

Environmental Control Board
Loose Rubbish / Receptacles 16-120(d) / AS19

To support a defense to the charge of improper disposal of refuse, including improper receptacle, uncovered receptacles, broken receptacles and loose rubbish, please submit a sworn notarized statement containing the relevant information and supporting documentation requested below.

- If you are not the respondent named on the Notice of Violation, submit a written statement explaining: (a) your relationship to that named respondent, and (b) whether you are authorized to represent that party.
- Describe the type of premises involved. If the premises is a multiple dwelling, state the number of apartments.
- If this is a 1-or 2-family dwelling, and if the inhabitants are employed, when do they go to and return from their employment?
- Is there a superintendent for the premises? If yes, state whether the superintendent resides at the premises and his or her days and hours of employment.
- Is there an incinerator or compactor for the building? Is there a disposal chute provided for every floor?
- What is the procedure for collecting refuse from the premises? Are tenants directed to place the refuse in a specific area inside or outside the premises? Where is the refuse placed when it is put out for collection?
- If you believe that the cited material came from somewhere other than from your tenants or other family members in your building, how do you know this to be accurate?
- What directions, if any, are tenants given regarding the disposal of refuse? How are these directions conveyed to the tenants?
- What kind of containers do you use to put your refuse out for collection?
- Who placed the _____ out for collection?
- If you did not place the materials out for collection, how do you know the manner in which they were put out?
- Did you use the cardboard boxes or paper bags, as receptacles for your refuse, on the day in question?
- Can you explain why your cans/dumpsters may not have been covered at the time of issuance? Do you know how long they were uncovered?
- What instructions, if any, do you have from your private carter regarding the method for disposal of your refuse?