PA	0.00	0.0%	0.00
Wheelabrator Falls	PA	0.00	0.0%	0.00
Lee County	SC	144,907.45	6.7%	731.86
Amelia/Maplewood	VA	0.00	0.0%	0.00
Atlantic Waste Disposal (Waverly)	VA	594,528.87	27.3%	3,002.67
Brunswick Cnty Landfill, Lawrenceville	VA	4,426.75	0.2%	22.36
Chambers/Charles City	VA	0.00	0.0%	0.00
King & Queen Landfill	VA	6,635.35	0.3%	33.51
King George County	VA	0.00	0.0%	0.00
Middle Peninsula	VA	0.00	0.0%	0.00
<b>Grand Total</b>		<b>2,174,735.29</b>	<b>100.0%</b>	<b>10,983.51</b>

\* Resource Recovery Facility

Note: This report is final when approved.

Prepared by Cesar J. Rangel

Approved by Chad E. Chiswick

04/30/09

04/30/09

**Attachment 2**

# Processing Contractor Contact Information

BWPRR:07/08/2009

Contractor	Facility Address	Material
<b>A&amp;R Lobosco, Inc</b>	31-33 Farrington St Flushing, NY 11354	Paper
<b>CellMark</b> (formerly Pacific Forest Resources)	200 Tamal Plaza, Suite 200 Corte Madera CA 94925	Paper
<b>Metropolitan Paper</b> (Potential's subcontractor)	854 Shepherd Ave Brooklyn, NY 11208	Paper
<b>Paper Fibres</b>	960 Bronx River Ave Bronx, NY 10473	Paper
<b>Potential Industries</b>	922 East "E" St Wilmington, CA 90744	Paper
<b>Rapid Processing</b>	860 Humboldt St Brooklyn, NY 11222	Paper
<b>Sims Municipal Recycling of New York LLC</b>  (Formerly known as <b>Sims Hugo Neu East, and Hugo Neu Schnitzer East</b> )  (Associated with Simsmetal East LLC)	Sims Municipal Recycling of New York LLC One Linden Avenue East Jersey City, NJ 07305-4722  NYC Hq 212-606-0722 Hq Fax 212-500-7423  NOTE: SIMS DOMAIN NAMES ARE IN TRANSITION FROM  <a href="mailto:@us.sims-group.com">@us.sims-group.com</a> TO  <a href="mailto:@simsmm.com">@simsmm.com</a>	MGP & Bulk Metal
	Claremont Terminal 1 Linden Avenue East Jersey City, NJ 07305	MGP & Bulk Metal
	30-27 Greenpoint Ave LIC, NY 11101	MGP & Bulk Metal
	Bronx Metals Recycling 850 Edgewater Rd Bronx, NY 10474	MGP & Bulk Metal
<b>Triboro Fibers</b> (Owned by CellMark)  Billing: CellMark Recycling 80 Washington St PO Box 641 Norwalk, CT 06854	891-899 E 135 St Bronx, NY 10454	Paper
<b>United Industrial Service d/b/a United Oil Recovery, Inc</b>	47 Gracey Avenue Meriden, CT 06451	Household Special Waste
<b>Visy Paper of NY</b>	4435 Victory Blvd Staten Island, NY 10314	Paper
<b>WeCare Organics, LLC</b>	9289 Bonta Bridge Rd Jordan, NY 13080	Composting & Yard Waste

**Attachment 3**



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF SOLID & HAZARDOUS MATERIALS  
ANNUAL REPORT - PLANNING UNIT RECYCLING REPORT**

1. Report Year:	2008	2. Planning Unit	New York City Department of Sanitation			
3. Address, City, State, Zip:	Bureau of Waste Prevention, Reuse and Recycling, 44 Beaver Street, 6 <sup>th</sup> floor, New York, NY 10004			4. Phone	917-237-5656	
5. Contact Person	Robert Lange, Director		6. E-mail	rlange@dscy.nyc.gov		
7. Sources of Disposal and Recycling Data (type YES where applicable)	Scale weights	Yes	Hauler surveys	Yes	Estimates	Yes
	Truck counts		Facility surveys	Yes	Other	

**WASTE DISPOSED**

If you include more than 10,000 tons of solid waste IMPORTED from another P. U., please specify on a separate sheet. Do not report tons of ash that is disposed of or recovered from incineration, as such would constitute double counting

	Landfilled		Waste-to-Energy		Out of State
	Within PU tons	Outside PU (exported tons)	Within PU tons	Outside PU (exported tons)	Outside PU (exported tons)
Municipal Solid Waste		4,444,899.55		474,516.75	
C & D (disposed)		1,762,610.57			
Non-Haz. Industrial Waste					
Sewage Sludge (wet/dry?)					

Names of DISPOSAL FACILITIES that received your waste tons listed above (add additional sheets, if necessary):

DSNY does not have information on disposal facilities receiving NYC commercial waste, either inside or outside New York State. Full details on disposal facilities receiving DSNY-managed waste are already on file with the DEC. Tonnages above reflect disposal outside the PU without regard to location in or out of state.

**RECYCLABLES RECOVERED**

Do not report recyclables that result from the Returnable Container Act or are part of a Beneficial Use Determination.

Category	Material	Tons	Material	Tons	Material	Tons
PAPER	Newspaper	160,994.89	Magazines		Corrugated	52,838.55
	Office Paper		Junk Mail		Paperboard	
	Mixed Paper	541,507.86	Other – specify type:			
GLASS	Glass - Clear	18,885.12	Glass - Brown	4,582.78	Glass - Mixed	41,836.62
	Glass - Green	9,571.98	Other – specify type:	Non-container		422.97
METAL	Containers	19,888.36	Aluminum	3,101.08		
	Enameled Metal Appliances (white goods)			17,069.96		
	Other – specify	Ferrous, nonferrous, autos		661,124.21		
	Other – specify					
PLASTIC	PET #1	14,862.52	Mixed Plastic			
	HDPE #2	14,965.16	Other Plastics - specify			
CO-MINGLED	Glass, metal, and Plastic containers collected co-mingled			109,084.05		
	Deposit containers redeemed under NYS Bottle Bill (tons)					

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF SOLID & HAZARDOUS MATERIALS  
ANNUAL REPORT - PLANNING UNIT RECYCLING REPORT (continued)**

Category	Material	Tonnage	Material	Tonnage
YARD WASTE	Leaves	7,098.56	Mixed Yard Waste	10,599
	Grass		Brush	
ORGANICS	food	4,345	Other -	
RUBBER	Tires (in tons 100 tireston	1,216.80	Other Rubber	
WOOD	Wood Pallets		Lumber	
C & D (recycled - not disposed)	Asphalt	318,540.01	Petroleum Contaminated	
	Concrete/Brick/Rock/Fines	1,602,684.86	Other C & D/Inert (incl. wood)	4,336,661.29
SEW. SLUDGE	Sludge that was composted	676,984	<==Is this figure WET tons or DRY tons? wet	

Other Co-mingled Mix: please describe mix:

**ADDITIONAL RECYCLABLES NOT LISTED ABOVE (see Appendix A for some examples)**

Recycled Material	End Use or Destination Facility	Tonnage
Furniture reuse	Materials for the Arts	1,266.54
e-waste	Various vendors - e-waste recycling events	387.64
textiles	Goodwill industries - textile recycling events	177.05
Special wastes	Treatment and recycling - varioud vendors	249.43

Names of RECYCLING FACILITIES from where you derived your recycled tons (add additional sheets, if necessary):

DSNY does not have information on recycling facilities receiving NYC commercial recycling, either inside or outside New York State. Full details on recycling facilities receiving DSNY-managed waste are already on file with the DEC.

Estimate the percent of total recycled tons reported that were	a) managed by Planning Unit	24.45%
	b) managed by private sector drop-off:	75.55%
Estimate the percent of total recycled tons reported that were	a) picked up curbside:	99.9%
	b) collected via drop-off:	0.1%

If applicable, please add any information about Waste Prevention, Recycling Metrics, Best Practices or other aspects of your Waste Reduction and Recycling or disposal programs not reflected in this report

Please visit [www.nyc.gov/nycwasteless](http://www.nyc.gov/nycwasteless) for the latest news on Department of Sanitation waste prevention, reuse, and recycling programs and initiatives.

#### Appendix A - Examples of Other Recyclables

Recycled Material Type	End Use or Destination Facility	Tonnage
#4 Plastic	ABC Plastic Lumber Inc.	10.74
Latex Paint	Sherman Wilson - made into new latex paint	7.5
Textiles	Good Will - donated for reuse	20
Electronics	Monitors 'R' Us - Dismantled for scrap	43
Paper Mill Sludge	Used in paper mix for animal bedding	1,000
Foundry Waste	U. Becher Asphalt - used in asphalt mix	300

#### Appendix B - Description of Selected Categories

Material	Component Categories	Examples
Paper	Newsprint	Newspaper that may include certain amounts of other paper materials depending on mill specs.
	Corrugated Cardboard	Multi-layer kraft corrugated shipping boxes and inserts.
	Paperboard/Chipboard/Boxboard	Cereal boxes, shoe boxes, gift boxes, lightweight cardboard.
	Office Paper	Copy paper, computer printout, ledger and letterhead paper.
	Mixed	Mixed recyclable paper, news, junk mail, magazines, etc.
	Other Paper	Tissue paper, towels, or as specified.
Plastic	PET (#1)	Soda bottles, liquor bottles.
	HDPE (#2)	Milk jugs, shampoo bottles.
Glass	Other Glass	Ceramic glass, light bulbs, plate glass
Metal	Containers	Food cans, Pet food cans, soda cans, hair spray, aerosols
	Aluminum	Soda cans (non-deposit), juice cans, foil and foil pans.
	White Goods/Enameled metal	Refrigerators, washing machines, stoves, other appliances.
	Other Metal	Coat hangers, scrap metal.
	Other Metal	Siding, cookware, machine parts, utensils, electrical wiring
Organics	Food Waste	Kitchen scraps, dog food, food processing wastes.
	Other Organics	Brewery waste, fish processing waste.
Wood	Lumber	Plywood sections, particle board.
	Other Wood	Crates, sawdust, animal bedding.
C & D (recycled)	Asphalt	Roofing shingles, siding, road surfacing.
	Concrete/Brick/Rock	Gravel, house bricks, stones.
	Petroleum Contaminated Soil (PCS)	PCS made into a product - not PCS that is landfilled



Material	Component Categories	Examples
	Other C&D	Sheetrock, plaster, insulation.
Sewage Sludge	Sewage sludge composted	Sludge from POTWs that is composted, not landfilled. Note that the amount will be converted to dry tons for calculations

### Appendix C - Sample Volume to Weight Conversion Factors

If you have more specific or accurate conversion factors for your materials, you can use your own conversion factors and advise DEC of your factors and calculations.

MATERIAL	EQUIVALENT		MATERIAL	EQUIVALENT	
GLASS-whole bottles	1 cubic	0.35 tons	GLASS-crushed mechanically	1 cubic yard	0.88 tons
GLASS-semicrushed	1 cubic	0.70 tons	GLASS-uncrushed-manually	55 gallon drum	0.16 tons
PAPER-high grade loose	1 cubic	0.18 tons	NEWSPRINT-loose	1 cubic yard	0.29 tons
PAPER-high grade baled	1 cubic	0.36 tons	NEWSPRINT-compacted	1 cubic yard	0.43 tons
PAPER-mixed loose	1 cubic	0.15 tons	CORRUGATED-loose	1 cubic yard	0.15 tons
			CORRUGATED-baled	1 cubic yard	0.55 tons
PLASTIC-PET-whole	1 cubic	0.015 tons	PLASTIC-HDPE-whole	1 cubic yard	0.012 tons
PLASTIC-PET-flattened	1 cubic	0.04 tons	PLASTIC-HDPE-flattened 1	1 cubic yard	0.03 tons
PLASTIC-PET-baled	1 cubic	0.38 tons	PLASTIC-HDPE-baled	1 cubic yard	0.38 tons
PLASTIC-styrofoam	1 cubic	0.02 tons	PLASTIC-mixed, grocery bags,	45 gallon bag	0.01 tons
ALUMINUM-cans-whole	1 cubic	0.03 tons	FERROUS METAL-cans-whole	1 cubic yard	0.08 tons
ALUMINUM-cans-flattened	1 cubic	0.125 tons	FERROUS METAL-cans-	1 cubic yard	0.43 tons
WHITE GOODS-uncompacted	1 cubic	0.10 tons	WHITE GOODS-compacted	1 cubic yard	0.5 tons
YARD WASTE (uncompacted)	1 cubic	0.10 tons	FOOD WASTE	55 gal drum	0.20 tons
YARD WASTE (compacted)	1 cubic	0.20 tons	MSW (Compacted)	1 cubic yard	0.50 tons

### Appendix D - NYSDEC REGIONAL AND CENTRAL OFFICE ADDRESSES

SEND A COPY OF THIS REPORT TO YOUR REGIONAL OFFICE AND A COPY TO THE DEC CENTRAL OFFICE

DEC Region	Address and Phone
1	Regional Solid & Haz Materials Engineer (631) 444-0375 Loop Road Bldg 40 - SUNY, Stony Brook, NY 11790-2356
2	Regional Solid & Haz Materials Engineer (718) 482-4894 1 Hunters Point Plaza, 47-40 21st Street, Long Island City, NY 11101-5407
3	Regional Solid & Haz Materials Engineer (845) 256-3136 21 South Putt Corners Road, New Paltz, NY 12561-1696
4	Regional Solid & Haz Materials Engineer (518) 357-2346 1150 North Westcott Road, Schenectady, NY 12306-2014
5	Regional Solid & Haz Materials Engineer (518) 897-1241 1115 Route 86, P.O. Box 296, Ray Brook, NY 12977-0296

6	Regional Solid & Haz Materials Engineer 317 Washington Street, Watertown, NY 13601-3787	(315) 785-2522
7	Regional Solid & Haz Materials Engineer 615 Erie Blvd. West, Syracuse, NY 13204-2400	(315) 426-7419
8	Regional Solid & Haz Materials Engineer 6274 E. Avon-Lima Road, Avon, NY 14414-9519	(585) 226-5408
9	Regional Solid & Haz Materials Engineer 270 Michigan Avenue, Buffalo, NY 14203-2999	(716) 851-7220
DEC Central Office in Albany	Bureau of Solid Waste, Reduction & Recycling 625 Broadway, 9 <sup>th</sup> Floor, Albany, NY 12233-7253 Attn: Recycling Reporting Section	(518) 402-8706

**Attachment 4**

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2006**

---

**No. 40**

---

Introduced by Council Members McMahon, Brewer, Fidler, Gerson, James, Liu, Mendez, Stewart, Mark-Viverito, Foster Gennaro, Seabrook, Lappin, Jackson, Sears, Recchia, Comrie and Weprin.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to composting yard waste.**

*Be it enacted by the Council as follows:*

Section 1. Section 16-308 of the administrative code of the city of New York is amended by adding new subdivisions g and h to read as follows:

*g. Generators of yard waste, except those identified in subdivision h of this section, shall separate, tie, bundle, or place into paper bags, or rigid containers, in accordance with rules promulgated by the commissioner, any yard waste set out for collection by the department pursuant to subdivision b of this section. The commissioner shall notify all residents in districts that receive yard waste collection by the department of such pre-collection procedures, and undertake any other action necessary to effectuate the purposes of this subdivision.*

*h. No person engaged in a business that generates yard waste, shall leave such yard waste for collection by the department, or disperse such yard waste in or about the curb or street. Any person engaged in a business that generates yard waste shall be required to collect and dispose of such yard waste at a permitted composting facility; provided, however, that if the department, by written order of the commissioner, determines that there is insufficient capacity at permitted composting facilities within the city of New York or within ten miles of the borough in*

*which any such person generates yard waste, then such yard waste may be disposed of at any appropriately permitted solid waste management facility.*

§2. Subdivision a of section 16-324 of the administrative code of the city of New York, as added by local law number 19 for the year 1989, is amended to read as follows:

a. Any person who violates this chapter, *except subdivision h of section 16-308 of this chapter*, or any rule or regulation promulgated pursuant thereto shall be liable for a civil penalty recoverable in a civil action brought in the name of the commissioner or in a proceeding returnable before the environmental control board in an amount of twenty-five dollars for the first violation, fifty dollars for the second violation and one hundred dollars for the third and each subsequent violation, provided that the court before which such civil action is brought or such board may waive the penalty for the first violation upon a showing of good cause. A person committing a fourth and any subsequent violation within a period of six months shall be classified as a persistent violator and shall be liable for a civil penalty of five hundred dollars for each violation. For a persistent violation only, except where such violation occurs at a building of less than nine dwelling units, each container or bag containing solid waste that has not been source separated or placed out for collection in accordance with the regulations promulgated by the commissioner pursuant to this chapter shall constitute a separate violation, provided that no more than twenty separate violations are issued on a per bag or per container basis during any twenty-four hour period. Before issuing any further notice of violations to a persistent violator after the fourth violation within a period of six months, the commissioner shall give such violator a reasonable opportunity to correct the condition constituting the violation. *Any person who violates subdivision h of section 16-308 of this chapter shall be liable for a civil penalty in the amount of two hundred fifty dollars for the first violation, one thousand dollars for the second violation within a period of twelve months from the first violation, and two thousand five hundred dollars for the third or subsequent violation within a period of twelve months from the first violation.*

§3. This local law shall take effect immediately, except that subdivision g of section 16-308 of the administrative code of the city of New York, as added by section one of this local law, shall take effect on April 1, 2007, and subdivision h of section 16-308 of the administrative code

of the city of New York, as added by section one of this local law, shall take effect on October 1, 2008.

The City of New York, Office of the City Clerk, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on October 11, 2006 and approved by the Mayor on October 17, 2006.

Victor L. Robles, City Clerk, Clerk of the Council.

**CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27**

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 40 of 2006, Council Int. No. 431-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on October 11, 2006: 47 For, 0 Against, 0 Not Voting

Was signed by the Mayor on October 17, 2006.

Was returned to the City Clerk on October 17, 2006.

Jeffrey D. Friedlander, Acting Corporation Council.

**Attachment 5**

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2008**

---

**No. 1**

---

Introduced by Council Members Vallone, Jr., The Speaker (Council Member Quinn), Gennaro, McMahon, Yassky, Liu, Mark-Viverito, Gioia, de Blasio, The Public Advocate (Ms. Gotbaum) and Council Members Avella, Brewer, Felder, Fidler, Gentile, Gonzalez, James, Koppell, Lappin, Nelson, Recchia Jr., Sanders Jr., Weprin, Jackson, Arroyo, Garodnick and Sears.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to requiring a recycling program for plastic carryout bags and film plastic.**

*Be it enacted by the Council as follows:*

Section 1. Title 16 of the administrative code of the city of New York is amended by adding a new chapter 4-B to read as follows:

*CHAPTER 4-B*

*§ 16-450 Title.*

*§ 16-451 Declaration of policy.*

*§ 16-452 Definitions.*

*§ 16-453 Recycling program requirements.*

*§ 16-454 Manufacturer responsibilities.*

*§ 16-455 Penalties.*

*§ 16-450 Title. This chapter shall be known as and may be cited as the "New York City Plastic Carryout Bag and Film Plastic Recycling Law".*

*§ 16-451 Declaration of policy. It is hereby declared to be the public policy of the city of New York to reduce environmental pollution, to reduce the toxicity of waste materials in the solid waste stream*



*directed to resource recovery and sanitary landfill facilities, and to maximize the removal of plastic carryout bags and film plastic from the waste stream in order to recycle them. Plastic carryout bags and film plastic do not biodegrade, which means that such bags and film plastic ultimately break down into smaller pieces that enter the ecosystem. These pieces of plastic cause illness, injury and death to animal and marine life by entangling them or contaminating their food supplies. The production of plastic bags and film plastic worldwide uses over 12 million barrels of oil per year, which causes significant environmental impacts.*

*§ 16-452 Definitions. When used in this chapter: a. "Chain of stores" means five or more stores located within the city of New York that are engaged in the same general field of business and (1) conduct business under the same business name or (2) operate under common ownership or management or pursuant to a franchise agreement with the same franchisor.*

*b. "Consumer" means any person who purchases a product from a store that is placed in a plastic carryout bag at the time of sale.*

*c. "Film plastic" means uncontaminated non-rigid film plastic packaging products composed of plastic resins that include, but are not limited to, newspaper bags, dry cleaning bags and shrink-wrap.*

*d. "Food service establishment" means any establishment (1) where the primary business is providing food for individual portion service directly to the consumer, whether consumption of such food occurs on or off the premises or such service is provided in a premises or from a pushcart, stand or vehicle, and (2) that is subject to the permit requirement contained in section 81.05 of the New York city health code.*

*e. "Manufacturer" means every person, firm or corporation that: (1) produces plastic carryout bags that are sold or distributed within the city of New York, or (2) imports plastic carryout bags into the United States that are sold or distributed within the city of New York.*

*f. "Operator" means a person, firm or corporation that owns or is in control of, or has responsibility for, the daily operation of a store.*

*g. "Plastic carryout bag" means a plastic bag provided by a store to a consumer at the point of sale that is not a reusable bag.*

*h. "Reusable bag" means (1) a bag made of cloth or other machine washable fabric that has handles, or (2) a durable plastic bag, with handles, that is at least 2.25 mils thick and is specifically designed and manufactured for multiple reuse.*

*i. "Store" means a retail or wholesale establishment, other than a food service establishment, that sells products and provides plastic carryout bags to consumers in which to place these products and (1) has over five thousand square feet of retail or wholesale space or (2) is one of a chain of stores.*

*§ 16-453 Recycling program requirements. a. Every operator shall establish an in-store recycling program that shall include, but need not be limited to, the following:*

*1. every plastic carryout bag provided by a store shall have printed or displayed on the outside face of the bag (i) the words "PLEASE REUSE OR RECYCLE AT A PARTICIPATING STORE" using letters at least one-half inch in height or (ii) a similar message encouraging the reuse or recycling of plastic carryout bags that is no less than one inch in height and uses letters at least one quarter inch in height; provided, however, that such store shall be allowed, for six months from the effective date of the local law that added this subdivision, to use its existing stock of plastic carryout bags and may apply to the commissioner for a waiver, based on economic hardship, to extend such six-month period;*

*2. a bin for the collection of plastic carryout bags and other film plastic shall be placed in a visible location that is easily accessible to the consumer, and clearly marked as available for the purpose of collecting plastic carryout bags and other film plastic for recycling;*

*3. all plastic carryout bags and other film plastic returned to a store are to be collected, transported and recycled in a manner consistent with the provisions of this chapter or any rule promulgated pursuant to this chapter;*

*4. plastic carryout bags and other film plastic collected by a store that are free of foreign material shall not be disposed of in any solid waste or hazardous waste facility; and*

*5. the operator shall make available to consumers within a store at or near the place where plastic carryout bags are dispensed, reusable bags, which may be purchased and used in lieu of a plastic carryout bag or paper bag.*

*b. Each operator or its designee shall maintain records indicating the weight of the plastic carryout bags and film plastic that are collected by such operator's store and transported for recycling.*

*c. Each operator or its designee shall submit an annual report to the department covering the preceding calendar year, beginning with a report covering calendar year two thousand nine, which shall include for all stores that it operates within the city of New York the amount of carryout plastic bags and other film plastic by weight that is collected and transported for recycling, the costs to the operator of such efforts, and any other information the commissioner shall require by rule. Such annual report shall be submitted to the department no later than February twenty-eighth following the calendar year to which the annual report relates.*

*d. The commissioner shall, in consultation with operators, manufacturers and recyclers, develop a system to monitor and determine the weight of all plastic carryout bags and other film plastic collected under this chapter and shall analyze the information and report to the mayor and the council every two years beginning on December thirty-first, two thousand ten, regarding the implementation and enforcement of this chapter.*

*§ 16-454 Manufacturer responsibilities. a. A manufacturer whose plastic carryout bags are sold or distributed to a store subject to the provisions of this chapter shall make arrangements with the operator, upon the operator's request, for the collection, transport and recycling of all plastic carryout bags and other film plastic collected consistent with the provisions of this chapter. Such arrangements may include contracts or other agreements with third parties.*

*b. A manufacturer that arranges with an operator for the collection, transport and recycling of plastic carryout bags and other film plastic shall report annually to such operator the total amount by weight of plastic carryout bags and other film plastic that has been collected from such operator. Such annual report shall cover the preceding calendar year, beginning with a report covering calendar year two thousand nine, and be submitted to such operator no later than January thirty-first following the calendar year to which the annual report relates.*

*c. A manufacturer whose plastic carryout bags are sold or distributed to a store subject to the provisions of this chapter shall make arrangements with the operator, upon the operator's request, to provide such operator, educational materials that encourage the reduction, reuse and recycling of plastic carryout bags.*

*§ 16-455 Penalties. a. Any operator who violates subdivision a of section 16-453 of this chapter shall be liable for a civil penalty recoverable in a proceeding before the environmental control board in the amount of three hundred dollars per day for each day that a recycling program meeting the requirements of such subdivision is not in effect. It shall be an affirmative defense to a violation of paragraph one or five of subdivision a of section 16-453 of this chapter that the operator used its best efforts to comply with such paragraph but was unable to because of circumstances beyond such operator's control.*

*b. Any operator who violates subdivision b of section 16-453 of this chapter shall be liable for a civil penalty recoverable in a proceeding before the environmental control board in the amount of: (1) one hundred dollars for the first violation; (2) seven hundred dollars for the second violation within a twelve-month period of the first violation; and (3) one thousand dollars for the third violation within such twelve-month period.*

*c. Any operator who violates subdivision c of section 16-453 of this chapter shall be liable for a civil penalty recoverable in a proceeding before the environmental control board in the amount of: (1) one hundred dollars for the first violation within twelve months of the date the report referred to in such subdivision is due; (2) seven hundred dollars for the second violation within such twelve-month period; and (3) one thousand dollars for the third violation within such twelve-month period.*

*d. Any manufacturer who violates subdivision a of section 16-454 of this chapter shall be liable for a civil penalty recoverable in a proceeding before the environmental control board in the amount of five hundred dollars per day for each day that such violation continues.*

*e. Any manufacturer who violates subdivision b of section 16-454 of this chapter shall be liable for a civil penalty recoverable in a proceeding before the environmental control board in the amount of: (1) one hundred dollars for the first violation within twelve months of the date the report referred to in such subdivision is due; (2) one thousand dollars for the second violation within such twelve-month period; and (3) fifteen hundred dollars for the third violation within such twelve-month period.*

*f. Any manufacturer who violates subdivision c of section 16-454 of this chapter shall be liable for a civil penalty recoverable in a proceeding before the environmental control board in the amount of: (1) one hundred dollars for the first violation; (2) one thousand dollars for the second violation within a*

*twelve-month period of the first violation; and (3) fifteen hundred dollars for the third violation within such twelve-month period.*

*g. The failure of an operator or manufacturer to provide the report or maintain the records, or of a manufacturer to provide educational materials requested by an operator, required by sections 16-453 and 16-454 of this chapter shall constitute a continuing violation that subjects such operator or manufacturer to up to three notices of violation within the twelve-month periods provided in subdivisions b, c, e and f of this section.*

*h. The department shall have the authority to enforce all provisions of this chapter. The department of consumer affairs also shall have the authority to enforce paragraphs one, two and five of subdivision a of section 16-453 of this chapter.*

§ 2. This local law shall take effect six months after enactment, except that the commissioner of sanitation shall take such actions, including the promulgation of rules, as are necessary for the implementation of this local law prior to such effective date.

The City of New York, Office of the City Clerk, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on January 9, 2008 and approved by the Mayor on January 23, 2008.

Michael McSweeney, First Deputy City Clerk  
Acting City Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW § 27

Pursuant to the provisions of Municipal Home Rule Law § 27, I hereby certify that the enclosed Local Law (Local Law 001 of 2008, Council Int. No. 640-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on January 9, 2008:  
44 For, 2 Against, 0 Not Voting:

Was signed by the Mayor on January 23, 2008

Was returned to the City Clerk on January 23, 2008.

Jeffrey D. Friedlander, Acting Corporation Counsel.

**Attachment 6**

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2008**

---

**No. 13**

---

Introduced by Council Members de Blasio, McMahon, the Speaker (Council Member Quinn) and Council Members Comrie, Dickens, Fidler, Gentile, Katz, Koppell, Recchia Jr., Sanders Jr., Weprin, Gerson, Jackson, James, Stewart, Vallone Jr., Martinez, Yassky, Liu, Nelson, Foster, Monserrate, Rivera, Garodnick, Mealy and Sears.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to the collection for recycling, reuse and safe handling of electronic equipment in the city of New York.**

*Be it enacted by the Council as follows:*

Section 1. Declaration of legislative findings and intent. The Council finds that electronic waste represents one of the fastest growing and most hazardous components of the City of New York's waste stream. It is estimated that, based upon national data, less than 10% of the city's electronic waste is currently being recycled. According to the United States Environmental Protection Agency ("EPA"), more than 2.6 million tons of computers, television sets and other electronic waste were discarded in the United States during 2005. The EPA also estimates that there are hundreds of millions of pieces of electronic waste being stockpiled in homes and businesses.

Electronic waste contains many toxic substances that include known or probable human carcinogens that have been identified by the EPA, European Union and municipal and state Departments of Health throughout the country. An average television set with a traditional cathode ray tube contains as much as five to seven pounds of lead, and an average computer terminal contains four pounds of lead as well as smaller amounts of mercury and cadmium. The improper disposal of this waste therefore poses a threat to human health and the environment. Indeed, according to the EPA, as much as 70% of heavy

metals contained in landfills, including lead, mercury and cadmium, originates from electronic waste. The incineration of electronic waste can lead to increased mercury, lead and other toxic airborne emissions.

There are direct environmental and public health consequences for New York City residents and workers from the improper handling and disposal of electronic waste. For example, the regional incineration of electronic waste poses a direct threat to the city's air quality and the health of its residents.

The Council finds that there is currently no comprehensive system for managing the growing problem of electronic waste in the City of New York. The Council further finds that the establishment of a system to provide for the collection, handling and recycling or reuse of electronic equipment in this city is consistent with its duty to protect the health, safety and welfare of its citizens; enhance and maintain the quality of the environment; and help prevent air, water and land pollution. The Council further finds that such a system is consistent with New York State's overall solid waste management policy, including its intent to pursue and implement an integrated approach to solid waste management and to aggressively promote waste reduction, reuse and recycling as the preferred methods of waste management.

The purpose of this chapter is to establish an electronics recycling system that ensures the safe and environmentally sound handling, recycling, or reuse of electronic equipment. In addition, it is the purpose of this chapter to establish an electronics recycling and reuse collection system that is convenient and minimizes costs to consumers of electronic equipment and to the City. The Council further finds that by encouraging convenient and environmentally sound collection of electronic waste, this chapter would reduce the environmental and health costs associated with electronic equipment that is discarded along with ordinary waste.

The Council finds that the manufacturers of electronic equipment should reduce and, to the maximum extent feasible, ultimately phase out the use of hazardous materials in electronic products. The Council further finds that primary responsibility for the collection, handling and recycling or reuse of electronic equipment belongs to manufacturers. Currently, manufacturers of electronic equipment are required to bear none of the financial burden or responsibility for safely managing discarded electronic equipment at the end of its useful life, burdening local governments and end users with these costs and responsibilities. Manufacturers of electronic equipment, in working to achieve the goals and objectives of this chapter, should have the flexibility to act in partnership with each other, the city and businesses that



provide collection and handling services to develop, implement and promote a safe and effective electronics recycling system.

§2. Title 16 of the administrative code of the city of New York is amended by adding a new chapter 4-A to read as follows:

*CHAPTER 4-A*

*ELECTRONIC EQUIPMENT COLLECTION, RECYCLING AND REUSE*

*§16-420 This local law shall be known and may be cited as the "Electronic Equipment Collection, Recycling and Reuse Act".*

*§16-421 Definitions.*

*As used in this chapter:*

*a. "Brand name" means a manufacturer's name, brand designation, make or model name or number, or other nomenclature by which covered electronic equipment is offered for sale by a manufacturer.*

*b. "Cathode ray tube" means a vacuum tube or picture tube used to convert an electronic signal into a visual image.*

*c. "Computer" means an electronic, magnetic, optical, electrochemical or other high-speed data processing device performing a logical, arithmetic or storage function, and may include both a computer central processing unit and a monitor; but such term shall not include an automated typewriter or typesetter, a portable hand-held calculator, a portable digital assistant, or other similar device.*

*d. "Covered electronic equipment" means any computer central processing unit; cathode ray tube; cathode ray tube device; keyboard; electronic mouse or similar pointing device; television; printer; computer monitor, including but not limited to a liquid crystal display and plasma screens, or similar video display device that includes a screen that is greater than four inches measured diagonally and one or more circuit boards; a laptop or other portable computer; or a portable digital music player that has memory capability and is battery-powered. "Covered electronic equipment" does not include any automobile; mobile phone; household appliances such as clothes washers, clothes dryers, refrigerators, freezers, microwave ovens, ovens, ranges or dishwashers; equipment that is functionally or physically part of a larger piece of equipment intended for use in an industrial, research and development or commercial*

setting; security, anti-terrorism or medical equipment that utilizes a cathode ray tube, a cathode ray tube device or a flat panel display or similar video display device that is not separate from the larger piece of equipment; or any other device, as that term is defined in section three hundred twenty-one of title twenty-one of the United States code.

e. "Electronic recycler" means a person who 1. refurbishes or otherwise processes covered electronic equipment for reuse or resale; or 2. removes, segregates or otherwise extracts components or commodities from covered electronic equipment, either by manual or mechanical separation or by changing such equipment's physical or chemical composition, for the purpose of reusing or recycling such components or commodities.

f. "Label" means information, as required by this chapter, on the surface of covered electronic equipment, which must be permanently attached to, printed or engraved on or incorporated in any other permanent manner on such equipment, and obvious and visible to users of such equipment.

g. "Manufacturer" means a person who: 1. assembles or substantially assembles, or has assembled or substantially assembled, covered electronic equipment for sale in the city; 2. manufactures or has manufactured covered electronic equipment under its own brand name or under any other brand name for sale in the city; 3. sells or has sold, under its own brand name, covered electronic equipment produced by another person for sale in the city; 4. owns a brand name that it licenses or has licensed to another person for use on covered electronic equipment sold in the city; 5. imports or has imported covered electronic equipment for sale in the city; or 6. manufactures or has manufactured covered electronic equipment for sale in the city without affixing a brand name.

h. "Monitor" means a separate visual display component of a computer, whether sold separately or with a central processing unit and includes the cathode ray tube, liquid crystal display, or other image projection technology, and its case, interior wires and circuitry, all exterior and interior cables, and power cord.

i. "Orphan waste" means covered electronic equipment, the manufacturer of which cannot be identified or is no longer in business and for which no successor-in-interest has been identified.

j. "Person" means any individual, business entity, partnership, company, corporation, not-for-profit corporation, association, governmental entity, public benefit corporation, public authority, or firm.

k. "Recycle" means to use the materials contained in covered electronic equipment or components thereof as raw materials for new products or components, but not for energy recovery or energy generation by means of combustion, gasification, pyrolysis or other means.

l. "Reuse" means any operation by which covered electronic equipment or components thereof are used for the same purpose for which they were conceived.

m. "Sell" or "sale" means any transfer for consideration, by lease or sales contract of title to or the right to use covered electronic equipment from a manufacturer or retailer to any person, including, but not limited to, transactions conducted through retail sales outlets, catalogs, or the internet; "sell" or "sale" includes transfer of new, used or refurbished covered electronic equipment, but does not include transfers between end users of such equipment.

n. "Television" means a display system containing a cathode ray tube or any other type of display primarily intended to receive broadcast video programming, having a viewable area greater than four inches when measured diagonally.

§16-422 Responsibility of Manufacturer Collection. a. Beginning July first, two thousand nine or one hundred eighty days after a manufacturer's electronic waste management plan is approved by the department, whichever date is later, such manufacturer must accept for collection, handling and recycling or reuse covered electronic equipment that is offered for return by any person in the city, and has been assembled, manufactured, or imported by such manufacturer, or has been sold under such manufacturer's brand name.

b. Beginning July first, two thousand nine or one hundred eighty days after a manufacturer's electronic waste management plan is approved by the department, whichever date is later, such manufacturer must accept for collection, handling and recycling or reuse on a one-to-one basis with the purchase of the same type of covered electronic equipment other than orphan waste that is offered for return by any person in the city, and has been assembled, manufactured or imported by persons other than such manufacturer, or has been sold under the brand name of a person other than such manufacturer.

c. Beginning July first, two thousand nine or one hundred eighty days after a manufacturer's electronic waste management plan is approved by the department, whichever date is later, and ending on June thirtieth, two thousand eleven, such manufacturer must accept for collection, handling, and recycling

*or reuse orphan waste that is offered for return by any person in the city on a one-to-one basis with the purchase of the same type of product by such person.*

*d. Beginning July first, two thousand eleven, each manufacturer must accept for collection, handling, and recycling or reuse orphan waste of the same type sold by such manufacturer in the city that is offered for return by any person in the city.*

*§16-423 Manufacturer Electronic Waste Management Plan. a. No later than September first, two thousand eight, a manufacturer shall submit to the department an electronic waste management plan for the collection, handling, and recycling or reuse of covered electronic equipment and orphan waste. Any person who becomes a manufacturer on or after September first, two thousand eight shall submit to the department an electronic waste management plan for the collection, handling, and recycling or reuse of covered electronic equipment and orphan waste prior to selling any covered electronic equipment in the city.*

*b. A manufacturer's submission of an electronic waste management plan pursuant to subdivision a of this section shall be accompanied by a fee of one thousand five hundred dollars. A manufacturer's submission of an annual report pursuant to subdivision a of section 16-428 of this chapter shall be accompanied by a fee of one thousand two hundred fifty dollars. Any manufacturer who submits such plan or report without the requisite fee shall be deemed not to have submitted such plan or report and shall be subject to the penalties set forth in paragraph one of subdivision d of section 16-427 of this chapter for failure to submit such plan or report.*

*c. The manufacturer shall not impose a fee or other charge on any person for the collection, handling, and recycling or reuse of covered electronic equipment or orphan waste, except that a fee or other charge may be imposed by contractual agreement between a manufacturer and a business entity, partnership, company, corporation or firm having more than fifty full time employees other than a not-for-profit corporation as defined in subparagraph five or seven of subdivision a of section one hundred two of the New York not-for-profit corporation law, association, governmental entity, public benefit corporation or public authority.*

*d. An electronic waste management plan shall include, at a minimum:*

*1. details for the collection, handling, and recycling or reuse of covered electronic equipment and orphan waste as required by this chapter, including but not limited to the methods by which a person can return to the manufacturer such covered electronic equipment and orphan waste. Such methods shall be convenient for residents of the city;*

*2. how the manufacturer will inform residents and businesses of the city about the manufacturer's plan for the collection, handling, and recycling or reuse of covered electronic equipment and orphan waste, which shall include an internet website and a toll-free telephone number;*

*3. information on the manufacturer's plan for the disposition of covered electronic equipment and orphan waste, including any plan for the recycling or reuse of such covered electronic equipment and orphan waste. If the manufacturer provides a plan for the recycling or reuse of covered electronic equipment and orphan waste, the manufacturer shall include details about anticipated end markets and electronic recyclers expected to be utilized by the manufacturer, including but not limited to details on the methods of collection, handling and recycling or reuse of covered electronic equipment used by such electronic recyclers, details on any disassembly or physical recovery operation to be used by such electronic recyclers, the locations of any such operations, and details on the manufacturer's compliance with applicable laws and regulations relating to the disposition, recycling or reuse of covered electronic equipment;*

*4. a description of how the manufacturer will plan to collect covered electronic equipment to the maximum extent feasible;*

*5. annual city sales data of the manufacturer's covered electronic equipment for the previous three calendar years;*

*6. the method to be used to destroy all data in any covered electronic equipment and orphan waste collected, either through physical destruction of the data storage components thereof or through data wiping meeting or exceeding United States Department of Defense standard 5220.22 M;*

*7. a list of the manufacturer's brand names, including: (i) any brand name under which the manufacturer assembles or substantially assembles, or has assembled or substantially assembled covered electronic equipment; (ii) any brand name under which the manufacturer manufactures and sells, or has*

*manufactured and sold, covered electronic equipment; (iii) any brand name under which the manufacturer sells or has sold covered electronic equipment produced by another person under such manufacturer's own brand; (iv) any brand name that the manufacturer owns and licenses or has licensed to another person for use on covered electronic equipment; (v) any brand name under which the manufacturer imports or has imported covered electronic equipment for sale in the city; and (vi) any brand name of covered electronic equipment of which the manufacturer has become the successor-in-interest;*

*8. a certification that the manufacturer's collection, handling, and recycling or reuse of covered electronic equipment complies with all local, state, federal and international laws and regulations; and*

*9. any other information as may be required by department rules.*

*e. The department shall approve or disapprove a proposed electronic waste management plan submitted by a manufacturer within one hundred eighty days of its submission. The department may approve a submitted electronic waste management plan that does not conform with every one of the requirements of this chapter upon application and a showing of good cause by such manufacturer. If the department approves an electronic waste management plan, it shall expeditiously notify the manufacturer of the approval in writing. If the department disapproves an electronic waste management plan, it shall expeditiously notify the manufacturer in writing of the disapproval and specify the reasons for such disapproval. The manufacturer shall have thirty days to resubmit a revised electronic waste management plan after the department notifies the manufacturer of its disapproval. The department shall approve or disapprove a resubmitted electronic waste management plan within ninety days of resubmission.*

*f. Beginning on July first, two thousand nine, or one hundred eighty days after an electronic waste management plan is approved by the department, whichever date is later, a manufacturer of covered electronic equipment shall implement its approved plan for the collection, handling and recycling or reuse of covered electronic equipment and orphan waste.*

*g. An electronic waste management plan may provide for the sharing of resources by one or more manufacturers, provided that such plan meets the requirements of this section. Any electronic waste management plan providing for the sharing of resources must include a list of manufacturers participating in such plan.*

*h. 1. Proposed modifications to a previously approved manufacturer's electronic waste management plan shall be submitted to the department which shall approve or disapprove such modification within sixty days and expeditiously notify the manufacturer of its determination in writing. If the department disapproves such modification, it shall specify the reasons for such disapproval in writing and the manufacturer shall have thirty days to submit a revised modification to the department.*

*2. At any time, the department may require submission of a proposed modification where it determines that the manufacturer is not collecting covered electronic equipment to the maximum extent feasible as required by this chapter. The department shall approve or disapprove such modification in accordance with paragraph one of this subdivision.*

*i. All decisions of the department pursuant to this section shall be made public.*

*§16-424 Performance Standards. A manufacturer shall demonstrate whether, pursuant to its electronic waste management plan, it is collecting for recycling or reuse covered electronic equipment to the maximum extent feasible.*

*§16-425 Labeling. a. Beginning July first, two thousand nine or one hundred eighty days after a manufacturer's electronic waste management plan is approved by the department, whichever date is later, such manufacturer may not sell or otherwise distribute for sale in the city covered electronic equipment unless such equipment has a label that identifies such manufacturer.*

*b. Beginning July first, two thousand nine or one hundred eighty days after a manufacturer's electronic waste management plan is approved by the department, whichever date is later, such manufacturer shall provide at the point of sale information on how a person can return covered electronic equipment pursuant to such manufacturer's electronic waste management plan. Such information shall include a toll-free telephone number or internet website address describing how covered electronic equipment can be returned pursuant to the manufacturer's electronic waste management plan.*

*c. Beginning July first, two thousand nine, the department shall post on its web site all information provided to it from manufacturers describing how covered electronic equipment can be returned pursuant to a specific manufacturer's electronic waste management plan.*

*§ 16-426 Disposal ban. a. Beginning July first, two thousand ten, no person shall dispose of covered electronic equipment as solid waste in the city.*

*b. Beginning July first, two thousand nine, no manufacturer shall dispose of covered electronic equipment as solid waste in the city.*

*§16-427 Enforcement. a. The department and the department of consumer affairs shall have the authority to enforce the provisions of this chapter. Any notice of violation charging a violation of any provision of this chapter shall be returnable to the environmental control board, which shall have the power to impose civil penalties as provided herein.*

*b. Any person who violates the provisions of subdivision a of section 16-426 of this chapter shall be liable for a civil penalty of one hundred dollars for each violation.*

*c. Any manufacturer who violates the provisions of subdivision b of section of 16-426 of this chapter shall be liable for a civil penalty of one thousand dollars for each violation.*

*d. 1. Beginning September first, two thousand eight, a manufacturer who fails to submit an electronic waste management plan or an annual report as required by this chapter shall be liable for a civil penalty of one thousand dollars per day for each day that an electronic waste management plan or an annual report is not submitted.*

*2. Beginning September first, two thousand eight, a manufacturer who submits an electronic waste management plan that has been disapproved by the department more than two times shall be liable for a civil penalty of one thousand dollars per day for each day that an electronic waste management plan is not submitted and approved by the department following the date of such second disapproval.*

*3. Beginning July first, two thousand nine, a manufacturer who knowingly submits an annual report as required by this chapter that contains a false or misleading statement as to a material fact or omits to state any material fact necessary in order to make a statement therein not false or misleading shall be liable for a civil penalty of ten thousand dollars.*

*4. Beginning July first, two thousand nine, or one hundred eighty days after a manufacturer's electronic waste management plan is approved by the department, whichever date is later, a manufacturer who fails to accept covered electronic equipment or orphan waste offered for return by any person in the*



city pursuant to such manufacturer's electronic waste management plan shall be liable for a civil penalty of two thousand dollars for each piece of covered electronic equipment or orphan waste not accepted.

§16-428 Reporting Requirements. a. On or before July first, two thousand nine, and annually on or before July first thereafter, a manufacturer that offers any covered electronic equipment for sale in the city shall submit an annual report to the department that includes the following information for the prior calendar year: 1. any approved modification to the manufacturer's electronic waste management plan; 2. sales data for the manufacturer's covered electronic equipment sold in the city; 3. the quantity of covered electronic equipment collected for recycling or reuse in this city, expressed both in terms of the total weight of such covered electronic equipment and as a percentage of the average annual sales of the manufacturer's covered electronic equipment in the city, reported by weight, during the previous three calendar years, and categorized by the type of covered electronic equipment collected pursuant to such manufacturer's electronic waste management plan, and further categorized, to the extent possible, by the quantity of such covered electronic equipment collected from individuals and government entities; 4. the weight of orphan waste collected, categorized by the type of covered electronic equipment collected, pursuant to such manufacturer's electronic waste management plan; 5. information on the manufacturer's compliance with the goal of collecting covered electronic equipment to the maximum extent feasible; 6. information on the end markets and electronic recyclers utilized by the manufacturer, including details on the methods of collection, handling and recycling or reuse of covered electronic equipment used by electronic recyclers, details on any disassembly or physical recovery operation to be used, the locations of any such operations, and details on the manufacturer's compliance with applicable laws and regulations relating to the disposition, recycling and reuse of covered electronic equipment and orphan waste; 7. examples of how the manufacturer has informed residents and businesses of the city about the manufacturer's plan for the collection, handling and recycling or reuse of covered electronic equipment and orphan waste; 8. the number of visits to the internet website and calls to the toll-free telephone numbers established by the manufacturer's electronic waste management plan; and 9. any other information required by department rules.

b. The department shall submit a report on implementation of this chapter to the mayor and the city council by January fifteenth, two thousand eleven, and yearly thereafter. The report must include, at a

*minimum: 1. data on the amount of electronic waste collected, categorized by manufacturer; 2. an evaluation of the recycling and reuse rates in the city for covered electronic equipment and orphan waste; 3. a discussion of compliance and enforcement related to the requirements of this chapter; and 4. any recommendations for any changes to the system of collection, handling and recycling or reuse of covered electronic equipment and orphan waste in the city.*

*§16-429 Confidential Information and Trade Secrets. Information relating to covered electronic equipment submitted to the department pursuant to this chapter may be designated by the department as confidential upon a showing of good cause by the person submitting it. Except as otherwise provided by or pursuant to law or court order, such information may be used only by the department, its agents and employees, other city agencies, and as authorized by the mayor, employees of the United States Environmental Protection Agency or the attorney general of the state of New York.*

*§16-430 Application by the department of collected covered electronic equipment toward recycling goals. The department shall be allowed to apply the amount of covered electronic equipment and orphan waste collected by manufacturers pursuant to this chapter towards achieving its recycling goals.*

*§16-431 Severability. The provisions of this chapter shall be severable, and if any provision of this chapter is declared to be void or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected, and shall remain in full force and effect.*

*§16-432 Rulemaking authority. The department shall be authorized to promulgate rules as necessary to implement the provisions of this chapter.*

*§3. This local law shall take effect immediately.*

The City of New York, Office of the City Clerk, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on March 26, 2008 and approved by the Mayor on April 1, 2008.

Hector L. Diaz, City Clerk of the Council.

**CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW § 27**

Pursuant to the provisions of Municipal Home Rule Law § 27, I hereby certify that the enclosed Local Law (Local Law 013 of 2008, Council Int. No. 728) contains the correct text and:

Received the following vote at the meeting of the New York City Council on March 26, 2008:  
47 For, 4 Against, 0 Not Voting  
Was signed by the Mayor on April 1, 2008  
Was returned to the City Clerk on April 1, 2008.

Jeffery D. Friedlander, Acting Corporation Counsel.

**Attachment 7**

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2009**

---

**No. 13**

---

Introduced by Council Members Mealy, Sears, Fidler, Jackson, Mark-Viverito, Nelson, Sanders Jr., Seabrook, Gerson, Weprin, Liu, and White Jr.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to street cleaning and the collection and removal of solid waste and recyclable materials at street events.**

*Be it enacted by the Council as follows:*

Section 1. Chapter 3 of title 16 of the administrative code of the city of New York is amended by adding a new subchapter 8 to read as follows:

*SUBCHAPTER 8*

*SOLID WASTE AND RECYCLABLE MATERIALS AT STREET EVENTS.*

*§ 16-326 Definitions. For purposes of this subchapter, the following terms shall have the following meanings:*

*a. "Producer/Event Manager" means any person or entity hired by a sponsor to organize or manage a street event.*

*b. "Recyclable Materials" means metal cans, glass bottles and jars, plastic bottles and jugs, lightly-soiled aluminum foil and aluminum foil products, and any other material designated by the department for recycling at street events.*

*c. "Sponsor" means any person or entity that is required to apply for and obtain a street activity permit and that either organizes or manages a street event or hires a producer/event manager to organize or manage a street event.*

*d. "Street Event" means any street fair or festival on a public street where such activity may interfere with or obstruct the normal use by vehicular traffic of such street, but does not include street*

*activities that occupy no more than one block for no more than one day where no licensed vendor participates.*

*§ 16-327 Sponsor and producer/event manager responsibilities at street events. a. Every producer/event manager shall ensure that solid waste and recyclable materials generated at a street event are properly disposed of or recycled.*

*b. 1. Every producer/event manager shall provide a sufficient number of public solid waste receptacles and public recycling receptacles for street events as determined by the department, provided that the producer/event manager shall place at least two receptacles within or near each intersection within the street event area, one for solid waste and one for recyclable materials.*

*2. Every producer/event manager shall regularly monitor all solid waste and recycling receptacles throughout the street event area in order to prevent spillage of solid waste and recyclable materials into the street and shall remove any solid waste that has been deposited into receptacles designated for recyclable materials and remove any recyclable materials that have been deposited into receptacles designated for solid waste.*

*3. Every producer/event manager shall bag and bundle separately and tie securely all accumulated solid waste and recyclable materials at the end of each day of the street event.*

*4. Every producer/event manager shall ensure that all bagged and bundled solid waste and recyclable materials are placed at a predetermined location designated by the department for collection.*

*c. Every sponsor and producer/event manager shall comply with all applicable rules governing street events, including, but not limited to, rules set forth in chapter fourteen of title sixteen of the rules of the city of New York, to the extent such rules are not inconsistent with the provisions of this subchapter.*

*d. The provisions of subdivisions a and b of this section shall apply to the sponsor when there is no producer/event manager.*

*§ 16-328 Penalties. In addition to any other applicable penalties, any producer/event manager, or any sponsor when there is no producer/event manager, who violates subdivision a or b of section 16-327 of this subchapter shall be liable for a civil penalty of one hundred dollars for each such violation, except that a sponsor or producer/event manager shall not be liable for more than five hundred dollars per day or*

*more than two thousand dollars per street event. Such civil penalties shall be recoverable in a proceeding returnable before the environmental control board.*

§2. This local law shall take effect immediately.

The City of New York, Office of the City Clerk, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on February 11, 2009 and approved by the Mayor on February 26, 2009.

Michael McSweeney, City Clerk  
Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW § 27

Pursuant to the provision of Municipal Home Rule Law § 27, I hereby certify that the enclosed Local Law (Local Law 013 of 2009, Council Int. No. 908-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on February 11, 2009:

47 For, 0 Against, 0 Not Voting

Was signed by the Mayor on February 26, 2009  
Was returned to the City Clerk on February 26, 2009.

Jeffrey D. Friedlander, Acting Corporation Counsel.

**Attachment 8**



**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2006**

---

No. 40

---

Introduced by Council Members McMahon, Brewer, Fidler, Gerson, James, Liu, Mendez, Stewart, Mark-Viverito, Foster Gennaro, Seabrook, Lappin, Jackson, Sears, Recchia, Comrie and Weprin.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to composting yard waste.**

*Be it enacted by the Council as follows:*

Section 1. Section 16-308 of the administrative code of the city of New York is amended by adding new subdivisions g and h to read as follows:

*g. Generators of yard waste, except those identified in subdivision h of this section, shall separate, tie, bundle, or place into paper bags, or rigid containers, in accordance with rules promulgated by the commissioner, any yard waste set out for collection by the department pursuant to subdivision b of this section. The commissioner shall notify all residents in districts that receive yard waste collection by the department of such pre-collection procedures, and undertake any other action necessary to effectuate the purposes of this subdivision.*

*h. No person engaged in a business that generates yard waste, shall leave such yard waste for collection by the department, or disperse such yard waste in or about the curb or street. Any person engaged in a business that generates yard waste shall be required to collect and dispose of such yard waste at a permitted composting facility; provided, however, that if the department, by written order of the commissioner, determines that there is insufficient capacity at permitted composting facilities within the city of New York or within ten miles of the borough in*

*which any such person generates yard waste, then such yard waste may be disposed of at any appropriately permitted solid waste management facility.*

§2. Subdivision a of section 16-324 of the administrative code of the city of New York, as added by local law number 19 for the year 1989, is amended to read as follows:

a. Any person who violates this chapter, *except subdivision h of section 16-308 of this chapter*, or any rule or regulation promulgated pursuant thereto shall be liable for a civil penalty recoverable in a civil action brought in the name of the commissioner or in a proceeding returnable before the environmental control board in an amount of twenty-five dollars for the first violation, fifty dollars for the second violation and one hundred dollars for the third and each subsequent violation, provided that the court before which such civil action is brought or such board may waive the penalty for the first violation upon a showing of good cause. A person committing a fourth and any subsequent violation within a period of six months shall be classified as a persistent violator and shall be liable for a civil penalty of five hundred dollars for each violation. For a persistent violation only, except where such violation occurs at a building of less than nine dwelling units, each container or bag containing solid waste that has not been source separated or placed out for collection in accordance with the regulations promulgated by the commissioner pursuant to this chapter shall constitute a separate violation, provided that no more than twenty separate violations are issued on a per bag or per container basis during any twenty-four hour period. Before issuing any further notice of violations to a persistent violator after the fourth violation within a period of six months, the commissioner shall give such violator a reasonable opportunity to correct the condition constituting the violation. *Any person who violates subdivision h of section 16-308 of this chapter shall be liable for a civil penalty in the amount of two hundred fifty dollars for the first violation, one thousand dollars for the second violation within a period of twelve months from the first violation, and two thousand five hundred dollars for the third or subsequent violation within a period of twelve months from the first violation.*

§3. This local law shall take effect immediately, except that subdivision g of section 16-308 of the administrative code of the city of New York, as added by section one of this local law, shall take effect on April 1, 2007, and subdivision h of section 16-308 of the administrative code

of the city of New York, as added by section one of this local law, shall take effect on October 1, 2008.

The City of New York, Office of the City Clerk, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on October 11, 2006 and approved by the Mayor on October 17, 2006.

Victor L. Robles, City Clerk, Clerk of the Council.

**CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27**

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 40 of 2006, Council Int. No. 431-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on October 11, 2006: 47 For, 0 Against, 0 Not Voting

Was signed by the Mayor on October 17, 2006.

Was returned to the City Clerk on October 17, 2006.

Jeffrey D. Friedlander, Acting Corporation Council.

**Attachment 9**

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2007**

---

No. 50

---

Introduced by Council Member McMahon, Fidler, Gennaro, Gentile, Liu, Mealy, Recchia Jr., Weprin, Nelson, Jackson, Lappin, and Felder (Passed under a Message of Necessity)

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to interfering with employees of the department of sanitation and the unauthorized collection or removal of solid waste and recyclable materials.**

*Be it enacted by the Council as follows:*

Section 1. Subdivisions 7, 8 and 9 of section 16-118 of the administrative code of the city of New York, subdivision 9 as amended by local law number 1 for the year 2003, are amended to read as follows:

7. [(a) No person shall prevent or interfere with any employee of the department of sanitation in the sweeping or cleaning of any street or in the removal of sweepings, ashes, garbage, rubbish, snow, ice, or other refuse material.

(b) No person, other than an authorized employee or agent of the department shall disturb or remove any ashes, garbage or light refuse or rubbish placed by householders, or their tenants, or by occupants or their servants, within the stoop or area line, or in front of houses or lots, for removal, unless requested by residents of such houses.]

*(a) No person shall prevent or interfere with any employee of the department in the sweeping or cleaning of any street, in the removal of snow or ice, or in the collection or removal of any amount of solid waste or recyclable materials.*

*(b)(1) Except for an authorized employee or agent of the department, it shall be unlawful for any person to disturb, remove or transport by motor vehicle any amount of recyclable materials that have been placed by owners, tenants or occupants of residential premises, premises occupied by city agencies or institutions, or vacant lots, or by their servants, within the stoop area, adjacent to the curb line or otherwise*

*within or adjacent to such premises or lots for collection or removal by the department unless requested by the owner of such residential premises or vacant lot or his or her agent, and such request is evidenced by a notarized written agreement that: (i) has been signed by such person and such owner or agent; (ii) has been filed with the commissioner and bears a file stamp indicating that it has been so filed; and (iii) includes the names of the parties to the agreement, the names and titles of all signatories to the agreement, the taxpayer identification number, including individual taxpayer identification number or employer identification number but not social security number of each such party, the agreed price terms, if any, the estimated quantity of recyclable materials to be removed, the agreed removal days and times, if any, the duration of the agreement, and any other information required by the commissioner by rule. The requirement to enter into and file such written agreement pursuant to this subdivision shall not apply to one, two or three-family residential premises.*

*(2) In addition, on or before February first and August first of every year, every person engaged in the removal of recyclable materials from residential premises or vacant lots pursuant to a written agreement shall submit to the commissioner a report identifying the weight of each type of recyclable material removed by such person during the periods of July first to December thirty-first and January first to June thirtieth, respectively. It shall be unlawful for any person to fail to submit a report in accordance with this subparagraph or to submit a report containing false or deceptive information.*

*(3) Except for an authorized employee or agent of the department, it shall be unlawful for any person to disturb, remove or transport by motor vehicle any amount of solid waste that has been placed by owners, tenants or occupants of residential premises, premises occupied by city agencies or institutions, or vacant lots, or by their servants, within the stoop area, adjacent to the curb line or otherwise within or adjacent to such premises or lots for collection or removal by the department.*

*(c) Except for an authorized employee of an entity licensed by or registered with the business integrity commission, it shall be unlawful for any person to disturb, remove or transport by motor vehicle any amount of recyclable materials that have been placed by owners, tenants or occupants of commercial premises within the stoop area, adjacent to the curb line or otherwise within or adjacent to such premises for collection or removal by an entity licensed by or registered with the business integrity commission. It shall be presumed that a person operating a motor vehicle without plates issued by the business integrity commission is not an authorized employee of an entity licensed by or registered with the business integrity commission.*

*(d) No person, other than a not-for-profit corporation, shall receive recyclable materials for storage, collection or processing from any person other than an authorized employee or agent of the department, an authorized employee of an entity licensed by or registered with the business integrity commission, a not-for-profit corporation or a person who has entered into a written agreement pursuant to subparagraph one of paragraph b of this subdivision. It shall be an affirmative defense that all such recyclable materials were generated or collected outside the city of New York. This paragraph shall not apply to a redemption center, dealer or distributor as defined in section 27-1003 of the environmental conservation law.*

*(e) Any person who violates subparagraph one of paragraph b of this subdivision while using or operating a motor vehicle or paragraph d of this subdivision shall be punished for each violation by a criminal fine of not less than one thousand dollars nor more than two thousand dollars for each such violation or by imprisonment not to exceed ninety days, or both.*

*(f)(1)(i) Any person who violates subparagraph one of paragraph b or paragraph c of this subdivision while using or operating a motor vehicle shall be liable for a civil penalty of two thousand dollars for the first offense and five thousand dollars for each subsequent offense within a twelve-month period. In addition, every owner of such motor vehicle shall be liable for a civil penalty of two thousand dollars for the first offense and five thousand dollars if, within a twelve-month period, a motor vehicle owned by such person was used in violation of subparagraph one of paragraph b or paragraph c of this subdivision. The owner of a motor vehicle used in violation of subparagraph one of paragraph b or paragraph c of this subdivision shall not be liable for any civil penalty if such owner establishes that the motor vehicle was used without such owner's permission. For the purpose of imposing a civil penalty pursuant to this clause, every premises or lot from which recyclable materials have been removed unlawfully shall be deemed to be the subject of a separate violation for which a separate civil penalty may be imposed;*

*(ii) Any person who violates paragraph d of this subdivision shall be liable for a civil penalty of two thousand dollars for the first offense and five thousand dollars for each subsequent offense within a twelve-month period. For the purpose of imposing a civil penalty pursuant to this clause, every motor vehicle from which recyclable materials have been delivered for receipt unlawfully shall be deemed to be the subject of a separate violation for which a separate civil penalty may be imposed; and*

*(iii) Any person who violates subparagraph two of paragraph b of this subdivision by failing to submit a report or by submitting a report containing false or deceptive information shall be liable for a civil penalty of two thousand dollars for the first offense and five thousand dollars for each subsequent offense within a twelve-month period.*

*(2) As used in this subdivision:*

*(i) the term "motor vehicle" shall mean every vehicle operated or driven upon a public highway which is propelled by any power other than muscular power;*

*(ii) the term "not-for-profit corporation" shall mean a corporation as defined in subparagraph five or seven of subdivision (a) of section one hundred two of the New York not-for-profit corporation law;*

*(iii) the term "operator" shall mean any person who operates or drives or is in actual physical control of a motor vehicle;*

*(iv) the term "owner" shall mean a person, other than a lienholder, having the property in or title to a motor vehicle. The term includes a person entitled to the use and possession of a motor vehicle subject to a security interest in another person and also includes any lessee or bailee of a motor vehicle having the exclusive use thereof, under a lease or otherwise, for a period greater than thirty days;*

*(v) the term "person" shall mean any natural person or business entity, but shall not include any authorized employee of a government agency;*

*(vi) the term "recyclable materials" shall mean recyclable materials designated by the commissioner by rule pursuant to chapter three of title sixteen of this code; and*

*(vii) the term "solid waste" shall mean solid waste as defined in subdivision n of section 16-303 of this code.*

*(g)(1) Any motor vehicle that has been used or is being used to commit a violation of subparagraph one of paragraph b or paragraph c of this subdivision shall be impounded by the department and shall not be released until either all storage fees and the applicable fines and penalties have been paid or a bond has been posted in an amount satisfactory to the commissioner. Rules of the department related to the impoundment and release of motor vehicles in chapter five of title sixteen of the rules of the city of New York shall be applicable to the impoundment and release of motor vehicles pursuant to this paragraph. The commissioner shall have the power to promulgate amended rules concerning the*



*impoundment and release of motor vehicles and the payment of storage fees for such motor vehicles, including the amounts and rates thereof. Where it is determined that the motor vehicle was not used to commit a violation of subparagraph one of paragraph b or paragraph c of this subdivision, such fees shall be promptly returned.*

*(2) In addition to any other penalties provided in this subdivision, the interest of an owner as defined in clause (iv) of subparagraph two of paragraph f of this subdivision in any motor vehicle impounded pursuant to subparagraph one of this paragraph shall be subject to forfeiture upon notice and judicial determination thereof if such owner has been convicted of or found liable for a violation of this subdivision in a criminal or civil proceeding or in a proceeding before the environmental control board three or more times, all of which violations were committed within an eighteen-month period.*

*(3) Except as otherwise provided in this subparagraph, the city agency having custody of a motor vehicle, after judicial determination of forfeiture, shall no sooner than thirty days after such determination upon a notice of at least five days, sell such forfeited motor vehicle at public sale. Any person, other than an owner whose interest is forfeited pursuant to this section, who establishes a right of ownership in a motor vehicle, including a part ownership or security interest, shall be entitled to delivery of the motor vehicle if such person:*

*(i) redeems the ownership interest which was subject to forfeiture by payment to the city of the value thereof; and*

*(ii) pays the reasonable expenses of the safekeeping of the motor vehicle between the time of seizure and such redemption; and*

*(iii) asserts a claim within thirty days after judicial determination of forfeiture. Notwithstanding the foregoing provisions, establishment of a claim shall not entitle such person to delivery of the vehicle if the city establishes that the violation for which the motor vehicle was seized was expressly or impliedly permitted by such person.*

*8. [The] Except for any violation of subparagraph one of paragraph b or paragraph c of subdivision seven of this section by a person using or operating a motor vehicle, or any violation of subparagraph two of paragraph b of subdivision seven of this section, or any violation of paragraph d of subdivision seven of this section, the violation of any provision of this section shall constitute an offense*

punishable by a fine of not less than fifty dollars nor more than two hundred fifty dollars, or by imprisonment not to exceed ten days or both.

9. [Any] *Except for any violation of subparagraph one of paragraph b or paragraph c of subdivision seven of this section by a person using or operating a motor vehicle, or any violation of subparagraph two of paragraph b of subdivision seven of this section, or any violation of paragraph d of subdivision seven of this section, any person violating the provisions of this section shall be liable for a civil penalty of not less than fifty dollars nor more than two hundred fifty dollars, except that for a second violation of subdivision one, three, four, or six of this section within any twelve-month period, such person shall be liable for a civil penalty of not less than two hundred fifty dollars nor more than three hundred fifty dollars and for a third or subsequent violation of subdivision one, three, four or six of this section within any twelve-month period such person shall be liable for a civil penalty of not less than three hundred fifty dollars nor more than four hundred fifty dollars.*

§ 2. This local law shall take effect immediately; provided, however, that the notarized written agreement required by subparagraph one of paragraph b of subdivision 7 of section 16-118 of the administrative code of the city of New York, as added by section one of this local law, need not be filed with the commissioner of sanitation until thirty days after such effective date.

The City of New York, Office of the City Clerk, s.s:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on September 25, 2007 and approved by the Mayor on October 9, 2007.

Michael McSweeney, First Deputy City Clerk  
Acting City Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW § 27

Pursuant to the provisions of Municipal Home Rule Law § 27, I hereby certify that the enclosed Local Law (Local Law 050 of 2007, Council Int. No. 582-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on September 25, 2007:  
51 For, 0 Against, 0 Not Voting  
Was signed by the Mayor on October 9, 2007  
Was returned to the City Clerk on October 10, 2007.

Jeffrey D. Friedlander, Acting Corporation Counsel.



**Attachment 10**

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2009**

---

**No. 18**

---

Introduced by Council Members Comrie, James, Nelson, Palma, White Jr., Gerson and Arroyo (by request of the Mayor)

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to increasing fees for permits issued to operators of dumps, non-putrescible solid waste transfer stations and putrescible solid waste transfer stations, and establishing registration fees for intermodal solid waste container facilities.**

*Be it enacted by the Council as follows:*

Section 1. Subdivisions c and f of section 16-131 of the administrative code of the city of New York, as amended by local law number 40 for the year 1990, are amended to read as follows:

c. The commissioner shall issue permits to such persons or public agencies engaged in use of piers or lands or lands under water within the city as dumps, non-putrescible solid waste transfer stations or putrescible solid waste transfer stations. The commissioner shall collect an annual fee of [thirty-five hundred] *seven thousand* dollars for each permit for any such pier or part thereof, or for each piece or parcel of land or land under water used as a dump or as a non-putrescible solid waste transfer station, and an annual fee of [sixty-five hundred] *thirteen thousand* dollars for each permit for any such pier or part thereof, or for each piece or parcel of land or land under water used as a putrescible solid waste transfer station. *The commissioner shall collect an annual registration fee of seven thousand dollars for an intermodal solid waste container facility.* The commissioner may by rule provide for suspension or revocation of any permit *or registration* issued pursuant to this subdivision for cause or violation of the orders or rules of the commissioner.

f. As used in this section[.]:

1. the terms “dump,” “non-putrescible solid waste transfer station,” “putrescible solid waste transfer station,” “fill material” and “fill material operation” shall have the meanings ascribed in section 16-130 of this chapter; and

2. the term “intermodal solid waste container facility” shall mean a facility or premises served by rail or vessel at which intermodal containers are transferred from transport vehicle to transport vehicle for the purpose of consolidating intermodal containers for shipment by rail or vessel to an authorized disposal or treatment facility, where the contents of each container remain in their closed containers during the transfer between transport vehicles, and storage remains incidental to transport at the location where the containers are consolidated.

§ 2. This local law shall take effect immediately.

The City of New York, Office of the City Clerk, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on March 11, 2009 and approved by the Mayor on March 18, 2009.

Michael McSweeney, City Clerk  
Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW § 27

Pursuant to the provisions of Municipal Home Rule Law § 27, I hereby certify that the enclosed Local Law (Local Law 018 of 2009, Council Int. No. 840) contains the correct text and:

Received the following vote at the meeting of the New York City Council on March 11, 2009:

46 For, 0 Against, 0 Not Voting

Was signed by the Mayor on March 18, 2009  
Was returned to the City Clerk on March 18, 2009.

Jeffrey D. Friedlander, Acting Corporation Counsel.