



Legislation Details (With Text)

File #: Res 0782-2007 **Version:** A **Name:** Mandating the procurement of Recycled Plastic Lumber (RPL) where it is a viable and potentially economically efficient alternative to natural or chemically treated wood.

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In control: Committee on Contracts

On agenda: 3/28/2007

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Title: Resolution urging the Governor of the State of New York to issue an Executive Order to the State Agencies under his control mandating the procurement of Recycled Plastic Lumber (RPL) where it is a viable alternative to natural or chemically treated wood and urging the State Legislature to enact legislation mandating municipalities to do the same.

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Indexes:

Attachments: 1. Res. No. 782 - 3/28/07, 2. Committee Report 1/29/08, 3. Hearing Transcript 1/29/08, 4. Hearing Testimony 1/29/08, 5. Hearing Testimony (Con't) 1/29/08, 6. Committee Report 4/28/08, 7. Hearing Transcript 4/28/08, 8. Press Release, 9. Hearing Transcript - Stated Meeting 4/30/08

Date	Ver.	Action By	Action	Result
3/28/2007	*	City Council	Introduced by Council	
3/28/2007	*	City Council	Referred to Comm by Council	
1/29/2008	*	Committee on Contracts	Hearing Held by Committee	
1/29/2008	*	Committee on Contracts	Amendment Proposed by Comm	
1/29/2008	*	Committee on Contracts	Laid Over by Committee	
4/28/2008	*	Committee on Contracts	Hearing Held by Committee	
4/28/2008	*	Committee on Contracts	Amendment Proposed by Comm	
4/28/2008	*	Committee on Contracts	Amended by Committee	
4/28/2008	A	Committee on Contracts	Approved by Committee	Pass
4/30/2008	A	City Council	Approved, by Council	Pass

Res. No. 782-A

Resolution urging the Governor of the State of New York to issue an Executive Order to the State Agencies under his control mandating the procurement of Recycled Plastic Lumber (RPL) where it is a viable alternative to natural or chemically treated wood and urging the State Legislature to enact legislation mandating municipalities to do the same.

By Council Members Koppell, Brewer, Fidler, Foster, James, Nelson, Sanders Jr., McMahon, Gerson, Mark-Viverito, Jackson, Arroyo, Weprin, Sears, Liu and Mealy

Whereas, It is the duty of government to manage the public fisc efficiently to obtain the best value for each dollar spent; and

Whereas, It is also government's duty to protect the welfare of the public and to preserve our natural resources; and

Whereas, The government of the State of New York has one of the largest procurement budgets of any government in the country; and

Whereas, The State of New York purchases wood products for a myriad of uses; and

Whereas, Recycled Plastic Lumber (RPL) is a product that may be substituted for natural or chemically treated wood in playground equipment, retaining walls, walkways, sound barriers, car stops, informational kiosks, sign posts, guard rails and other items; and

Whereas, RPL has valuable characteristics in that it is easy to repair and can be drilled, mitered, routed, sanded, works with any deck fastener, and can be produced with wood grain; and

Whereas, RPL has many advantages over natural wood including that it does not crack, rot, warp, or splinter and therefore requires less maintenance than natural wood; and

Whereas, RPL does not need to be painted or sealed and can be produced in virtually any color; and

Whereas, RPL is also water and stain resistant, and UV protected to prevent fading; and

Whereas, RPL is impervious to ants, termites and other insects, and cannot be affected by fungi, bacteria, marine borers, or mold because it is not cellulose; and

Whereas, RPL is graffiti-proof in that marker ink or spray paint may be wiped off using common household cleaners, and anything that is carved into RPL may be filled by melting plastic shavings over the divots to erase the carving; and

Whereas, RPL is easy to clean using soap and water; and

Whereas, RPL is long lasting, with some tests showing less than 1% deterioration over 75 years, and at least one company offers a 50 year warranty on its RPL; and

Whereas, RPL is currently more expensive than natural wood, yet it is possible that RPL's reduced maintenance costs and durability may, over time, make RPL more economical than natural wood; and

Whereas, While there are currently approximately 25 to 30 manufacturers of RPL and related products across North America, the current price of RPL is due in part to the fact that the RPL industry is at an early stage of development, having only been formed around the early 1990s when American entrepreneurs began importing European extrusion technologies, so the industry has not yet achieved economies of scale to lower production costs; and

Whereas, The American Society for Testing and Materials (ASTM) has created a section on plastic lumber and is coordinating the development of industry standards, which includes test methods, specifications, recommended practices, and definitions for dimensional profiles; and

Whereas, The United States Environmental Protection Agency supports ASTM activities related to the development of RPL's standards and specifications; and

Whereas, Standardization will allow RPL to be graded into several levels of performance and this will encourage even more widespread use in the construction industry; and

Whereas, The RPL industry has begun to develop structural grade products and RPL has begun to be put to structural use; and

Whereas, Government procurement may be utilized as a means to develop industry and drive innovation; and

Whereas, State and local governments across the country have begun to use RPL instead of wood for various uses; and

Whereas, In addition to its versatility and the fact that it may eventually prove to be more cost-effective or cost competitive with wood, RPL also has the salutary secondary effect that it is environmentally preferable; and

Whereas, RPL is made from recovered plastic, primarily discarded milk jugs and plastic bags, so that its

use helps to divert plastics from the waste stream and will reduce the amount of plastic clogging landfills; and

Whereas, Treated lumber is often considered hazardous and must be disposed of as hazardous waste while RPL contains no toxins; and

Whereas, At least one study found that replacing wood with RPL would reduce the amount of Greenhouse Gas Emissions, a key factor in climate change; and

Whereas, RPL use will help preserve and reduce pressures on forests, including tropical rainforests, which are currently being destroyed at the rate of 1.5 acres per second, causing Earth to lose an estimated 380 species per day, a rate that may wipe out accessible rainforests within 50 years; and

Whereas, In order to curb these numbers New York State already has legislation that mandates that “Non-tropical hardwood species,” as defined by the United States Forest Service, be used in all municipal projects; now, therefore, be it

Resolved, That the Council of the City of New York urges the Governor of the State of New York to issue an Executive Order to the State Agencies under his control mandating the procurement of Recycled Plastic Lumber (RPL) where it is a viable alternative to natural or chemically treated wood and urges the State Legislature to enact legislation mandating municipalities to do the same.

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