

**REPORT OF THE JOINT TASK FORCE OF THE MAYOR
AND CITY COUNCIL OF THE CITY OF NEW YORK
ESTABLISHED PURSUANT TO LOCAL LAW 11 OF 2002
ON
NEW YORK CITY'S RECYCLING PROGRAM**

March 20, 2003

THE HISTORY OF RECYCLING

In 1988, New York State enacted the Solid Waste Management Act, which required all municipalities to establish local recycling programs. In early 1989, New York City enacted the first recycling law, Local Law 19. The Law made recycling mandatory, and by specifying tonnage requirements, set an effective 25 percent mandate for solid waste recycling in New York City, to be achieved by 1995. It directed the Department of Sanitation to mount a public education and outreach campaign, as well as to research markets and economic development opportunities for recycling businesses.

In 1990, the Department of Sanitation began collecting recyclables in two, separate streams: co-mingled metal cans, plastic jugs and bottles, and glass bottles and jars (MGP); and newspapers, magazines, and cardboard (paper). In 1995, the Department of Sanitation designated several additional materials for the curbside program – including mixed paper, household metal, and beverage cartons. In 1999, weekly recycling collection was implemented in all 59 districts of the City.

Throughout the 1990's DSNY also ran programs for leaf collection, backyard composting, and waste prevention, but by and large the basic structure of the recycling program stayed the same. Citizens were required by law to source-separate paper from MGP at home and set it at curbside on designated days, following a color-coding system. The City has used rear-loading, manual trucks to collect these materials, introducing dual-bin trucks in roughly half the City's sanitation districts.

The Fiscal 2003 Adopted Budget included the following provisions impacting the recycling program:

- Metal recycling was preserved, while plastic recycling was suspended for fiscal year 2003 (from July 1, 2002 to June 30, 2003), glass was suspended for fiscal year 2003 and 2004 (ending June 30, 2004), and composting was suspended indefinitely.
- The Department would only be required to meet tonnage amounts for recyclable material that was not suspended.
- The Department would not have to designate “any additional recyclable materials during any period in which the collection of glass, plastic, or beverage cartons are suspended.”
- The Administration and the Council would jointly create a task force to examine various issues and make recommendations to improve recycling.

OVERVIEW

This report presents the findings of the Recycling Task Force jointly appointed by Mayor Michael R. Bloomberg and the City Council in accordance with Local Law 11 of 2002. The Task Force's mandate is to:

“...examine and make recommendations that include steps necessary to improve the efficiency of source-separation and collection of recyclable materials; appropriate recycling standards; the identification and development of markets

for recyclable materials; the expansion of the New York State Returnable Container Act; and the development and implementation of strategies to educate residents on compliance with the recycling laws.”

In accordance with the law, the Task Force makes the following recommendations to be considered for implementation by the Mayor and the City Council to improve the cost-effectiveness and environmental benefits of recycling.

RECOMMENDATIONS

IMPROVE THE EFFICIENCY OF SOURCE SEPARATION AND COLLECTION OF RECYCLABLE MATERIALS

- **Study the potential for a single-stream collection process.**

Single-stream recycling, wherein residents place paper, metal, glass and plastic recyclables in one receptacle, is widely used in cities in California and other Western states. Research on participation rates has shown that residents are more likely to participate in programs that they find convenient, and among all choices, single-stream options are considered the easiest for the public. Contamination with single stream systems is a major concern. However, the Department of Sanitation should monitor developments in recycling technology and undertake a study of the long-term feasibility of single-stream recycling in New York City.

- **Reduce collection costs through the institution of bi-weekly recycling pick-up.**

Pursuant to Local Law 59 of 1998, current metal recycling pick-ups are done on a weekly basis. Due to the relatively low volumes of metal placed curbside weekly under this schedule a majority of trucks are collecting significantly less than maximum capacity. Sufficient excess capacity exists to accommodate not only the reintroduction of plastic recycling, but also the increased tonnage that would result from less frequent collection in all but the heaviest paper recycling districts. Therefore, where feasible the City should revert to a bi-weekly recycling schedule, in selected sanitation districts. When evaluating the feasibility of bi-weekly recycling the City will consider, community district diversion rates, the ability of property owners to store recyclables, and potential budget savings.

- **Examine the feasibility of a Pay-As-You-Throw (PAYT) system of charges for refuse to encourage maximum recycling.**

Increasing recycling diversion rates will have a positive effect on productivity. Pay-As-You-Throw Programs (PAYT) that establish a system of charges for refuse to encourage maximum recycling, have potential as a strategy to improve diversion rates. PAYT systems are in place in many communities around the United States, including Los Angeles, Austin and Buffalo. These programs are structured in a way that the more refuse collected; the more one pays, giving residents an incentive to increase recycling. While PAYT systems have the potential to increase recycling participation, a concomitant increase in the contamination of recyclables may be an unavoidable and undesirable consequence as well. The City should undertake a study exploring the feasibility of implementing a PAYT system.

- **A CompStat–like program should be implemented to hold the Department of Sanitation accountable for recycling performance.**

The Mayor's Office of Operations and the Department of Sanitation should develop an expanded array of data on recycling performance that will be periodically reported to the public.

ESTABLISH APPROPRIATE RECYCLING STANDARDS

- **The Task Force recognizes that the recycling diversion rates established by Local Law 19 in 1989 should be revisited.**

Given the importance and sensitivity surrounding this issue, revised recycling diversion rate targets should be established after full solicitation of public comment. In addition to public concerns, the establishment of new diversion rates should consider: (1) best legislative practices employed in other large cities within the United States, and (2) actual curbside and containerized collections. This process of public involvement and consideration of comment should be completed in a timely manner and new diversion rates should be established on or before July 1, 2003.

- **In the long-term the City should undertake a new residential waste composition study to validate or further modify the newly established diversion standards.**

The immediate challenges of recycling metal and plastic are not impacted by the lack of a more recent study. However, the current diversion tonnage requirements were set based on a 1989 citywide waste characterization study. A reexamination of underlying waste composition in relation to diversion is recommended. In light of current budget constraints the City should seek out private or not-for-profit funds to conduct a new study as soon as possible.

IDENTIFY AND DEVELOP MARKETS FOR RECYCLABLE MATERIALS

- **Restore Plastic and Beverage Container Recycling as Scheduled on July 1, 2003.**

Recent solicitation of bids for continued recycling of metal and the reintroduction of plastic resulted in markedly improved bids relative to last year. The firm of Hugo Neu Schnitzer, which currently handles the City's metal recyclables has offered a revenue bid whereby the company would pay the City \$5.10 per ton to process both metal and plastic. This is in sharp contrast to six other qualified bids received that would have required the City to pay between \$65.75 and \$110.00 per ton to take the combined metal and plastic recycling stream. While the recycling of plastic should be reintroduced, it should be limited to only those products required to be recycled before the suspension. Re-introducing plastic is not expected to significantly impact

collection costs, as current capacity is available to handle the additional tonnage utilizing existing truck shifts and manpower.

- **Continue glass recycling suspension until issues of viability of markets and contamination of recycling stream are adequately addressed.**

Local Law 11 of 2002 provides for reinstatement of glass recycling effective July 1, 2004. The Task Force generally agrees that this reinstatement should not occur until such time as the City is able to adequately address the problem of glass breakage and its contamination of the mixed recyclable stream. In addition, restoration of glass recycling should be contingent upon identification of clearly developed, proximal economic markets that make it economically and environmentally beneficial for the City to recycle glass products. The Mayor and the City Council should agree to work together on efforts to address these issues.

The City Council representatives on the Task Force further recommend that if aggregate bids for recyclable metal, glass, and plastic are comparable to the disposal rate for solid waste, the recycling of glass should be reinstated on schedule. The Mayor's representatives on the Task Force agree that glass recycling should be considered for reinstatement when the contamination issue can be addressed and the total cost of adding glass to recycling (including the net impact on recycling revenues) is equal or less than the total cost of collection and disposal of glass.

- **The City should reassess current procurement practices to incorporate greater flexibility, such as long-term contracting and incentives that could lead to increased private sector investment in processing and recycling facilities.**
- **Within current budget constraints, the City should work through the Economic Development Corporation to explore ways to maximize growth in recycling.**

EXPANSION OF THE NEW YORK STATE RETURNABLE CONTAINERS ACT (BOTTLE BILL)

- **Amend State Law to expand the universe of containers subject to deposit and redemption.**

The definition of containers subject to the five-cent per container redemption fee should be expanded to capture additional carbonated and non-carbonated beverage products that did not constitute significant recyclables at the time the current list of containers subject to the Bottle Bill was developed. The expanded list should include iced teas, fruit juices and bottled water products.

- **Enact State legislation to provide for the return of unredeemed deposits to the municipality in which the original purchase occurred.**

DEVELOP AND IMPLEMENT STRATEGIES TO EDUCATE RESIDENTS ON COMPLIANCE WITH RECYCLING LAWS

- **Within budget constraints, recognize the need to educate the public on details of City recycling programs and provide specific guidance on compliance, and the consequences of non-compliance.**
- **Explore opportunities for non-city funding of outreach and educational initiatives, including funding partnerships with the advocacy community to help the City achieve its recycling goals.**
- **Revise the current system of disincentives (including enhanced fines) with the goal of further deterring non-compliance with residential recycling rules and regulations, along with better explanations of recycling violations.**

The Department should revise its graduated system of disincentives that hold residents accountable for not recycling while also constructively explaining how they failed to comply. A campaign informing the public about increased enforcement and a system of graduated fines for non-compliance is recommended.