Legislation Details (With Text)

File #:	Int 0148-2010 **Version:** A	**Name:**	Designation of rigid plastic containers as recyclable materials.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Sanitation and Solid Waste Management
On agenda:	4/14/2010		
Enactment date:	8/16/2010	**Enactment #:**	2010/035

Title: A Local Law to amend the administrative code of the city of New York, in relation to the designation of rigid plastic containers as recyclable materials, and to repeal subdivision c of section 16-305 of the administrative code of the city of New York, relating to staggering the source separation and collection of designated recyclable materials.

Sponsors: Lewis A. Fidler, Christine C. Quinn, Charles Barron, Gale A. Brewer, Margaret S. Chin, Leroy G. Comrie, Jr., Inez E. Dickens, Daniel Dromm, Vincent J. Gentile, Sara M. Gonzalez, Letitia James, G. Oliver Koppell, Karen Koslowitz, Brad S. Lander, Jessica S. Lappin, Melissa Mark-Viverito, Michael C. Nelson, Annabel Palma, Domenic M. Recchia, Jr., Ydanis A. Rodriguez, James Sanders, Jr., Larry B. Seabrook, Albert Vann, Deborah L. Rose, Mathieu Eugene, Robert Jackson, James F. Gennaro, James G. Van Bramer, Stephen T. Levin, Thomas White, Jr., Jumaane D. Williams, Julissa Ferreras-Copeland, Daniel R. Garodnick, Darlene Mealy, Diana Reyna

Indexes:

Attachments: 1. Int. No. 148 - 4/14/10, 2. Committee Report 4/26/10, 3. Hearing Testimony 4/26/10, 4. Hearing Transcript 4/26/10, 5. Committee Report 7/28/10, 6. Hearing Transcript 7/28/10, 7. Hearing Transcript - Stated Meeting 7/29/10, 8. Mayor's Letter, 9. Local Law 35, 10. Fiscal Impact Statement

Date	Ver.	Action By	Action	Result
4/14/2010	*	City Council	Introduced by Council	
4/14/2010	*	City Council	Referred to Comm by Council	
4/26/2010	*	Committee on Sanitation and Solid Waste Management	Hearing Held by Committee	
4/26/2010	*	Committee on Sanitation and Solid Waste Management	Laid Over by Committee	
7/28/2010	*	Committee on Sanitation and Solid Waste Management	Amendment Proposed by Comm	
7/28/2010	*	Committee on Sanitation and Solid Waste Management	Amended by Committee	
7/28/2010	*	Committee on Sanitation and Solid Waste Management	Hearing Held by Committee	
7/28/2010	A	Committee on Sanitation and Solid Waste Management	Approved by Committee	Pass
7/29/2010	A	City Council	Approved by Council	Pass
7/29/2010	A	City Council	Sent to Mayor by Council	
8/16/2010	A	Mayor	Hearing Held by Mayor	
8/16/2010	A	Mayor	Signed Into Law by Mayor	
8/16/2010	A	City Council	Recved from Mayor by Council	

Int. No. 148-A

By Council Member Fidler and The Speaker (Council Member Quinn) and Council Members Barron, Brewer, Chin, Comrie, Dickens, Dromm, Gentile, Gonzalez, James, Koppell, Koslowitz, Lander, Lappin, Mark-Viverito, Nelson, Palma, Recchia, Rodriguez, Sanders Jr., Seabrook, Vann, Rose, Eugene, Jackson, Gennaro, Van Bramer, Levin, White, Williams, Ferreras, Garodnick, Mealy and Reyna

A Local Law to amend the administrative code of the city of New York, in relation to the designation of rigid plastic containers as recyclable materials, and to repeal subdivision c of section 16-305 of the administrative code of the city of New York, relating to staggering the source separation and collection of designated recyclable materials.

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 16-305 of the administrative code of the city of New York is REPEALED and a new subdivision c is added to read as follows:

c. 1. Prior to commencing delivery of department-managed recyclable materials to the designated recycling processing facility at the South Brooklyn Marine Terminal, the commissioner shall designate as recyclable materials, and require the source separation of, rigid plastic containers.

2. If the commissioner, in his or her discretion, determines that the cost to the city of recycling rigid plastic containers required to be designated as recyclable materials pursuant to paragraph one of this subdivision 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 within ten business days notify and provide documentation to the council of the factors relied upon to make such determination and shall not be required to designate any such rigid plastic containers as recyclable materials.

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

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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 report required pursuant to subdivision k of section 16-305 of this chapter. 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.

4. Immediately following the promulgation of rules designating rigid plastic containers as recyclable materials, the department shall undertake outreach and education, in cooperation with any other agency or entity designated for that purpose by the commissioner, to inform residents of such new designation and to provide instruction on compliance with the requirements of this subdivision and the rules promulgated pursuant thereto.

§2. This local law shall take effect immediately.

Council Revision - 7-21-10 1:45 p.m.

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