

New York City Department of Sanitation
Notice of Adoption of Rule Relating to the Violation Amount
for the Improper Disposal of Regulated Household Waste

NOTICE IS HEREBY GIVEN in accordance with the requirements of Section 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of the Department of Sanitation by sections 753 and 1043(a) of the New York City Charter and section 16-120.1 of the New York City Administrative Code that the Department adopts the following rule relating to the violation amount for the improper disposal of regulated household waste. The Department published a Notice of Opportunity to Comment on the proposed rule in the City Record on August 19, 2026. On September 18, 2026, the Department held a public hearing on the proposed rule.

The Department received four comments on the proposed rule. Two were in support and two were opposed on the basis that property owners cannot be responsible for the actions of their tenants. While the Department is sympathetic, property owners are responsible for ensuring that their tenants dispose of all refuse, including regulated household waste, and recycling in accordance with all laws. Additionally, the Department has the responsibility to protect its workforce. As a result, no changes were made to the rule.

Statement of Basis and Purpose

DSNY has seen an uptick in regulated household waste not being disposed of properly. Regulated household waste means any item that may cause puncture or cuts that is used in the administration of medication and is disposed of with residential solid waste, including but not limited to intravenous tubing and syringes with needles attached. In 1991, pursuant to section 16-120.1 of the New York City Administrative Code, DSNY promulgated rules relating to the safe disposal of regulated household waste. The penalty permitted in the Administrative Code for a violation of such rules is not less than \$50, nor more than \$250. The current penalty of \$100 has been in effect since 2002.

Over the past three calendar years, DSNY employees have been stuck by needles over 140 times. This number does not include those instances where needles are improperly disposed of and did not result in an injury. As this number continues to climb, and the reasons

for the use of needles for medical purposes have increased over the years, DSNY is increasing the penalty amount for the improper disposal of regulated household waste from \$100 to \$250. The increased penalty is necessary to ensure the safety of our workers and to disincentivize the improper disposal of such waste.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Subdivision (b) of section 1-04 of Title 16 of the Rules of the City of New York is amended to read as follows:

(b) Any individual violating subdivision a of this section shall be subject to a civil penalty of [not less than \$50.00 nor more than] \$250.00.

§ 2. The following row of the table set forth in section 19-105 of Title 16 of the Rules of the City of New York is amended to read as follows:

Section of Law	Description	Offense	Penalty	Default Penalty
16-120.1(d)	Improper disposal of regulated household waste		[100] <u>250</u>	250