

**PURSUANT TO SECTION 1042 OF THE NEW YORK CITY CHARTER, THE NEW YORK CITY DEPARTMENT OF SANITATION HEREBY PUBLISHES ITS REGULATORY AGENDA FOR JULY 1, 2011 THROUGH JUNE 30, 2012:**

**A. THE FOLLOWING RULES WILL BE PROMULGATED PURSUANT TO THE NEW YORK CITY RECYCLING LAW AS SET FORTH IN CHAPTER 3 OF TITLE 16 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK:**

**1. SUBJECT AREA: RECYCLING**

**RATIONALE:** Local Law 36 of 2010, signed into law on August 16, 2010, amends requirements governing recycling by city agencies under Chapter 3 of Title 16 of the Administrative Code, including a requirement that City agencies develop and implement a waste prevention, reuse and recycling plan, and the designation of certain materials as recyclable. As a result, the Department will amend its recycling rules under Section 1-09 of Chapter 1 of the Title 16 of the Rules of the City of New York to conform to requirements set forth under Local Law 36.

**RULE:** The Department will amend its rules governing recycling requirements applicable to city agencies and institutions that will conform with the requirements under Local Law 36 of 2010.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:**  
Generators of agency who receive Department of Sanitation collection service.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:**

- (a) Section 1-09 of Title 16 of the Rules of the City of New York governing agency and institutional recycling requirements;
- (b) Section 16-307 of the Administrative Code of the City of New York; and
- (c) City Administrative Procedure Act: New York City Charter Section 1043.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2012.

**OFFICIAL CONTACT:** Deputy Commissioner for Legal Affairs, Department of Sanitation.

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**2. SUBJECT AREA: RECYCLING – RULES GOVERNING THE DISPOSAL OF REFUSE AND RECYCLABLES GENERATED AT STREET EVENTS.**

**RATIONALE:** On February 26, 2009, the Mayor signed Local Law No. 13 of 2009 into law in relation to the collection and removal of solid waste and recyclable materials at street events. In order to conform its rules to the law, the Department will amend Chapter 14 of Title 16 of the Rules of the City of New York to ensure its rules are consistent with Local Law No. 13.

**RULE:** The Department will amend its rules by clarifying the responsibilities of sponsors, producers and event managers of street events relating to the disposal of refuse and recyclable materials generated at street events, as well as street activities that occupy no more than one block for not more than one day, such as resident block parties, where no licensed vendor participates consistent with Local Law 13.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:**  
Sponsors, producers and event managers of street events.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:**

- (a) Section 16-326 et seq. of the Administrative Code of the City of New York; and
- (b) City Administrative Procedure Act: New York City Charter Section 1043.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2012.

**OFFICIAL CONTACT:** Deputy Commissioner for Legal Affairs, Department of Sanitation.

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**B. THE FOLLOWING RULES WILL BE PROMULGATED PURSUANT TO THE NEW YORK CITY SOLID WASTE TRANSFER STATION LAW AS SET FORTH IN SECTIONS 16-130 AND 16-131 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK.**

**1. SUBJECT AREA: SOLID WASTE FACILITIES – RULES GOVERNING SELF-CERTIFICATION FOR DISPOSAL OF SEWAGE AND WASTEWATER AT TRANSFER STATIONS AND FILL MATERIAL STATIONS.**

**RATIONALE:** The Department’s permitting provisions applicable to putrescible, non-putrescible, and fill material transfer stations require the submission of a statement by a registered architect or licensed engineer certifying that the transfer station has installed a system for the sanitary disposal of sewage and wastewater in compliance with Articles 143 and 145 of the New York City Health Code. Currently, an engineer’s report containing this self-certifying statement of compliance is a required document for all transfer station permit applications and renewals. However, such Health Code provisions were repealed on October 28, 2009, and jurisdiction over disposal of sewage and wastewater activities now rests with the New York City Department of Environmental Protection which enforces the Clean Water Act, and the New York City Department of Buildings which oversees any construction and related permits on private property.

**RULE:** The Department will amend its rules in order that they conform and reflect the current requirements by the appropriate city agencies having jurisdiction over the disposal of sewage and wastewater activities, and construction and related permits on private property.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:** Owners and operators of transfer stations and fill material transfer stations which operate in New York City.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS AND RULES APPLICABLE TO PROPOSED RULE:**

- (a) Section 16-131, 16-131.1, and 16-131.2 of the Administrative Code of the City of New York; and
- (b) City Administrative Procedure Act: New York City Charter Section 1043.

**SCHEDULE FOR ADOPTION:** Fiscal Year 2012.

**OFFICIAL CONTACT:** Deputy Commissioner for Legal Affairs, Department of Sanitation.

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**2. SUBJECT AREA: SOLID WASTE FACILITIES -- REGISTRATION REQUIREMENTS FOR RECYCLING PROCESSING FACILITIES.**

**RATIONALE:** Section 16-130(b) of the Administrative Code of the City of New York authorizes the Commissioner of Sanitation to establish one or more classes of permits for solid waste transfer facilities. Some transfer stations operating in New York City exclusively receive and process recyclable materials. The promulgation of separate rules requiring such facilities to register with the Department will enhance the Department's oversight and enforcement responsibilities in this area.

**RULE:** The Department will promulgate a rule establishing registration requirements for facilities that only receive and process recyclables designated by the Department.

**INDIVIDUALS AND ENTITIES LIKELY TO BE AFFECTED BY PROPOSED RULE:** Owners and operators of recycling facilities which operate in New York City.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS OR RULES APPLICABLE TO PROPOSED RULE:**

- (a) Sections 16-301 et seq. and 16-306 of the Administrative Code of the City of New York;
- (b) Sections 1-10(g) of Chapter 1 and Section 4-08 of Chapter 4 of Title 16 of the Rules of the City of New York governing recycling responsibilities of owners and/or operators of solid waste transfer stations;
- (c) City Administrative Procedure Act: New York City Charter Section 1043.
- (d) 6 N.Y.C.R.R. 360, Subparts 360-11 and 360-12;
- (e) Chapter 1 of Title 17 of the Rules of the City of New York;

**SCHEDULE FOR ADOPTION:** Fiscal Year 2012.

**OFFICIAL CONTACT:** Deputy Commissioner for Legal Affairs, Department of Sanitation.

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