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By Council Members Nurse, Gennaro, Won, Hanif, Gutiérrez, Brewer, Ung, Bottcher, Restler, Hudson, Avilés, Brooks-Powers, Salaam, Sanchez, Ayala, Schulman, Banks, Williams, Cabán and Marte (by request of the Manhattan Borough President)

A Local Law in relation to a study of single-use plastics

Be it enacted by the Council as follows:

Section 1. As used in this local law, the following terms have the following meanings:

Plastic. The term “plastic” means a synthetic material made from organic polymers, including, but not limited to, polypropylene and polystyrene, that can be molded into shape while soft, and then set into a rigid or slightly elastic form.

Single-use. The term “single-use” means a product that is designed and intended to be used only once for drinking, eating, or packaging retail goods for sale or delivery; and is generally recognized by the public as an item that is to be discarded after one use.

§ 2. Single-use plastics study. 1. The department of sanitation shall, in consultation with the department of consumer and worker protection, the department of health and mental hygiene, the department of environmental protection, the department of small business services and the mayor's office for people with disabilities, conduct a comprehensive study of new waste policy initiatives that would reduce the sale, distribution and use of single-use plastic items and advance environmental justice in the city in such sale, distribution and use. In conducting the study, the department of sanitation, at a minimum, shall:

(a) Conduct a thorough review of the research and literature on reducing single-use plastic items and on the impact of such items on marginalized communities;

(b) Review laws or regulations in other jurisdictions aimed at reducing consumer reliance on single-use plastic items and on advancing environmental justice through the reduction of such items, including any effectiveness data and reports available that review the implementation of such laws or regulations;

(c) Conduct interviews of scientists, experts, government officials and representatives of not-for-profit organizations, including environmental justice organizations, with relevant expertise;

(d) Assess the alternatives to single-use plastic items, including availability, cost and whether such alternatives are compatible with the overall goal of waste reduction, the city's existing recycling and composting programs and with advancing environmental justice in the city;

(e) Conduct a comprehensive review of the recyclability of single-use plastic items, whether through use of city-operated recycling facilities or facilities operated by other entities, and identify categories of single-use plastics that should be prioritized for reduction. As part of this review, the department shall examine the market demand for post-consumer recycled materials and identify opportunities for increasing such market demand;

(f) Consult with representatives of affected groups including, but not limited to, consumers, including people with disabilities and people especially impacted by environmental and health hazards resulting from the use and disposal of single-use plastic items in the city, business owners, trade associations and labor unions; and

(g) Retain any experts such department may require to carry out the study.

§ 3. The department of sanitation shall on December 1, 2023 submit a final report of its findings to the mayor and the speaker of the council. The report shall include recommendations for legislation or regulatory actions that would achieve the objective of reducing single-use plastics in the city and advancing environmental justice through such reduction.

§ 4. This local law takes effect immediately and remains in effect until the department of sanitation has submitted to the mayor and the speaker of the council the report required by section 3 of this local law.

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