



sanitation

Edward Grayson Commissioner

Testimony of Edward Grayson, Commissioner New York City Department of Sanitation

Oversight Hearing on Advancements in Residential and Commercial Solid Waste Management Systems

New York City Council Committee on Sanitation and Solid Waste Management

**Tuesday, November 16, 2021
10:00 A.M.**

Good morning Chair Reynoso and members of the City Council Committee on Sanitation and Solid Waste Management. I am Edward Grayson, Commissioner of the New York City Department of Sanitation. Thank you for the opportunity to testify on this important topic. With me this afternoon are Bridget Anderson, Deputy Commissioner for Recycling and Sustainability, and Gregory Anderson, Deputy Commissioner for Policy and External Affairs at the Department.

First, I want to thank you, Chair Reynoso, for your leadership, advocacy, and support over the last eight years as chair of this committee. You have been a key partner in our efforts to reform the commercial waste sector, to promote environmental justice, and to chart a path to zero waste for New York City. The Department looks forward to continuing this work as you take your new role as Brooklyn Borough President.

I also want to thank all of the outgoing members of the City Council, particularly those who have served on this committee, for their service to their communities and to the City of New York. You have been true partners in our work to keep New York City healthy, safe and clean. And lastly I want to thank all of those here to testify today – advocates, industry experts, citizens and others.

In this Administration, we have made transformative change to our waste management sector. We have invested in new facilities that embrace sustainable transportation and provide relief to communities that have carried the burden of our waste for decades. We have created new and expanded programs to divert an ever-growing assortment of products from landfills – and give them life. And we have enacted policies to reduce our reliance on plastics and reform the commercial waste sector.

In my testimony today, I will highlight a few of these achievements and some of the greatest opportunities we face in the next several years, as we look to work with a new Administration, a new City Council and all of our stakeholder to continue our important work to keep our City healthy, safe and clean. Afterwards, my team and I will be happy to answer your questions.

New York City's Residential Waste Management System

The Department's more than 6,000 Sanitation Workers collect an average of 12,000 tons of waste – refuse, recyclables and organics – every day. Our residential waste system is built upon their work, nearly all of it manual and physical labor. Twice or three times each week, residents and property managers bring their waste out to the curb, in bags and in bins, and it is collected at the hands of our Sanitation Workers. Because of the nature of our City – densely built diverse neighborhoods and conflicting demands for space both in buildings and in the public sphere, we have relied on this same approach, with some small variations, for over a century.

In the last several years, we have employed innovative approaches to improve our collection operations and service delivery. These include new technology systems for routing, operations management, and resource tracking, as well as collection methods using dual-bin and specialty trucks to increase our operational flexibility in the rollout of curbside compost collection and other programs.

The Department is also exploring new models for waste setout and collection, including approaches that will move waste setout from the sidewalk and into the roadway. This month, we are releasing a procurement to select MWBE vendors to test the Clean Curbs model for residential waste on a small scale, potentially the first in a series of pilots that will inform our future planning.

Next month, we will unveil a pilot network of “Smart Bins,” unstaffed and automated food scrap drop-off bins controlled with a smart phone or RFID card. These hold the promise of an expanded network of drop-off sites in parts of the City not yet served by curbside composting. Also next month, we will promulgate final rules requiring new large residential buildings to develop a waste management plan for review by DSNY when submitting their building permit application to the Department of Buildings.

Refuse is delivered to one of eight export facilities – rail or marine transfer stations that containerize the waste in sealed shipping containers for transport to disposal facilities upstate or in other states on the East Coast. These facilities, developed as part of our 20-year comprehensive Solid Waste Management Plan, reflect a shift away from refuse export by long-haul truck and a commitment to borough equity in managing garbage.

After the closure of the Fresh Kills landfill, almost all of New York City's refuse was exported by long-haul truck from privately-operated transfer stations. Because of the city's zoning and siting restrictions, these private transfer stations are predominately located in three neighborhoods in North Brooklyn, Southeast Queens, and the South Bronx. The rail and barge-based transfer stations built by DSNY as part of the SWMP have dramatically reduced truck traffic associated with refuse collection and hauling in these historically overburdened communities.

Together, these new facilities along with the use of an existing energy-from-waste facility in New Jersey make up a resilient and reliable network to export refuse. They also have allowed the City to permanently reduce permitted capacity at transfer stations in historically overburdened communities. In total, the SWMP has reduced truck traffic associated with waste export by more than 60 million miles per year, including more than 5 million miles in and around New York City, and slashed greenhouse gas emissions by 34,000 tons annually.

Zero Waste Programs

In 2015, the City established a goal of sending Zero Waste to Landfills, building off the Department's robust curbside recycling program and several other diversion programs. In the last eight years, DSNY has built a foundation of programs, policies, and critical technical support and community engagement approaches to move toward that goal. However, as we have discussed in the past, the COVID-19 pandemic had disrupted our steady progress, and we are working to restore and expand programs to get back on track toward this goal.

Reducing greenhouse gas emissions from solid waste involves reducing the volume of waste generated, collecting and beneficially using food and yard waste, and increasing reuse and recycling of remaining materials. To achieve our zero waste goal, the Department will continue to evolve our current diversion programs while advancing new, improved and expanded programs that target recyclables, organics, textiles, electronics, household items and other non-recyclable waste. We will do this in close partnership with other city agencies to ensure policy and programmatic alignment with waste management in the context of the city's built environment and public spaces.

Collections of traditional recycling – metal, glass, plastic and cartons and commingled paper and cardboard – have increased from 548,000 tons in FY 2014 to 686,000 tons in FY 2021, an increase of more than 25 percent. As a result of substantial investment in processing infrastructure in NYC, including at the Sims recycling facility in Sunset Park and the Pratt paper mill on Staten Island, we have the capacity to take on and recycle even more material moving forward and to adapt to the changing composition of our recycling stream. Long term contracts with local processing facilities contracts have insulated NYC from the worst impacts of market disruptions and international trade restrictions that forced some other municipalities to curtail or suspend their recycling programs.

Organic waste, including food scraps and yard waste, is the most significant contributor of waste-related greenhouse gas emissions – and is also the largest fraction of New York City's waste stream, one third in total. This material represents a significant opportunity to reduce emissions from landfilled waste by diverting this material for beneficial use and carbon capture including composting and anaerobic digestion, and in the case specifically of food waste, to minimize it at the source.

Over the last decade, DSNY has grown to be a national leader in providing drop-off opportunities to compost food scraps. Earlier this month, we expanded the program to more than 200 sites citywide – the largest in the program's history – including at least one in every community board. As I mentioned earlier, we are also working to pilot "Smart Bins" to expand access to drop-off composting in neighborhoods without curbside collection.

Last month, DSNY restarted curbside compost collection, which had been suspended last year due to the fiscal crisis. This new iteration of the program allows buildings and residents to sign up and express interest in receiving weekly curbside composting service. Enrollment opened in August, and we have received more than 51,000 unique signups to date, representing over 36,000 addresses that hold 900,000 households. We currently offer service to residents in Brooklyn Community Board 6, and we will add six additional districts at the beginning of December (Manhattan CBs 6 and 7; Brooklyn CBs 1, 2 and 7; and Bronx CB 8). We plan to add additional districts to the program in the Spring, as resources permit.

The Department has also dramatically expanded non-curbside services to promote the reuse and recycling of other products, including the DonateNYC, RefashionNYC, and E-cycleNYC programs. Since 2014, these programs have diverted more than 400,000 tons of waste for reuse or recycling. Today, free on-call apartment building pickup are provided to more than 922,000 households for electronics recycling, and more than 200,000 households and hundreds of commercial and institutional facilities for textiles reuse. And these programs continue to grow.

In addition, the Department, in partnership with the City Council, has taken steps to reduce the most problematic types of waste, particularly single-use plastics. The Department has implemented bans on food service foam products and plastic bags, along with a fee on paper bags. And we are currently working to implement legislation to reduce the use of plastic straws and stirrers, which went into effect two weeks ago. We look forward to working with the City Council to enact and implement additional policies to reduce the use of hard-to-recycle and single-use products, in favor of reusable, recyclable and compostable alternatives.

Diversion rates vary widely between Community Boards, but over the past eight years, the number of Community Boards with a less than 10% diversion rate has decreased from 12 in FY13 to 2 in FY21. During this period, technical assistance provided by DSNY and its partners to building management companies, schools, NYCHA and agency facilities has shown to be an important tool to increase capacity and apply best practices to separate recyclables for DSNY collection.

Commercial Waste Management System

The City's commercial waste system has also seen advancements during this Administration. Commercial waste is collected by private carters that are licensed and registered by the Business Integrity Commission and is disposed at private transfer stations permitted by the Department and the New York State Department of Environmental Conservation. The City has embarked on a comprehensive reform of this commercial waste management system, first with the Waste Equity law, enacted in partnership with City Council in 2018, and Commercial Waste Zones, which we announced major progress on earlier this morning.

In August 2018, City Council passed and Mayor de Blasio signed Local Law 152, also known as the Waste Equity Law. This law required the Department to reduce the permitted capacity of private transfer stations in four designated community districts historically overburdened by waste management trucks and infrastructure. The Department implemented these reductions from October 2019 through September 2020. In total, DSNY reduced private transfer station capacity by more than 10,000 tons in these four districts, dramatically reducing the amount of waste that can pass through them. This will encourage a shift toward more fair and equitable distribution of waste management infrastructure in NYC.

The total amount of waste handled at private transfer stations in NYC decreased from an average of 19,102 tons per day in calendar year 2019 to 15,912 tons per day in calendar year 2020. While some portion of this decrease is attributable to the permitted capacity reductions imposed under LL152, it is likely that a greater share of the decrease is attributable to the disruption to the commercial waste market associated with the COVID-19 pandemic. The Department will continue to assess the impacts of this law on flows of commercial waste as the City continues to recover from the COVID-19 pandemic.

In 2019, Mayor de Blasio signed Local Law 199, requiring the establishment of Commercial Waste Zones throughout New York City. The result of years of planning, analysis, and

stakeholder engagement, the Commercial Waste Zones program will create a safe and efficient commercial waste collection system that advances the City's climate and zero waste goals while providing high-quality, low-cost service to NYC businesses.

The Department began the competitive procurement process by issuing Part 1 of a Request for Proposals (RFP) in November 2020. Part 1 of the RFP requested information regarding specific business, character, financial and licensing requirements. Part 2 of the RFP was released earlier today and requests the proposers plans related to zero waste, operations, waste management, health and safety, and customer service, as well as pricing.

The Department also promulgated several rules to implement the program, including rules governing customer service, operations, health and safety, recycling and organics collection and other administrative requirements. After considering extensive public comments and testimony, the Department published final rules covering these areas in the City Record earlier today. We expect the transition period to the new zone system to begin in 2022 and last up to two years.

The FY 2022 Budget provides \$4.0 million in funding to support the implementation of Commercial Waste Zones. This includes funding for 28 new civilian staff, including several already on-board now or scheduled to start in the coming weeks. It also includes OTPS funds for implementation support, communications, outreach, and IT systems, and DSNY is fully resourced to pursue this important program. We look forward to working with the City Council and all stakeholders as we advance this important program to bring much-needed reform to the City's commercial waste sector.

Looking Forward

Our work on these important topics is far from done. We continue to expand and hone our programs, invest in new technologies and infrastructure, and work to improve the effectiveness, equity, and sustainability of our waste management systems.

The Department is currently planning for an updated waste characterization study, due to be released in early 2024, which will inform the planning for our updated comprehensive Solid Waste Management Plan in 2026. And we are providing input to expansion of state and federal policies that can unlock critical investment to further expand our sustainable waste management efforts, such as the Infrastructure Investment and Jobs Act signed into law by President Biden yesterday and New York State's growing portfolio of expanded producer responsibility laws, which increase investment in critical waste management capacity and provide financial support for the critical role municipalities play in sustainable waste management services.

We are pleased to discuss these topics with you today, and to continue these conversations in the future with a broad set of stakeholders, including the incoming members of the City Council. And we look forward to working with the incoming Administration and our partner agencies on the 2023 update to PlaNYC and OneNYC, the City's strategic sustainability blueprints.

In closing, I wish to once again thank Chair Reynoso, and all of the members of this committee for your continuing support. You are critical advocates as we work to keep New York City healthy, safe, and clean, and ensure the long-term sustainability of our communities. We are grateful for your commitment.

Thank you for this opportunity to testify this morning, and my staff and I are now happy to answer your questions.

REBNY Testimony | November 16, 2021

The Real Estate Board of New York to The New York City Council Committee on Sanitation and Solid Waste Management on Oversight of the City's Advancements in Residential and Commercial Solid Waste Management Systems

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY thanks the City Council for the opportunity to testify on the City's advancements in residential and commercial solid waste management systems.

Between New York City's businesses, residents, and institutions, the five boroughs produce more than 14 million tons of waste annually, which leaves the Department of Sanitation (DSNY) to face the daunting challenge of overseeing the collection and disposal of nearly 40,000 tons of trash, recycling and organic waste daily. Unfortunately, because of New York's hyper-density and lack of alleys, the current model results in the city being continually peppered with garbage bags piled onto the sidewalks waiting for either residential curbside pickup or contracted, private carters to haul it to landfill, recycling facilities, export, or incinerators.

Over the last several years DSNY and the City Council have implemented programs in attempts to reduce the presence of semi-exposed waste in the public domain and improve the City's waste management more broadly. The City's recent initiatives to improve waste collection and management, include but are not limited to Local Law 152-2018 or the Waste Equity Law, the creation of Commercial Waste Zones, a pilot program for waste containerization, and residential composting. The benefits of these programs range from reduction in traffic congestion, increased worker safety, fewer trash bags on public walkways, and landfill diversion.

Improving the City's waste management is essential to quality life and public health. REBNY supports the City's continued commitment to bettering its services by imagining and implementing new solutions that keep our streets clean and New Yorkers safe and healthy.

Comments on the City's recent efforts as well as recommendations for additional advances in the New York's waste management systems are below:

Important Note

Waste Equity Law

Most New Yorkers' involvement with waste ends when the collection vehicle picks up and takes it away from their neighborhood. For some, however, waste has a much greater presence in their daily lives. Parts of the Bronx, Brooklyn, and Queens are home to waste transfer stations where many of the City's sanitation vehicles drive to unload the collected waste, which in many cases is then hauled out on freight. As a result, these neighborhoods have experienced traffic congestion and negative health impacts from the related vehicular emissions.

In August 2018, the City Council passed Local Law 152, colloquially known as the Waste Equity Law, which requires DSNY to reduce the permitted capacity of the putrescible and non-putrescible transfer stations. At the same time, the law allowed for transfer stations to request an increase capacity to allow for processing of recyclables and organic waste.

REBNY supports the aims of Local Law 152-2018 which are congruent with our shared climate goals. Finding ways to reduce traffic congestion and the related emissions is paramount to protecting the health of New Yorkers as well as achieving the necessary reduction in greenhouse gas emissions to combat the climate crisis.

Commercial Waste Zones

Complementary to the Waste Equity Law, Council passed Local Law 199 of 2019 to create Commercial Waste Zones. The program will divide the five boroughs into 20 zones for which citywide contracts will be awarded to up to 3 carting companies for the collection of waste in that zone. The City's approach seeks to reduce the truck traffic related with commercial waste collection by 50% as well as strengthen the safety and service standards within the industry.

REBNY along with other key stakeholders worked with DSNY as well as the City Council on the development of the Commercial Waste Zones Law. We appreciate the City's partnership and willingness to ensure that such a transformative improvement to private sanitation management is not a rupture from existing commercial operations.

REBNY thanks DSNY for its thoughtfulness about the development of the program's framework and eventual implementation, which included delaying its rollout because of the disruption caused by the COVID-19 pandemic. We would encourage DSNY to continue its measured approach as it finalizes the draft rulemakings that will build out the program's structure as well as its eventual implementation, including by instituting the commercial waste zones in phases to allow for review of the program and to address any potential challenges it may face.

Waste Containerization Pilot Program

In an effort to mitigate the presence of waste and its odors on the streets, DSNY created the Clean Curbs pilot program in 2020. The program allows for private entities, including Business Improvement Districts (BIDs), to apply for the opportunity to have sealed containers for trash and recycling on the street.

Important Note

Containerizing the waste reduces the need to set out bags on the city sidewalks, keeping the walkways clear, clean, and free of rodents.

REBNY supports the aim of the pilot program and encourages DSNY and the Department of Transportation (DOT) to publicly report on the operations of the program as part of exploring the possibility of expanding its scale.

Additionally, in recent years City agencies have put forward ideas to expand the use of containerized waste systems in residential buildings. REBNY looks forward to continuing discussions with City agencies to consider how to best implement such ideas.

Future Recommendations

REBNY appreciate DSNY's efforts to improve waste management in the city, which is a crucial element to good quality of life. We look forward to continuing our partnership with DSNY as it considers expanding existing programs or creating new regulations and initiatives, such as organics waste collection or containerization. Through our previous work with DSNY, REBNY has been able to work through improvements to regulations that better the City's waste management services, and we hope to continue that relationship in the future.

Thank you for the consideration of these points.

CONTACT:

Alexander Shapanka

Assistant Vice President of Policy
Real Estate Board of New York

212.616.5259
ashapanka@rebny.com



Contact: Clare Miflin
clare@centerforzerowastedesign.org
718.306.9525
Nov 16th, 2021

Testimony of the Center for Zero Waste Design

Oversight Hearing on Advancements in Residential and Commercial Solid Waste Management Systems New York City Council Committee on Sanitation and Solid Waste Management

November 16th 2021

Commissioner Grayson outlined 3 new models for waste set-out and collection in the hearing today. These were:

- Clean Curbs model pilots for residential waste on a small scale
- Network of "Smart Bins," unstaffed and automated food scrap drop-off bins controlled with a smart phone or RFID card.
- Final rules requiring new large residential buildings to develop a waste management plan for review by DSNY

While we welcome these three initiatives, there is so much more that needs to be done. Commissioner Grayson himself noted that they still need to figure out solutions for organics waste set-out for high-rise buildings - a critical endeavor if the city is going to make collection mandatory, which is necessary.

The strategies outlined in our [Put Waste to Work: For Vibrant Streetscapes, Green Jobs and Healthy Neighborhoods](#) advocacy campaign show how the city can transform the waste system in an integrated way, rather than the current siloed and piecemeal approach. Collaboration is needed between architects, developers, building managers, and city agencies including DSNY, DCP, DOT, DOB and HPD.

To solve the city's rat, litter and sidewalk bag problem, the city needs to support containerization beyond small brown bins and shared waste drop-offs in the street. DSNY need to collect larger (± 2 CY) wheeled containers by adding a hoist to their standard trucks and making sure new trucks have the capability to accept bags and wheeled bins safely and efficiently. With more frequent pick up that offers a solution for many large buildings, and would make labor for DSNY much better and safer, would eliminate bags on the curb, and reduce traffic congestion, pollution and noise for residents. Coordinating with DOT on curbside access, with DOB to ensure larger new buildings are required to use this method, and REBNY to ensure that this change works for developers is critical. Currently this isn't part of DSNY's proposed rule for new large residential buildings waste management plan. Collecting containers would make implementation of Save-as-you-throw much simpler too.

As Commissioner Grayson noted, DSNY also needs solutions for organic waste in large buildings. We are helping to facilitate pilots for dry aerobic bio-digesters in new residential and commercial buildings, which allow reduction of 90% volume and weight of food scraps, along with odors, and pests. They produce a fertilizer which can be used locally or returned to the regional farm system. But for existing buildings this equipment needs to be hooked up to a vent quickly and easily, something that we are working on clarifying with DOB. Larger scale pilots with different methods of collecting organic waste

curbside, beyond the small smart-bins being piloted, are necessary too. Otherwise successful organic waste collection is only possible for well-staffed buildings.

The city is also in the situation where NYC Parks are not supporting composting by long term community composting organizations which are part of DSNY's NYC Compost Project. A coordinated approach by the mayor is critical, and the city needs to expand composting operations to allow for soil regeneration in all NYC green spaces, supporting healthy trees, urban agriculture and stormwater infiltration to increase physical and social health and resilience. A public-private partnership, like that used in Paris to support urban agriculture, could be a model to provide spaces for non-profit, social enterprise and commercial composters.

Our expertise from developing the [Zero Waste Design Guidelines](#), in a collaborative process with city agencies and private stakeholders, as well as on-going waste consulting with developers, architects and building management companies, allows us to understand what has to change at every scale – from the waste bin to the curb to the local processing, sorting or transfer point – for real transformative system change.

We strongly believe that the incoming administration needs to develop and implement the “[Put Waste to Work](#)” vision plan to allow the city to reach zero waste. This would transform NYC's systems so that all individuals, businesses and communities could participate to help the city reach zero waste, making the city cleaner, greener, and more resilient, and eliminating the inequitable impacts of current waste management practices.



**Comments of Justin Wood
New York Lawyers for the Public Interest
to the New York City Council Committee on Sanitation
November 16, 2021**

Good morning, my name is Justin Wood I am the Director of Policy at New York Lawyers for the Public Interest (NYLPI), which is a member of the Transform Don't Trash NYC coalition.

Thank you to Chair Reynoso, all of the Council members, DSNY Commissioner Grayson, and the formidable City Council and agency staff teams who have worked so well with the communities, workers, businesses, and all New Yorkers, who have so much at stake in our solid waste system. Together we've achieved what previous administrations and councils could not: legislation addressing the longstanding disproportionate burdens our waste system creates for environmental justice communities, and policies that will address the notorious inefficiency, worker exploitation, public safety, and outsized pollution endemic to the current commercial waste system.

We urge the next administration and Council to continue the important work of this committee and this agency. And there is major work still to be done.

1. **Waste Equity:** We must continue the progress on waste equity by allowing both commercial and residential waste to be processed at the City's state-of-the art marine and rail facilities, as called for in the 2005 Solid Waste Management Plan. These facilities should function as a key part of the commercial waste zone system being implemented in the coming months. This would further reduce truck miles, improve public safety in the districts currently receiving disproportionate amounts of commercial waste, and allow material to flow to public facilities with good safety practices and good union jobs.

We also urge the City to do everything in its authority to deny proposals by private waste transfer stations to expand, modify, or transfer permitted capacity, especially in communities that have historically borne disproportionate pollution and public safety hazards associated with these waste handling and carting facilities. Exemptions and new permits to truck additional waste through environmental justice communities to landfills is inconsistent with the spirit of Local Law 152 and the Solid Waste Management Plan and would severely undermine the city's zero-waste and recycling goals.

2. **Zero Waste:** New York City's appropriately ambitious Zero by 2030 goal is rapidly receding as our recycling rates stagnate. We must rapidly increase waste reduction, recycling, and especially organic waste recycling – in both the residential and commercial sectors.

For commercial businesses, providers contracted to participate in the Commercial Waste Zone system must be prepared to make major investments in composting and recycling collection and processing infrastructure, and to work in unprecedented partnership with their customers to divert the massive amount of organic and recyclable material generated by NYC businesses. This will require a clear and enforceable commitment to transparency so that customers understand exactly how their recyclables are processed, how services are priced, and how much waste they are producing.



To this end, we urge the City to ensure that every business customer receives transparent, independent, qualified, and regular waste audits and consultation to help maximize waste reduction and diversion, and to realize savings.

For the residential sector, New York urgently needs a universal organics recycling program that mandates proper separation, collection and processing of food and yard waste just like other designated recyclable materials. Organics recycling is especially critical for the millions of New Yorkers who rent or own apartments in multifamily buildings, many of whom cannot access the limited opt-in curbside composting program being rolled out now. Finally, we must build on the cumulative consumer behavior changes that the single-use bag fee has enabled and do the same with other single-use plastics.

We know that in both commercial and residential sectors, composting and recycling can be major generators of good, local, green jobs and are critical to reducing the lifecycle climate emissions from waste, which New York State's Climate Action Council's 20-year estimates are larger contributor to greenhouse gas emissions than previously estimated.¹

We appreciate the opportunity to testify today, and look forward to working with the Council, DSNY, and other agencies to make NYC's equity and zero-waste goals a reality.

Justin Wood, Director of Policy
New York Lawyers for the Public Interest
151 West 30th Street, 11th floor
New York, NY 10001
jwood@nylpi.org
(212) 244-4664

New York Lawyers for the Public Interest has fought for more than 40 years to protect civil rights and achieve lived equality for communities in need. NYLPI combines the power of law, organizing, and the private bar to make lasting change where it's needed most.

¹ New York State Climate Action Council Meeting Presentation, July 22, 2021. Available at: <https://climate.ny.gov/Climate-Action-Council/Meetings-and-Materials>



**Testimony by the Manhattan Solid Waste Advisory Board to the City Council
Committee on Sanitation & Solid Waste Management
Oversight Hearing November 16, 2021**

Good morning Chairman Reynoso and members of the Sanitation Committee. I'm Kathy Nizzari on behalf of the Manhattan Solid Waste Advisory Board. Thank you for the opportunity to speak today. First, we congratulate and thank Chair Reynoso for all your hard work on commercial waste zones and addressing waste as an equity issue. I believe you are the first Council Member to do so. It has been a pleasure working with you and your staff. We wish you the very best in your new role as Brooklyn Borough President and hope the incoming Sanitation Chair can fill your shoes.

Looking ahead, we believe it is critical that Zero Waste *to landfill* also include ***and to incineration***, or we are trading one environmental problem for another. Our coalition that includes us, Big Reuse, Cafeteria Culture, Food & Water Watch, It's Easy Being Green, Oceanic Global, 350NYC, and Upstream urges you to pass [Intro 844](#) and [Intro 2250](#) before the end of this session. Codifying and requiring DSNY to create a comprehensive Zero Waste plan are vital first steps to addressing municipal solid waste {MSW}. While the current mayoral administration has talked about this issue, it has failed to put any plan in place and the pandemic has only amplified the need to act now.

MSW is a significant contributor to greenhouse gases, yet it is repeatedly overlooked when discussing climate change mitigation. The creation and transportation of consumer goods, food and packaging, much of which becomes part of the waste stream, contribute nearly half of all anthropogenic greenhouse gas emissions and contribute to methane, CO₂, and other toxic gases when landfilled or incinerated.¹ We paid more than \$420 million to bury and burn waste last year, generating pollution and environmental degradation, feeding the climate crisis.²

¹<https://www.epa.gov/lmop/basic-information-about-landfill-gas>

²Jonathan Seltzer, [Report to the Committee on Finance and the Committee on Sanitation and Solid Waste Management on the Fiscal 2021 Executive Budget for the Department of Sanitation](#) (New York City Council, May 14, 2020). Page 2

Solid waste not only intersects with environmental issues but also with public health, and social and environmental justice {EJ}. What is not well known is that much of Manhattan's MSW is incinerated in Newark, NJ,³ contributing to compounded issues that significantly impact public health and quality of life of Newark's lower income, communities of color,⁴ where the childhood asthma rate of 25% is three times higher than the national average.⁵ This public health issue cannot be ignored.

EJ communities have suffered the most from destructive waste management policies exemplified by the *more than 70% of our truck transfer stations located in just four communities of color*. To build an equitable society, EJ must be embedded into every waste decision with these communities having full participation in decision-making going forward.

NYCHA, home to over 600,000 New Yorkers, has a recycling rate of just 1.5%. Innovation, fully involving residents and sustained, adequate funding are all crucial to address this.

NYC cannot achieve Zero Waste without a major transformation of its waste system. For the past ten years, New York City has recycled just 18% of its waste.⁶ Another 18% of municipal waste is recyclables that are wrongly sent to landfill or incinerators; and, we cannot emphasize enough, 33.6% is organic waste that could be composted.⁷ Together, this nearly 70% of all city residential waste--which, if recycled, would provide a great start to a Zero Waste NYC.

There are many proven strategies to reduce this residential waste and its associated carbon emissions. In April we gave testimony offering common sense solutions⁸ on how the City can achieve Zero Waste encapsulated here that we are happy to discuss further with you:

1. Reallocate funding for waste export to landfill and incinerators to fund Zero Waste programs
2. Embed Environmental Justice into every waste decision
3. Institute universal mandatory curbside organics collection that diverts all food waste from the landfill/incineration waste stream
4. Replicate programs from other cities that have successfully raised recycling rates
5. Create successful programs in NYCHA housing--an Environmental Justice flashpoint
6. Pilot and roll out (a) broad education on reducing waste and (b) reuse/repair programs
7. Sufficiently fund enforcement
8. Pass legislation to incentivize prevention, reuse, recycling, and composting (eg: bans for unrecyclable materials and synergistic legislation with NYS).
9. Design a Zero Waste Environment for architects, developers, building managers, and city planners using the Zero Waste Design Guidelines.

MSWAB looks forward to working with you on these goals and thanks you for your time.

3https://bcheney.carto.com/viz/db6e4f87-dc47-4bfd-b5b4-9a5d4d429e34/public_map

4<https://ironboundcc.org/environmental-justice/>

5<https://www.nj.com/essex/2019/12/its-killing-children-and-no-one-is-talking-about-it-asthma-taking-toll-in-newark.html#:~:text=About%20one%20in%20every%20four,the%20national%20rate%2C%20studies%20show.>

6Department of Sanitation of New York, [2017 NYC Waste Characterization Study](#), page 11.

7 Ibid

8 https://docs.google.com/document/d/10_AVGvyC6aKqRQd6jRifn7WpBZzBxFJD5kyFM0UwuLY/edit

###

Members of the Manhattan Solid Waste Advisory Board: Matt Civello, chair; Lorial Crowder, vice chair; Rona Banai, vice chair; John Reali, co-secretary; Kim Davis, co-secretary; Diane Orr, treasurer. Members: Margot Becker, Joyce Bialik, Diana Blackwell, Maggie Clarke, Debby Lee Cohen, Peter Cohen, Ellen Cooper, DeNeile Cooper, Ann Marie Cunningham, Meredith Danberg-Ficarelli, Lisa Denby, Wendy Frank, Katie Hanner, Cullen Howe, Sophia Huda, Melissa Iachan, Christine Johnson, Sarah Lehigh, Kate Mikuliak, Kathy Nizzari, Alexis Obernauer, Ushma Pandya, Kristi Parson, Tina Pina, Martin Robertson, Rick Schulman, Brendan Sexton, Marc Shifflett, Amy Uong, Aditi Varshneya, Chana Widawski



STATEMENT OF THE NATURAL RESOURCES DEFENSE COUNCIL
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT
RE: OVERSIGHT ON ADVANCEMENTS IN SOLID WASTE

November 15, 2021

Good morning, Chair Reynoso, Councilmember Chin and members of the Committee. My name is Eric A. Goldstein, and I am New York City Environment Director at the Natural Resources Defense Council (“NRDC”). As you know, NRDC is a national, non-profit legal and scientific organization that has been active on a wide range of environmental health, natural resource protection and quality-of-life issues across the country, around the world and right here in New York City where our main office has been located since 1970. Among our top regional priorities has been a more sustainable waste policy. Our primary is to transform trash policy from primary reliance on landfilling and incineration to making waste prevention, composting, recycling and equity the cornerstones of a modern approach to waste generation, handling and disposal in the nation’s largest city.

Thank you for holding today’s oversight hearing. We hope and pray that it is not this Committee’s last hearing of the year. There is still much important work for this Committee and this Council to complete before December 31st.

But if this is indeed the Committee’s final oversight hearing, we want to take a moment to thank the Committee members and your staffs and to acknowledge the critical waste legislation that has moved forward over the past eight years. The Commercial Waste Zoning law holds the promise of making the most fundamental changes in decades for the operation of the private waste industry. The Waste Equity law represents a long-overdue but most welcome step in bringing a measure of environmental justice to communities overburdened with waste transfer stations.

NATURAL RESOURCES DEFENSE COUNCIL

40 W 20TH STREET | NEW YORK, NY | 10011 | T 212.727.2700 | F 212.727.1773 | NRDC.ORG



The Committee's leadership was also critical in advancing legislation that is today cutting back on the amount of plastic and paper carry-out bags as well as environmentally troublesome polystyrene foam food and beverage containers. And it was thanks to the Committee and the Council that the long-awaited completion of the Marine Transfer Stations was accomplished; that in the midst of the COVID-19 pandemic funds were made available to keep community composting alive -- although just barely; and that additional monies for other essential Sanitation Department activities were forthcoming.

Turning to the topic of today's hearing -- "advancements in residential and commercial solid waste management systems" -- we highlight one major advance that is now underway and two that are critically needed.

As noted above, we can all celebrate that this Committee has led the way -- in cooperation with former Sanitation Commissioner Kathryn Garcia -- in enacting Local Law 199 of 2019: the Commercial Waste Zoning Law. This historic legislation, which the Department under Commissioner Ed Grayson is today working diligently to implement, promises to completely transform the commercial waste collection system. The creation of a new system of waste zones with a limited number of carters per zone will replace the existing haphazard, duplicative operation that has as many as 90 different privately-owned carting companies racing across city streets in an irrational routing scheme. Full implementation of the new system should mean millions of fewer diesel-truck miles driven by commercial carters every year, reduced global warming emissions, less localized air pollution, greater pedestrian safety, improved operating conditions for private sanitation workers, stepped up recycling and composting and more accountability by private carters to the businesses they serve.

Ensuring full implementation of this Commercial Waste Zone program must continue to be a top City Council priority in 2022.

Without question, the biggest advancement in solid waste handling in New York City that has not moved forward is universal curbside composting collection. The current methods of disposal of the overwhelming bulk of the city's organics -- landfilling and incineration -- are fraught with environmental problems.



Landfilling food scraps and yard waste generates methane and contributes unnecessarily to climate crisis. Attempting to incinerate this high-moisture content material leads to increased localized air pollution, often in already overburdened Black and brown communities.

Every major New York City planning document that has examined this issue – from Mayor Bloomberg’s PlaNYC to Mayor DeBlasio’s One New York City – has concluded that turning organics into finished compost is the environmentally superior approach. And Speaker Corey Johnson’s own March 2020 climate and sustainability plan highlighted the wisdom of this approach.

Yet, inexplicably, legislation to create a universal curbside composting collection program for every city household has not even been introduced. The restoration of the voluntary compost collection program, while well-intended, is woefully inadequate to the task at hand. This Committee should not close shop for the year without at least holding a hearing or introducing draft legislation on the sensible and urgently needed idea of universal curbside organics collection, which is advancing or is already in place in leading cities across North America.

Another solid waste management system advance that has long been waiting in the wings is municipal route and collection schedule adjustments. One of the biggest challenges the City is facing in its efforts to make the Sanitation Department a leader in sustainability is ensuring that our waste-handling practices are cost-effective. And a key strategy that municipalities across North America have been advancing is the idea of adjusting collection routes to better accomplish sustainability goals. This means, for example, adding additional collections for materials we want to encourage, like organics and recyclables, while cutting back on collections for regular household trash. This would result in the same number of total collections from New York City residences and would help maximize collection efficiency.

This kind of approach has been advancing in Toronto and Vancouver, for example. Those cities have cut back on the number of garbage and recycling pickups while adding an additional collection for food scraps and yard waste. Obviously, such route adjustments here would require cooperation with our friends



in the Sanitation union. But we know that such efforts could be successful and we hope the incoming administration of Mayor-elect Eric Adams and the Council will make such negotiations a priority for waste collection reinvention.

Two final points:

A common-sense legislative proposal, Intro 1775B -- the “Skip the Stuff” bill – would make plastic utensils, condiments, napkins, etc. available to restaurant take-out customers only upon request. This bill has the support of restaurant industry representatives, including the New York City Hospitality Alliance. And it has 26 sponsors – a Council majority. There is absolutely no excuse for withholding a vote on this bill before December 31st. We are looking to Speaker Corey Johnson, who has been a friend of the environment during his term in office, to allow a hearing and a vote on this no-brainer of a bill.

Finally, we urge the Council to make this the last Committee hearing held via Zoom. Sensible restrictions like mandatory mask-wearing and proof of vaccination should of course be required. But Councilmembers and the public will benefit from restoration of in-person hearings. The time for returning the Council chambers has now arrived.

Thank you for your leadership, Chair Reynoso and Councilmember Chin, and for your attention.