

TESTIMONY OF
PETER McKEON, CHIEF OF COLLECTION OPERATIONS
NEW YORK CITY DEPARTMENT OF SANITATION

NEW YORK CITY COUNCIL COMMITTEE ON
SANITATION AND SOLID WASTE MANAGEMENT
FRIDAY, DECEMBER 18, 2009 -12:00 P.M.
250 BROADWAY, 14TH FLOOR

Good afternoon Chairman Felder and members of the Committee on Sanitation and Solid Waste Management. I am Peter McKeon, Chief of Collection Operations for the New York City Department of Sanitation. With me this afternoon is Todd Kuznitz, Chief of Enforcement for the Department. I am here to testify on Intro No. 1091 governing receptacles for the removal of waste material which is under consideration today.

As proposed, Intro No. 1091 amends Section 16-120 of the New York City Administrative Code by permitting residents and persons in charge of buildings, when placing their receptacles containing refuse at the curbside for Department collection, to do so without the necessity of lids or covers provided that the receptacle contains the refuse in securely tied heavy duty opaque plastic bags. This amendment would not change the requirement that residents and persons in charge must always keep the receptacles covered with tight fitting lids while such receptacles are being stored.

Intro 1091 also allows for additional types of containers made of any other material of a grade and type acceptable to the Department, Department of Health and Mental Hygiene (DOHMH) and Department of Housing Preservation and Development to be used for waste removal. Such amendment will further the Department's and DOHMH efforts to curb conditions conducive for rodent infestations.

The Department does not object to the aforementioned amended language, though we would caution against a potential tendency of residents to overstuff uncovered receptacles that could lead to bags falling out of the receptacles and ripping open, which would pose a public health and quality-of-life concern. With that said, the Administration, through both the Department of Sanitation and the Department of Health and Mental Hygiene, opposes the Council's additional language in the bill that would not require lids when the receptacle also contains fewer than seven pieces of loose refuse.

As you know, the Department's core mission is to maintain sanitary street and sidewalk cleanliness throughout New York City. To achieve this quality-of-life goal, the Department prefers that all refuse be contained so as to prevent any material from blowing out of the container and creating unsightly litter conditions. Moreover, loose refuse, even just a single item, which contains trace amounts of food residue is indeed a condition conducive to rodent infestation.

Residents are currently permitted to place their receptacles out at the curb the night before they are serviced by Department crews the following day. Ensuring that bagged refuse contained in receptacles is securely tied is essential for abating the serious health and sanitary effects that is otherwise caused when loose refuse sits in containers at the curb, especially overnight in more densely-populated communities. To adopt a policy today that minimizes a building owner's responsibility to ensure that refuse is securely contained in receptacles, through creation of an exemption for minor amounts of loose refuse, would be a huge step backward in the Health Department's perpetual war on rodents and Department's mission to maintain street cleanliness. We don't believe this Committee wants to turn the clock backwards.

The Department understands this Committee's concern that often a less-than-considerate pedestrian drops a loose piece of refuse, for example a soda can, into a homeowner's refuse receptacle placed at the curb awaiting pick-up. As we have explained to this Committee in the past, the Department has an unofficial enforcement policy whereby no summons for commingling refuse and recyclables will be issued to the homeowner if less than five loose items are found in the receptacle. I mention this today to dispel any public misperception that Department enforcement agents unfairly and insensitively issue summonses to homeowners when, for instance, the agent observes one soda can sitting on top of bagged refuse in the homeowner's refuse receptacle. Our enforcement agents are frequently reminded of Department enforcement policies governing issuance of summonses, and the circumstances warranting their issuance. Let me assure you that the Department does not issue summonses to residents who properly place their trash receptacles at the curb and take measures to ensure that the refuse is securely contained. We have suggested to residents in the City, particularly those who reside in high-traffic pedestrian areas or near bus or subway stops, that in order to prevent the recalcitrant pedestrian from using the homeowner's receptacle as his or her own public corner receptacle, the homeowner should keep lids on their receptacles at all times, even up to the time of pick-up. This will prevent anyone from dropping miscellaneous items into another's private refuse receptacle.

Chief Kuznitz and I will be happy to answer your questions.



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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1091 Res. No. _____

in favor in opposition

Date: 12/18/09

Chet
Name: Todd Kuznitz (PLEASE PRINT)

Address: _____

I represent: DSNY

Address: _____

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Appearance Card

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in favor in opposition

Date: 12/18/09

Name: Chief Peter McKeon (PLEASE PRINT)

Address: _____

I represent: DSNY

Address: _____

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Appearance Card

I intend to appear and speak on Int. No. 1091 Res. No. _____

in favor in opposition

Date: 12/18/09

Name: Andrea Ciccone (PLEASE PRINT)

Address: _____

I represent: DSNY

Address: _____

Please complete this card and return to the Sergeant-at-Arms