

























## 600. DEVELOPING ALTERNATIVES

---

Many of the mitigation measures described in Section 500 may also serve as alternatives. If a proposed project, such as a rezoning and redevelopment plan, would cause an impact due to the closure of a facility relied upon for the current or proposed integrated solid waste management system or a DSNY district garage, an alternative that would result in a lesser impact should be considered. This may include modification to proposed zoning amendments, or a modified project design that incorporates the waste management facility or DSNY Garage use on-site or elsewhere.

## 700. REGULATIONS AND COORDINATION

---

### 710. REGULATIONS AND STANDARDS

#### **SOLID WASTE MANAGEMENT PLANNING**

- New York State Solid Waste Management Act of 1988, codified at Article 27, Title 1 of the New York State Environmental Conservation Law (ECL). This law provides for the preparation of New York City's Solid Waste Management Plan. Also see the regulations at Title 6 of the New York Codes, Rules and Regulations (6 NYCRR) Part 360, Subpart 15, Comprehensive Solid Waste Management Planning.
- City of New York Comprehensive Solid Waste Management Plan (2006)

#### **SOLID WASTE MANAGEMENT FACILITIES**

- Solid waste management facilities in New York State are governed by Article 27, Title 7 of the ECL and 6 NYCRR Part 360.
- ECL Section 27-0706 is the statute that required the Fresh Kills Landfill to close and bars the issuance of a permit by the NYSDEC for the proposed Brooklyn Navy Yard Waste-to-Energy Facility. Also see the Fresh Kills Order on Consent between the NYSDEC and DSNY, Modification No. 7, dated April 27, 2000, providing for the landfill's closure.
- Stipulation and Order in the *Matter of The City of New York v. The New York State Department of Environmental Conservation* filed April 20, 1992 in the Supreme Court of New York, Albany County, Index No. 7218/91 stipulated that NYSDEC and DSNY shall act as co-lead agencies and conduct a coordinated SEQRA review for all new facilities proposed in transfer station permit applications for which both NYSDEC and DSNY issue permits.
- New York City Local Law 40 of 1990, codified at Section 16-130 *et seq.* of the Administrative Code of the City of New York, governs transfer stations within New York City. DSNY has promulgated three sets of regulations pursuant to authority granted in this statute. They are codified at 16 Rules of the City of New York (RCNY), Chapter 4. Subchapter A governs Non-Putrescible Solid Waste Transfer Stations; Subchapter B governs Putrescible Solid Waste Transfer Stations; and Subchapter C governs the Siting, Hours of Operation, Engineering Reports, and Transportation Plans for Solid Waste Transfer Stations.
- Local Law 39 of 1989 amends Sections 24-102, 24-104(18), and 24-117 of the Administrative Code of the City of New York in connection with the operation of private incinerators.
- New York City Zoning Resolution. The Zoning Resolution also regulates the siting and operation of waste management facilities in New York City.

#### **RECYCLING**

- New York City Recycling Law, Local Law 19 of 1989, codified at Section 16-301 *et seq.* of the Administrative Code of the City of New York. Also see rules promulgated by DSNY at 16 RCNY §§ 1-08 to 1-10. This law and the rules require households and generators of private curbside-collected



waste to source separate designated materials in specified manners. The law and rules also require recycling by City agencies and other institutions.

#### **REGULATED MEDICAL WASTE**

- Under ECL § 27-1501 *et seq.* and 6 NYCRR Part 360-10, the NYSDEC regulates the storage, transfer, and disposal of regulated medical waste. Among other things, ECL § 27-1504 provides for a mandatory regulated medical waste tracking program.
- The NYSDEC regulates Regulated Medical Waste Treatment Facilities off the site of the facility producing the waste under 6 NYCRR Part 360-17.
- Regulated Medical Waste is defined as any solid waste generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals including cultures of infectious agents, human pathological wastes, liquid waste human blood and blood products, sharps including hypodermic needles, contaminated animal carcasses, wastes from surgery or autopsy, laboratory wastes from research, dialysis wastes, and biological wastes from humans or animals isolated to protect others. See 6 NYCRR Part 360-17.2(h) for the complete definition and exemptions and exclusions.
- NYSDOH regulates the generation, treatment, and disposal of regulated medical waste under Article 13, Title XIII of the Public Health Law (PHL § 1389-aa *et seq.*)
- While local regulation of regulated medical waste transportation is largely preempted by State law, Section 16-120.1 of the Administrative Code of the City of New York requires generators of regulated medical waste to file a solid waste removal plan with DSNY. Generators of 50 pounds or more per month of regulated medical waste must file annual updates. See also 16 RCNY, Chapter 11.
- Items that may cause punctures or cuts that are used in the course of home health care, such as intravenous tubing and syringes with needles attached, and are disposed with residential solid waste, must be placed in puncture resistant containers prior to disposal. See 16 RCNY § 1-04.

#### **720. APPLICABLE COORDINATION**

Coordination with DSNY for solid waste assessment concerns is recommended.

#### **730. LOCATION OF INFORMATION**

The City's [SWMP](#) contains relevant data on existing conditions, existing and proposed solid waste management systems, and residential and commercial waste generation projections. Other information on current DSNY operations may be obtained by contacting the Department's Bureau of Legal Affairs.

New York City Department of Sanitation  
125 Worth Street  
New York, NY 10013  
<http://www.nyc.gov/sanitation>