

COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT 1
CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SANITATION AND SOLID
WASTE MANAGEMENT

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April 23, 2025
Start: 10:03 a.m.
Recess: 12:50 p.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Shaun Abreu, Chairperson

COUNCIL MEMBERS:

Chris Banks
David M. Carr
Julie Menin
Sandy Nurse
Vickie Paladino
Rafael Salamanca, Jr.
Sandra Ung
Inna Vernikov
Susan Zhuang

OTHER COUNCIL MEMBERS ATTENDING:

Lincoln Restler
Gale A. Brewer

A P P E A R A N C E S

Javier Lojan, Commissioner of the New York City
Department of Sanitation

Marshall Frank, Assistant Commissioner of the
New York City Department of Sanitation

Neil Eisenberg, Assistant Commissioner of the
New York City Department of Sanitation

Rebecca Kriegman, Chief-of-Staff and Assistant
Commissioner for Policy and Planning of the New
York City Department of Sanitation

Elizabeth Crotty, Commissioner of New York City
Business Integrity Commission

Nicole Mathias, Director of Policy at the New
York City Business Integrity Commission

Lacey Tauber, representing Brooklyn Borough
President Antonio Reynoso

Lew Dubuque, Vice President for the National
Waste and Recycling Association's Northeast
Chapters

Wendy Chavez, on behalf of our client Faztec
Industries, Incorporated

Lauren Pine, Families for Safe Streets

Jenille Scott, Climate Director at ALIGN

A P P E A R A N C E S (CONTINUED)

Justin Wood, Director of Policy at New York
Lawyers for the Public Interest

Eric Goldstein, Natural Resources Defense Council

Bonacio Crespi, Secretary-Treasurer of the
Teamsters Local 813

David Biderman, President of Biderman Consulting

Christopher Leon Johnson, self

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2 SERGEANT-AT-ARMS: Good morning, good
3 morning. This is a microphone check for the Committee
4 on Sanitation and Solid Waste Management. This
5 recording is being done in the Committee Room.
6 Today's date is April 23, 2025. This recording is
7 being done by Ginelle Yearwood.

8 SERGEANT-AT-ARMS: Can everybody settle
9 down? Everybody settle down, please.

10 Good morning, and welcome to the New York
11 City Council hearing of the Committee on Sanitation
12 and Solid Waste Management.

13 At this time, can everybody please
14 silence your cell phones.

15 If you wish to testify, please go to the
16 back of the room to fill out a testimony slip.

17 At this time, and going forward, no one
18 is to approach the dais. I repeat, no one is to
19 approach the dais.

20 Chair, we are ready to begin.

21 CHAIRPERSON ABREU: [GAVEL] Good morning,
22 everyone. Thank you, Sanitation Committee Members,
23 Acting DSNY Commissioner Javier Lojan, Assistant
24 Commissioner Frank Marshall, and Assistant
25 Commissioner Neil Eisenberg. I'd like to thank the

members of the public who are here to testify. We also have BIC Commissioner Elizabeth Crotty here, and she'll be part of a separate panel.

To minimize disruption, please place electronic devices on vibrate or silent mode.

I would also like to acknowledge Council Member Nurse for being present here with us today.

In 2019, the Council enacted Local Law 199, requiring the establishment of a new system for the collection of a portion of commercial waste produced in New York City. The purpose of today's hearing is to learn more about the City's implementation of this law and the new commercial waste zones system.

According to the Council's findings and the legislative purpose of Local Law 199, the current commercial waste collection system is plagued by dangerous driving and insufficient attention to public safety, leading to dozens of deaths on New York City streets, harmful environmental and public health impacts such as excessive truck emissions and noise pollution, dangerous conditions for commercial waste collection workers, and poor customer service such as opaque pricing, putting small businesses at a

disadvantage. According to the same findings, the new system will result in carters which adequately train their workers on safe practices, a dramatic reduction in truck traffic and resultant roadway wear and tear, reduced incentives for unsafe driving, enhanced protections for commercial waste collection workers, advancement of the City's efforts to reduce waste and increase recycling, and overall promotion of the public health, safety, and welfare of all New Yorkers.

Pursuant to Local Law 199, DSNY has divided the City into 20 commercial waste zones, and although it took nearly five years, in January 2024, DSNY announced the names of private carters that would collect waste from businesses in one of more of these zones. The City has stated that it plans to use a staggered schedule to implement each of the zones to the new system. Earlier this year, the City implemented the first commercial waste zone, known as Queens Central, which is located across neighborhoods of Corona, East Elmhurst, Forest Hills, Glendale, Jackson Heights, Regal Park, and Ridgewood. Businesses there were required to select one of three private waste carters for their waste collection.

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2 Businesses that did not make a selection were
3 assigned a carter by DSNY. We are pleased to learn
4 this morning that two additional zones will be
5 implemented later this year, Bronx West and Bronx
6 East. We look forward to hearing about the commercial
7 waste zones rollout in Queens Central and the
8 Agency's news for the next two zones and the
9 following zones as well.

10 Since the Committee's last commercial
11 waste zones hearing, we've also seen an uptick in
12 market activity by trade waste companies, resulting
13 in some shifts among carters assigned to each zone.
14 We're also aware of ongoing and required safety
15 trainings and retrofitting of trucks by carters who
16 will take part in the implementation of the City's
17 remaining 19 zones and an increase in the number of
18 safety violations issued to these carters by BIC.
19 Additionally, we've heard from advocates about the
20 need for a swifter implementation of Local Law 199 of
21 2019 to protect community health. We look forward to
22 hearing from DSNY, BIC, and advocates about this
23 activity today.

24 We are also hearing two bills today.
25 These include Intro. Number 1228 that I've introduced

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in relation to expanding the categories of businesses that may be subject to requirements regarding the disposal of commercial organic waste. As we require residents to separate their organic waste, it's only right that our businesses do the same. Intro. 1228 ensures that commercial and residential diversion efforts move forward together.

We will also be hearing Intro. Number 784 by Council Member Sandy Nurse in relation to establishing a tracking system concerning the disposal of yellow and brown grease. Council Member Nurse, I'll turn it over to you to speak about your bill.

COUNCIL MEMBER NURSE: Thanks, Chair. Good morning, everyone. Intro. 784 would require the Business Integrity Commission to establish a tracking system for yellow and brown grease. When grease is improperly disposed of, it ends up in our sewers and congealed to cause massive clogging in the form of fatbergs. In the last five years, there have been over 900 3-1-1 complaints relating to grease in sewers and catch basins. Queens County received the most 3-1-1 complaints for grease in sewers and catch basements with 323, followed by Brooklyn with 265,

Manhattan 174, and Bronx 109, Staten Island with 35. Grease doesn't have to end up in our sewers. In 2022, Waste Management, the Department of Environmental Protection, and Veriflux conducted a four-month citywide pilot that tracked the waste-to-energy supply chain of grease. The pilot tracked 100 truckloads, which picked up waste from nearly 600 businesses and calculated that they diverted over 3.5 million pounds of solid and liquid food waste in the form of grease trap waste and food scraps from the landfill to biogas. According to the report, the pilot program demonstrates the feasibility and value of traceable data to support New York City to divert solid and liquid food waste from landfills and convert it into renewable energy. While not a perfect solution, this pilot does illustrate how our waste streams can become more efficient. I believe this is the second time we're hearing this bill in about four years, and I look forward to hearing the Administration's feedback on it. Thank you. Thank you, Chair.

CHAIRPERSON ABREU: Thank you, Council Member. I look forward to the dialogue regarding these bills today.

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I would like to thank everyone on my team and the Sanitation Committee Staff for their work on this legislation and oversight hearing preparations.

I would also like to acknowledge Council Member Sandra Ung, who has joined us here as well today.

Today, we'll begin the hearing with testimony from DSNY followed by questions to their representatives, then we will hear from BIC and follow up with any questions to Commissioner Crotty. After that, we will move to testimony by members of the public.

I will now turn it over to our Committee Counsel to administer the oath.

COMMITTEE COUNSEL: Good morning, Commissioner Javier Lojan, Frank Marshall, Neil Eisenberg, Rebecca Kriegman. Can you please raise your right hand?

Do you swear to tell the whole truth and nothing but the truth and to respond honestly to Council Member questions?

ADMINISTRATION: (INAUDIBLE)

COMMITTEE COUNSEL: Thank you. You may begin testimony when you're ready.

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ACTING COMMISSIONER LOJAN: Thank you.

Good morning, Chair Abreu and Members of the Committee on Sanitation and Solid Waste Management. I am Javier Lojana, Acting Commissioner of the New York City Department of Sanitation, and I am joined today by Neil Eisenberg, Deputy Commissioner for Strategic Initiatives; by Frank Marshall, Assistant Commissioner Bureau of Commercial Waste; and by Rebecca Kriegman, my Chief-of-Staff and Assistant Commissioner for Policy and Planning.

I am in my 26th year with New York's Strongest, and over that time period I've seen many changes to our operation. Safety and efficiency have increased steadily throughout the years, but DSNY only services New York City's residential properties with our hundreds of thousands of businesses employing a serpentine network of private companies to haul and process their waste. At the time that DSNY was innovating and improving our collection operations, some of these companies were doing the same, but others were engaged in a race to the bottom, prioritizing price and speed over safety and environmental justice. Local Law 199 of 2019 was crafted through years of negotiation to address that,

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to bring the commercial carting industry in New York City in line with the best practices seen in the public sector. When fully implemented, we are looking at about 12 million fewer miles traveled by commercial carting vehicles, and making good on a promise from when this program was created, businesses will pay less for collection of recyclables and compostable material than they do for trash at a citywide average of 32 percent less for recycling and 18 percent for compostable material. That means businesses will have a meaningful financial incentive to separate their waste property. In short, commercial carting will be safer for workers, of a higher quality for businesses, and better for our environment. As part of this program, all commercial carters are or will be required to make substantial upgrades to safety equipment of their vehicles, including the installation of backup cameras, auxiliary exterior lighting, and GPS monitoring systems like the ones used by municipal waste vehicles. Requiring carters to make this investment will make a real difference in safety. We believe it already has. All workers in this sector are also receiving a new mandated safety training of

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40 hours in the first year, plus an 8-hour refresher every year thereafter. There was no standardized safety training requirement or New York City-specific requirement for safety equipment prior to Local Law 199. And DSNY is using the new authority it has been granted under this law to enforce these safety requirements. Enforcement is not reactive under CWZ. It is built into the program's design. We have established clear thresholds, reporting requirements, and penalties to hold awardees accountable. DSNY officers hold daily field inspections.

In January, after years of planning and months of outreach, the first of New York City's 20 non-exclusive commercial waste zones came online in Corona, Elmhurst, and Jackson Heights. Since inspections began in that zone on September 3, 2024, DSNY has issued 197 notices of violations for vehicle and driver safety issues like spillage, unregistered vehicles, and street obstructions, as well as two company-level notices of violations to carters who had too many violations by their drivers. Each of those carry fines of 2,500 dollars with penalties that increase if the issues continue.

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A new standard of oversight has arrived in the commercial carting industry, with the Bureau of Commercial Waste leading the way through advanced technology and data-driven enforcement strategies. Any updates to safety regulations will be informed by the work of the safety task force created under the law. Local Law 199 outlines 11 members of this task force, including four individuals appointed by the City Council as a whole and one appointed by the Council Speaker. I would like to remind the Council that despite often expressing concern about the success of this program, this body has at this time has not filled two of these five seats. Mayor Adams' appointees represent a broad range of policy knowledge and professional experience, and the Administration would welcome the opportunity to collaborate with Council appointees as dictated by law.

On safety, enforcement, and customer sign-ups, Queen Central has seen a successful launch. Incredibly, not a single one of the thousands upon thousands of businesses in the zone has made a complaint to DSNY of any issues with service or billing, but the Bureau of Commercial Waste learned a

1 tremendous amount during its first-of-its-kind
2 implementation that will be useful for future zones.
3 In the past, advocates had called for DSNY to launch
4 the entire city at once. Having let the rollout of
5 the first zone, I can tell you I am incredibly
6 thankful that we did not do that. Traditionally, data
7 about commercial waste generation in New York City
8 has been extremely limited, and there was so much to
9 learn during this process about the needs of
10 businesses, the capacity of carters, and the
11 relationship between the two.
12

13 This first zone implementation was an
14 extremely intensive process. DSNY in-house and
15 contracted outreach staff visited some businesses
16 eight to ten times to discuss the specifics of the
17 program, and significant resources went into making
18 sure that these conversations could take place in a
19 diversity of language with full cultural competence.
20 Carters also engaged in outreach as they pitched
21 their services with all carter advertising approved
22 by DSNY.

23 Beyond outreach, both DSNY and the
24 carters also needed to make substantial operational
25 updates, with the carters producing reams of new data

1
2 and our team reviewing it in great detail to inform
3 both future implementation and enforcement. And that
4 is to say nothing of the businesses themselves, many
5 of which were thinking about their waste generation
6 in a real way for the first time.

7 While the online portal at
8 nyc.gov/commercialwaste is extremely intuitive and
9 easy to use, the laundromat or the coffee shop still
10 needs to take time from the real work of running
11 their business to make these decisions. When a
12 business failed to make this decision, DSNY made
13 assignments as necessary that prevented any lapse in
14 service, a remarkable example of what government can
15 do. However, I must emphasize that if this
16 implementation had been rushed, if we had been spread
17 thinner, if the carters had not been given the time
18 to do this right, it absolutely would have failed and
19 the entire program might have fallen apart.

20 Following this first zone, we have
21 recently completed a data analysis that will allow
22 for the moment that you all have all been waiting
23 for, the start of the next zones later this year, as
24 well as the announcement of the full rollout order to
25 reach citywide implementation. DSNY will next launch

two zones, Bronx East and Bronx West, together covering that borough in its entirety. The outreach and customer sign-up period for these zones will begin October 1, 2025, with full implementation complete by November 30, 2025. As of this moment, nyc.gov/commercialwaste has also been updated to show the order in which the remaining 17 zones will come online in cohorts, fully complete by December 31, 2027. This is a massive change to an industry that has far too long been treated as a race to the bottom. Minimum standards like the kind achieved under the program help businesses, they help the environment, and they help workers. We are proud to be getting it done.

Now I will turn to the bills on today's agenda. Intro. 1228, sponsored by Chair Abrue, takes on the issue of commercial organic separation. The Adams Administration and this Council have worked closely on residential composting over the last several years, but requirements for businesses have lagged behind, being covered by the arcane and outdated Local Law 146 of 2013. We agree with the Council Member that requirements for businesses to source separate compostable materials should match

1
2 the City's commitment to the version of compostable
3 waste on the residential side. Particularly given
4 that the commercial waste zone system will improve
5 commercial diversion by providing financial
6 incentives to businesses, we support this bill.

7 Intro. 784, sponsored by Council Member
8 Nurse, primarily relates to the work of the Business
9 Integrity Commission, and we will defer to BIC's
10 testimony after this.

11 Thank you, and we look forward to taking
12 your questions.

13 CHAIRPERSON ABREU: Thank you,
14 Commissioner.

15 I would also like to acknowledge Council
16 Member Zhuang for joining us at today's hearing.

17 Mr. Commissioner, last week we learned
18 that the Adams Administration would be pausing fines
19 for buildings with fewer than 30 units, saying that
20 resources would be allocated to education and
21 outreach, citing resident confusion. But just a few
22 days prior, DSNY issued a press release announcing a
23 third site in Astoria to distribute free compost to
24 residents, which noted the overwhelming demand and
25 record amounts of compostable material collected.

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2 DSNY also reported that over 4,000 tickets had
3 already been issued in the first two weeks. It seemed
4 as though y'all had been ready and prepared to issue
5 fines. We had spent months preparing for the
6 effective date of curbside composting going into
7 effect. We spent a lot of resources and time telling
8 our constituents that this was happening, and two
9 weeks later, all of a sudden, I felt like everything
10 was pulled from under. Can you please speak to the
11 decision that that was made? Was it made by the
12 Department? Was it made outside of the Department? It
13 just doesn't make sense, especially given the
14 Council's push for composting education and outreach
15 and the Administration having testified last year
16 that it had all the resources it needed for a
17 citywide rollout.

18 ACTING COMMISSIONER LOJAN: Sure. So as
19 you know, the outreach is the most important part of
20 any program, and we supported the decision to pause
21 the fines and continue and focus on education and
22 outreach for buildings under 30 units. One of the
23 things I feel good about is that I think that the
24 warning period prior to the actual enforcement
25 period, we had focused on warnings right prior to

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1 April 1st date. We issued over 30,000 warnings, and
2 we felt that that had a really good impact so I think
3 that that approach, taking that now with the pause,
4 will still have a meaningful impact, and I think
5 we're going to take a little bit of a different
6 approach where we're going to focus more on the same
7 warnings. The residents will still get warnings, and
8 the warnings are not just verbal warnings. They're
9 written warnings which we track. The interaction
10 piece is going to be one of the things we focus more
11 on as well. So, we have 232 sections across the city,
12 right? They're broken up, you know, 59 districts, 232
13 sections. Each of those sections usually get a
14 Sanitation supervisor during the day. Our plan is to
15 have them, the existing resources, focus on the
16 warnings and the interactions with all the customers,
17 all the residents in across five boroughs that, you
18 know, in the 1-to-29-unit buildings. On the 30-unit-
19 plus buildings, we still have the ability to issue
20 summonses after four warnings. So, the good thing
21 about, one of the things we did with this program, as
22 you know, Chair, is we created a new service request
23 through 3-1-1 where any resident can call and
24 complain about their building either not
25

1 participating in the program so, as of this day,
2 we've received over 1,000 of those complaints, and
3 those are the areas that we will focus on, and I
4 think that we're still going to be successful with
5 the program. The service is not going to stop, and
6 we're just going to continue to do outreach.

7
8 CHAIRPERSON ABREU: Yeah. I'd like to
9 highlight that at a pretty animated hearing last year
10 with OMB Director Jiha, Jacques, my apologies,
11 Director Jacques, it was a pretty impassioned hearing
12 where, you know, he spoke about community composting
13 being an inefficient program. Is that the
14 Administration's position?

15 ACTING COMMISSIONER LOJAN: No. I think
16 that there's different ways to look at it. Prior to
17 us rolling out universal curbside composting, I think
18 there was definitely a place and a role for community
19 composting. I think now that we've transitioned and
20 gone through all the boroughs rolling out, the
21 education and outreach that were there previously,
22 there's the warnings. I think that their role has
23 shifted, and I think there is a place for them so I
24 think it's a different time. It was, you know,
25

1 obviously back then was different than now so there
2 is definitely a place for community composting.

3
4 CHAIRPERSON ABREU: Yeah. And look, you
5 know, my goal here is not to, you know, tear you guys
6 down on this issue. It's just that I feel like, you
7 know, we've been raising alarm bells for over a year
8 on the role that community composting plays in
9 educating New Yorkers about what composting is. My
10 office and other Council Member offices, for
11 instance, have partnered with the Lower East Side
12 Ecology and Big Reuse. They're going into buildings
13 and talking to tenants directly about what composting
14 is and how they can participate. And we're also, in
15 addition to that, we're using the kitchen countertop
16 bins that the Department has been providing as well
17 as a way to sort of combine it with education and
18 infrastructure so people know that what it's like.
19 And a year ago, you know, the Mayor cut composting
20 education in the budget. The Council had to step in
21 and fund 6.25 million dollars for this program. So if
22 anything, I think it speaks to the need for this
23 Administration to continue to invest in the education
24 and for DSNY and the community composting groups to
25 work together. Now that the decision has been made to

1 pause fining, what do the next six months look like
2 in terms of how much resources you think you're going
3 to need to make sure folks are educated? When do you
4 see fines coming back online for units under 30?
5 What's the plan?
6

7 ACTING COMMISSIONER LOJAN: So as I
8 mentioned, the existing supervision we have in place
9 right now is going to be what I leverage for this.
10 And these supervisors, just so you know, you might be
11 familiar with them, Chair, are assigned to these
12 sectors regularly. They have relationships with a lot
13 of the different residents and businesses in the
14 area, and that's where their focus is going to be.
15 Obviously, they're still going to be able to, you
16 know, issue violations for other Sanitation-related
17 violations. But I think that their presence, they
18 have to drive down these blocks regularly to make
19 sure that there's, you know, ASP regulations are
20 being met, that the refuse and other recyclables are
21 being collected so they're driving down here and
22 observing, making observations. So, these are the
23 people that are going to, we're leveraging to make
24 sure that this education and outreach piece is going
25 to be completed. And again, it's through the written

warnings. We have a sticky note that has information if we can't make attempts to contact the homeowner or, you know, the building owner, but I think that's where I'm going to focus on is leveraging them to make interactions and explain to them, you know, what the program is about. Because it's a simple, I think one of the things that I have seen or heard about is that some people think that they can only use a certain kind of bin, right? I mean, ideally the brown bin is the ideal bin to use because it has a locking lid, and we gave out almost 200,000 of these bins when we rolled out each borough. But you can use any bin under 55 gallons as long as it's sealed, tightly sealed. And if you have just leave-in yard waste, you can put that out in a plastic bag or a paper bag. So there's a lot of, you know, there is, you know, some people that have expressed confusion. I think those are the things that I want to address with this outreach piece.

CHAIRPERSON ABREU: Thank you. I'd also like to recognize Council Member Carr for joining us.

I'm going to transition to commercial waste zones. I know that we have an Executive Budget hearing that's coming up soon with our Committee and

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2 with Finance, and there will be a lot of questions
3 there about what's going to be needed from a funding
4 standpoint for composting education to making sure
5 that New Yorkers are fully informed about what this
6 is because it is a big program and we want it to
7 succeed.

8 All right. Despite the law's passage in
9 2019, the implementation of Local Law 199 remains
10 underway. Some advocates have called for CWZs to be
11 swiftly and timely implemented with some calling for
12 full implementation in 2025. DSNY has stated plans to
13 use a staggered schedule for each of the commercial
14 waste zones to transition to the new system. I
15 understand that today y'all announced, sorry, my
16 apologies. I understand that today, the y'all comes
17 from me going to school in New Orleans, law school.
18 My apologies. I know that today DSNY announced full
19 implementation by December of 2027. Can you speak to,
20 I understand that Bronx East and Bronx West will go
21 live this fall and fully be implemented in December,
22 but I noticed that there hadn't been dates set out
23 for the remaining 17 zones. Can you give us some
24 clarity on those zones?

1
2 ACTING COMMISSIONER LOJAN: Sure. So we're
3 very excited, as you mentioned, Chair, and I
4 mentioned in my testimony that Bronx East and West
5 are coming online. So, we released the schedule and
6 why there weren't any dates is that while we learned
7 a lot from Queen Central, that was one zone within
8 the borough. We feel like there is some more to learn
9 because every borough is unique. And I think once we
10 get the Bronx under our belt, we will be able to have
11 a tighter timeline. The one thing I will commit to is
12 that before we roll out any of those zones, we will
13 give the carters ample time. We'll give them at least
14 six months before rolling out the next zone to make
15 sure that they're aware that we're going to start on
16 their zone next. But I think the Bronx is very unique
17 as far, and it's obviously very different from Queens
18 so I think once we roll out these next two zones, I
19 think we're going to have seen a lot more and learned
20 pretty much almost everything we need to. Obviously,
21 there's still a lot more to learn, but I think at
22 that point, we will be a lot more confident and have
23 a better sense of the dates then.

24 CHAIRPERSON ABREU: And regardless of the
25 zones that follow, do you have any sense of timing on

when the next zones will be implemented, regardless of the area?

ACTING COMMISSIONER LOJAN: Well, the schedule kind of lays it out. And like I said, I think once we get closer to finally implementing the Bronx, we'll obviously announce the next zone six months prior to actually rolling out. And I think by then, we'll probably have a regular cadence on announcing the zones, and we'll have that. But again, we're committed to completing it by the end of 2027 so there's only so much time that we have in between then, right, so if I delay one, I have to push another.

CHAIRPERSON ABREU: Is it fair to divide months by number of zones, and that would be the projected timeline?

ACTING COMMISSIONER LOJAN: I mean, you could do that. I just would advise not to because I don't want any carter prematurely either making investments or ramping up or scaling down on staffing so that's why I didn't want to put dates in there, but I think once we get through the Bronx, we'll have a better sense of that.

CHAIRPERSON ABREU: I'll acknowledge
Council Member Banks has joined us.

Commissioner, prior to the announcement
of the implementation of the Bronx West and Bronx
East zones, did DSNY consult with any of the carting
companies that will be servicing these zones? And if
so, what has been their response?

ACTING COMMISSIONER LOJAN: So as you
know, Chair, there were 18 awardees, 30 carters for
all of the zones, and part of the RFP process was
they submitted the plans so we communicate with them
regularly, and I think now that we've announced the
schedule, the next two zones, we're going to have a
more focused effort on making sure we communicate
with them and also in working with BIC as well, some
of the non-awardees because obviously now they have
to be made aware that they're not going to be
operating in those zones as we move forward.

CHAIRPERSON ABREU: Do the carting
companies believe, I guess you're going to have these
conversations with them now, but to the extent you
have knowledge, do the carting companies believe they
will have enough time and capacity to begin taking on
clients in October and servicing them in November?

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2 ACTING COMMISSIONER LOJAN: Yeah, I think
3 that's why we feel at least a six-month notification
4 period is sufficient enough just based on the
5 conversations that we've had and then their plans
6 submitted.

7 CHAIRPERSON ABREU: What factored into the
8 decision to implement these two specific zones next,
9 Bronx West and East?

10 ACTING COMMISSIONER LOJAN: So, one of the
11 biggest factors was that they have one of the highest
12 existing customer base out of the remaining zones,
13 meaning that they already have relationships with
14 some of the awardees that are going to take Bronx
15 East and West, and that for us was ideal because they
16 deal, they have regular relationships, they're
17 familiar with the companies so the transition
18 shouldn't, although there's always going to be
19 challenges like anything else, we feel like that's
20 going to minimize the disruptions so that's why Bronx
21 was one of the main factors why we rolled out Bronx
22 West and East. And the messaging is a little bit
23 easier, again, because they have relationships with
24 them. And then all but one of the carters already
25 operate and participate in Bronx East and Bronx West.

1
2 So there's really one that's going to be, you know,
3 not that has...

4 CHAIRPERSON ABREU: So the decision was
5 mostly driven by the existing relationships that
6 exist with the carters and businesses.

7 ACTING COMMISSIONER LOJAN: Correct.

8 CHAIRPERSON ABREU: What's the physical
9 landscape differences between Queens Central and
10 Bronx East and Bronx West? Trying to figure out if
11 that played any role.

12 ACTING COMMISSIONER LOJAN: You mean in
13 terms of customer base or just...

14 CHAIRPERSON ABREU: The ability of carters
15 to navigate those different type of neighborhoods.
16 Are they similar or are they different?

17 ACTING COMMISSIONER LOJAN: Well, I mean,
18 just my experience, you know, as far as DSNY
19 operations, they're different. You know, obviously
20 there's parts of the Bronx that are, you know, high
21 density, like Southern Western Bronx, and then you
22 have Eastern Bronx that it's probably mid to lower
23 density. I would say Queens Central is probably more
24 of like a mid-density area. So, there are going to be
25

1
2 differences there in the higher density areas, and
3 that's why I say I think we'll learn some from that.

4 CHAIRPERSON ABREU: So between Queens
5 Central and Bronx East and Bronx West, it'll sort of
6 give you a comprehensive nature of what that would
7 look like for the remaining zones?

8 ACTING COMMISSIONER LOJAN: Correct.

9 CHAIRPERSON ABREU: Does DSNY expect to
10 implement the other four commercial waste zones in
11 Queens before the end of '25, or it's assuming no
12 because you only decided to just do Bronx by the end
13 of the year?

14 ACTING COMMISSIONER LOJAN: Correct. Yeah.
15 I mean, I believe the next Queens zone is in phase
16 four. But yeah, not by the end of this year because
17 we announced 2025 is Bronx East and West.

18 CHAIRPERSON ABREU: I know you mentioned
19 you've learned a lot about the implementation and I'd
20 like to learn more about that. What has the
21 department learned from Queens Central about the time
22 needed for implementation of a new zone? And how many
23 new zones does DSNY anticipate can be implemented at
24 one time?

1
2 ACTING COMMISSIONER LOJAN: So, one of the
3 things that. the main things we learned was the
4 initial outreach and communications period. We
5 started in September of 2024 and that ran all the way
6 through December of 2024. So, we anticipated having a
7 four-month period where we were going to go out and
8 canvas all the businesses and make sure they were
9 aware of the program, the law, their rights, and how
10 it was designed. And we noticed that the first two
11 months we really didn't gain much from it because I
12 guess it was too far out. You know, the nature of a
13 human being is that they wait close to the deadline
14 to make a decision and that's what we learned, that
15 once we got closer to December is really when we
16 started noticing people taking us seriously and
17 saying, okay, wow, this is actually happening. So
18 that's one of the biggest things we learned and then
19 that's when like going forward with our plan we cut
20 out the four-month, you know, period into two months.
21 The other thing we learned that was from Queens
22 Central was the contracts. So, every carter had a
23 have a contract with every business. So that's very
24 time consuming obviously for us and the carters and
25 even the businesses because a lot of the businesses,

1 the decision makers, aren't always available so they
2 have to find time in their busy schedule to kind of,
3 you know, have that so that's one of the things.
4 There's a portal that they upload that, you know, for
5 our review. So that's very time consuming and I'll
6 just pass it to Assistant Commissioner Frank Marshall
7 for anything else on the Queens Central lessons
8 learned.

10 ASSISTANT COMMISSIONER MARSHALL: Yeah. I
11 think one major factor was that we wanted to make
12 sure that on January 3rd all businesses were under a
13 CWZ contract, wanted no disturbance. I'm happy to
14 report that occurred. So, one of the lessons that we
15 learned from that was, as the Commissioner mentioned,
16 is that even though we had extensive outreach, I just
17 want to kind of build upon that, was that our
18 outreach actually started in July of 2024 so not even
19 in September, three months prior. We found that many
20 of the customers in Queens Central did not sign up
21 when we opened up. It was a trickle effect and until
22 the last six to eight weeks, that's when we saw the
23 most movement in regards to customer signups, and I
24 just wanted to give a little bit more color in
25 regards to why we decided to get into the schedule to

1
2 a two-month signup period rather than the initial
3 four with the plus three months of outreach. So we
4 have proven and have gathered data in regards to
5 correlating the outreach efforts to the actual
6 signups of the customer and the results is that it
7 was a long period, it didn't move the needle, but
8 once we got down to the last two months, that's when
9 we saw movement and I think that has informed us that
10 moving forward, let's try this two-month rollout
11 rather than the four.

12 CHAIRPERSON ABREU: Thank you,
13 Commissioner. Based on what you've learned for the
14 next phase, how many months of outreach are you going
15 to do followed by the two-month period? So, you did
16 four before, now you're doing two and you did three
17 months of outreach, so you can continue doing three
18 months of outreach, what's that going to look like
19 for the next phase?

20 ACTING COMMISSIONER LOJAN: So no, I think
21 it's just going to remain with the two months of the
22 outreach, and I think that's what we're going to
23 stick to for the rest of the zones.

24 CHAIRPERSON ABREU: What communications
25 has DSNY had with private carting companies, both

awardees and non-awardees regarding the timeline for
implementation of additional zones?

ACTING COMMISSIONER LOJAN: So, now that
we've announced all the schedule and the next zones,
we plan on making contact with all of the awardees
and as I mentioned previously, we plan on working
with BIC, coordinating with them on communicating to
the non-awardees as well because, as I mentioned,
they need to be informed of if they're not an
awardee, they're not going to be able to operate in
the zone as of the implementation date.

CHAIRPERSON ABREU: What has been DSNY's
response to non-awardee carting companies that have
requested information from DSNY about commercial way
zones implementation? We've been getting a lot of
messages from non-awardees saying that DSNY hasn't
been responsive. Obviously as new zones come online,
that's going to impact their businesses or even their
ability to consolidate with others. What is your
response to that?

ACTING COMMISSIONER LOJAN: So, I think
part of the challenge with that was we didn't
announce the full schedule so I think that was one of
the things that we didn't want to prematurely give to

any of the awardees or non-awardees because the last thing we wanted to do was give a non-awardee information and then they make assumptions on timeline and then they're laying off or scaling down operations so we didn't want that. But now that we have committed to rolling out the Bronx, the full schedule could be completed by the end of 2027, we will make every effort and have commitment to reach out to all of them.

CHAIRPERSON ABREU: Is DSNY aware of any carding companies that have had to use non-direct demands DSNY such as FOIA requests about commercial way zones information?

ACTING COMMISSIONER LOJAN: No, we're not aware of that at this time, Chair.

CHAIRPERSON ABREU: Okay. I'm going to now transition to safety and enforcement against awardees. Between 2024 and April 2025, BIC issued approximately 3,086 notices of violations to companies operating in the trade waste industry. More than 2,000 of the 3,086 violations issued over this period were settled, including pending and early settlements. Half of fines issued were 2,500 or less. Approximately 10 percent of those 3,086 violations

1 included citations to awardees. How many violations
2 have been issued to Queens Central awardees this
3 year?
4

5 ACTING COMMISSIONER LOJAN: So, one of the
6 highlights of our implementation and presence in
7 Queens Central has been our enforcement mechanism. So
8 as of today and since the beginning of September,
9 we've issued 197 violations to Queens Central
10 awardees for both vehicle and traffic law violations
11 and environmental control board violations. And just
12 to give you a little bit of sense of what those are
13 made up of, two of those violations were issued to
14 CWZ awardees for their vehicles engaging in a pattern
15 of unsafe practices, and then a big part of those
16 were for truck spillage. One of the things I do want
17 to highlight, so we're in April and we started in
18 September, right, so pre-implementation was about
19 four months and now we're post implementation. So now
20 we're about the same time. So in 2024, when our
21 presence started out there, we found that the carters
22 out there were in compliance, meaning we went out and
23 made observations that were in compliance for 17
24 days. And then now in 2025, they've been in
25 compliance for 38 days, which shows a nice drastic

1
2 change in that. And I think that they see us out
3 there, they know we're out there, and I think that's
4 a really good story as commercial waste zone, one of
5 the obvious priorities were safety so we are focusing
6 on that and we are issuing violations to the carters.

7 CHAIRPERSON ABREU: Can you please repeat
8 the categories of violation? You said vehicle, miles
9 traveled, and environmental?

10 ACTING COMMISSIONER LOJAN: Yeah. So, it's
11 the VTL law so that's any vehicle and traffic law
12 violation. So, I'll give you a sense of a vehicle
13 traffic law violation that's like disobeying a steady
14 red light. An ECB violation is like a noxious liquid.
15 Street obstruction is another ECB violation. And then
16 disobeying a traffic signal is a vehicle traffic law
17 violation. So those are the types of violations that
18 we've been observing and issuing violations for.

19 CHAIRPERSON ABREU: How many of these
20 violations were related to vehicle maintenance?

21 ACTING COMMISSIONER LOJAN: So, one of the
22 things that we did with our enforcement personnel, we
23 have police officers, sanitation police officers,
24 that we sent up to Albany for motor carrier safety
25 training, meaning it's what, you know, we do with all

heavy duty trucks. They had to go to an intensive training and be qualified in being able to inspect these kinds of trucks. So, there's level one inspections where they pretty much pull the truck over and inspect almost every aspect of a vehicle, even underneath the truck so it's very time consuming. There's a level two inspection, which is the ones that we've typically been doing where we'll go out there, we'll pull the truck over, and we'll check the entire equipment and the safety parts of the truck, so like lights, you know, any of the safety equipment that a truck's supposed to have, we'll inspect that as well as the operator, we will inspect the operator's driver's license. As you know, drivers of heavy duty equipment are required to have commercial CDL, which are still governed under FMCSA regulations, so they're able to inspect to see if they have a bad license, things like that so we've conducted 14 inspections of level two, as I mentioned. One resulted in the truck being taken out of service because if they had issues, and then one resulted in a driver being taken out of service because there may have been issues with his or her license so it's been effective.

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CHAIRPERSON ABREU: Of the 108, you said
187, correct?

ACTING COMMISSIONER LOJAN: 197.

CHAIRPERSON ABREU: My apologies, of the
197 violations, what would you say is the breakdown
of categories of violations and how many for each
category? Do you have a breakdown?

ACTING COMMISSIONER LOJAN: Okay. So, I
kind of have that here. So, 45 percent of them were
for truck spillage.

CHAIRPERSON ABREU: Were for?

ACTING COMMISSIONER LOJAN: Truck
spillage.

CHAIRPERSON ABREU: Truck spillage.

ACTING COMMISSIONER LOJAN: So truck
spillage, meaning they service the bags or material
and then they spilled waste all over the curb or
sidewalk and they didn't clean it up so that's a
violation. As I mentioned before, disobeying steady
red lights, that's 10 percent.

CHAIRPERSON ABREU: 10 percent?

ACTING COMMISSIONER LOJAN: 10 percent,
yep. 9 percent of those were for noxious liquids. So,
a truck is supposed to have a seal in the back of it

1
2 so any of the waste it picks up doesn't drip on the
3 street. That's an example of it. So, 9 percent of
4 those were for those. 5 percent were for street
5 obstructions. So, they're not supposed to block any
6 of the streets or sidewalks. 3 percent were for
7 disobeying a traffic signal. So, it might have been
8 running a red light. And then 3 percent were for
9 driving on the wrong side of the street or driving to
10 the left of the payment marks. So, that's the
11 breakdown.

12 CHAIRPERSON ABREU: How would you say
13 these violations compare to safety violations prior
14 to Queens Central implementation? I know this is a
15 very small sample size.

16 ACTING COMMISSIONER LOJAN: Yeah. It's
17 hard for me to gauge that. Let's see. Chair, are you
18 talking about previous in Queens Central?

19 CHAIRPERSON ABREU: Yes.

20 ACTING COMMISSIONER LOJAN: Yeah. I don't
21 have that information.

22 CHAIRPERSON ABREU: Okay. If you can try
23 to disaggregate that information and send it to us
24 following the hearing, that would be greatly
25 appreciated.

Have all Queens Central awardees completed the required initial and refresher safety trainings?

ACTING COMMISSIONER LOJAN: Yeah. So, all Queens Central carters awardees have completed their required 40-hour safety training. The eight-hour training is a refresher every year after that.

CHAIRPERSON ABREU: Does DSNY monitor Queens Central awardees on other safety issues? And if so, please describe those issues.

ACTING COMMISSIONER LOJAN: Yeah. I mean, the main safety issues are running red lights, driving on the wrong side of the street. Those are really the ones we look for everything. So, I mean, the answer is yes, we look for every kind of safety violation. We don't overlook anything.

CHAIRPERSON ABREU: Have there been any reported incidences of lithium-ion battery fires in awardees' trucks during the implementation of the Queens Central zone?

ACTING COMMISSIONER LOJAN: No. We have no reported incidents of that.

CHAIRPERSON ABREU: In some situations, private waste trucks may block traffic or a bike

1 lane, creating a hazard when they have to stop for
2 several minutes or more at a business to collect
3 waste from there. What enforcement does DSNY or any
4 other City agency conduct with regard to where
5 commercial waste trucks may park during collections?
6

7 ACTING COMMISSIONER LOJAN: So right now,
8 there are instances where, and I don't believe in
9 Queens Central there has been any areas where they
10 have to block a bike lane. But, as we roll out
11 citywide, we may encounter that. One of the things we
12 do as DSNY ourselves is when we service that, we
13 obviously ask them to make sure they have their
14 hazard lights on and they're watching out for any
15 pedestrians or bicyclists, but they can't just go out
16 and drive in a bike lane or obstruct any kind of
17 traffic, and then DEP does some idling enforcement as
18 well.

19 CHAIRPERSON ABREU: Thank you for that.
20 Non-awardee carters are obviously not allowed to
21 collect commercial waste in Queens Central. Has DSNY
22 had to conduct enforcement against ongoing service by
23 non-awardee carters in Queens Central? And if so,
24 please describe how that enforcement has taken place.
25

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2 ACTING COMMISSIONER LOJAN: Yeah. So,
3 that's definitely one of the things we look for. It's
4 definitely a thing that I think we haven't seen much
5 of. There was one incident that we experienced where
6 it didn't seem like it was an intentional violation
7 by the non-awardee. It was on the border of the
8 Queens Central, you know, the border of the zone, and
9 I think that was addressed and rectified. And I'll
10 just pass it to Assistant Commissioner Marshall for
11 like, if that obviously is something that we find to
12 be intentional, what would be the violation for that?

13 ASSISTANT COMMISSIONER MARSHALL: Yes.
14 Chair, so there was one incident. It was with Dunkin'
15 Donuts that was on the border of Queens Central so if
16 you cross the street, you could be in Queens Central
17 or you may not be in Queens Central so a non-awardee
18 was servicing that establishment. It was flagged for
19 the Department. We reached out to the non-awardee.
20 They acknowledged and stated that we made a mistake,
21 we didn't realize it. We looked into their
22 justification. It made sense on the map tool because
23 it's just such a niche area. They then vacated from
24 servicing the customer. The customer selected an
25 appropriate CWZ awardee. The customer was also

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2 reimbursed money for the services provided, and we
3 moved forward. So, it was a great lesson learned. It
4 wasn't intentional. And as soon as it was identified,
5 we rectified it and moved forward.

6 CHAIRPERSON ABREU: It's like when a
7 Council Member is in my District and they shouldn't
8 be, you know. That was a joke.

9 I understand that. What are other
10 enforcement issues DSNY has experienced in Queens
11 Central? And are there any additional enforcement
12 issues that we haven't discussed that you all have to
13 anticipate?

14 ACTING COMMISSIONER LOJAN: Yeah. I think
15 one of the, you know, Queens Central was very
16 successful because we didn't receive any customer
17 complaints. One of the issues that we would be
18 looking for as we roll out the other zones would be
19 if any of the carters are having any kind of billing
20 violations, you know, if they're exceeding what the
21 cap is. So those are the things that we would be
22 looking for. Thankfully, we have not experienced that
23 in Queens Central. And that's the other reason for
24 going into the Bronx is that they have a relationship
25 with, you know, all but one of the carters, and I

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think that should limit any kind of issues there as well.

CHAIRPERSON ABREU: Thank you,
Commissioner.

I'm now going to take a deeper dive into Queens Central before I have my Colleagues ask some questions. How many businesses did DSNY identify as being a customer of awardees in the Queens Central Commercial Waste Zone?

ACTING COMMISSIONER LOJAN: So, we relied on the BIC registry, which was about 6,400 businesses in the zone. And then about out of those 6,400, about 3,300 of those being existing customers of awardees in Queens Central.

CHAIRPERSON ABREU: You're saying about?

ACTING COMMISSIONER LOJAN: So about 6,400 of them, we identified as having business in Queens Central.

CHAIRPERSON ABREU: Okay. And 3,300 of them...

ACTING COMMISSIONER LOJAN: Were existing customers with the awardees.

CHAIRPERSON ABREU: Got it. So, there were about another 3,000 or so new relationships?

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ACTING COMMISSIONER LOJAN: Correct.

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CHAIRPERSON ABREU: Okay. How did this
differ from pre-implementation projections?

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ACTING COMMISSIONER LOJAN: There really
wasn't much of a difference. It was pretty much what
we expected.

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CHAIRPERSON ABREU: Okay. What was the
expectation then?

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ACTING COMMISSIONER LOJAN: You mean the
expectation of what we were going to encounter there?

12

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CHAIRPERSON ABREU: In terms of customers,
how many businesses were identified as being a
customer of awardees? That number, what you were
predicting to be that number, was it about the same?

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ACTING COMMISSIONER LOJAN: Yeah. It was
about the same, correct.

18

19

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CHAIRPERSON ABREU: How many of the Queens
Central businesses are contracted with each of Basin
Haulage, Boro-Wide, and Waste Connections?

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ACTING COMMISSIONER LOJAN: So, I'll give
you a breakdown by percentage. So 8 percent of them,
8 percent, Basin has 8 percent of the customers.
Boro-Wide has 64 percent of the customers, and Waste

Connections has 28 percent of the customers. That's a massive discrepancy among market share.

CHAIRPERSON ABREU: What would you attribute the market share difference, 64 percent? Is it the pre-existing relationships?

ACTING COMMISSIONER LOJAN: Yeah. Some of it was that. Some of it was also the capacity. So, when we went into December and we realized that we had to assign customers to carters because they were non-responsive, and as I mentioned in my testimony, the last thing we wanted to do is have a lapse in service, was that we offered all three carters, all three awardees, an opportunity to equally distribute that remaining base. Boro-Wide was the one that was willing to take those on, and the other two were not. So that was a big part of it.

CHAIRPERSON ABREU: They were willing to take on what?

ACTING COMMISSIONER LOJAN: To take on the unassigned customers at the end, right when we got to the beginning of the implementation period.

CHAIRPERSON ABREU: Oh, so you would attribute their market share to unassigned customers. They wanted to take them on and the others didn't.

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2 ACTING COMMISSIONER LOJAN: Yeah. I mean
3 the other part of it too is they have the ability to
4 negotiate. That was one of the things that we
5 encourage for this zone, and that's the good things
6 about this program, is that you negotiate against
7 each other, the three zones, and that might be part
8 of why Boro-Wide has made better rates depending on
9 the customers.

10 CHAIRPERSON ABREU: Because they have a
11 better capacity?

12 ACTING COMMISSIONER LOJAN: Yeah. Well,
13 they were the ones that were willing to take on those
14 unassigned, the big bulk of the unassigned customers,
15 but we offered it to all three carters.

16 CHAIRPERSON ABREU: Okay.

17 ASSISTANT COMMISSIONER MARSHALL: Yeah. If
18 I could just to provide like additional color, so
19 there was a huge footprint for our existing customer
20 base for Boro-Wide and Waste Connections so that's
21 one factor. The other factor is that Basin, they also
22 took additional customers, but they were at capacity.
23 They could not take any more. We offered them more,
24 but they stated that hey, we're at full capacity, we
25 want to be able to service our customers

1
2 thoughtfully, therefore we cannot take on any more
3 customers. But at the end of the day, like our goal
4 was to make sure that every single customer within
5 Queens Central had a carter that was an awardee, and
6 I think that we accomplished that, and I think that's
7 a great testament to the program.

8 CHAIRPERSON ABREU: Some businesses, as
9 discussed earlier, did not choose an awardee to
10 contract with for their waste collection needs, so
11 DSNY assigned awardees to businesses as required by
12 law. How many businesses were involuntarily assigned
13 in Queens Central because of an initial failure to
14 choose an awardee?

15 ACTING COMMISSIONER LOJAN: So,
16 approximately 5,500 businesses were assigned a carter
17 in Queens Central.

18 CHAIRPERSON ABREU: Wait. So, does that
19 mean that 900 were voluntarily assigned?

20 ACTING COMMISSIONER LOJAN: No. That's the
21 number, right? (INAUDIBLE) 685 chose a carter between
22 the pre-assignment period and the assignment period.

23 CHAIRPERSON ABREU: So more than 80
24 percent were involuntarily assigned? I'm trying to
25 figure out what percentage were involuntarily

assigned and what percentage were voluntarily
assigned.

ASSISTANT COMMISSIONER MARSHALL: So just
to back up a little bit, just to get our baseline
numbers correct, earlier the Commissioner mentioned
that in the BIC registry there's approximately 5,500
or 6,500 customers that were identified in the BIC
registry, but due to our outreach, we identified an
additional 1,500 bringing the total known customers
of Queens Central to 8,000.

CHAIRPERSON ABREU: To what?

ASSISTANT COMMISSIONER MARSHALL: To 8,000
customers of Queens Central, combination of our
outreach and a combination of the BIC registry. So
our baseline number is 8,000 known customers in
Queens Central. The number of customers that we
assigned ended up being, bear with me, 5,500. So out
of the 8,000, 5,500 businesses were assigned through
DSNY.

CHAIRPERSON ABREU: I mean, it's a big
number of businesses that involuntarily do it.

ASSISTANT COMMISSIONER MARSHALL: Yes.

CHAIRPERSON ABREU: So I think that
raises, I think, a lot of red flags. I mean,

1 obviously folks are participating and you guys did
2 what you had to do in terms of voluntarily assigning,
3 but I'm concerned that businesses were involuntarily
4 assigning. And in a way you're a market participant
5 when most of these, when Boro-Wide now gets that
6 share as well. I don't know. It's just, it strikes me
7 as there's something going, there's something weird
8 here.

9
10 ACTING COMMISSIONER LOJAN: Chair, just
11 one of the things I do want to highlight is that even
12 after they were assigned a carter, it's not like they
13 were locked in for the remainder.

14 CHAIRPERSON ABREU: That's right. They can
15 still negotiate afterwards.

16 ACTING COMMISSIONER LOJAN: Even after the
17 start of the zone, after January 3rd, they were able
18 to then, because at that point some people might not
19 have realized like, oh, this is actually happening.

20 CHAIRPERSON ABREU: Correct.

21 ACTING COMMISSIONER LOJAN: Busy lives,
22 you run a business, you got a lot of stuff going on.
23 We recognize that. We gave them multiple
24 opportunities to switch carters and encourage them to
25 negotiate.

CHAIRPERSON ABREU: So, do you have the numbers on businesses that were assigned, but then decided to switch by virtue of just negotiating?

ASSISTANT COMMISSIONER EISENBERG: Hi, Chair. Nearly 700 businesses chose a carter between the pre-assignment and the assignment dates. So, of the ones that were assigned, almost 700 of them.

CHAIRPERSON ABREU: That went somewhere else?

ASSISTANT COMMISSIONER EISENBERG: They chose their own carter at that point.

CHAIRPERSON ABREU: Okay. Yeah. All right. That's better. Provide some color here.

Did you find that, and this gets at really outreach in the future, are small customers more likely to need assignment than larger ones?

ASSISTANT COMMISSIONER MARSHALL: Yeah. So it was, I mean, as you mentioned, yes. Smaller businesses were more likely to receive an assignment.

CHAIRPERSON ABREU: Were more likely to?

ASSISTANT COMMISSIONER MARSHALL: To receive an assignment from the Department. So like CVS, McDonald's, Dunkin' Donuts, they are more

sophisticated, but the smaller customers were more likely to receive an assignment.

CHAIRPERSON ABREU: Do you have any idea by what margin, and obviously this all depends on how will we define a big business versus small business, but I would like to understand, like is it 80-20, 90-10, 60-40 in terms of assignments?

ASSISTANT COMMISSIONER MARSHALL: Yeah. We can look into that and get back to you.

CHAIRPERSON ABREU: That'd be very helpful because I think that, I mean, my guess is that it's a pretty big margin. I think obviously bigger businesses have more resources and smaller businesses do not, and so I think this is also going to be subject to conversation as part of the Executive Budget hearing on the budget to making sure that our smaller businesses get the resources that they need to be in compliance, but definitely get us that margin and we can figure out what we're going to define a big business or a small business when you send us that data. Let's just be in agreement on what definitions we're talking about when we get that data.

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2 Have businesses which were involuntarily
3 assigned follow through on their contracts and pay
4 the carters on a monthly basis so far this year to
5 your knowledge?

6 ACTING COMMISSIONER LOJAN: So not all of
7 them. There's still approximately 200 that have not
8 paid the carters on a monthly basis so far. What we
9 end up doing is we send out enforcement, we issue
10 them violations, and we remind them that this is
11 something that they're required to do but, yeah,
12 there's still about 200 customers remaining.

13 CHAIRPERSON ABREU: And 200 haven't paid
14 out of how many? Is it the 8,000?

15 ACTING COMMISSIONER LOJAN: Out of 8,000.

16 CHAIRPERSON ABREU: So that's pretty high
17 compliance on payment you would say, right?

18 Considering the huge number of businesses
19 that had to be assigned, what lessons about
20 commercial way zones outreach has DSNY learned from
21 the implementation of the Queens Central Zone?

22 ASSISTANT COMMISSIONER MARSHALL: So,
23 Chair, the Department, we went through the zone. We
24 physically knocked on every door of every known
25 establishment in the zone. We've sent out mailers, we

1 sent flyers, we've made phone calls, all urging them
2 to sign up with an authorized CWZ carter. We had all
3 the dominant languages in the zone translated. The
4 Department did everything within its power except for
5 actually signing the contracts on behalf of the
6 customers. And that's, I believe, to the
7 Commissioner's point earlier where we did extensive
8 outreach, multiple conversations, visited the
9 establishments multiple times. I don't know if it's
10 just human nature, but it appears as though until it
11 was near the end of the implementation period is that
12 when businesses began to sign and the needle moved.
13 So, I think what we've learned is that no matter how
14 extensive our outreach was, it didn't move the needle
15 in regards to signups. We received like 1 percent
16 signups like on a weekly basis, 2 percent signups.
17 And then once we reached like the last six to eight
18 weeks, it jumped to 5 percent per week, 10 percent,
19 that type of fluctuation.
20

21 CHAIRPERSON ABREU: I hate to bring it
22 back to the composting, but I'm going to. I think
23 your position that folks are starting to comply as
24 close as they get to the deadline, it speaks to the
25 power of a deadline and the power of enforcement,

1 right, and when you take away deadlines, it doesn't
2 impact behavior. So, if the Department held that same
3 view when it came to composting, I find there to be a
4 little bit of an inconsistency there. Because I know
5 the Commissioner testified that the closer to the
6 deadline, that's why you truncated it from four
7 months to two months, you saw that compliance
8 skyrocket the closer you get to the effective date,
9 and right now there is no effective date for the
10 composting side so I just want to say that there's a
11 little bit of an inconsistency there.
12

13 How has DSNY made assessments of
14 awardees' equipment needs in order to begin service
15 in Queens Central?

16 ACTING COMMISSIONER LOJAN: So as far as
17 the equipment needs, that was all submitted through
18 the RFP and in their plans. So, one of the things
19 that we've seen is when we go out and do those level
20 two inspections that I mentioned is that we are
21 seeing the carters with newer trucks. But I think
22 regardless of that, no matter if it's a brand new
23 truck or a 20-year-old truck, it has to be up to
24 standard, and we have seen that. Like I mentioned
25 before, we only had to take one of the trucks out of

1 service, which is one truck out of a couple hundred
2 trucks so that speaks volumes that they stuck to
3 their plan and we've been closely monitoring that.

4 CHAIRPERSON ABREU: Thank you,
5 Commissioner. How many new trucks have awardees
6 purchased to perform collection services in Queens
7 Central? And do you find that the new trucks meet the
8 demand? Basically, is there enough capacity with the
9 new trucks to perform the services needed?
10

11 ACTING COMMISSIONER LOJAN: So, we have
12 seen some new trucks. I think every carter submitted
13 different plans. They all had different timelines as
14 far as their operations. But just to my point that I
15 just made is that regardless of what the truck is new
16 or not, it has to be in compliance. So, if it's not
17 in compliance, we take it out of service and that's
18 one of the things that we look for through our
19 enforcement mechanism.

20 CHAIRPERSON ABREU: And my last question
21 before I let my Colleagues ask some questions. I
22 promise I have a lot more after they ask questions.
23 Does DSNY intend to conduct a study or report on
24 lessons learned during the implementation of
25 commercial waste zones in Queens Central? You did

1
2 mention that you have a lot of data from that. Could
3 that be turned into a study or report?

4 ACTING COMMISSIONER LOJAN: Yeah. So, we
5 do intend on reporting on Queens Central as far as
6 any recommendations or anything we found in our
7 annual report to the Council.

8 CHAIRPERSON ABREU: Thank you,
9 Commissioner.

10 First, I would like to acknowledge that
11 Council Member Paladino has joined us.

12 And with questions, I'll first begin with
13 Council Member Nurse.

14 COUNCIL MEMBER NURSE: Thank you, Chair.
15 Just for the composting, the pause on it, can you
16 state for the record, while you're under oath, did
17 this order come from DSNY up or from the Mayor's
18 Office down?

19 ACTING COMMISSIONER LOJAN: So, I think it
20 was a combination. We have heard from residences when
21 we were out there doing collections, and that was one
22 of the things that we saw some of the confusion as
23 far as the types of containers that they can use,
24 that they can use plastic bags, things like that so I
25

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1
2 think it was one of the things that we felt and
3 supported.

4 COUNCIL MEMBER NURSE: Was there like a
5 quantitative, like how many number of complaints you
6 all had?

7 ACTING COMMISSIONER LOJAN: No. We don't
8 have that right now.

9 COUNCIL MEMBER NURSE: Okay. So, just
10 loose anecdotal complaints.

11 ACTING COMMISSIONER LOJAN: Correct.

12 COUNCIL MEMBER NURSE: And so the order to
13 stop came from you all?

14 ACTING COMMISSIONER LOJAN: Correct.

15 COUNCIL MEMBER NURSE: From DSNY?

16 ACTING COMMISSIONER LOJAN: Yes.

17 COUNCIL MEMBER NURSE: You issued some
18 kind of communication requesting it to stop?

19 ACTING COMMISSIONER LOJAN: Coordination.

20 COUNCIL MEMBER NURSE: I just want to be
21 very clear.

22 ACTING COMMISSIONER LOJAN: Right. Well, I
23 think one of the things we have to step back and look
24 at is that we are still issuing warnings, which look
25 like summonses. They have a lot of information. And

1
2 we're not stopping service. And I think that it got a
3 lot of attention when we first rolled it out, and I
4 think people are aware of it now. We're going to
5 continue to do that. And as long as we're continuing
6 service, that's a big part of it. We're not stopping
7 service.

8 COUNCIL MEMBER NURSE: The position that
9 you will not put an implementation, an enforcement
10 period back on the books?

11 ACTING COMMISSIONER LOJAN: I'm sorry. Can
12 you repeat that?

13 COUNCIL MEMBER NURSE: Are you planning to
14 enforce this again?

15 ACTING COMMISSIONER LOJAN: That is the
16 plan in the future, correct.

17 COUNCIL MEMBER NURSE: Do you have a time
18 period?

19 ACTING COMMISSIONER LOJAN: I don't have a
20 timeline yet.

21 COUNCIL MEMBER NURSE: Okay. So to me,
22 this feels a little bit like an arbitrary decision
23 because DSNY has made decisions over the last two
24 years about what it can enforce quickly and what it
25 can't. The law that the organic, the curbside

organics law, took a long time to negotiate. It wasn't the first time that it was brought before the agency. We completely retailored it and restructured it to fit the former Commissioner's vision including in a very extensive period of just warnings. So how is it that you have a rationale that you had to stop enforcement for that, but you could enforce everything else very quickly? Buying new trash cans that allegedly are rat proof. Stopping the, you know, enforcement on supplemental cleaning that they now have to put their bags into bins. A bunch of other things that you all have rolled out and enforced. It just feels like it's poor reasoning.

ACTING COMMISSIONER LOJAN: So, Council Member, you mentioned the BID rule, which we did the same thing. We extended the...

COUNCIL MEMBER NURSE: By how long?

ACTING COMMISSIONER LOJAN: By six months.

COUNCIL MEMBER NURSE: Okay. And you have an enforcement date, right?

ACTING COMMISSIONER LOJAN: Right now, yes.

COUNCIL MEMBER NURSE: And you all intend to enforce that, right?

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ACTING COMMISSIONER LOJAN: Well, I don't want to... what I mentioned in one of my previous testimony...

COUNCIL MEMBER NURSE: We never really want tickets, but people...

ACTING COMMISSIONER LOJAN: That's not the goal here.

COUNCIL MEMBER NURSE: We have millions and millions of people here in this city.

ACTING COMMISSIONER LOJAN: Right.

COUNCIL MEMBER NURSE: And there are carrots and there are sticks. We have sticks because people don't always do the right thing. You saw that when you put out the enforcement, people were participating in greater numbers. We all saw the headlines. So great that you might need to open up new sites. I just find it to be trying to affect us with poor reason. I reject it, but I'll move on.

For Local Law 199, some of the things... Well, I would love to hear more about the data, more in detail, but the market consolidation feels like the uncertainty that was caused by the pause is what has forced people to sell or make rash decisions because they simply just weren't sure what was going

1
2 to happen, and we've been harping on that for a very,
3 very long time. I feel like that was always going to
4 be something that happened, but I feel like what has
5 happened was the creation of DSNY's pause so I just
6 wanted to say that as a comment.

7 But I'd really like to know more about
8 the data that you've collected. Vehicle miles, the
9 amounts of waste disposed and recycled from
10 businesses, tracking which transfer stations,
11 recycling facilities, compost or digesting
12 facilities, waste from Central Queens zone is
13 traveling to, tonnage. What can you tell us?

14 ACTING COMMISSIONER LOJAN: So, we plan on
15 distributing that in our annual report and the
16 information that we're going to be required to put in
17 there will be...

18 COUNCIL MEMBER NURSE: There's nothing you
19 could share with us today?

20 ACTING COMMISSIONER LOJAN: It's premature
21 to share any of that right now, Council Member.

22 COUNCIL MEMBER NURSE: I mean, this is a
23 hearing on commercial waste zones. It could have been
24 useful to have some information.
25

Can you just lay out in the simplest terms why you are unable... just talk to us like we're children, I guess, why are you unable to implement so few zones over the next 6 to 12 months?

ACTING COMMISSIONER LOJAN: Well, a big part of that is making sure that we don't have any customer issues and that the carters themselves are aware that they have to either scale up and then the non-awardees obviously have to then ramp down.

COUNCIL MEMBER NURSE: But the carters, how long have they known they've been awarded zones?

ACTING COMMISSIONER LOJAN: Since the RFP process.

COUNCIL MEMBER NURSE: Can you put the date on the record?

ACTING COMMISSIONER LOJAN: Do you remember the date?

COUNCIL MEMBER NURSE: When did they get their award letters?

CHAIRPERSON ABREU: Council Member, 30 more seconds.

COUNCIL MEMBER NURSE: I hear you, Chair.

ASSISTANT COMMISSIONER MARSHALL: I think it was first quarter of 2024.

COUNCIL MEMBER NURSE: First quarter of
2024. Do you not think that they're prepared?

ACTING COMMISSIONER LOJAN: Well, we have
to tell them. We're going to tell them that as we
roll out the zones, we're going to give them six
months period so they can be prepared.

COUNCIL MEMBER NURSE: Okay. I'll come
back for a second round. Thank you.

CHAIRPERSON ABREU: I'd like to
acknowledge Council Member Salamanca has joined us.

Council Member Zhuang, questions.

COUNCIL MEMBER ZHUANG: Thank you, Chair.
I have to say, Commissioner, our area is very happy.
We love the idea of doing composting but not get
fines. After people, we had a lot of constituents
coming with fines and a lot of them seniors, they
don't know how to recycle. We did the education in
our office. That's our goal, to save our city, not
just give fines. I totally support you guys. I think
that's a good idea because now everything is so
expensive. We cannot afford everything and also the
fines.

I have the other question. I work with
SBS about they come to some stores and tell them this

1 is illegal, can you fix it, that is illegal, can you
2 fix it? I have a lot of street vendors and also
3 outside, I don't know what that's called. They sell
4 fruits, vegetables outside. I spoke to SBS. They said
5 this belongs to Sanitation. Is there any way you guys
6 can create a partnership with SBS because they
7 already know the community. They already have people
8 look inside the store. At the same time, they can
9 look outside the store and educate the community
10 which one is legal, which one is not illegal. That
11 will help a lot of small business service in my area.

12
13 ACTING COMMISSIONER LOJAN: Absolutely. It
14 sounds like a great idea. We'll be glad to work. We
15 work closely with SBS on all the fronts. We'll be
16 glad.

17 COUNCIL MEMBER ZHUANG: Can we set a
18 timeline to create something, work with SBS. I don't
19 need you to give me all the information today. Can we
20 work together, set up someday, and give them training
21 so they can come to the community. When they inspect
22 the stores or new stores open, they can tell them how
23 to set up outside stands, how to be a street vendor.
24 Because giving fines is not our goal. We want people
25 to follow the rules and also be successful in their

business. Be happy with what they are doing and also don't get fines. I feel right now they only know, SBS told me, they only know what's inside store. They don't have idea outside store. Are we able to set a timeline?

ACTING COMMISSIONER LOJAN: I would be glad to, after this hearing, reach out to SBS and coordinate something immediately and we'll be in contact with your office on when that's going to happen.

COUNCIL MEMBER ZHUANG: Okay, great. Thank you.

CHAIRPERSON ABREU: Council Member Banks.

COUNCIL MEMBER BANKS: Thank you, Chair. The DSNY website states that we have broken the five boroughs into 20 commercial waste zones and established new non-cost contracts with the carters authorized to work in each zone. Can you clarify what the no-cost contracts actually mean and who bears the financial burden under this model set forth by DSNY? Is it the carters or the businesses?

ACTING COMMISSIONER LOJAN: Council Member, are you referring to the program itself, like once they're awarded its own?

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COUNCIL MEMBER BANKS: Correct.

ACTING COMMISSIONER LOJAN: So the
carters, the awardees, are required to pay an annual
administrative fee, which...

CHAIRPERSON ABREU: Mr. Commissioner, my
apologies. I'd like to acknowledge Julie Menin. She
has another hearing she has to Chair. Thank you so
much.

Okay. You may proceed.

ACTING COMMISSIONER LOJAN: Okay. Council
Member, each awardee has to pay an annual
administrative fee, which is paid to the Department.

COUNCIL MEMBER BANKS: Excellent. How were
the carters selected for each commercial waste zone
and what criteria or process was used to ensure that
the selection was conducted fairly and with equitable
consideration for all the applicants?

ACTING COMMISSIONER LOJAN: I'll pass it
on to Commissioner Marshall.

ASSISTANT COMMISSIONER MARSHALL: So, yes,
there was a RFP that was issued.

COUNCIL MEMBER BANKS: Okay.

ASSISTANT COMMISSIONER MARSHALL: The
carters applied. There was an evaluation committee

1
2 that judged these submissions based off of three
3 criteria. Forty percent pricing. The other piece was
4 capacity and operations and compliance, which was
5 safety. So, based off of those three factors, scores
6 were compiled and we awarded the contracts.

7 COUNCIL MEMBER BANKS: Okay. With the CWZ
8 system assigning zones as a limited number of
9 approval carters, what will be the impact on the
10 small independent cartering companies that were not
11 selected, and are there any efforts in place to
12 support these mom-and-pop businesses or does this
13 effectively force them out of the industry?

14 ACTING COMMISSIONER LOJAN: I can take
15 that. So, Council Member, it was designed to take
16 carters from all different types of sizes. I'll give
17 you some stats here. So, 10 of the carters are small
18 operators, which each of them serving less than one
19 percent of the waste customers, seven of them are
20 medium operators and they're serving one to three
21 percent of the customers, and then nine are large
22 operator and they're serving more than three percent
23 of the customers. So, together they're all serving
24 about 82 percent of all the commercial waste
25 customers, but the 10 small operators are, you know,

in the awardees and have, you know, presence in the
feature zones.

COUNCIL MEMBER BANKS: Okay. When it comes
to local implementation, my Council District includes
a wide range of commercial activity from small
businesses to industrial, what we call IBZs. How is
it that the CWZ zone is addressing the specific needs
for these different commercial entities and what kind
of support or outreach is being provided during this
transition?

ACTING COMMISSIONER LOJAN: So, the small
businesses, I think, are one of the things, as we
mentioned earlier, that when we go out and do
outreach, we focus on a little bit more because they
have a bit of a harder time. They're not as elaborate
as a chain store or a big company, but that's part of
our outreach plan. We have a company, an M/WBE
company, that we use for outreach and they go out and
they provide any kind of support or any kind of
information, and obviously that we have our portal
that any customers are able to email us, call 3-1-1,
or go through our online service portal and then
issue any questions or complaints there.

COUNCIL MEMBER BANKS: Okay. Thank you.
Thank you for that.

Lastly, I attempted to use the Calculate
Maximum Prices tool on your website, but when I
entered several addresses into it, the response that
I received was TBD, this zone has not yet been
scheduled for rollout. Can you clarify what this
means in practical terms for businesses in these
areas and when they expect the rollout to begin and
how will they be notified when it's time to select a
new carter and enter into a new agreement?

ACTING COMMISSIONER LOJAN: I'll pass it
on to Deputy Commissioner Eisenberg.

ASSISTANT COMMISSIONER EISENBERG: Thanks,
Council Member. So, the tool that you're referring
to, the address search, identifies the zones that are
active so the TBD just refers to the fact that the
zone is not active or live, but you can still use the
Maximum Price Calculating tool to get an estimate of
the maximum pricing based upon your set of criteria.
So, the tool is still usable for people in the zone
so they could preemptively learn about what pricing
would be for them when those zones are rolled out.

1
2 Regarding the schedule, I think today we
3 released a plan for when the schedule and the order
4 of implementation, and as the Commissioner had
5 testified earlier, that we will be, once we do the
6 Bronx East and West is rolled out, then we will
7 release further schedules thereafter.

8 COUNCIL MEMBER BANKS: And if I can get 30
9 more seconds.

10 CHAIRPERSON ABREU: I'll give you 30
11 (INAUDIBLE)

12 COUNCIL MEMBER BANKS: I do apologize. And
13 I had a question on community engagement. What
14 specific steps is the Department of Sanitation taking
15 to ensure businesses within the 42nd Council District
16 and across the City are well-informed about the CWZ
17 rollout, and how is this information being shared to
18 help businesses understand their options from
19 selecting unauthorized carters, how pricing
20 structures may change, and what the broader impact
21 will be on the commercial corridors?

22 ACTING COMMISSIONER LOJAN: So, Council
23 Member, I think once we roll out to your District,
24 you're going to find that we're going to implement
25 some of the practices that I mentioned, the door-to-

1 door canvassing, and you know, the vendor that I
2 mentioned is called Metropolitan Strategies, so they
3 have multilingual fluency, they have experience with
4 New York City's diverse business environment, and
5 they are trained to engage with a wide range of
6 businesses, which include like retail restaurants and
7 offices, and the industrial sites, and then things
8 like that. We have prioritized language equity, so we
9 have outreach materials that are translated and
10 outreach staff that are fluent in Spanish, Mandarin,
11 Cantonese, Russian, just to name a few, there's a lot
12 more. And then obviously we have the customer
13 feedback and communication channels, as I mentioned
14 before, our web form, 3-1-1, and then a dedicated
15 email inbox where our staff is able to take
16 complaints, so that's how we're going to support
17 that.

19 COUNCIL MEMBER BANKS: Thank you.

20 CHAIRPERSON ABREU: Thank you, Council
21 Member.

22 I'd also like to recognize we have
23 Council Member Vernikov on Zoom.

24 Council Member Paladino, you don't have
25 any questions, correct?

All right, we're moving on.

Getting back to commercial waste zones questions. DSNY's commercial waste zone study concluded that the existing commercial waste collection system was highly inefficient, and resulted in private waste collection trucks traveling more than 23 million miles per year. By dividing the city into exclusive zones in which only assigned carters could operate, the study found that vehicle miles traveled could be decreased 49 to 68 percent, with the largest reductions occurring in Manhattan and the Bronx. Other beneficial outcomes include improved safety and reduced noise pollution and air pollutions. Does DSNY have data on vehicle miles traveled by designated haulers in Central Queens zone before and after CWZ implementation?

ACTING COMMISSIONER LOJAN: So, one of the things that I mentioned before is our annual report, which I believe is due to be released in September of this year, and those are one of the things that we will look to report on, is the vehicle miles traveled.

CHAIRPERSON ABREU: Yeah. Why didn't the agency have that information ready for today?

1
2 ACTING COMMISSIONER LOJAN: Well, I think
3 one of the things that we're working through is on
4 the technology platform. We rolled out Queens
5 Central, the main focus was making sure that
6 customers were assigned carters, the billing issues,
7 any customer complaints, the enforcement thing, the
8 enforcement issues, as I mentioned, that us being out
9 there having our presence. Not to say that vehicle
10 miles traveled are not important because that is one
11 of the things we want to highlight, and we did look
12 forward to improving once we rolled out all the
13 zones, but in parallel with doing all that, we were
14 getting our technology platforms ready, and that's
15 one of the things that we're still making sure that
16 we don't prematurely report on something that's still
17 early, so we will have it ready by the September
18 deadline.

19 CHAIRPERSON ABREU: So, what technology
20 are you guys looking into? When will the technology
21 be implemented, and the data that's going to be in
22 the September report, would that be from the day that
23 you use the technology moving forward?

24 ACTING COMMISSIONER LOJAN: I'll pass it
25 on to Deputy Commissioner Eisenberg.

1
2 ASSISTANT COMMISSIONER EISENBERG: Hi,
3 Chair. So, the technology is implemented in effect,
4 so we're collecting telematics data from the trucks
5 that gets brought into our systems.

6 CHAIRPERSON ABREU: Already?

7 ASSISTANT COMMISSIONER EISENBERG:
8 Correct. So, part of the NTP requirement was that all
9 carters have that integration completed and ready to
10 go before they can even sign on customers so that was
11 all integrated into the system. What the Commissioner
12 was referring to as far as the technology piece is
13 that when we're getting all of this data in, that
14 data now has to be analyzed and reviewed, and we're
15 getting in daily data from trucks, like pings, and
16 all that data that has to come in. We have to do an
17 analysis of that data that has to be brought in, and
18 we have reporting tools that we're working and we're
19 tuning to identify, like for example, if a truck were
20 to travel outside of the zone with one zone
21 operational when someone travels outside the zone, is
22 it because they were traveling outside the zone
23 legitimately or illegitimately? So, identifying false
24 positives and knowing when we need to audit or review
25 a carter's behavior.

CHAIRPERSON ABREU: Look, we just, you know, vehicle miles traveled is a huge part of the intention, legislative intent, and so we want to make sure that the Department is taking this just as seriously as it's taking up, you know, everything else that it did in the initial rollout. VMT is just, is chief among the reasons why this happened.

ASSISTANT COMMISSIONER EISENBERG: Chair, we agree with you. It's a very important part of this program, essential, and it's one of our top priorities.

CHAIRPERSON ABREU: So hopefully, so we'll have that data by September?

ASSISTANT COMMISSIONER EISENBERG: Correct. That's correct, Chair.

CHAIRPERSON ABREU: Okay. I wish I had it today, but you know, I just want the advocates to know that I'm equally upset with you guys.

Is DSNY tracking which transfer stations, recycling facilities, and compost or digesting facilities waste from the Queen Central zone is traveling to and recording tonnage or truck trips to each facility used?

1
2 ASSISTANT COMMISSIONER EISENBERG: Hi,
3 Chair. You know, so the commercial vendors report
4 quarterly average tons per day to DSNY and annual
5 tonnage to DEC about all materials accepted at
6 transfer stations in New York City, which are jointly
7 permitted by both agencies. We do not yet have access
8 to the data regarding the waste in the transfer
9 stations, and so we will get back to you on that.

10 CHAIRPERSON ABREU: Do you think you'll be
11 able to get us that information?

12 ACTING COMMISSIONER LOJAN: We will have
13 that as part of our annual report.

14 CHAIRPERSON ABREU: Okay. I'll let my
15 Colleague, Council Member Salamanca, to ask a few
16 questions before I proceed.

17 COUNCIL MEMBER SALAMANCA: Thank you, Mr.
18 Chair. My apologies. I had a bill being heard next
19 door.

20 Commissioner, welcome. Good morning.
21 First, I want to thank you for the walkthrough that
22 we did in my District a few weeks ago. It meant a lot
23 for you to go to different parts of my District that
24 are suffering, one from the opioid crisis on 3rd
25 Avenue and 149th Street, also highlighting the

1 illegal dumping that we're having, and it's
2 unfortunate. A lot of it is from individuals that are
3 illegally selling fruits in our communities, and they
4 don't have a place to store or to dispose of their
5 fruits that they cannot sell, and so it's unfortunate
6 that our communities are suffering from that. And
7 then coming down to the Hunts Point community to see
8 how illegal dumping is affecting an industrial part
9 of our District, and you were swift with your
10 actions, and especially your Chief. He deserves
11 whatever accommodation or raise you want to give him.
12 So just make sure you tell him that, and I just
13 wanted to say thank you.

15 Commissioner, so, you know, in Hunts
16 Point, I have commercial waste transfer stations, and
17 it was one of the biggest parts of our conversations
18 back in 2017, 2018, when I was here in the Council,
19 and it still continues to be. I was in the Hunts
20 Point fish market yesterday, and I drove by, and I
21 saw the transfer stations. Now, one of the
22 frustrations that some of the businesses had when the
23 commercial waste zones were, when you were allocating
24 routes to them, were that there were many waste
25 companies that pick up commercial waste in Hunts

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Point that were not awarded those contracts locally, and they were awarded contracts outside of the District. And so if you can please speak a little bit on that, because I found it a little frustrating to think that we wanted to eliminate the amount of trucks that are driving through our communities, but you have businesses in the community that can pick up garbage in the community, but they were not awarded the contracts in the community. They were awarded contracts in other boroughs.

ACTING COMMISSIONER LOJAN: So, I'll just speak to part of the RFP process. I think a lot of that was evaluated. The operations and capacity, I mean, I will pass it on to Assistant Commissioner Frank Marshall for a little bit more detail, but some of the operations, the capacity, might have had a lot to do with it, and then the pricing. So those are the things that might have driven that, but do you want to speak a little bit about some of the Bronx awardees?

ASSISTANT COMMISSIONER MARSHALL: Yeah. So how are you doing? I think one of the pleasing things about the awardees in Bronx East and Bronx West is that these awardees have a high existing relationship

1
2 with the customers. So, for example, in Bronx West,
3 your customer base is already serviced by 75 percent
4 of the awardees, so they'll still maintain those
5 relationships. 25 percent will be affected, but the
6 Bronx West had one of the highest percentages of
7 existing customers served by carters, and then in the
8 Bronx East, almost 60 percent. So, there is a delta,
9 and as Commissioner mentioned before, there was a
10 competitive RFP process in several categories, but
11 for the Bronx East and the Bronx West, you know,
12 those zones have a high customer base.

13 COUNCIL MEMBER SALAMANCA: I'm sorry. How
14 many of these carters in the Bronx East are actually
15 from the Bronx East, or from the Bronx, that were
16 awarded these contracts?

17 ASSISTANT COMMISSIONER MARSHALL: We'll
18 have to get back to you on that. You mean like their
19 company location?

20 COUNCIL MEMBER SALAMANCA: Yeah.

21 ASSISTANT COMMISSIONER MARSHALL: We'll
22 have to get back to you.

23 COUNCIL MEMBER SALAMANCA: You don't have
24 that information in front of you?
25

ASSISTANT COMMISSIONER MARSHALL: I don't have the headquarters of these companies.

COUNCIL MEMBER SALAMANCA: Because what I'm trying to get at is, you have companies in other boroughs coming in and picking up garbage in my District and taking it back to other boroughs when I have companies in my District that can pick up their own garbage. It makes no sense.

ASSISTANT COMMISSIONER MARSHALL: Fair enough.

COUNCIL MEMBER SALAMANCA: And so I'm trying to understand, and I know that we cannot get involved in the RFP process, that's your process, but now you've made your decision, so now I can put in my input on your decision, and I just think that your decision just contradicts the purpose of having trucks driving around through communities when they shouldn't have.

ASSISTANT COMMISSIONER MARSHALL: As Commissioner mentioned, in the RFP, the categories unfortunately did not include, you know, if the awardee had a location in the zone that they're applying for.

COUNCIL MEMBER SALAMANCA: So that was not part of the RFP process in terms of the distance that they would be driving to their businesses and their headquarters?

ACTING COMMISSIONER LOJAN: Council Member, the VMT was part of the calculation. What Commissioner Marshall was saying is that the location of the headquarters was not a consideration in the RFP process of whether they were based in the zone or the borough.

COUNCIL MEMBER SALAMANCA: All right. May I have just one more question, Mr. Chair. Thank you very much.

The other concern was the prices going up for the prices towards the businesses. Now that they have a zone, so there's no competition. Have we seen an increase in prices?

ACTING COMMISSIONER LOJAN: So, I believe that as far as one of the carters in Bronx East and Bronx West, they received one of the highest rate reductions by 7 percent, and that's Action, so they had achieved some of the largest rate reductions in the two zones.

COUNCIL MEMBER SALAMANCA: Okay. All right. Thank you for that. Thank you, Mr. Chair.

CHAIRPERSON ABREU: Thank you, Council Member.

All right. I'm going to now pivot to another set of questions before I let my Colleague here, Mr. Restler, ask a few questions.

Awardees are required to keep rates for collection of recyclable materials lower than rates for collection of refuse. What data was collected in Queens Central regarding waste diversion?

ACTING COMMISSIONER LOJAN: So, some of the data that we collected for Queens Central were the cost and volume of solid waste, recyclables, and collection and disposal, the diversion of commercial waste from landfill, and any change to such diversion as compared to the previous fiscal year, and then the feasibility of accepting commercial waste at MTSS and the amount of proportion of commercial waste received at the Marine Transfer Station. But then, as we've mentioned in the testimony and throughout, is that the great things about the CWZ is that, on average, that we anticipate that businesses may save up to 32 percent on recycling rates and then 18 percent on

composting compared to traditional garbage
collection.

CHAIRPERSON ABREU: Approximately how much
waste has been diverted from landfill in Queens
Central since the zone's implementation?

ACTING COMMISSIONER LOJAN: I believe that
that is a little under 2 percent at the initial four
months.

CHAIRPERSON ABREU: My apologies. 2
percent?

ACTING COMMISSIONER LOJAN: A little under
2 percent, yeah.

CHAIRPERSON ABREU: Of what? Sorry.

ACTING COMMISSIONER LOJAN: Of the
compostable material.

CHAIRPERSON ABREU: Okay. Low, for sure.

ACTING COMMISSIONER LOJAN: Yeah. And
they're encouraged because they save, like I
mentioned, up to 18 percent on the rate so they are
encouraged to compost and divert more of that, but
that's one of the things that we will continue to do
with outreach.

CHAIRPERSON ABREU: Do you think that the passage of the bill I've introduced on separation of organics for business would improve that number?

ACTING COMMISSIONER LOJAN: Absolutely. That's one of the things that I think will definitely help. I think the previous local law was a little bit, you know, maybe a little bit too confusing. You know, a lot of different variables. I think your bill definitely will help that.

CHAIRPERSON ABREU: Even without my bill expanding the scope, 2 percent is still low within the covered businesses under the law so how would, I don't know if you caught that, Commissioner.

ACTING COMMISSIONER LOJAN: My apologies. I stand corrected. It's 2 percent have signed up for organics collection. It wasn't 2 percent diversion.

CHAIRPERSON ABREU: Okay. So, what is the diversion?

ACTING COMMISSIONER LOJAN: We don't have that number right now.

CHAIRPERSON ABREU: We need that number on diversion. And I would also like to know why only 2 percent have signed up. What do you attribute that number to?

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2 ACTING COMMISSIONER LOJAN: Well, I think
3 aside from, I don't know why anybody wouldn't want to
4 save money on the rate, but I think it's not
5 mandatory for them to recycle, which I think your
6 bill will help that, as you mentioned before.

7 CHAIRPERSON ABREU: You may not have the
8 exact percentage, but under law as it is right now,
9 what percentage of businesses under CWZ are required
10 to compost?

11 ASSISTANT COMMISSIONER EISENBERG: We
12 don't have the current numbers of how many businesses
13 are required to compost today.

14 CHAIRPERSON ABREU: Because that would
15 give me a better understanding of why the composting,
16 you know, to see which businesses are subject to the
17 requirement and figuring out, of those businesses
18 subject to the requirement, how many of them are
19 actually participating. In past hearings, we've asked
20 about like fining for composting, you know, for
21 businesses, and I don't think we got data for that so
22 we just need to get more data on this. Hopefully we
23 get that rather quickly.

24

25

What portion of organic waste collected by awardees in the Queens Central Zone is processed in New York City?

ASSISTANT COMMISSIONER EISENBERG: Chair, we do not have that data yet. The rollout of the commercial waste zones and associated data collection will bring more transparency to these material streams as management so we'll have that soon.

CHAIRPERSON ABREU: Okay. How soon?

ASSISTANT COMMISSIONER EISENBERG: As part of our annual report.

CHAIRPERSON ABREU: Okay. So by September. Of the portion that is processed in New York City, what portion of it goes to a composting facility? Same answer?

ASSISTANT COMMISSIONER EISENBERG: Yeah. So, Chair, awardees are required to tell us where the material goes. We're compiling that data now for the first time in the City's history, and some of this data will be included in our annual report.

CHAIRPERSON ABREU: Which processing methods are used for organic waste collected by awardees in the Queens Central Zone which is not processed in New York City?

ASSISTANT COMMISSIONER EISENBERG: Thank you, Chair. So the organic waste that leaves the city may go to facilities for composting or anaerobic digestion. None of it is allowed to go directly to landfill under commercial waste zone contracts. Some of this data will be included as we talked about in our annual report.

CHAIRPERSON ABREU: I'm going to keep asking the questions. How many businesses in the Queens Central Zone have opted to have their organic waste collected by a micro hauler instead of an awardee carter?

ASSISTANT COMMISSIONER EISENBERG: Thank you, Chair. There are no micro haulers operating in Queens Central right now.

CHAIRPERSON ABREU: Has DSNY outreach to businesses included information about the option to have organic waste collected by a micro hauler?

ASSISTANT COMMISSIONER EISENBERG: No. DSNY is not aware of any such activity.

CHAIRPERSON ABREU: All right. I want to quickly pivot to... Actually, I'll let Council Member Restler ask his question before I proceed.

COUNCIL MEMBER RESTLER: That is very generous of you, and I want to just commend you for your stellar leadership of this Committee and for your really thoughtful and high-caliber legislation that we're having hearings on today.

Commissioner and team, it's always great to see you. Greatly appreciate your work on this.

I have to say, though, the timing of commercial waste zones is just deeply, deeply frustrating. I'm sure for you as well, you know, we say that this law was passed in 2019, but it's like that was three years after. There was already a handshake agreement between the Council and the Mayor's Office to support this legislation, and we got held up in an incredibly slow and painful environmental review process. So really, we're talking about 2016, is when everyone who's worked on this and cared about this and the Council Members and the Administration at the time actually shook hands and said, we're going to get commercial waste zones done. And so now we're essentially a decade later. We're in one district in Central Queens. We've got two more in the Bronx coming later this year. It's going to take another two years plus until we get

1
2 citywide. What's it going to take to go faster? Is it
3 a resource issue? Is it a staffing issue? How do we
4 help support the Department of Sanitation to get this
5 done more quickly? Because as you lay out in your
6 testimony, this will be so incredibly important for
7 improving safety in our communities by reducing the
8 numbers of trucks, by improving the standards for
9 workers, by improving environmental outcomes, by
10 improving efficiency for businesses. Like this is
11 good for everybody. It's just too slow. So can you
12 walk me through what are the impediments? What are
13 the things that we could do to go faster to get this
14 done more quickly?

15 ACTING COMMISSIONER LOJAN: Thank you,
16 Council Member. So, I think one of the things,
17 there's two sides of it, right? I think going faster,
18 I think that we will miss something, and I mean that
19 in the sense of customer issues, safety. Those are
20 one of the bigger priorities here because the last
21 thing we want to do is have customers have any kind
22 of pricing issues or disputes, and I think that's one
23 of the things with Queens Central that we saw and
24 were successful where virtually no complaints. And I
25 think on the carter side too is one of the things we

1 have to remember. They have a big part of this as
2 well because we can go out and do outreach. The
3 business, it's their responsibility to negotiate the
4 rate. But then the carter that they select has to
5 still upload these contracts and be able to provide
6 the service. So, I hear you, Council Member, and I
7 want to move as fast as we can, but I think we want
8 to be careful to sacrifice any kind of issues and
9 having this program then be scrapped because we have
10 so many issues and safety issues. But I think the
11 carters have a big part of this as well. Some of
12 them, as I mentioned before, there's 10 of these
13 carters that are smaller carters. If we move fast,
14 they might not have the ability to keep up so I think
15 it's on both sides. I think the plan we laid out
16 commits us to, you know, this is the end of 2027 so,
17 you know, that's our commitment today. And I think
18 that holds us to, you know, to task on making sure
19 that this gets done, but, you know, I hear your
20 frustration, and one of those things that if we can
21 move faster, we will. But I think we just want to be
22 careful to not sacrifice customer issues and pricing
23 and safety.

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COUNCIL MEMBER RESTLER: So, I heard that there could be capacity issues on the carter side for engagement with the businesses. Are there capacity or resource issues on the Department side? Because you all do big, complex things every day. I have a lot of faith and confidence in the Department of Sanitation and your ability to handle big, complex citywide operations and ability to move quickly to implement them. So, are there challenges internally, resource needs internally that you all have? How many staff are working right now on CWZs?

ACTING COMMISSIONER LOJAN: I believe 16 staff members working on CWZ. And we are actually actively working with OMB on adding additional staff.

COUNCIL MEMBER RESTLER: Say that number again, I got distracted.

ACTING COMMISSIONER LOJAN: 16 staff members.

COUNCIL MEMBER RESTLER: And is that adequate for a budding citywide initiative?

ACTING COMMISSIONER LOJAN: Right, so no, we're working with OMB on adding additional staff, 19.

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COUNCIL MEMBER RESTLER: I know they're
always very cooperative with the Department of
Sanitation.

ACTING COMMISSIONER LOJAN: They are.

COUNCIL MEMBER RESTLER: That was, just to
be clear, that was sarcasm for everyone in the
audience. But I said it, the Department didn't. So
16, what do you think is the necessary head count to
be able to manage this initiative?

ACTING COMMISSIONER LOJAN: I'm getting
that for you, is it? I think in total about 30
positions so probably an additional.

COUNCIL MEMBER RESTLER: 30 additional?

ACTING COMMISSIONER LOJAN: No, total,
total.

COUNCIL MEMBER RESTLER: So, you're
looking at about a need for 30 full-time headcount.
You're trying to ramp this up over the next two years
citywide. We have half of that headcount in place.
Any expectation there'll be additional headcount
included at Exec?

ACTING COMMISSIONER LOJAN: Yeah. I think
OMB is definitely working with us on this, and they

recognize that we need some additional resources for that.

COUNCIL MEMBER RESTLER: And if they gave you those resources in this budget, would you be able to revisit your timelines and roll this out faster?

ACTING COMMISSIONER LOJAN: No. I think that's what anticipated having that scale of resources on our end is why.

COUNCIL MEMBER RESTLER: In this budget?

ACTING COMMISSIONER LOJAN: Yeah.

COUNCIL MEMBER RESTLER: And is that your full staffing needs? Will you need additional headcount for next year and beyond?

ASSISTANT COMMISSIONER EISENBERG: We believe we will be staffed adequately and we'll reevaluate if additional needs are necessary with OMB.

COUNCIL MEMBER RESTLER: Okay. I mean, I'm just trying to understand because, and then I'll shut up, Chair, but we're trying to get to 30 headcount. We're looking to have three zones in place for this year for a portion of Queens and the Bronx. You know, our borough's population is multiple times the size

1
2 of the Bronx, and we don't have a timeline for
3 Brooklyn. Do we have a timeline for Brooklyn?

4 ACTING COMMISSIONER LOJAN: No, but one of
5 the things is I think we'll have a better firm
6 position once we roll out the Bronx, but the schedule
7 has been released so you are able to tell what the
8 next phase Brooklyn is. Brooklyn's broken up into
9 different zones.

10 COUNCIL MEMBER RESTLER: Okay. I mean,
11 look, I think that this is really important. Chair
12 cares about this. This Council cares about it. This
13 is going to make a really big difference in the
14 quality of life in our communities, and we want to
15 get it out there as quickly as possible. This is a
16 win for the City of New York, for the workers, for
17 the businesses, for the people. We need to get it
18 done and get it done faster.

19 And then I would just be remiss if I
20 didn't take a second to say this was the baby of
21 Council Member Antonio Reynoso at the time, now our
22 Borough President, and he really poured blood, sweat,
23 and tears into building this coalition up, into
24 getting this legislation over the finish line and
25 made this an enormous priority of the previous

1
2 Council, and I just want to credit him. And I know
3 that if he was sitting in my seat and grilling you
4 all today, he would have his hair on fire with the
5 timelines that we're working on, and so I'm
6 channeling him because I think this is really
7 important and I do hope that you all will come back
8 with opportunities for us to go faster. Thank you,
9 Chair.

10 CHAIRPERSON ABREU: I agree that Borough
11 President Reynoso's hair would be on fire right now.
12 And you don't have to shut up. I love your voice,
13 Lincoln. I love your voice.

14 I want to just piggyback off of what
15 Lincoln was mentioning. So, I did have a question
16 about how many DSNY staff was hired for Queens
17 Central. Is it 16? Or is it under that right now?

18 ASSISTANT COMMISSIONER EISENBERG: Yeah.
19 Our commercial waste zone staff is dedicated to all
20 coercion waste zone activity, not specifically for
21 Queen Central, but to make this rollout successful.

22 CHAIRPERSON ABREU: Do you know how much
23 it would count in terms of how much you would need
24 from the sum of the budget to increase headcount to
25 the 30 that you're asking for in this year's budget?

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ASSISTANT COMMISSIONER EISENBERG: We
don't have that here with us. We'll get back to you.

CHAIRPERSON ABREU: All right. If you can
prepare OMB Director Jacques for the Executive Budget
on that because we're definitely going to ask about
that.

What is the overall budget for the Queens
Central implementation?

ACTING COMMISSIONER LOJAN: So, the
overall budget for FY25 is 5.4 million, and that
breakout is 2.7 of that is for PS costs, and then 2.7
of that is for OTPS costs.

CHAIRPERSON ABREU: How much revenue has
the City generated through the commercial waste zones
fee by awardees in Queens Central? My understanding
is that awardees are required to pay an annual fee of
107,000 dollars a year.

ACTING COMMISSIONER LOJAN: Correct,
Chair. So, for FY25, the actual revenue is
approximately 739,000 dollars.

CHAIRPERSON ABREU: Everyone paying their
fee?

ACTING COMMISSIONER LOJAN: Yes.

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CHAIRPERSON ABREU: All right. I want to now pivot to my last set of questions before I call over BIC, and it would be great when I transition to BIC if maybe you can keep one person from DSNY just in case there's an overlap on a question. Are you okay with that, Commissioner?

ACTING COMMISSIONER LOJAN: Sure.

CHAIRPERSON ABREU: Market activity. After a pause in market activity while trade waste companies awaited DSNY's selection of CWZ awardees, market consolidation picked up in 2024. In September 2024, awardee Waste Connections which received 12 zone contracts plus a citywide contract acquired awardee Royal Waste Services, the latter of which had assets including a transfer station and recycling facilities. The two companies overlapped in the Queens West commercial waste zone and put Waste Connections over the 15-zone maximum imposed on awardees. To come into compliance with the 15-zone threshold, Waste Connections reportedly agreed to withdraw its contract to provide collection services in the Brooklyn Southwest CWZ. However, DSNY still lists the company as one of the three awardees in that zone. Has DSNY identified a company that will

replace Royal in Queens West or will customers in that zone be forced to pick between two awardees?

ACTING COMMISSIONER LOJAN: No, Chair. So customers, once we roll out Queens West will definitely be able to select from the three different awardees. We expect to move forward with identifying that third awardee by this fall.

CHAIRPERSON ABREU: And how will that process be determined? Is it based off of an existing list or will there be a rebid?

ASSISTANT COMMISSIONER EISENBERG: Yeah, Chair, the current process is to refer back to the RFP scores, engage in review of the next highest score in the zone.

CHAIRPERSON ABREU: Is that information public on the scorecard or is it public or not?

ASSISTANT COMMISSIONER EISENBERG: No.

CHAIRPERSON ABREU: Okay. Has DSNY identified a company that will replace Royal in Queens West? Sorry, you already answered that question.

If an awardee sells to another awardee and both of them have contracts in the same zone, thereby lowering the number of awardees in that zone

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2 to two, what will be DSNY's process to select a new
3 awardee in that zone?

4 ACTING COMMISSIONER LOJAN: So, the
5 current process is to refer back to the RFP scores
6 and then engage in a review of the next highest score
7 in the zone. If the next highest score in the zone is
8 still capable and interested in providing services in
9 that zone, we will then enter into negotiations with
10 that carter.

11 CHAIRPERSON ABREU: Which, if any,
12 concerns has DSNY worked to address regarding the
13 sale of non-awardee carters to Commercial Waste Zones
14 awardees? And can you please describe what that work
15 has been?

16 ACTING COMMISSIONER LOJAN: So, our
17 contracts with the awardees give us the broad
18 authority to review any merger or consolidation with
19 a non-awardee or another awardee. Any company
20 acquired by an awardee must still follow all
21 Commercial Waste Zone rules and will be subject to
22 DSNY oversight.

23 CHAIRPERSON ABREU: Thank you. I'm now
24 going to ask Council Member Paladino to ask her
25 questions.

1
2 COUNCIL MEMBER PALADINO: Thank you,
3 Chair. I'm really, this whole thing has got me a
4 little baffled. I don't understand, when we were
5 talking, if I missed this, please tell me that I did
6 and you'll have to repeat yourself. Can you explain
7 to me what this is with the grease? We've got brown
8 grease and we've got yellow grease. What is this?

9 ACTING COMMISSIONER LOJAN: Council
10 Member, I think that we'll defer those questions to
11 BIC.

12 COUNCIL MEMBER PALADINO: What's that?

13 ACTING COMMISSIONER LOJAN: We'll defer
14 those questions to the Business Integrity Commission
15 who will testify after us.

16 COUNCIL MEMBER PALADINO: I looked at
17 today's itinerary. I've never seen so much obsession
18 with garbage. I don't understand what the heck is
19 going on when picking up garbage has now become a
20 huge event. You know, we recycle, we do everything
21 that we're supposed to do, and now we're falling into
22 a whole other aspect of Sanitation and picking up and
23 fining and defining and everything like that. And for
24 the most part, the average Jane and Joe have
25 absolutely no idea what you're talking about. So we

1 as a Council Member, myself as a Council Member, I
2 need to take this back to my constituents and I need
3 to try to help them understand what I don't
4 understand so it makes life very difficult. I live in
5 a Northeast, you know, District 19, which is
6 Northeast Queens. Everything seems to be pretty much
7 under control, thank you, in Northeast Queens. So,
8 when I see all this legislation coming about and the
9 people out there are not understanding it, as I said,
10 neither am I, everybody seemed to have gotten rid of
11 their garbage pretty well prior to 2024. Now, 2024,
12 everything got all really complicated, you know.

14 So, I want to thank you. I'm going to
15 jump to something else. I want to thank you for
16 putting off the fining of single-family homes, as
17 well as small multi-dwellings, even though it's just
18 a postponement. I don't believe people need to be
19 fined for the way in which if they separate their
20 garbage with the plastic and the glass and the
21 metals, and we do our due diligence to do all of
22 that, adding compost to the everyday person and
23 fining them, I think is an unnecessary burden. And
24 again, a lot of people don't understand it, what they
25 need to do and all of that. So, I don't believe the

1 fine should be, I don't think this should be
2 mandatory in any way, shape, or form. We, the Common
3 Sense Caucus, has put in legislation to make it
4 voluntary composting, not mandatory composting. You
5 have your reasons, I'm sure, but I just simply do not
6 understand now about grease disposal. Are we talking
7 about automotive grease? Are we talking about
8 household grease? What are you guys talking about?

9
10 ACTING COMMISSIONER LOJAN: So, BIC will
11 testify after us, and I believe defer to Commissioner
12 Crotty on your question.

13 COUNCIL MEMBER PALADINO: Okay.

14 CHAIRPERSON ABREU: Thank you. All right.
15 This panel is excused.

16 ACTING COMMISSIONER LOJAN: And Assistant
17 Commissioner Frank Marshall will stay back as you
18 requested to answer any questions.

19 CHAIRPERSON ABREU: Thank you,
20 Commissioner.

21 ACTING COMMISSIONER LOJAN: Thank you.

22 CHAIRPERSON ABREU: And I only have a few
23 questions for Commissioner Elizabeth Crotty, and
24 we'll administer the oath again. Thank you for being
25 patient with us, Commissioner.

Just give me a two-minute intermission,
guys.

I'm going to have the Committee Counsel
administer the oath.

COMMITTEE COUNSEL: Good afternoon,
Commissioner Elizabeth Crotty and Nicole Mathias.
Thank you for being here. Thank you for raising your
right hands.

Do you swear to tell the truth, the whole
truth, and to respond honestly to Council Member
questions?

COMMISSIONER CROTTY: I do.

COMMITTEE COUNSEL: Thank you. You may
begin your statement when ready.

COMMISSIONER CROTTY: Good morning, now
good afternoon, Chair Abreu and Members of the City
Council Committee on Sanitation and Solid Waste
Management. My name is Liz Crotty, Commissioner and
Chair of the Business Integrity Commission, better
known as BIC. BIC regulates companies operating in
the commercial waste, or rather trade waste industry
and the City's wholesale public food markets. Our
focus is ensuring that these industries operate
fairly, safely, and without corruption, while

protecting customers. Our regulatory mission is achieved through in-depth review of every application received from companies seeking a BIC license or registration, depending on the type of waste they haul.

The Commercial Waste Zone awardees haul refuse and recyclables from businesses in the city and represent a subset of the 1,900 total trade waste licensees and registrants. CWZ does not impact BIC licensees and registrants that haul other types of material from businesses like construction demolition debris, used cooking grease, medical waste, on-call junk removal, or businesses that are approved for self-hauler registrations to perform their own waste removal, such as landscapers. Like all BIC licensees and registrants, the CWZ carters will continue to apply for the renewal of their BIC license every two years, including while CWZ is ongoing, go through the BIC review process, which focuses on good character, honesty, and integrity of applicants. BIC and DSNY have a longstanding partnership, and the two agencies are in continuous contact from the leadership level down. Our agencies share information and data, work together through the CWZ Safety Task Force, and

collaborate on other matters as needed. Anecdotally, under the Adams Administration, crashes involving CWZ licensees are down 60 percent in 2024 compared to 2023, and overall for BIC violations have increased 110 percent.

Intro. 784 concerns grease haulers, one type of specialty waste explicitly exempt from CWZ. There are several issues with Intro. 784, and BIC respectfully requests further engagement with the Council to address these matters. First, with regard to the proposed new section 16-529, the proposed reporting requirements are duplicative of the customer registers BIC already collects per our customer register rule for licensees, who are the carters. Customer registers are lists from the licensees/carters of all their customers, which include businesses, name, address, date, and in the case of Intro. 784, quantity of grease collected from the previous quarter. This can be found in section 5-03, subsection G of title 17 of the Rules of the City of New York. BIC sends directives to remind licensees of the customer register rule and to submit before the due date via our online portal. When a licensee fails to adhere to this rule, BIC issues a violation

with the intent of collecting the customer register. BIC maintains the customer registers and uses the data for various regulatory enforcement purposes. This data is not publicly available as it is considered the carter company's proprietary business information and also includes personal identifying information. The information sought under paragraph four of subdivision B regarding the facility where the grease is disposed is already collected as part of the DSNY semi-annual tonnage survey of the carters, which BIC helps to facilitate. Finally, BIC has concerns about the utility of the reporting requirement by subdivision C of the proposed section of 16-529 as it falls outside the scope and authority delineated from the City Charter. BIC simply does not have regulatory jurisdiction over commercial establishments, including those at issue here, food service establishments that generate grease. It is beyond the scope and authority of BIC's mandate delineated in the City Charter.

BIC is happy to work with the Council to address any concerns or constituent complaints, whether they be about grease haulers or any other matter under our authority. Please always feel free

1
2 to contact me or my team directly or share with your
3 constituents BIC's complaint submission portal, which
4 is linked on the homepage of our website. Thank you
5 for the opportunity to share our concerns about
6 Intro. 784. BIC welcomes the opportunity to discuss
7 the goals of the bill further with the sponsors
8 today.

9 CHAIRPERSON ABREU: Thank you,
10 Commissioner. I'm going to ask questions that may
11 have been mentioned to DSNY, but in this case for
12 you. If an awardee sells to another awardee and both
13 of them have contracts in the same zone, thereby
14 lowering the number of awardees in that zone to two,
15 what is BIC's process to select a new awardee in that
16 zone?

17 COMMISSIONER CROTTY: We have no role in
18 picking the awardees in zones. The only role BIC has
19 is we do get sales applications and we review the
20 sale application, but per our rules that have nothing
21 to do with CWZ, those are the rules that guide us,
22 nothing to do with zones.

23 CHAIRPERSON ABREU: Thank you. Which, if
24 any, concerns has BIC worked to address regarding the
25

1 sale of non-awardee carters to commercial way zones
2
3 awardees, and can you please describe that work?

4 COMMISSIONER CROTTY: Well, again, we are
5 guided not by commercial waste zones, but by our
6 rules and regulations set out in the City Code. So,
7 our sales applications and subcontracts all have to
8 be verified and put through the BIC rules, and that's
9 what we adhere to for the companies.

10 CHAIRPERSON ABREU: One second. Between
11 January 2014 and April 2025, BIC issued approximately
12 3,086 notices of violations to companies operating in
13 the trade waste industry. More than 2,000 of the
14 3,086 violations issued over this period were
15 settled, including pending and early settlements.
16 Half of fines issued were 2,500 or less.
17 Approximately 10 percent of those 3,086 BIC
18 violations included citations to awardees. Can you
19 please describe BIC's enforcement activity involving
20 Queens Central awardees, and if enforcement is
21 occurring, what is the breakdown in types of
22 violations?

23 COMMISSIONER CROTTY: Well, first, BIC is
24 not doing enforcement in Queens Central. That is
25 under the exclusive purview of DSNY. Second of all,

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1
2 BIC, since the Adams Administration has started, we
3 have created a Violations Unit. There was a backlog
4 of over 1,000 unissued violations when I came to BIC
5 in 2022. We have since gone through those. In 2021,
6 the penalty schedule was updated. We have implemented
7 that penalty schedule, and all of our violations as
8 they settle are settled per a published penalty
9 schedule. Third, the other issue that is here, BIC
10 was subject to OATH trials where we could only put 15
11 cases on one day a week so it created a large
12 backlog, which that situation created our Early
13 Settlement program, which we have, and then
14 additionally, we have since transferred from BIC
15 trials to BIC hearings so that we can hear more
16 cases, but a lot of the violations that BIC issues
17 are prima facie violations of graduated importance,
18 so we feel as though, especially since the Adams
19 Administration, that we have taken violations much
20 more seriously, cleared out backlogs, and held all
21 the companies to the standards that our rules
22 provide.

23 CHAIRPERSON ABREU: Thank you,
24 Commissioner. Are any awardees citywide facing issues
25 with their BIC licenses? And if so, do you expect

1
2 this will affect any awardees' ability to perform
3 collections in their zone when implemented?

4 COMMISSIONER CROTTY: Currently, no.

5 CHAIRPERSON ABREU: What is BIC's process
6 now, and what factors are considered? When BIC
7 receives notice that a carter is consolidating with
8 another?

9 COMMISSIONER CROTTY: Well, as stated
10 previously, they have to do a sales application
11 and/or a subcontract. It has to be done in writing.
12 Part of that is to notify the customers, so we adhere
13 to all of those rules.

14 CHAIRPERSON ABREU: And my last question
15 is, does BIC or DSNY have an eye towards keeping
16 future CWZ procurements equitable and competitive
17 when it receives these notices?

18 COMMISSIONER CROTTY: BIC takes its
19 mission very seriously of equity throughout the whole
20 industry. However, CWZ, and their picking of carters,
21 is under the exclusive management of DSNY.

22 CHAIRPERSON ABREU: I'm now going to just
23 pivot to some of the questions regarding the Intro.
24 that is related to BIC. Thank you for your patience.

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Does the Administration have and maintain an updated
list of all grease generating establishments?

COMMISSIONER CROTTY: So, I can only
answer as to BIC. What BIC does specifically is there
are 21 licensees who haul grease waste. We have a
list of all 21 licensees, and we have a list of all
of their customers. I believe that's about 16,000
customers that is broken down between yellow grease,
brown grease, and yellow and brown grease. And so we
have the list of where the grease comes from, but
that's where our authority starts and ends. It
doesn't go to what happens inside the restaurants.

CHAIRPERSON ABREU: Okay. How many grease
generating establishments have active contracts with
licensed carters to collect and dispose of yellow and
brown grease?

COMMISSIONER CROTTY: Well, per our rules,
our contracts can be verbal or oral or written
contracts, so we don't have an idea of how many
contracts exist. But again, per our customer register
rules, we get a list quarterly from these 20
licensees of who their customers are, and so that
tells us there's 16,000 establishments of which
grease is hauled from.

CHAIRPERSON ABREU: And does that include verbal contracts on that list?

COMMISSIONER CROTTY: Yes. I mean, it's more the customers than contracts.

CHAIRPERSON ABREU: Okay. And my last question for you all this time, what data does BIC collect about yellow and brown grease collectors? During the last three years, how many organizations were fined by BIC for improper grease disposals? And what percentage of these violations were resolved?

COMMISSIONER CROTTY: Well, we have their business data, their address. We also have that yellow grease is picked up from about 8,900 establishments. Brown grease is picked up from 3,400 establishments. And both yellow and brown grease is collected from about 3,700 establishments for a total of 1,600. BIC does not have oversight authority over the commercial establishments that generate the grease. DEP is the overseeing agency for grease and scepters at commercial establishments.

CHAIRPERSON ABREU: Thank you for your time today. This panel is excused.

COMMISSIONER CROTTY: Thank you so much.

CHAIRPERSON ABREU: My apologies.

COUNCIL MEMBER PALADINO: We're on the
subject of grease.

CHAIRPERSON ABREU: Sorry, you have
another few minutes.

COUNCIL MEMBER PALADINO: Can you explain
to me please, what is the difference in yellow grease
and brown grease? And I mean, sounds really dumb, and
I'm sorry for that, but I just need to know.

COMMISSIONER CROTTY: I'm not an expert in
grease either, but per Google, yellow grease is clean
grease that can be recycled for biofuel, and there is
a secondary market for that yellow grease. Brown
grease has been tainted by fats, oils, and wastewater
and water.

COUNCIL MEMBER PALADINO: So that comes
from a restaurant, is what I say?

COMMISSIONER CROTTY: Yes, and that cannot
be resold.

COUNCIL MEMBER PALADINO: Right.

COMMISSIONER CROTTY: Yes. So that's the
basic difference between yellow. Yellow grease has a
secondary market. And I think, Councilwoman, the
interesting thing about garbage that people do not
really realize we're not in garbage, is that there is

1
2 a tremendous secondary market for some of the items
3 that people refer to typically as garbage. Cardboard
4 being one of the largest ones. Grease is being the
5 second one.

6 COUNCIL MEMBER PALADINO: Interesting.

7 COMMISSIONER CROTTY: Yeah. So, it's very
8 interesting and very niche, as we like to say.

9 COUNCIL MEMBER PALADINO: But it's very
10 good.

11 COMMISSIONER CROTTY: Yeah.

12 COUNCIL MEMBER PALADINO: I mean, it makes
13 sense. But where do you bring this enormous amount of
14 grease that I'm sure you collect? Where does it go?

15 COMMISSIONER CROTTY: It has to go to
16 specific, I'm sure, specific transfer stations. Also,
17 too, anecdotally, BIC has worked with the State
18 Department of DEP in investigations, and in Nassau
19 and Suffolk, we've had other grease investigations
20 because, interestingly, this is very off topic, but
21 when you're in a restaurant in New York City, it's
22 inside the restaurant. But in Nassau and Suffolk, or
23 outside of New York City, usually the grease is
24 stored outside, and there is a theft ring of that
25 grease since there is a recycled market on it. And I

1
2 think Nassau, about a year or two ago, had a whole
3 investigation in which we participated.

4 COUNCIL MEMBER PALADINO: Doesn't it sound
5 like a little funny? I mean, I don't mean to make, I
6 mean, because anything that can be recycled and
7 reused, obviously, at the way that eight million
8 people in the City of New York generate garbage is
9 all good. You know, I was just, it just sounded
10 funny. I wanted to be able to explain to people
11 exactly what we're talking about here. Now, just, if
12 you're at a service station and you're getting your
13 oil changed, is that oil? Is that grease? And what do
14 we do with that?

15 COMMISSIONER CROTTY: You know, that's
16 beyond my pay grade. I don't know. I'm sorry. But I'm
17 sure we could...

18 COUNCIL MEMBER PALADINO: No, that's good.

19 COMMISSIONER CROTTY: But I mean, I do try
20 and stay conversational on the items that we do haul.
21 So that is, you know, yellow grease is not, I don't
22 think it's typical of automotive grease. I think it's
23 cooking grease.

24

25

COUNCIL MEMBER PALADINO: All right. Thank you very much. I appreciate your sense of humor as well. Thank you.

CHAIRPERSON ABREU: Thank you. This panel is officially excused.

COMMISSIONER CROTTY: Okay. Thank you.

I now open the hearing for public testimony. I remind members of the public that this is a government proceeding and that decorum shall be observed at all times. As such, members of the public shall remain silent at all times.

The witness table is reserved for people who wish to testify. No video recording or photography is allowed from the witness table. Further, members of the public may not present audio or video recordings as testimony, but may submit transcripts of such recordings to the Sergeant-at-Arms for inclusion in the hearing record.

If you wish to speak at today's hearing, please fill out an appearance card with the Sergeant-at-Arms and wait to be recognized. When recognized, you will have two minutes to speak on today's hearing topic, commercial waste zones or any of the legislation on our agenda today.

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2 If you have written statement or
3 additional written testimony you wish to submit for
4 the record, please provide a copy of that testimony
5 to the Sergeant-at-Arms. You may also email written
6 testimony to testimony@council.nyc.gov within 72
7 hours of this hearing. Audio and video recordings
8 will not be accepted.

9 I'm now going to call the first panel.
10 And my apologies if I mispronounce your name. Lew
11 Dubuque, Wendy Chavez, Lacey Tauber, and Dior St.
12 Hilaire (phonetic). And may you please state your
13 name when you first speak so I know who's speaking.
14 Thank you.

15 LACEY TAUBER: Good afternoon, Chair. Hi.
16 So, my name is Lacey Tauber. I'm representing
17 Brooklyn Borough President Antonio Reynoso who was
18 here earlier but unfortunately had to leave. We wrote
19 the testimony before this morning's announcement so
20 I'm just going to wing it. I will say I wanted to
21 echo a lot of the sentiments expressed by Council
22 Member Restler. I think if anybody saw the BP speak
23 at this morning's rally, his hair was in fact on fire
24 about the timeline. Just as Council Member Restler
25 said, you know, we've been working on this for about

a decade and it's really disappointing to see the rollout be so slow. The BP would really like to see it move faster so that we can deliver on the intent of the bill to provide good jobs, safe streets, and less pollution. So, we've been getting some regular updates from DSNY and just wanted to say, you know, regarding some of the enforcement that was discussed, it is concerning that out of three of the assigned carters in the first zone, two have already received 2,500-dollar penalties for reaching an excessive number of safety violations in a short time frame. So on one hand, this indicates that DSNY is doing its job with increased enforcement but it also speaks to the fact that the industry is still in need of a major culture shift that won't happen until all 20 zones are fully implemented. So, carters are talking to our office all the time and telling us that they need to know what to expect if their business is going to shut down, when that's going to happen, if they weren't awarded a zone, or when they need to make new investments if they were. The timeline that DSNY presented today gives a little bit more clarity but really not enough for them to do that kind of effective planning. Today's economy is unpredictable

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2 enough and these small businesses, they deserve
3 clarity on what their future holds.

4 And I just wanted to really quickly
5 comment on the two bills. The Borough President
6 supports Intro. 1228, expanding (TIMER CHIME) the
7 types of businesses required to sort of separate
8 organics. And then on Intro. 784, that was his bill
9 in the Council originally on the yellow and brown
10 grease. So just to clarify that the goal is really to
11 deter both illegal disposal, which creates some
12 issues sometimes, you know, with the fatbergs and
13 also theft as was mentioned. One of the ways to
14 address some of what we heard from BIC is to see the
15 language be a bit more specific to create a chain of
16 custody tracking requirement that tracks from the
17 source through collection and ultimately to disposal.
18 Thank you.

19 CHAIRPERSON ABREU: Thank you so much,
20 Lacey. Next.

21 LEW DUBUQUE: Good afternoon, Chair. My
22 name is Lew Dubuque, and I'm the Vice President for
23 the National Waste and Recycling Association's
24 Northeast Chapters. Our member companies will be
25 servicing customers in 19 of the 20 commercial waste

zones across New York City when it's fully
implemented.

We all agree the rollout of the
commercial waste zone program requires intentional
planning, clear and consistent communication amongst
all parties, and data-driven adaptability to address
the reality of the program's real-time implications.
A smooth transition hinges on awardees' ability to
carry out the requirements of Local Law 199 and
DSNY's rollout instructions. We staunchly believe
that a communicative, proactive, and symbiotic
partnership between DSNY and the awardees is the only
credible path to ensuring the success of the CWZ
program. To establish that partnership, we request
that DSNY address the following considerations. One,
sharing the full zone implementation timeline with
awardees is of paramount importance. Understandably,
the rollout timing imposes extensive financial and
operational implications on both awardees and non-
awardees. Two, we strongly support the establishment
of a commercial waste zone working group as proposed
within Intro. Number 352 from last year, primarily
sponsored by City Council Member Sandy Nurse.
Consistent and reciprocal feedback will only heighten

the DSNY's oversight of critical challenges affecting customers and awardees, unify the distribution of consistent customer-facing information, and streamline program-related issues resolution pertaining to customer questions, data integrity, and operational quandaries. And three, effective customer education will dramatically improve transition period efficacy. Every business across the five boroughs is impacted by the CWZ program. While awardees consider the transformation daily, local New York City businesses may not understand the program's implications until an awardee sales rep attempts to solicit their businesses. We believe (TIMER CHIME) it is critical for DSNY to strengthen the customer education efforts and work in unison with awardees to avoid confusion during transition period. Over one year has passed and only one zone has been implemented since awardees executed their agreement with DSNY. To avoid further financial and operational burdens associated with a lack of program-related information, we strongly urge DSNY to share a roadmap for program implementation and elevate a partnership with awardees moving forward. Thank you.

CHAIRPERSON ABREU: Thank you. Next.

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2 WENDY CHAVEZ: Good afternoon. My name is
3 Wendy Chavez. I'm an associate at Cole Schotz PC, and
4 I'm appearing today on behalf of our client Faztec
5 Industries, Incorporated, a family-owned carting
6 company that has proudly served Staten Island for
7 over a decade. We've attended prior hearings on
8 behalf of our client, and we're here again to
9 advocate for what our client believes is a matter of
10 basic fairness and equity. Staten Island is too often
11 treated like a single neighborhood rather than the
12 full borough that it is. This inequity is reflected
13 in the creation of just one zone for the commercial
14 waste zone legislation, which effectively is limiting
15 services to only three carting companies. Faztec
16 strongly believes that the structure is unfair and
17 leaves Staten Island residents and businesses with
18 very limited options. We urge DSNY and this
19 Committee's support to seriously consider
20 establishing more than one zone for the borough to
21 ensure adequate competition and fairness. We've
22 already been told that due to the one zone, three
23 carting company rule, prices are all set to increase
24 for the businesses, surpassing the current pricing
25 that Faztec Industry provides, as well as other

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2 carting companies that are currently active in the
3 borough. This outcome defeats a primary purpose of
4 the legislation, which is fair pricing. More
5 urgently, Faztec Industries continues to call for the
6 rebidding of the commercial waste zone contracts that
7 have been awarded, especially since it has been
8 several years since the initial selection and the
9 current list of awardees is outdated. There's no
10 assurance that they're still meeting the necessary
11 standards for the contracts. Thank you for your time
12 and consideration.

13 CHAIRPERSON ABREU: Thank you so much.
14 This panel is excused.

15 In the next panel, we have Kathleen
16 Irwin, Jenille Scott, Justin Wood, and Laura Pine.

17 LAUREN PINE: Hello. My name is Lauren
18 Pine, and I am a member of Families for Safe Streets.

19 On November 15th, in 2017, I was crossing
20 the street in the crosswalk in the Lower East Side of
21 Manhattan with the light, when I was struck and
22 dragged by a dump truck. I was brought to the
23 hospital and put in a medically induced coma for four
24 days while they tried to save my left leg. They were
25 unsuccessful due to infection and the entire leg at

the hip was removed, which is a rare amputation. My life changed forever that day. I was a working RN at Sloan Kettering Hospital, and suddenly I was a patient in the ICU for three months at New York Presbyterian in the burn ICU. Donor skin from my back was peeled off and used as a skin graft to cover my remaining leg, which is completely scarred and has extensive nerve damage, which has led to me needing to use a wheelchair. It's very difficult to use a prosthetic at this level of amputation. It's a very tight, hard plastic shell that you really have trouble breathing in, let alone lifting that 18-pound metal leg with nothing but your lower abdominal muscles. I even need crutches with my prosthesis, and I frequently fall, so the wheelchair has become a better option for me, despite the difficulty of finding accessible places. All of this was and is preventable. It is a predictable result of a system that puts New Yorkers in danger every single day. Think of all the times you're standing at a crosswalk and a big truck goes by you. Too often, commercial waste vehicles like this one that hit me are traveling (TIMER CHIME) unnecessarily long distances over a single night, a problem the City Council

1 addressed five years ago by passing Local Law 199 to
2 create commercial waste zones. But we are still
3 waiting on 95 percent of the zones to be implemented,
4 and this inaction has led to the tragic death and
5 serious injury of more New Yorkers. This is
6 unacceptable. We must act now by putting New Yorkers'
7 safety first and implementing Local Law 199 without
8 delay. Thank you for your time.

10 CHAIRPERSON ABREU: No, thank you for your
11 powerful testimony and using your experiences to
12 advance, you know, this cause, and we take your
13 experiences very seriously. We take your testimony
14 very seriously. We know there's a better way, and I
15 agree that this is preventable via policy, and I want
16 to thank you and Families for Safe Streets as well.

17 JENILLE SCOTT: Thank you to Chair Abreu
18 for the opportunity to testify today. My name is
19 Jenille Scott, and I'm the Climate Director at ALIGN,
20 and we're also a member of the Transform, Don't Trash
21 Coalition. Our coalition is working to transform New
22 York City's commercial trash industry by reducing
23 waste pollution, fostering clean and healthy
24 communities for New Yorkers, as well as creating
25 better working conditions for our Sanitation workers.

Our coalition has been doing this work for over 10 years now, and just over six years ago had advocated for the passage of Local Law 199, and as we've heard multiple times today, we only have one zone out of the 20 zones with an announcement to have two additional zones this year, and so that leaves us with 17 zones that DSNY plans to roll out by 2027, which is two years from now. This is still too slow of a timeline, and it's still not clear the reason behind that delayed timeline, and otherwise, it seems as a decision from the Administration, because we've already heard that there's a lot of support from varying angles for the commercial waste zone system. Sanitation remains one of the most hazardous occupations with workers driving long shifts of up to 12 hours a night, traveling across multiple boroughs to pick up waste on very inefficient routes, and this also releases huge amounts of emissions, which continue to affect the public health of already overburdened communities, and in our research alone, we've seen that between 2022 and 2024, there have been 103 incidents with three fatalities, so this should not be the case after six years that the law has been passed, and we think that this

Administration needs to and can do better, so we are not asking for all the zones to be implemented at once, but we are asking for them to be implemented in our lifetime, so thank you so much for the opportunity to testify today, and we look forward to continuing to work with the City Council, as well as DSNY for a stronger and quicker rollout timeline. Thank you.

CHAIRPERSON ABREU: I don't know if we want to give them the deadline of a lifetime. I think we should be stricter than that. Justin.

JUSTIN WOOD: Thanks so much, Chair Abreu, and to the Members of the Council and previous Sanitation Chairs who have been present today. I'm Justin Wood. I'm the Director of Policy at New York Lawyers for the Public Interest. As we've heard today, I mean, here we are in Earth Day, in Earth Week, in an unprecedented time in human history. We have a powerful federal government that's doing everything it can to reverse, undermine, and roll back the progress we've made on climate and on social equity and equality and environmental justice as we speak, and sanitation is not an isolated issue. It is something that remains firmly within New York City's

control, where this municipality can control what happens to the waste generated by 8 or 9 million people and businesses so we really appreciate your focus and the Committee's focus on this. And it's frustrating to hear about this very slow pace of implementation of common sense win-win-win laws that would give us a chance to recycle and divert far more waste, including organic waste from landfills and incinerators, bring some relief to environmental justice communities that have borne far too much of the burden of the safety and health hazards of the current system, if done right, and create good, sustainable local jobs as we deal with the economic crisis and uncertainty that's brewing at the same time. So, we appreciate the Council's push for a much faster and more robust implementation of this law.

We strongly support Intro. 1228, which would just simplify and make composting rules apply to all businesses. We also appreciate the back and forth on residential composting today because the simplest way to do this is to have one set of rules, one set of behaviors that 8 or 9 million New Yorkers can learn. Commercial composting should actually be low-hanging fruit in the (TIMER CHIME) campaign to

1
2 divert more organics because there's fewer businesses
3 generating waste and each business typically
4 generates more organic waste than an individual
5 household so this makes sense. We look forward to
6 continuing to advocate with you.

7 CHAIRPERSON ABREU: We really appreciate
8 all of you, your organizations, and the work you do.
9 Thank you very much.

10 Next up, we have Eric Goldstein and
11 Madison Pinckney. Madison Pinckney not here, right?
12 All right.

13 ERIC GOLDSTEIN: Good afternoon, Chair
14 Abreu. Eric Goldstein from the Natural Resources
15 Defense Council. I'm going to summarize my written
16 testimony. For decades, the system for collecting
17 trash from businesses, restaurants, and industrial
18 establishments has been completely broken, as you
19 know. Hundreds of private carters, sanitation trucks
20 racing around the city every night, high speeds,
21 overlapping irrational routes, poorly trained, poorly
22 treated workers, older polluting vehicles, millions
23 of miles of diesel truck traffic every year, safety
24 on the public streets endangered. When the Council
25 passed Local Law 199 of 2019, it was with the intent

1
2 to address these problems. Major reform objectives
3 included reducing vehicle miles traveled, curbing
4 vehicular crashes, improving training and worker
5 conditions for private sanitation employees, enhanced
6 recycling and composting, and transparent processing.
7 But today, implementation of the Waste Zone Program
8 has been going excruciatingly slow, and we do not
9 have information on the extent to which any of these
10 objectives that the Council had when it passed the
11 law are being achieved in the first zone. We
12 recommend that the Council amend Local Law 199 to
13 insert into the law dates certain for the full
14 citywide implementation of the Zone Program, and for
15 directing this Department of Sanitation to monitor
16 and track the performance of Waste Zone carters in
17 achieving the labor, environmental, and public safety
18 objectives. We hope that some of that information
19 will be available in the annual report, but we think
20 a mandate would be necessary so that we can determine
21 the extent to which those goals are being achieved.

22 Turning to the Department's flip-flop and
23 delay in enforcing the landmark organic separation
24 law, this is an unfortunate development, but the
25 delay was foreseeable in view of the meager education

and outreach efforts undertaken by the Department over the past year. The retreat on enforcement will only be helpful if the Department uses the extra time to intensify its efforts and commits (TIMER CHIME) necessary staff and resources to educate the public, to distribute tens of thousands of kitchen counter organic bins, and to meet with supers and building managers to explain how the program works and why it's so important. Also, the Department would be wise to acknowledge the critical role that community composting NGOs play in building support for and participation in the curbside program.

Finally, just a word on the two bills on today's agenda. Intro. 784 is an important piece of legislation to address the often-overlooked problem resulting in the disposal of yellow and brown grease in the sewage system. NRDC strongly supports this legislation. Intro. 1228 is another important bill that would direct DSNY to expand the categories of businesses subject to the requirements for separation and disposal of organics. NRDC is fully supportive of the objectives of this bill. We believe that it makes sense to ensure successful implementation for the Council to engage in conversations with the

1 restaurant industry to build understanding and
2 support for the legislation from the businesses that
3 will be subject to this law before passage of the
4 statute, and we look forward to working with you on
5 those details. And we thank you for your leadership.
6 Just holding this hearing today, as you see, was
7 successful in at least triggering the Department's
8 announcing of a goal for implementation of the full
9 implementation of the Waste Zone Program so your
10 hearings are having an impact, your oversight is
11 having an impact, and we appreciate everything that
12 Council has done to move this landmark program
13 forward.
14

15 CHAIRPERSON ABREU: Thank you, Eric. I
16 think we need to have a hearing every month on
17 commercial waste zones for more results.

18 No, I appreciate your time and your work
19 and your guidance on these issues, having known you
20 for seven years now. It's truly incredible. And thank
21 you for your wealth of knowledge and guidance. Thank
22 you very much.

23 ERIC GOLDSTEIN: We'll keep it going.
24 Thank you.

25 CHAIRPERSON ABREU: Let's go, Yankees.

Are there any individuals who are here
now who still wish to testify in person?

Please sign a witness statement.

BONACIO CRESPI: I did.

CHAIRPERSON ABREU: You did? What's your
name?

BONACIO CRESPI: Bonacio Crespi.

CHAIRPERSON ABREU: All right. Let's see
if we can find it. If not, you may have to fill it
out again. My apologies.

You can make your way up, sir. You're
with Teamsters, right?

BONACIO CRESPI: Yes.

CHAIRPERSON ABREU: I remember seeing you
this morning. Thank you again.

BONACIO CRESPI: Good morning. Thank you
for the opportunity to speak today. Good morning.

CHAIRPERSON ABREU: Perfect.

BONACIO CRESPI: Thank you for the
opportunity to speak today. I am Bonacio Crespi,
Secretary-Treasurer of the Teamsters Local 813. I'm
also a former worker in the private sanitation
industry, 27 years. Teamsters Local 813 is one of the
largest labor organizations representing workers in

the private sanitation industry. Local 813 has been a supporter of the Commercial Waste Zone initiative since the very beginning. We are proud to partner with our brothers and sisters organizations in the Transform, Don't Trash Coalition. It has been our hope that the collection of sanitation from private industries could be reformed and improved, operate more safely and efficiently. With the vision and determination of political leaders like Brooklyn Borough President Antonio Reynoso, Councilperson Sandy Nurse, and Chair Shaun Abreu of the Committee of the Sanitation and Solid Waste Management, and all of the New York City leaders who believe in and support this important initiative, things are finally getting done. We see with the rollout of the program an increase in worker safety, realistic routing, has reduced vehicle miles traveled. Conditions are improving in the industry, but we still have work to accomplish. The improvements that will occur for the workers in the sanitation industry, the residents of our city, and the benefits of environmental issues are all must-be-done concerns for our coalition. Teamsters Local 813 and the TDTNY coalitions remain committed to supporting the Commercial Waste Zone

1
2 Program and look forward to our continued positive
3 working relationship with the leadership of the
4 Department of Sanitation and our esteemed politicians
5 who remain advocates for the success of the program.
6 We can all help to see this through. We can all help
7 make this happen. We can all benefit from the result
8 (TIMER CHIME) of what the Commercial Waste Zone
9 Program will provide to all. Let's not give up.

10 CHAIRPERSON ABREU: Thank you very much
11 for your testimony. We appreciate the Teamsters and
12 all of your work as well. You are excellent.

13 BONACIO CRESPI: Thank you.

14 CHAIRPERSON ABREU: Are there any other
15 individuals who are here now who still wish to
16 testify?

17 Seeing none, I will now transition to
18 testimonies on Zoom.

19 First, we have David Biderman.

20 DAVID BIDERMAN: Hello, I hope you can
21 hear me. My name is David Biderman. I'm the President
22 of Biderman Consulting, a solid waste consulting
23 firm, and I'm here to testify to provide a brief
24 update to the Committee primarily about the safety-
25 related aspects of Commercial Waste Zone. I currently

1 serve three functions relating to CWZ. First, I'm the
2 sole industry representative on DSNY CWZ's safety
3 task force. Second, I provide safety training to
4 numerous awardees and BIC licensees. Third, I provide
5 some strategic guidance to some of the licensees as
6 they try to navigate the opaque solid waste landscape
7 that's imposed by CWZ and help them evaluate the
8 future of their family businesses. I'm pleased to
9 report the CWZ safety task force has started to meet
10 regularly again. Several subcommittees have been
11 formed to explore specific topics. There's strong
12 collaboration between DSNY, the BIC, DOT, and myself
13 on the task force and in these subcommittees, and I
14 look forward to continuing to help make solid waste
15 collection safer, both from the workers' perspective
16 and for road users, such as pedestrians, bicyclists,
17 drivers, and others.

18
19 Now, CWZ requires all awardees to provide
20 a certain amount of classroom training to frontline
21 workers, such as drivers and helpers, and I've been
22 providing that training since early last year. These
23 efforts are already making a difference. In the late
24 2010s, not that long ago, there were up to three
25 worker fatalities each year in New York City in our

1 industry. In contrast, there has not been a single
2 private sector licensee worker fatality for the past
3 several years. This is because the vast majority of
4 companies in the private solid waste industry take
5 safety very seriously, and some of the rhetoric by
6 some of the special interest groups about the lack of
7 safety in the industry is outdated and does not
8 reflect the current focus by the majority of
9 licensees, and some of the data that's frequently
10 cited by these groups is misleading, as it usually
11 includes construction and demolition companies
12 regulated by the BIC, but don't collect trash or
13 recycling. And in fact, Mr. Chairman, the outdated
14 data infuses... (TIMER CHIME)

16 SERGEANT-AT-ARMS: Your time's expired.

17 Thank you.

18 CHAIRPERSON ABREU: David, you want to
19 wrap up? I'll give you 20 seconds.

20 DAVID BIDERMAN: Thank you, sir. Last
21 thing, a final word about e-bikes. E-bikes are a
22 menace to the drivers and helpers who collect waste
23 and recycle in New York City. Doesn't matter whether
24 you're CWZ or not, it's a threat to workers. I hear
25 about it at every single safety training that I do.

1
2 They're dangerous, they're crashing into, and in some
3 instances, killing pedestrians, and they operate in
4 frequent violation of the law. We should encourage
5 PD, the BIC, and others to enforce existing traffic
6 laws on them and not just on the cars. Thank you.

7 CHAIRPERSON ABREU: Thank you so much for
8 your testimony.

9 We now have Miriam Greenfield.

10 SERGEANT-AT-ARMS: Starting time.

11 CHAIRPERSON ABREU: Miriam Greenfield,
12 going once, going twice.

13 Next up, we have Christopher Leon Johnson
14 on Zoom.

15 SERGEANT-AT-ARMS: Starting time.

16 CHRISTOPHER LEON JOHNSON: My name is
17 Christopher Leon Johnson. I'm on (INAUDIBLE) in Long
18 Island. I'm not here in City Hall, but I'm here to
19 testify in support of (INAUDIBLE) bill, for the waste
20 bill, to separate green and yellow and brown oils
21 that need to be needed in the City of New York
22 because I used to work construction security inside
23 of the Macy's project in Brooklyn, which is Lincoln
24 Restler's District, and what I saw was that they
25 never really separated the type of something they

1
2 need to separate. They would just worry about getting
3 stuff out of place because they're trying to get the
4 job done quickly so they keep on getting paid. I
5 think that needs to stop happening within these job
6 sites because I think it puts a lot of people in
7 danger. The average person don't know what those oils
8 mean and what they can do to somebody's health so
9 that needs to stop. They need to really crack down
10 that more. Sandy Nurse is correct about the bill that
11 need to be implemented.

12 But going to the commercial waste zone
13 situation, this need to be put in more industrial
14 zones, not in residential zones. We need to be put in
15 the big zones for, like more industrial zones or
16 commercial waste zones. I understand what's going on
17 with the commercial waste and my get well better to
18 the lady that got lost her leg, who's a member of
19 Families for Safe Streets. I wish that on nobody. At
20 the same time, what needs to start happening more is
21 they need to start background checking more of these
22 drivers and start drug testing these drivers more
23 often. Maybe this stuff will stop, and I'm calling
24 the City Council to put bills in the City Council,
25 starting with you, Mr. Abreu and Nurse to put in the

Transportation Committee to make it where that anybody who wants to drive a commercial waste truck need to go through a background check and go through random drug test implemented by the City of New York, not by the job itself, but the City of New York needs to start implementing random drug tests to all these commercial truck drivers because maybe if this started happening, these guys start getting fired more and we wouldn't have more of the ladies that..

(TIMER CHIME)

SERGEANT-AT-ARMS: Time's expired. Thank you.

CHRISTOPHER LEON JOHNSON: So thank you, Mr. Abreu. I gotta go. Thank you so much. Enjoy your day.

CHAIRPERSON ABREU: Thank you so much, Mr. Johnson.

All right. Everyone on our list has testified.

I'm delighted to announce that this hearing is hereby adjourned. [GAVEL]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 11, 2025