

**CHAPTER 17**  
**TRIPARTITE GENERAL ORDERS**

**§17-01 Statement of Policy and Intent.**

To improve the environment and to improve refuse containment and collection operations, the use of paper bags for containing uncompacted refuse and incinerator residue should be permitted; the use of plastic bags for containing uncompacted refuse should be permitted and the use of containers for containing compacted refuse should be permitted.

Accordingly pursuant to Local Law 11 of the Laws of 1971 and to §13-1.11 of the Health Code, the Department of Sanitation and the Department of Housing Preservation and Development, and the Department of Health hereby approve the specifications set forth in §17-02 below for paper bags for containing uncompacted refuse and incinerator residue; hereby approve the specifications set forth in §17-03 below for plastic bags for containing uncompacted refuse; and hereby approve the specifications set forth in §17-04 below for containers for containing compacted refuse.

**§17-02 Specifications For Paper Bags Used For Containing Uncompacted Refuse and Incinerator Residue.**

- (a) *Substance:* Paper bags shall be fabricated from wet-strength\* kraft paper, wholly extensible or wholly non-extensible or equivalent.
- (b) *Strength:* The non-extensible paper used to construct single-ply or multi-ply bags must have a nominal basis weight of 100 pounds per 500 sheets, each 24 inches by 36 inches, and a minimum basis weight of 95 pounds per 500 sheets, each 24 inches by 36 inches.

The extensible or equivalent paper used to construct single-ply or multi-ply bags must have a nominal basis weight of 90 pounds per 500 sheets, each 24 inches by 36 inches, and a minimum basis weight of 85.5 pounds per 500 sheets, each 24 inches by 36 inches.

Minimum tensile energy absorptions for dry and wet extensible or equivalent paper used in single and multi-ply bags are set forth in Table I.

**Table I**  
**Minimum Tensile Energy Absorption—Extensible**

	Dry	Wet
Cross Direction of Paper (Single-ply or Multi-ply)	9.3 ft.lb./sq.ft.	2.7 ft. lb./sq.ft.
Cross Direction Plus Machine Direction of Paper (Single-ply or Multi-ply)	30.8 ft. lb./sq.ft.	Not specified

**Table II**  
**Minimum Tensile Breaking Strengths—Non-Extensible**

Dry	Wet	
Cross Direction of Paper (Single-ply or Multi-ply)	34.0 lbs./in. width	9.0 lbs./in. width
Cross Direction Plus Machine Direction of Paper (Single-ply or Multi-ply)	95.0 lbs./in. width	Not specified

The method of testing for nominal and minimum basis weight shall be the Tappi Standard Method T-410 which shall be conducted in accordance with Section 4 of Federal Specification UU-S-48-E. Tensile breaking strength and tensile energy absorption tests shall be performed according to Tappi Standard Methods T-404, T-456, and T-494.

Wet tensile breaking strength and tensile energy absorption are to be determined by using one inch width specimens that have been immersed in water for two hours at 73 degrees Fahrenheit +3.5 degrees Fahrenheit.

- (c) *Adhesives:* Any Adhesive used for seams and closures must meet the water resistant requirements for Federal Specification UU-S-48-E.
- (d) Any tape used on sewn ends of bags shall be 2 1/8 inches wide (1/8 inch minus tolerance unlimited plus tolerance) and shall be made from kraft paper having a nominal basis weight of not less than 70 pounds per 500 sheets each 24 inches by 36 inches.
- (e) *Thread:* The strength of any stitching on the ends of sewn bags shall be not less than that of 12/5 cotton needle and 12/4 cotton looper thread or equivalent.
- (f) *Capacity:* The usable capacity of bags shall not exceed four cubic feet. Measurement of capacity will be determined by the application of the following formula, applying the prescribed measurements of the unfilled bag.

$$\text{Cubic Foot Capacity} = \frac{[T-0.4 (F+G)] [F+G]}{5425}$$

Where: T = Inside Tube Length of Bag (in inches)  
 F = Inside Face Width of Bag (in inches)  
 G = Inside Gusset Width of Bag (in inches)

No restrictions are made on bag dimensions provided that they do not deviate from the prescribed dimensions by more than the following tolerances:

Width: ±3/16 inch  
 Bottom: ±3/16 inch  
 Length: ±1/4 inch

- (g) *Labeling*: On and after January 1, 1971, but prior to April 1, 1971, all bag packaging shall be labeled with an approved logo imprinted or pasted onto the principal panel of all such packaging. On or after April 1, 1971, each bag and all bag packaging shall be labeled with an approved logo marked and imprinted visibly, respectively, along the center of the face of such bag and on the principal display panel of all bag packaging. Such logo shall not be less than one square inch in size. Display of such logo on bags and all bag packaging shall be deemed the manufacturer's certification that such bags and all bags contained in such packages conform to these specifications and testing procedures.

Each bag and all bag packaging shall have marked thereon the name and address of the principal place of business of the manufacturer or distributor of the same and a code identifying the date and location of bag manufacture.

Each bag and retail package of bags shall be prominently marked with the words, "NOT LAWFUL FOR COMPACTED WASTE IN NEW YORK CITY", in block letters not less than 1/4 inch high.

#### **§17-03 Specifications for Plastic Bags Used for Containing Uncompacted Refuse.**

- (a) *Substance*: The film from which plastic bags are constructed shall be manufactured from polyethylene or ethylene copolymer resin.
- (b) *Film Strength*: The film used to fabricate plastic bags shall have a dart impact strength at folds and seals not less than 40 grams per 1.0 mil when tested in accordance with ASTM D-1709, Method A.
- (c) *Film Thickness*: The gauge of the film used to fabricate plastic bags shall have an average of no less than 1.5 mils with a point-to-point variation not exceeding 20 percent.
- (d) *Film Flammability*: The film used to construct plastic bags shall be capable of incineration under normal municipal incinerator practices.
- (e) *Bag Dimensions*: From inside or seals, plastic bags shall have a minimum inside circumference of 40 inches and a minimum inside length of 22 inches and a maximum inside circumference of 60 1/2 inches and a maximum length of 37 1/2 inches.
- (f) *Heat Seal Strength*: Any heat seal shall withstand a ten-minute tensile loading of 1 lb. inch of seal without failure in accordance with ASTM F-88-68.\*
- (g) *Slip Coefficient*: Plastic bags shall be readily opened by hand and shall have a slip coefficient between 0.1 and 0.25 when tested in accordance with ASTM D-1894.
- (h) *Closures*: Each package of plastic bags shall contain a number of tie closures (at least five inches in length) equal to the number of bags.
- (i) *Drop Resistance*: Plastic bags shall be capable of withstanding a drop of five feet onto smooth concrete when filled with a material having weight density of twenty pounds per cubic foot, and when securely closed with a twist tie and when tested in accordance with the National Sanitation Foundation test method.\*\*
- (j) *Labeling*: On and after January 1, 1971, but prior to April 1, 1971, all bag packaging shall be labeled with an approved logo imprinted or pasted onto the principal panel of all such packaging. On or after April 1, 1971, each bag and all bag packaging shall be labeled with an approved logo marked and imprinted visibly respectively, along the center of the face of such bag and on the principal display panel of all bag packaging. Such logo shall

not be less than one square inch in size. Display of such logo on bags and all bag packaging shall be deemed the manufacturer's certification that such bags and all bags contained in such packages conform to these specifications and testing procedures.

Each bag and all bag packaging shall have marked thereon the name and address of the principal place of business of the manufacturer or distributor of the same and a code identifying the date and location of bag manufacture.

Each bag and retail package of bags shall be prominently marked with the words, "NOT LAWFUL FOR COMPACTED WASTE IN NEW YORK CITY", in block letters not less than 1/4 inch high.

- (k) Plastic bags larger than the sizes specified in subdivision (e) above shall have an average of no less than 3.0 mils gauge with a point-to-point variation not exceeding  $\pm 20$  percent and shall not exceed an inside circumference of 66 inches and an inside length of 48 inches. The bags exclusive of packaging and ties shall have a minimum weight of 210 pounds per 1,000 bags.
- (l) *Bag opacity*: Plastic refuse bags shall be of high opacity with a minimum reading of 65% as determined by a hazemeter or recording spectrophotometer when tested in accordance with ASTM D-1003.

#### **§17-04 Specifications for Containers Used for Containing Compacted Refuse.**

- (a) As used herein the term "container" shall mean any container used for the storage of compacted refuse, including, but not limited to any such bag, sack, box, bin, barrel, tub, or tube.
- (b) Containers shall have been evaluated and approved by the Department of Sanitation pursuant to the performance standards and specifications of the Department for the approval of refuse compactor systems. The manufacturer or distributor of such containers shall submit a certification with his request for container approval listing detailed specifications of such containers attesting to the container's compliance with the performance standards and specifications of the Department and setting out any conditions relevant to the use of such container, including a list of compactor systems with which the container is compatible. Such performance standards shall include without limitation the following:
  - (1) Containers shall be capable of containing refuse with an output density range of from 450 pounds to 700 pounds per cubic yard (16.7 pounds to 25.9 pounds per cubic foot) unless specific approval of an alternate capability is made by the Department of Sanitation.
  - (2) Containers shall during filling in the course of evaluation not allow tears or punctures in excess of one (1) inch in more than ten (10) percent of observed samples, and shall during handling in the course of evaluation not allow tears or punctures in excess of one (1) inch in more than ten (10) percent of samples.
  - (3) Containers shall not allow their contents to spill from tears or punctures.
  - (4) Returnable containers shall be capable of easily discharging their contents by gravity.
  - (5) Containers shall be of unit construction when supplied to users and shall not require additional components to be considered ready for use, unless specific exception to

this requirement is given by the Department of Sanitation pursuant to §17-04(b) above.

- (c) Containers shall not exceed four (4) cubic feet in capacity unless specific approval of a larger capacity is made by the Department of Sanitation pursuant to §17-04(b) above.
- (d) Containers shall be free of jagged or sharp edges.
- (e) Containers shall be of high opacity and not transparent.
- (f) *Labeling:* On or after January 1, 1974, each approved disposable container or sealable separate section shall be marked with an approved logo along the center of its widest side and the applicable identifying model number registered with the Department of Sanitation. If enclosed in an outer wrapping, said wrapping shall be similarly marked. Such logo shall be no less than 1 percent of the area on which it is marked, but not be less than one square inch in size. Display of such logo on disposable containers and wrappings or sealable separate sections shall be deemed the manufacturer's or distributor's certification that such disposable containers and wrappings or sealable separate sections conform in detail to the specifications of the prototypes evaluated and approved by the Department of Sanitation and to the specification set forth in the certification submitted pursuant to §17-04(b) above.

Each disposable container and wrapping or sealable separate section shall have marked thereon the name and address of the principal place of business of the manufacturer or distributor of the same and a code identifying the date and location of container manufacture.

From and after the respective dates of the foregoing amendments, the approved logo for bags and retail packages of bags which meet the specifications set forth in §17-02 or §17-03 of the said Tripartite General Order No. 1 shall be as illustrated in Box A below, and the approved logo for disposable containers, wrappings and sealable separate sections which meet the specifications set forth in §17-04 of the said Tripartite General Order No. 1 shall be as illustrated in Box B below.

**§17-05 Requirements for Employment of Bags and Containers Meeting Specifications Set Out in §§17-02, 17-03 and 17-04.**

- (a) Bags and containers which meet the specifications approved under this order:
  - (1) shall not be filled so as to prevent the effective closure thereof;
  - (2) shall not weigh more than 100 pounds when filled;
  - (3) shall be in such condition as to hold their contents without leakage;
  - (4) shall be effectively closed;
  - (5) when stored in the building shall be kept in a metal receptacle or rat-proof and fire-proof room;
  - (6) when awaiting collection outside the building, shall be removed from any metal receptacle and shall be neatly stacked in front of such building.
- (b) Containers which meet the specifications approved under this order shall not contain compacted refuse bound with non-combustible ties.
- (c) The Commissioners of the Department of Sanitation or Housing Preservation and Development or Health may conduct or order the manufacturer or distributor of any

product displaying a logo as provided in §17-04(f) to conduct in an independent testing laboratory selected by any such administrator or commissioner, such tests as are necessary to determine whether such product is in conformity with the provisions of this order. The expenses for all such tests shall be borne by the aforementioned manufacturer or distributor. Such Commissioner may require such appearance of any manufacturer, distributor, retailer or user of any product displaying a logo as provided in §17-04(f) as are necessary to determine if a violation of any of the provisions of this order has occurred.

#### **§17-06 Amendment and Repeal.**

This order may be amended or repealed only upon joint order of the Departments of Sanitation, Housing Preservation and Development and Health pursuant to §1043 of the City Charter of the City of New York.

#### **§17-11 Purpose and Scope.**

The Departments of Sanitation, Housing Preservation and Development and Health find that the use of systems for the disposal of waste that utilize large containers which are mechanically lifted and emptied into, loaded onto or attached to collection vehicles (hereinafter "waste containerization systems") will tend to improve waste containment and increase the efficiency of waste collection operations, and accordingly approve as to specifications, pursuant to §27-2021 of the Housing Maintenance [Administrative] Code, any waste containerization system that meets the specifications set forth below.

Nothing contained in this order shall constitute an agreement by the Department of Sanitation to provide hoist compactor, hoist-fitted chassis, roll-on roll-off or any other specialized service to any person using containers covered by this order. Such service shall continue to be available only by contract with the Department of Sanitation and subject to such conditions as the Department of Sanitation may impose.

#### **§17-12 Specifications for Waste Containerization Systems.**

- (a) The owner or other person in charge of the premise served by a waste containerization system (hereinafter the "premises") shall maintain in a safe, clean, odor-free and properly operating condition all containers and other equipment kept on such premises in connection with the operation of such system and shall keep the place of storage for the containers safe, clean and odor-free at all times. There shall be kept on the premises a hose and brush or a steam cleaner and all other necessary equipment to properly clean the containers, unless such containers are regularly cleaned at a location off the premises and such equipment is not required by any other law or regulation. Each container shall be cleaned on a concrete or other paved surface properly drained into the sewer or a septic system. Such surface and drainage system shall be maintained in a safe, clean, odor-free and properly operating condition.
- (b) A waste containerization system shall be of sufficient capacity to permit the safe and sanitary storage of 150 percent of all waste normally accumulated on or generated within

the premises between any regularly scheduled collections, unless otherwise agreed by the Commissioner of the Department of Sanitation. Notwithstanding the foregoing, unless a waste containerization system is sufficient to permit the safe and sanitary storage of all waste normally accumulated on or generated within the premises during a period of 72 hours, the owner or person in charge of the premises shall keep on hand sufficient additional lawful waste receptacles to permit such storage.

- (c) Except when in the process of being collected or emptied, all containers shall be kept and stored on the premises at all times, in rooms or compartments which comply with §27-837 of the Building [Administrative] Code or in any other location not prohibited by law. If the place of storage is outside the premises, the containers shall be kept in location where they will not be unsightly and will not cause a nuisance to residents of the premises or of neighboring premises. If possible they should be screened from view by an attractive enclosure. The place of storage of the containers shall be one from which the containers may be safely moved to the location where they are emptied or collected. Such location shall be one to which collection vehicles have safe and convenient access and which shall be suitably equipped, adequately lit and of sufficient size for the safe loading or emptying of the containers. The place of storage of the containers and the location where the containers are emptied or loaded shall be subject to the approval of the Department of Sanitation on behalf of itself, the Department of Housing Preservation and Development and the Department of Health.
- (d) Containers shall be compatible in all respects, including without limitation dimensions and loading mechanisms, with the collection vehicles which service them.
- (e) Containers in which tenants are required or permitted to deposit waste shall be of types which can safely, easily, and conveniently be opened and closed by all tenants using them and while available for tenant use shall be kept in a place which provides safe and convenient access for tenants.
- (f) Containers shall:
  - (1) be made of continuously welded steel with all welds and edges ground smooth;
  - (2) be capable of holding 700 pounds of waste per cubic yard of capacity, when at rest and during loading and unloading, without permanent distortion;
  - (3) have adequate provision for reinforcement, stiffening and protection at points of high stress or wear;
  - (4) hold liquids without leaking and be equipped with a drain plug at the bottom on one end; and
  - (5) have heavy duty skids or rollers or other devices to keep the bottom of the container off the ground and reduce wear when it is moved.
- (g) Containers shall have tight-fitting doors and/or lids which shall
  - (1) be attached by means of heavy duty hinges;
  - (2) be equipped with counterbalance springs whenever necessary to prevent destructive or dangerous overswinging;
  - (3) be reinforced to prevent bending and warping; and
  - (4) completely seal the containers to prevent rodents, insects and other pests from entering.
- (h) The Department of Sanitation shall keep and make available to the public a list of containers which in the opinion of such Department, the Department of Housing

Preservation and Development and the Department of Health meet the physical specifications of subdivisions (f) and (g) of this section.

- (i) Unless made of stainless steel or another material not subject to corrosion or wear, containers shall be completely primed and painted inside and out with corrosion-resisting primer and paint. They shall be repainted whenever the metal shows through the paint and whenever necessary to prevent them from becoming unsightly. Containers shall have painted in block letters on one vertical side (and in the case of a container that is loaded onto or attached to a collection vehicle, in a position where it is easily visible when loaded or attached) the name and principal business address of the owner of the container, the capacity of the container in cubic yards and the gross allowed weight of the container (calculated on the basis of 700 pounds per cubic yard of capacity plus the tare weight of the container). The words "STAND CLEAR WHEN CONTAINER IS BEING SERVICED" shall be painted in a prominent position on all four vertical sides in block letters at least four inches high.

**§17-13 Amendment or Repeal.**

This order may be amended or repealed only upon joint order of the Department of Health, the Department of Housing Preservation and Development and the Department of Sanitation pursuant to §1043 of the New York City Charter. Section 51-66 effective August 29, 1973.