

**THE CITY OF NEW YORK
DEPARTMENT OF SANITATION**

**PERCENTAGE OF EXISTING LAWFULLY OPERATING TRANSFER STATIONS IN
NEW YORK CITY BY COMMUNITY DISTRICT**

NOTICE IS HEREBY GIVEN, that pursuant to section 4-32(d) of Title 16 of the Rules of the City of New York, the Department of Sanitation is publishing the following chart detailing the percentage of existing lawfully operating transfer stations in New York City by Community District as required by the *Final Rules Governing The Department of Sanitation's Siting Requirements Regarding Transfer Stations* that were published in the City Record on November 8, 2004 and that became effective upon publication. A copy of the final rules, located in Subchapter C of Chapter 4 of Title 16 of the Rules of the City of New York, can also be found on the Department's website at www.nyc.gov/dsny. Dated: January 2, 2009.

Percentage of Existing, Lawfully Operating Transfer Stations in NYC	Community Districts	Buffer Distance to Residential Districts, Hospitals, Public Parks and Schools	Buffer Distance between Transfer Stations^(A)	Additional Requirements	Zoning Requirements
16% or more	Brooklyn 1	700 feet	400 feet	(i) Facility enclosed; (ii) Queuing area on site; (iii) Offsets required (B), (C), (D), (E)	M2 and/or M3 districts only
From 12 to less than 16%	Bronx 2	600 feet	400 feet	(i) Facility enclosed; (ii) Queuing area on site; (iii) Offsets required (B), (C), (D), (E)	M2 and/or M3 districts only
From 8 to less than 12%	Bronx 1	600 feet	400 feet	Queuing area on site ^(F)	M2 and/or M3 districts only
From 4 to less than 8 %	Queens 2 Queens 5 Queens 7 Queens 12 Staten Island 2	500 feet	400 feet	Queuing area on site ^(F)	M1, M2 and/or M3 allowed ^(H)
Less than 4%	All other Community Districts	400 feet	400 feet	Queuing area on site ^(G)	M1, M2 and/or M3 allowed ^(H)

(A) This restriction shall not apply to a new transfer station that is located at or adjacent to a rail yard, rail spur, industrial track or vessel facility, provided that at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel.

(B) Any new transfer stations operating a truck-to-truck facility must obtain a corresponding reduction (offset) in the lawful daily permitted throughput capacity at a transfer station within the same community district at a rate of one ton for every new ton of capacity. Such reduction must be of the same type of solid waste (putrescible for putrescible, construction and demolition debris for construction and demolition debris, or fill material for fill material).

(C) Any application for a new putrescible or construction and demolition debris transfer stations located at or adjacent to a rail yard, rail spur, industrial track or vessel facility, and where at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel, must obtain a corresponding reduction (offset) in the lawful daily permitted throughput capacity at a putrescible or construction and demolition debris transfer station within the same community district at a rate of one ton for every new ton of capacity.

(D) Any transfer station that is lawfully operating that is located at least 500 feet from a residential district, hospital, public park or school may increase its lawful daily permitted throughput capacity only if such owner/operator obtains a corresponding reduction (offset) in the lawful daily permitted throughput capacity at a transfer station located in the same community district at a rate of one ton for every new ton of capacity. Such reduction must be of the same type of solid waste (putrescible for putrescible, construction and demolition debris for construction and demolition debris, or fill material for fill material).

(E) Any putrescible or construction and demolition debris transfer station that is lawfully operating at or adjacent to a rail yard, rail spur, industrial track or vessel facility where at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel, may increase its lawful daily permitted throughput capacity provided that the owner/operator obtains a corresponding reduction (offset) in the lawful daily permitted throughput capacity at a putrescible or construction and demolition debris transfer station within the same community district at a rate of one ton for every new ton of capacity.

(F) Any transfer station that is lawfully operating may increase its lawful daily permitted throughput capacity, subject to Department review and approval, provided that it is located at least 500 feet from a residential district, hospital, public park or school. This restriction shall not apply to a transfer station that is located at or adjacent to a rail yard, rail spur, industrial track or vessel facility, provided that at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel.

(G) Any transfer station that is lawfully operating may increase its lawful daily permitted throughput capacity, subject to Department review and approval, provided that it is located at least 400 feet from a residential district, hospital, public park or school. This restriction shall not apply to a transfer station that is located at or adjacent to a rail yard, rail spur, industrial track or vessel facility, provided that at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel.

(H) Any new transfer station shall not be located in an M1 district if the M1 districts in such community district cumulatively contain three or more lawfully operating transfer stations.