Legislation Details (With Text)

File #:	Int 0931-2018 **Version:** *	**Name:**	Designating expanded polystyrene as recyclable and repealing sections 16-324(f) and 16-329 of the administrative code of the city of NY.
Type:	Introduction	**Status:**	Filed (End of Session)
		In control:	Committee on Sanitation and Solid Waste Management
On agenda:	5/23/2018		
Enactment date:		**Enactment #:**	
Title:	A Local Law to amend the administrative code of the city of New York, in relation to designating expanded polystyrene as recyclable and repealing sections 16-324(f) and 16-329 of the administrative code of the city of New York		
Sponsors:			
Indexes:			
Attachments:	1. Summary of Int. No. 931, 2. Int. No. 931, 3. May 23, 2018 - Stated Meeting Agenda with Links to Files, 4. Hearing Transcript - Stated Meeting 05-23-2018, 5. Minutes of the Stated Meeting - May 23, 2018		

Date	Ver.	Action By	Action	Result
5/23/2018	*	City Council	Introduced by Council	
5/23/2018	*	City Council	Referred to Comm by Council	
12/31/2021	*	City Council	Filed (End of Session)	

Int. No. 931

By Council Members Cabrera, Adams, Ayala, Barron, R. Diaz, Holden, Salamanca, Vallone, Gjonaj and Borelli

A Local Law to amend the administrative code of the city of New York, in relation to designating expanded polystyrene as recyclable and repealing sections 16-324(f) and 16-329 of the administrative code of the city of New York

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 16-305 of the administrative code of the city of New York, as added by local law number 40 for the year 2010, is amended to read as follows:

b. The commissioner shall adopt and implement rules designating at least six recyclable materials[, including plastic to the extent required in subdivision c of this section and yard waste to the extent required in section 16-308 of this chapter,] contained in department-managed solid waste and requiring households to source separate such designated materials. Such designated recyclable materials shall include:

1. Plastic, to the extent required in subdivision c of this section;

2. Yard waste, to the extent required in section 16-308; and

3. Blown polystyrene and expanded and extruded foams that are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres, injection molding, foam molding and extrusion-blown molding; provided that this paragraph shall not be construed to require the designation of rigid polystyrene as recyclable. The commissioner need not designate polystyrene that is laminated with non-polystyrene material or that is loose fill packaging.

§ 2. The introductory paragraph of subdivision a of section 16-324 of the administrative code of the city of New York, as amended by local law numbers 142 and 146 for the year 2013, is amended to read as follows:

a. Subject to the provisions of subdivision b of this section, any person who violates this chapter, except section 16-306.1 of this chapter, subdivision g of section 16-308 of this chapter[,] or section 16-310.1 of this chapter [or section 16-329 of this chapter], or any rule 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, as follows:

§ 3. Subdivision d of section 16-324 of the administrative code of the city of New York, as amended by local law number 142 for the year 2013, is amended to read as follows:

d. Any notice of violation or notice of hearing for a violation issued to the owner, net lessee or person in charge of a premises [or to a food service establishment, mobile food commissary, store, or manufacturer, as those terms are defined in section 16-329 of this chapter,] at which or by whom a violation of this chapter or any rule promulgated pursuant thereto is alleged to have occurred or to have been committed shall be served by delivering a copy of the notice thereof at the address maintained in the records of the department of housing preservation and development, the department of finance, or the department of health and mental hygiene. The notice of violation or notice of hearing may be served by regular mail or in accordance with section [one thousand forty-nine-a] 1049-a of the charter or, if such notice is served by an agency other than the department,

in accordance with the rules of such agency.

§ 4. Subdivision f of section 16-324 of the administrative code of the city of New York is REPEALED.

§ 5. Section 16-329 of the administrative code of the city of New York is REPEALED.

§ 6. This local law takes effect 90 days after it becomes law, except that the commissioner of sanitation shall take such steps as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

JCH/MHL
LS #6892
LS# 6505/Int. 1480-2017
05/17/18