Legislation Details (With Text)

File #:	Int 0275-2022 **Version:** A	**Name:**	Goal of achieving zero waste by increasing waste diversion from landfill or incineration.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Sanitation and Solid Waste Management
On agenda:	4/28/2022		
Enactment date:	7/9/2023	**Enactment #:**	2023/087

Title: A Local Law to amend the administrative code of the city of New York, in relation to the goal of achieving zero waste by increasing waste diversion from landfill or incineration, and to repeal subdivision k of section 16-305 of such code, in relation to an annual recycling report, and subdivision e of section 16-307.3 of such code, in relation to the inclusion of certain information in an annual recycling report

Sponsors: Sandy Nurse, Tiffany L. Cabán, Erik D. Bottcher, Chi A. Ossé, Julie Menin, Jennifer Gutiérrez, Shahana K. Hanif, Keith Powers, Crystal Hudson, Gale A. Brewer, Pierina Ana Sanchez, Althea V. Stevens, Kalman Yeger, Diana I. Ayala, Lincoln Restler, Shaun Abreu, Shekar Krishnan, Alexa Avilés, Carlina Rivera, Rita C. Joseph, Christopher Marte, Francisco P. Moya, Nantasha M. Williams, Kristin Richardson Jordan, Kevin C. Riley, Robert F. Holden, Carmen N. De La Rosa, Eric Dinowitz, Julie Won, Charles Barron, Oswald J. Feliz, Farah N. Louis, Mercedes Narcisse, Justin L. Brannan, Lynn C. Schulman, Marjorie Velázquez, Amanda C. Farías, James F. Gennaro, Rafael Salamanca, Jr., Selvena N. Brooks-Powers, Sandra Ung, Linda Lee, (by request of the Brooklyn Borough President)

Indexes: Report Required

Attachments: 1. Summary of Int. No. 275-A, 2. Summary of Int. No. 275, 3. Int. No. 275, 4. April 28, 2022 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 4-28-22, 6. Minutes of the Stated Meeting - April 28, 2022, 7. Committee Report 6/15/22, 8. Hearing Testimony 6/15/22, 9. Hearing Transcript 6/15/22, 10. Proposed Int. No. 275-A - 5/19/23, 11. Committee Report 6/7/23, 12. Hearing Transcript 6/7/23, 13. June 8, 2023 - Stated Meeting Agenda, 14. Hearing Transcript - Stated Meeting 6-8-23, 15. Minutes of the Stated Meeting - June 8, 2023, 16. Int. No. 275-A (FINAL), 17. Fiscal Impact Statement, 18. Legislative Documents - Letter to the Mayor, 19. Local Law 87

Date	Ver.	Action By	Action	Result
4/28/2022	*	City Council	Introduced by Council	
4/28/2022	*	City Council	Referred to Comm by Council	
6/15/2022	*	Committee on Sanitation and Solid Waste Management	Hearing Held by Committee	
6/15/2022	*	Committee on Sanitation and Solid Waste Management	Laid Over by Committee	
6/7/2023	*	Committee on Sanitation and Solid Waste Management	Hearing Held by Committee	
6/7/2023	*	Committee on Sanitation and Solid Waste Management	Amendment Proposed by Comm	
6/7/2023	*	Committee on Sanitation and Solid Waste Management	Amended by Committee	
6/7/2023	A	Committee on Sanitation and Solid Waste Management	Approved by Committee	Pass
6/8/2023	A	City Council	Approved by Council	Pass
6/8/2023	A	City Council	Sent to Mayor by Council	

7/9/2023	A	Administration	City Charter Rule Adopted
7/13/2023	A	City Council	Returned Unsigned by Mayor

Int. No. 275-A

By Council Members Nurse, Cabán, Bottcher, Ossé, Menin, Gutiérrez, Hanif, Powers, Hudson, Brewer, Sanchez, Stevens, Yeger, Ayala, Restler, Abreu, Krishnan, Avilés, Rivera, Joseph, Marte, Moya, Williams, Richardson Jordan, Riley, Holden, De La Rosa, Dinowitz, Won, Barron, Feliz, Louis, Narcisse, Brannan, Schulman, Velázquez, Farías, Gennaro, Salamanca, Brooks-Powers, Ung and Lee (by request of the Brooklyn Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to the goal of achieving zero waste by increasing waste diversion from landfill or incineration, and to repeal subdivision k of section 16-305 of such code, in relation to an annual recycling report, and subdivision e of section 16-307.3 of such code, in relation to the inclusion of certain information in an annual recycling report

Be it enacted by the Council as follows:

Section 1. Paragraph 3 of subdivision c of section 16-305 of the administrative code of the city of New York, as added by local law number 35 for the year 2010, is amended to read as follows:

3. If the commissioner determines that the cost to the city of recycling rigid plastic containers is not reasonable in comparison with the cost of recycling only metal, glass and plastic that have been designated as recyclable materials as of the effective date of the local law that added this subdivision, the commissioner shall annually reevaluate the cost to the city of designating such rigid plastic containers as recyclable materials, and shall annually make a new determination as to whether the cost of designating such containers as recyclable materials is reasonable in comparison with the cost of recycling only metal, glass and plastic that have been designated as recyclable materials as of the effective date of the local law that added this subdivision and shall report such evaluations to the council as part of the department's annual [recycling] zero waste report required pursuant to [subdivision k of section 16-305 of this chapter] subdivision b of section 16-316.5. The department shall not promulgate rules designating rigid plastic containers as recyclable materials, and need not conduct outreach or education relating thereto if, pursuant to paragraph two of this subdivision, the commissioner determines that the cost to the city of recycling rigid plastic containers is not reasonable in comparison with the cost of recycling only metal, glass and plastic that have been designated as recyclable materials as of the

effective date of the local law that added this subdivision.

§ 2. Subdivision k of section 16-305 of the administrative code of the city of New York is REPEALED.

§ 3. Subdivision c of section 16-307 of the administrative code of the city of New York, as added by local law number 36 for the year 2010, is amended to read as follows:

c. On or before July first, two thousand twelve and annually thereafter, every lead recycling or sustainability coordinator shall submit a report to the head of his or her respective agency and to the commissioner, summarizing actions taken to implement the waste prevention, reuse and recycling plan for the previous twelve-month reporting period, proposed actions to be taken to implement such plan, and updates or changes to any information included in such plan. The department shall consolidate the information contained in all reports prepared pursuant to this subdivision and include such information as part of the department's annual [recycling] zero waste report required pursuant to [subdivision k of section 16-305 of this chapter] subdivision b of section 16-316.5.

§ 4. Subdivision d of section 16-307.1 of the administrative code of the city of New York, as added by local law number 41 for the year 2010, is amended to read as follows:

d. [On or before January first, two thousand twelve, the] The chancellor shall submit a report to the commissioner by January 1 of each year regarding compliance with the requirements of this section [for the period of January first, two thousand eleven through June thirtieth, two thousand eleven, and shall submit an annual compliance report by January first of each year thereafter] for the preceding July [first] 1 through June [thirtieth] 30. The department shall include the chancellor's report as part of the department's annual [recycling] zero waste report required pursuant to [subdivision k of section 16-305 of this chapter] subdivision b of section 16-316.5.

§ 5. Paragraph 2 of subdivision d of section 16-307.2 of the administrative code of the city of New York, as added by local law number 57 for the year 2021, is amended to read as follows:

2. The department shall consolidate the information contained in all reports prepared pursuant to this

subdivision and include such information as part of the department's annual [recycling] zero waste report required pursuant to [subdivision k of section 16-305 of this chapter] subdivision b of section 16-316.5.

§ 6. Subdivision e of section 16-307.3 of the administrative code of the city of New York is REPEALED.

§ 7. Subdivision h of section 16-308 of the administrative code of the city of New York, as amended and redesignated by local law number 77 for the year 2013, is amended to read as follows:

h. Each permitted composting facility within the city, including those operated by city agencies, shall annually report to the commissioner the amount of yard waste and any other organic waste collected and disposed of by weight at such composting facility. All such reports shall be submitted prior to February first of each calendar year and shall contain the amount collected and disposed of for the previous calendar year. The department shall consolidate the information contained in all reports prepared pursuant to this subdivision and include such information as part of the department's annual [recycling] zero waste report required pursuant to [subdivision k of section 16-305 of this chapter] subdivision b of section 16-316.5.

§ 8. Subdivision d of section 16-310 of the administrative code of the city of New York, as added by local law number 38 for the year 2010, is amended to read as follows:

d. The department shall report the total number of public space recycling receptacles added during the relevant reporting year, and the locations in which they were placed. Such report shall be included as part of the department's annual [recycling] zero waste report required pursuant to [subdivision k of section 16-305 of this chapter] subdivision b of section 16-316.5.

§ 9. Subdivision c of section 16-310.1 of the administrative code of the city of New York, as added by local law number 38 for the year 2010, is amended to read as follows:

c. The department shall report by weight the amount of textiles collected in publicly accessible textile drop-off bins located on city property or property maintained by the city, through public textile reuse and recycling sites pursuant to subdivision a of this section and in publicly accessible textile drop-off bins

maintained on private property. Such report shall be included as part of the department's annual [recycling] zero waste report required pursuant to [subdivision k of section 16-305 of this chapter] subdivision b of section 16-316.5.

§ 10. Subdivisions b and c of section 16-316.3 of the administrative code of the city of New York, as added by local law number 39 for the year 2010, are amended to read as follows:

b. The department shall report annually the total amount of household hazardous waste diverted by the program established pursuant to subdivision a of this section. Such report shall specify each category of material and the amount of such material collected at each collection event or site established pursuant to subdivision a of this section. Such report shall be included as part of the department's annual [recycling] zero waste report required pursuant to [subdivision k of section 16-305 of this chapter] subdivision b of section 16-316.5.

c. The commissioner shall study opportunities to establish additional household hazardous waste collection events and sites, as well as opportunities to provide for the collection of household hazardous waste at designated sites on a regular basis. The commissioner shall report on such opportunities to the mayor and the council within two years of the effective date of this section, and annually thereafter, and such report shall be included as part of the department's annual [recycling] zero waste report required pursuant to [subdivision k of section 16-305 of this chapter] subdivision b of section 16-316.5.

§ 11. Subchapter 3 of chapter 3 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-316.5 to read as follows:

§ 16-316.5 Zero waste plan and report. a. On or before January 1, 2024, the commissioner shall submit to the mayor, the speaker of the council, the district manager of each community board, and each citizens' solid waste advisory board as defined in section 16-317, and make publicly available online, a plan to achieve the goal of zero waste pursuant to section 16-144 and to increase waste diversion from landfill and incineration through waste reduction, reuse, and recycling.

b. On or before October 1, 2024, and annually thereafter, the commissioner shall submit to the mayor, the speaker of the council, the district manager of each community board, and each citizens' solid waste advisory board as defined in section 16-317, and make publicly available online, a report on the city's progress toward the goal of achieving zero waste pursuant to section 16-144 and toward increasing waste diversion from landfill and incineration through waste reduction, reuse, and recycling.

c. The plan and reports required by this section shall include, but need not be limited to:

1. Annual waste disposal and diversion targets, disaggregated by waste stream, including any expected changes to diversion rates as a result of any new or discontinued programs, market conditions, or other factors, and the methodology used to arrive at such waste disposal and diversion targets;

2. Diversion rates for recyclable and organic material collected curbside by the department, disaggregated by material and community district, where feasible;

3. Diversion rates for recyclable and organic material that are not collected curbside, disaggregated by material;

4. A description of how the department will increase diversion rates, including but not limited to strategies to increase diversion for each material;

5. A description of education and outreach programs available to the public and strategies to improve such education and outreach programs;

6. A description of initiatives to increase diversion in residential buildings and buildings owned or operated by the New York city housing authority, in commercial establishments, and in the construction and demolition sector;

7. A list of materials that are not easily diverted from landfill or incineration, and strategies for eliminating such materials from the waste stream;

8. An analysis of the economic market for each recyclable material;

9. An analysis of current processing capacity for recyclable materials, disaggregated by material stream;

10. An analysis of disposal capacity and prices at disposal facilities used by the department and by designated carters as defined in section 16-1000;

11. A description of initiatives to increase diversion of materials disposed of in public litter baskets, public recycling bins, and public organics bins, including those located in parks and transit facilities;

12. A description of initiatives to increase the reuse of materials that would otherwise be disposed of; and

13. Recommendations on new or updated strategies, policies, and programs to achieve the goal of zero waste established in section 16-144.

§ 12. This local law takes effect immediately.

Session 12
JSA/AS
LS #2166, 8157, 6535, 7153
5/17//2023 7:57 p.m.

Session 11
CM/NKA
LS #9641
Int. #2250-2021