

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONSUMER AND
WORKER PROTECTION

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Monday, December 12, 2022
Start: 10:19 a.m.
Recess: 12:07 p.m.

HELD AT: 250 Broadway Committee Room
14th Floor

B E F O R E: Marjorie Velázquez, Chairperson

COUNCIL MEMBERS:

Shaun Abreu
Erik D. Bottcher
Gale A. Brewer
Amanda Farias
Shekar Krishnan
Julie Menin
Chi A. Ossé

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

Gregory Anderson
Deputy Commissioner of External Affairs
and Strategic Initiatives
New York City Department of Sanitation

Carlos Ortiz
Deputy Commissioner of External Affairs
and Policy
New York City Department of Consumer and
Worker Protection

Fifth Grade Class
PS/MS 188, The Island School

Mark Dunlea
Chairperson
Green Education and Legal Fund
Co-Chair
Eco-Action Committee of the Green Party
United States

Alexis Goldsmith
Organizing Director
Beyond Plastics

Megan Ortiz
Cafeteria Culture Youth Advocate

Rebecca Sabnam
Cafeteria Culture Youth Advocate

Lacey Tauber
Represtative for Brooklyn Borough
President Antonio Reynoso

Christopher Durosinmi
Director of Government Community Affairs
The Wildlife Conservation Society

Mary Arnold
Legislative Chair
Queens Solid Waste Advisory Board

Joyce Bialik
Microplastic Task Force
Manhattan Solid Waste Advisory Board

Caroline Korth
Resident, New York City

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Alexis Hidalgo
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Eric Goldstein
Natural Resources Defense Council

Brian Langloss
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Jane Selden

350 NYC

Sarah Ryan Hudson
Director of Advocacy
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Foundation

Debbie Lee Cohen
Executive Director and Founder
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Alexander Morgan
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Larasati Vitoux
Owner and Founder
Maison Jar

Galit Tsadik
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Sandye Renz
Resident, New York City

Sarah Grillo
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Sandra Noonan
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Just Salad

Madeleine MacGillivray
Ambassador, 5 Gyres Institute
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Sheila McMenamin
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Candi Cain
350 NYC

Kaylee Kunkel
Resident, Jackson Heights, Queens

Mercer Malakoff
Employee
Package Free Shop

Lauren Sweeney
Co-founder and CEO
DeliverZero

Carol Smolinski
Resident, Park Slope

Raine Manley
Reusable NYC Coalition

Jan Thompson
Communication Chair
350 Brooklyn's Plastic Free Team

2 SERGEANT AT ARMS: Everyone please find a seat.
3 Hello, everyone, welcome to today's hybrid New York
4 City Council hearing of the Committee on Consumer and
5 Worker Protection. At this moment, please all
6 electronic devices to vibrate or silent mode. If you
7 wish to submit testimony you may send it to
8 testimony@council.nyc.gov. Again that's
9 testimony@council.nyc.gov. Chairs, we're ready to
10 begin.

11 [GAVEL]

12 CHAIRPERSON VELÁZQUEZ: Good morning. My name is
13 Marjorie Velázquez and I'm the Chair of the Committee
14 on Consumer and Worker Protection. Today I am joined
15 by my colleagues on the committee, Councilmember
16 Menin, Councilmember Bottcher, Councilmember Abreu.
17 Intro 559, sponsored by myself, aims to restrict the
18 provision of plastic eating utensils, condiment
19 packets, and extra eating containers by foodservice
20 establishments. Single use plastics are the epitome
21 of modern convenience. They are cheap to produce,
22 lightweight, durable, and easy to dispose of, but
23 this convenience comes at a cost.

24 Once discarded, plastics take decades or even
25 centuries to break down, polluting waterways, killing

2 wildlife, and even ending up in our own bodies. It
3 is estimated that about 8 million tons of plastic
4 leak into the ocean each year, that is equivalent to
5 dumping a full garbage truck into the ocean every
6 minute. There's so much plastic in the ocean, that
7 it's formed a landmass known as the Great Pacific
8 Garbage Patch floating between the coast of
9 California and Hawaii. 99% of this patch, which is
10 twice the size of Texas is made of plastic. The
11 problem is only getting worse as the use of plastics
12 is expected to double over the next two decades. If
13 we maintain business as usual, the World Economic
14 Forum expects that there will be more plastic in the
15 ocean than fish by 2050.

16 Although recycling provides an avenue to redirect
17 plastic waste from landfills and oceans, it is
18 nowhere near a sufficient solution. Nationally, the
19 plastic recycling rate has hovered at just 9% since
20 2012. And even if that rate increases, there's a
21 high chance that plastic will end up in landfills or
22 oceans anyway. Recyclables must be properly cleaned
23 and sorted or they contaminate the entire stream and
24 must be thrown away. In addition, the US does not
25 have the capacity to process the high volume of

2 plastic waste Americans produce, and ships more than
3 1 million tons of plastics offshore for recycling
4 annually.

5 Unfortunately, destination countries such as
6 Malaysia, Indonesia, and Vietnam have been found to
7 improperly manage their own waste. Plastic utensils
8 pose a particular challenge. In the US over 100
9 million plastic utensils are used daily, and some
10 analysts estimate that Americans waste 40 billion
11 plastic utensils per year. 40 billion. Small items
12 such as cutlery and condiment packages are often
13 missed by machines that process recyclables, and they
14 are particularly damaging to wildlife. The Ocean
15 Conservancy lists cutlery as the most deadly items to
16 sea turtles, birds, and mammals.

17 This bill, Intro 559 will prevent food
18 establishments and meal delivery service providers
19 from automatically providing utensils, condiment
20 packages, and extra containers to consumers. We
21 expect that this bill will reduce the amount of
22 unnecessary products that are simply thrown away. I
23 look forward to hearing feedback from the wide range
24 of witnesses today.

2 COUNSEL: Thank you. Good morning and welcome.
3 My name is Sarah Swain Counsel to the committee on
4 Consumer and Worker Protection, and I will be
5 moderating this hearing.

6 Before we begin I'd like to remind everyone that
7 is joining us via Zoom that you will be on mute until
8 you're called on to testify, at which point you will
9 be asked to accept to be unmuted by the host. I will
10 be calling on public witnesses to testify after the
11 conclusion of the administration's testimony and
12 Councilmember questions, so please listen carefully
13 for your name to be called.

14 At this hearing will be... we will be inviting
15 testimony from the Department of Sanitation followed
16 by testimony from the members of the public.
17 Councilmembers you will be called on for questions
18 after the panel has completed their testimony.
19 Please note Councilmembers will have three minutes
20 for questions and we will allowing for a second round
21 of questions if needed.

22 We will now call on representatives of the
23 administration to testify. We will be hearing
24 testimony from Gregory Anderson, Deputy Commissioner
25 of External Affairs and Strategic Initiatives at the

2 Department of Sanitation, and Carlos Ortiz, Deputy
3 Commissioner of External Affairs and policy at the
4 Department of Consumer and Worker Protection, will be
5 available for questions.

6 At this time I will administer the affirmation.
7 Administration panelists, please raise your right
8 hand and I will call on each of you to individually
9 respond.

10 Do you affirm to tell the truth, the whole truth
11 and nothing but the truth before this committee and
12 to respond honestly to Councilmember questions?
13 Deputy Commissioner Anderson?

14 DEPUTY COMMISSIONER ANDERSON: I do.

15 COUNSEL: Deputy Commissioner Ortiz?

16 DEPUTY COMMISSIONER ORTIZ: I do.

17 COUNSEL: Thank you. At this time, I'd like to
18 invite Deputy Commissioner Anderson to present his
19 testimony.

20 DEPUTY COMMISSIONER ANDERSON: Thank you. Good
21 morning, Chair Velázquez and members of the City
22 Council Committee on Consumer and Worker Protection.
23 I am Gregory Anderson, Deputy Commissioner for Policy
24 and Strategic Initiatives at the Department of
25 Sanitation, and I'm joined by Carlos Ortiz, Assistant

2 Commissioner for External Affairs at the Department
3 of Consumer and Worker Protection.

4 Thank you for the opportunity to provide
5 testimony on Intro 559.

6 New York City has long been a leader in the fight
7 to reduce the use of single-use products, especially
8 plastics. The city has repeatedly taken bold action
9 on these products, many of which are difficult to
10 recycle and are manufactured from fossil fuels.
11 These efforts are an important part of our overall
12 efforts to fight climate change, reduce carbon
13 emissions, and divert waste from landfills. Single-
14 use products of all kinds, including plastics, create
15 unnecessary waste, and more importantly, they
16 contribute to the scourge of litter that DSNY fights
17 every single day.

18 In 2019, New York City banned foam foodservice
19 products and packing peanuts the result of a detailed
20 analysis of the recyclability of these products that
21 determined that they cannot be recycled in an
22 economical and sustainable manner. New York City
23 also played a critical role in supporting state
24 efforts to ban single use plastic carry-out bags and
25 establish a fee on paper carry-out bags.

2 DSNY is currently conducting a detailed waste
3 characterization study which will assess the changes
4 in the composition of our waste, as a result of these
5 efforts over the past several years. We have
6 completed the first three seasons of sorting as part
7 of that study and look forward to sharing the results
8 with the Council in early 2024.

9 Now turning to 559. This bill would require food
10 service establishments to provide... to only provide
11 single-use items upon request for either takeout or
12 delivery. These items include forks, spoons, knives,
13 chopsticks, plates, bowls, cups, and lids. And the
14 bill would also require foodservice establishments to
15 only provide condiment packets and napkins on request
16 as well. While these products make up a small share
17 of the city's overall waste stream, this is an
18 important symbolic and principled step toward giving
19 consumers and New Yorkers more agency in reducing
20 their own personal waste impact.

21 I'm sure we have all ordered takeout or delivery
22 and received unnecessary and unwanted plastic
23 utensils, often also wrapped in film plastic, and
24 packets of condiments, and many of us probably have
25 that drawer in our kitchen where we throw them in

2 shamefully after we don't use them. This bill would
3 give customers the choice of whether to receive these
4 products with their takeout or delivery food order,
5 eliminating waste and potentially reducing costs for
6 businesses as well. DSNY and the administration
7 support this important legislation. We look forward
8 to working with the City Council to enact it.

9 Reducing the use of single-use products is an
10 important part of achieving our waste diversion
11 goals. This approach reduces our overall waste
12 stream and encourages New Yorkers to use and reuse
13 more sustainable alternatives. Thank you for the
14 opportunity to testify today. And we're happy to
15 answer any questions.

16 COUNSEL: Thank you. I will now turn it over to
17 the Chair for questions.

18 CHAIRPERSON VELÁZQUEZ: I want to recognize
19 Councilmember Ossé, who has joined us. So we have
20 several questions. The first is: Single-use
21 plastics are recyclable. Does the administration
22 have an estimate of the percentage of single-use
23 plastic waste that is recycled in New York City?

24 DEPUTY COMMISSIONER ANDERSON: Sure, so in New
25 York City, we can recycle all rigid plastic products.

2 So that's, you know, anything that's... you know that
3 that isn't sort of a film plastic or a foam plastic.
4 And we've been recycling all rigid plastics since
5 around 2013, I believe. I don't have a number
6 directly in front of me as far as how... what share
7 of single-use plastics are recycled versus end up in
8 the trash. That's something that we determine on a
9 regular basis as part of our waste characterization
10 study. And as I mentioned, in my testimony, we're
11 conducting the updated study right now, actually. So
12 that will assess changes in our waste stream as a
13 result of things that we've done over the... over the
14 last several years the phone ban, the ban on plastic
15 bags, the regulations on straws, so we look forward
16 to completing that study next year and submitting it
17 to the Council in early 24. But I can follow up with
18 the specific numbers for you.

19 CHAIRPERSON VELÁZQUEZ: Please do. Thank you.
20 The 2017 waste study than that the vast majority of
21 single-use plastic plates, cups, and cutlery are not
22 recycled was that?

23 DEPUTY COMMISSIONER ANDERSON: Sorry, I'm just
24 writing down a note.

25 CHAIRPERSON VELÁZQUEZ: No worries.

2 DEPUTY COMMISSIONER ANDERSON: So I think, you
3 know, recycling... recycling, obviously, in New York
4 City, we have in general a 50% capture rate. That
5 means of everything that could be recycled 50% of it
6 is ending up in the recycling stream today. The
7 most... the most commonly recycled products are
8 things that, you know, people have been thinking of
9 as recyclable for decades. Aluminum cans, glass
10 bottles, plastic bottles, newspapers, cardboard.
11 For... for categories of things like single-use
12 plastic items, some of those were added as part of
13 that expansion of mixed rigid plastics in 2013. And
14 so part of it is, you know, New Yorkers are still
15 getting used to it. Part of it is, you know,
16 they're... they're, you know, smaller things. You
17 don't really think about them when you use them and
18 throw them away. That's part of the reason this bill
19 is so important, because it makes consumers stop and
20 think about the products that they're using, before
21 they decide to use them.

22 CHAIRPERSON VELÁZQUEZ: Does the department
23 conduct outreach and education in order to increase
24 the recycling rates of single-use plastics?

2 DEPUTY COMMISSIONER ANDERSON: Yeah, that's part
3 of our overall outreach and education on our waste
4 diversion and recycling programs.

5 CHAIRPERSON VELÁZQUEZ: What is needed to improve
6 recycling rates across the city?

7 DEPUTY COMMISSIONER ANDERSON: I think, you know,
8 there's... there's a few items that are... obviously,
9 you know, we continue to do outreach and education,
10 on recycling, to New Yorkers through a variety of
11 media. One of the most important steps that we can
12 take to improve our recycling program is actually
13 something that we're working on at the state level,
14 which is extended producer responsibility for
15 packaging and paper products. And what that bill
16 would do is basically take the onus of dealing with
17 end of life for packaging and paper products, move it
18 back to the manufacturers and retailers that are
19 responsible for creating and selling those products,
20 both to encourage recycling and to create a level of
21 financial responsibility for that end of life. So
22 that's one of the most important things that we're
23 trying to advance right now, that would provide
24 substantial funding for municipalities across the
25 state, including New York City to be able to expand

2 our... our outreach, our efforts, our education
3 efforts, our marketing campaigns around recycling,
4 and we think that's... that's a an important step in
5 that direction.

6 CHAIRPERSON VELÁZQUEZ: I want to recognize
7 Councilmember Farias has joined us too. What kind of
8 outreach and education will the administration
9 conduct to ensure food service establishments, third
10 party food delivery services, and third party courier
11 services comply with Intro 559?

12 DEPUTY COMMISSIONER ANDERSON: So I think
13 we'll... we would take, you know, a few different
14 approaches to that. First, as part of our overall
15 commercial outreach efforts that we're... we're in
16 the process of ramping up in advance of the
17 implementation of commercial waste zones, we would
18 add this to those conversations. So we are regularly
19 going to meet with businesses either on commercial
20 corridors, in merchants associations, BIDS, whatever
21 forum we can, we can sort of find them to talk about
22 regulations like commercial organics, commercial
23 recycling, the straws bill, some of the other bans
24 that I mentioned earlier, and also just talk about
25 sanitation and the importance of... of sanitation and

2 keeping our city clean, in general. So that's
3 something that we've been increasing over the course
4 of the last two years, and will continue to increase
5 over the next two or three years as we implement
6 commercial waste sounds.

7 We also do a lot of print mailers, social media
8 advertising, and would incorporate this into that
9 practice as well. We worked very closely with SBS to
10 design those outreach materials to make sure that
11 we're reaching businesses in the language that...
12 that they prefer. We're reaching them in the in the
13 sort of forum that is easiest for them to... to
14 communicate in, and really making it as simple as
15 possible for businesses to understand what their
16 obligations are, comply with it, so that way we don't
17 have to do any enforcement.

18 CHAIRPERSON VELÁZQUEZ: What languages will be
19 outreach and education will be available?

20 DEPUTY COMMISSIONER ANDERSON: Yeah. So for the
21 straws bill, we just sent out a mailer in late
22 October, and that mailer... the mailer itself, was in
23 three primary languages. But then we also have all
24 of those materials available, I think, in 17 total
25 languages on our website, and our outreach staff also

2 have access to language line and other translation
3 services to be able to communicate with folks as
4 they're going around doing in-person outreach.

5 CHAIRPERSON VELÁZQUEZ: Cool. Local Law 64 of
6 2021 restricts single-use plastic straws, beverage
7 sticks and stirrers. What challenges has the
8 department faced enforcing that local law?

9 DEPUTY COMMISSIONER ANDERSON: Yes, so I think,
10 you know, that law I think while well intentioned, is
11 very complicated. There's a lot of provisions in
12 there. There's a lot of restrictions around who can
13 offer... excuse me, who can offer what kind of straw
14 at what point, and who must offer plastic straws. We
15 sort of boil it down into three primary
16 responsibilities that businesses have related to that
17 bill. One: You can't provide plastic straws unless
18 a customer requests it. Two: If a customer
19 requested, you must provide a plastic straw, and
20 that's because there are individuals and people with
21 disabilities who require a plastic straw to consume
22 certain foods and beverages. And number three: You
23 can't provide any plastics or splash sticks. So in
24 our communications with businesses, we really boil it
25 down to those three topics. And actually, in the

2 small business forward legislation that was
3 introduced earlier this month, we're actually
4 proposing with Council some language that will
5 clarify the... the requirements of that bill to sort
6 of simplify it into those those most important
7 components. So that's... that's the thing that we've
8 sort of seen in working with businesses on that law.
9 And I think once we have those changes in place,
10 it'll be much easier for folks to understand.

11 CHAIRPERSON VELÁZQUEZ: In light of local laws
12 like 64, does the department actually have concerns
13 about enforcing Intro 559?

14 DEPUTY COMMISSIONER ANDERSON: I don't think we
15 have... we have concerns about it. Obviously, our...
16 our intent is to do significant outreach and
17 education first. The bill anticipates that and I
18 think we would, you know, very much work with our
19 partners at DCWP, SPOS, DOH, who are having regular
20 contacts with businesses to make sure they understand
21 the requirements of this.

22 You know, our goal is never to, to issue a ticket
23 sort of as the first course of action for some... for
24 something like this. But you know, we will, if

2 necessary to take corrective action where businesses
3 are flagrantly violating or openly violating the law.

4 CHAIRPERSON VELÁZQUEZ: I will turn it over to
5 Councilmember Bottcher, who has some questions.

6 COUNCILMEMBER BOTTCHER: Thank you, I really want
7 to thank Councilmember Velázquez for your leadership
8 on this issue. And I really want to thank all of the
9 advocates who are here today and everyone who's been
10 working on this issue for years to get us to this
11 moment.

12 Question: Intro 559 will require the department
13 to assess the number of single-use items in the waste
14 stream as part of the department's waste
15 containerization study, and compare it to previous
16 years. Can you explain to us how that would work?
17 How you assess the presence of single-use plastics in
18 the waste stream? And... and if you think you'll be
19 able to produce a comparison that'll show progress as
20 a result of this legislation?

21 DEPUTY COMMISSIONER ANDERSON: Thank you for that
22 question, Councilmember. So as... So every about
23 five or six years, we do a waste characterization
24 study. And that study is... is incredibly rigorous.
25 We take hundreds of samples of every waste stream

2 from across the five boroughs. We actually have...
3 have staff and contractors who then sort those
4 samples into as many as 250 to 350 different
5 categories. And it's a very laborious process. It's
6 one that takes a lot of time to complete, which is
7 why the next study will... will be completed in early
8 2024. But it's... it's really useful at
9 understanding what's in our waste stream, and how
10 those things have changed. So in the new study,
11 which we completed the first of three sorting seasons
12 this month, we will be able to see changes in things
13 like foam products, single-use carryout bags, straws
14 and other single-use items since that 2017 study, and
15 the 2017 study predates all of those regulations
16 going into effect. So it's going to be a really good
17 sort of before-and-after picture of how much of those
18 products are in our waste stream.

19 We're also, in the current study, taking an even
20 more rigorous approach than we have in the past. So
21 increasing the number of subcategories from around
22 235 to close to 350. And we can provide the full
23 list of those sort categories for you, if you'd like.

24 We're also ensuring that the sampling is... is
25 statistically representative on a few different

2 bases. So looking not only at housing density, and
3 how that may affect recycling rates and waste
4 composition, but also looking at... at things like
5 median income levels in various neighborhoods and
6 looking at that as a driver of... of waste
7 composition. So I think this will be, you know,
8 probably the most rigorous study that we've done, I
9 think at least since 2005, the study that was done
10 before the last solid-waste-management plan. And the
11 goal here is for this study to sort of lay the
12 groundwork for our next solid waste management plan,
13 which is due in 2026. And will sort of be our... our
14 strategic plan for waste management over the course
15 of the next decade.

16 COUNCILMEMBER BOTTCHER: Thank you.

17 CHAIRPERSON VELÁZQUEZ: (inaudible)

18 COUNCILMEMBER BOTTCHER: Great. Somewhat
19 unrelated, but very related to what we're talking
20 about, because we're talking about enforcement of
21 this law. I want to ask about the enforcement of the
22 plastic bag law, which from what I understand is
23 primarily DEC is responsible for enforcing that. But
24 I wanted to ask about... As the Department of
25 Sanitation, your... your role and your view on the

2 plastic bag law, because as we know, we hear a lot
3 about the plastic bags still being given out in in
4 delis and... and all kinds of places. Is the
5 department making any efforts to assist with the
6 enforcement of the plastic bag law?

7 DEPUTY COMMISSIONER ANDERSON: Yeah, so two
8 things there. First, the state plastic bag law,
9 while it covers almost all retail stores, does not
10 cover food takeout. So there are some cases under
11 the state plastic bag law where plastic carry-out
12 bags are still allowed. So anytime you're taking out
13 prepared food, either from a deli or a restaurant, or
14 if that food is being delivered from a deli or
15 restaurant, that's actually, you know, a totally
16 legal use of plastic bags. Like that's something
17 we're open to revisiting with the state legislature,
18 in addition to other... other components of the bill.
19 On the enforcement side, it's not that DEC is
20 primarily doing enforcement, they are the only
21 authority that's allowed to do enforcement the city
22 is... is entirely preempted from any enforcement or
23 regulation regarding the plastic bag ban. We think
24 it's... you know, that's... it's a very frustrating
25 situation to be in. We have enforcement staff on the

2 ground in New York City who could do this
3 enforcement, and are not authorized to, so we would
4 love to work with state legislature to revisit that
5 not only for the state plastic bag ban, but also
6 other laws, like the rechargeable battery takeback
7 law, which the city is also preempted from enforcing.
8 Just you know, DEC has a very, very broad mandate, as
9 far as you know, the various things they do across
10 the state. I don't... I don't know that, that being
11 able to enforce the plastic bag... the plastic bag
12 ban in New York City is at the top of their list.
13 And so we'd love to help them out, if we were
14 authorized to.

15 COUNCILMEMBER BOTTCHER: You don't have any
16 conversations surrounding... allowing municipalities
17 to enforce the plastic bag ban?

18 DEPUTY COMMISSIONER ANDERSON: We've made
19 recommendations along those lines to the state
20 legislature. Obviously, they're gearing up for their
21 next session starting in January. So we look forward
22 to continuing those conversations in the future.
23 And, you know, we'd love City Council's advocacy as
24 well.

25 COUNCILMEMBER BOTTCHER: Thank you.

2 CHAIRPERSON VELÁZQUEZ: Councilmember Ossé?

3 COUNCILMEMBER OSSÉ: Good morning. And thank you
4 Chair Velázquez. I appreciate you guys for providing
5 info on how outreach will be done to businesses and
6 in restaurants, but I'm curious to know if any
7 outreach is going to be done to customers themselves
8 in terms of if this bill does pass, will they be
9 aware of this option or ...this this change, and how
10 we do business in the city?

11 DEPUTY COMMISSIONER ANDERSON: I think that's a
12 really good point, Councilmember. And...and our
13 first priority is, is the outreach and communications
14 to the businesses, because they would be the ones
15 subject to enforcement, and we want to ensure that
16 they understand what they're required to do. But
17 certainly consumer education is an important part of
18 that. And, you know, that's something that I think
19 we do in a slightly more broad-based way through
20 social media, through traditional media, and news
21 outlets. But we would be happy to work with the City
22 Council to think through what would be appropriate
23 there, and what level of funding would be necessary.

24 COUNCILMEMBER OSSÉ: Thank you.

2 COUNSEL: Questions? Okay. Thank you Chair. We
3 will give the administration an opportunity to
4 collect their things, and we will turn to public
5 testimony.

6 I'd like to remind everyone that unlike our
7 typical Council hearings, we will be calling
8 individuals one by one to testify online.

9 If you're here in person, please come up and take
10 a seat at the table and you may begin once the
11 sergeant has notified you that time has started. You
12 will have two minutes to testify. So please begin
13 once time starts.

14 Councilmembers who have questions for a
15 particular panelist should let me know and I will
16 call on you after the panelist has completed their
17 testimony. For panelists on Zoom, once your name is
18 called a member of our staff will unmute you and the
19 sergeant at arms will give you the go ahead to begin.
20 Please wait for the sergeant to announce that you may
21 begin before delivering your testimony. For those
22 testifying in person, please make sure to press the
23 button on the microphone and the red light goes on so
24 that we can hear your testimony.

2 In person I'll be calling panelists in groups of
3 four I know there's probably only room for two. But
4 there are two Chairs behind the panel.

5 Our first panel is going to be virtual. I'm
6 going to be calling... welcoming Rhonda Kaiser to
7 testify after that I will be welcoming Mark Dunlea,
8 and then Alexis Goldsmith.

9 STUDENTS SPEAK CONSECUTIVELY (ONE STUDENT PER
10 PARAGRAPH):

11 Thank you Chair Velázquez and members of the
12 committee.

13 We are fifth graders from PS/MS 188, The Island
14 School on the Lower East Side in Manhattan.

15 Thank you for letting us testify today about
16 Intro 559, the Skip The Stuff Bill.

17 We are working with Cafeteria Culture to reduce
18 the use of plastic everywhere, starting in New York
19 City public schools.

20 We know that single-use plastics hurts people who
21 live near plastic factories, transportation routes,
22 landfills, and incinerators.

23 And plastic litter is more than just a problem on
24 our streets every day.

2 It gets into our waterways and hurts fish, and
3 turtles, and other animals.

4 We know that plastic packaging costs money to
5 make and to give out.

6 And we know that plastic also costs us our
7 health, (inaudible).

8 We learned that the plastic we all use every day
9 is harming us all with our (inaudible) and we wanted
10 to do something about it.

11 Cafeteria Culture helped us collect our own data
12 to tell our own story about the plastics that we use
13 in our (inaudible).

14 We learned that about two pieces of plastic per
15 lunch are served in New York City schools every day.

16 But those two pieces of plastic multiplied by the
17 1 million lunches served means that we need a
18 solution to reduce school lunch plastic.

19 So we asked the school food people to try serving
20 lunch without any single-use plastic.

21 And they said yes.

22 New York City Schools now serve plastic-free
23 lunch one day a month.

24 Guess what: Our plastic-free lunch day
25 (inaudible). Sound familiar?

2 Now that we know it's possible to reduce school
3 lunch plastics,

4 we know it's possible to reduce plastic
5 everywhere just by taking only what we need.

6 Let's please pass Intro 559 Skip the Stuff.

7 This will help restaurants save their money
8 by giving out less plastic
9 and we can save our health
10 by making and disposing of less plastic.

11 ENTIRE CLASS: Thank you.

12 [APPLAUSE]

13 CHAIRPERSON VELÁZQUEZ: Oh my god. I love you
14 guys. And thank you. This is why we do what we do.
15 And it's just an honor for you guys to participate
16 and thank you. Questions?

17 Are you guys having a good day?

18 Thank you for speaking up for us.

19 Thank you all.

20 TEACHER: Thank you!

21 CHAIRPERSON VELÁZQUEZ: Let's get you registered
22 on the Community Boards immediately. [LAUGHS]

23 COUNSEL: Okay, our next panelist will be Mark
24 Dunlea. You may begin your testimony when the
25 sergeant starts the clock.

2 SERGEANT AT ARMS: Starting time.

3 MR. DUNLEA: My name is Mark Dunlea and I'm
4 Chairperson of the Green Education and Legal Fund.
5 I'm also Co-Chair of the Eco-Action Committee of the
6 Green Party United States. I own an apartment at 315
7 Green Avenue in Brooklyn, which is part of district
8 35.

9 I was one of the initial organizers of the
10 plastic bag issue in New York City, helping to
11 organize the first large community meeting in Park
12 Slope with then city Councilmember Brad Lander. GELF
13 supports Skip the Stuff Bill as the next step after
14 the ban on plastic bags, which unfortunately needs to
15 be enforced in New York City, and to make straws upon
16 request. This bill will not only reduce needless
17 waste, it will save restaurants money and give
18 consumers more choice. The ability to give New York
19 City a permanent fix that will ensure all takeout and
20 delivery orders provide what a customer needs. The
21 bill will require restaurants to provide disposable
22 takeout utensils, napkins and condiments only when
23 requested. Most of these single-use items don't even
24 get used before they thrown out. Most food delivery
25 goes to people in their own homes, where we have our

2 own utensils. New York City has a mandate of zero
3 waste to landfills by 2030. But it won't meet that
4 target without dramatically reducing disposable items
5 like the ones covered by this bill.

6 Reducing the production and use of plastic helps
7 lower greenhouse gas emissions, which are fueling the
8 climate crisis. Plastics are made from fossil fuels
9 including fracked gas, which poison the communities
10 near their extraction. The refineries that make
11 plastic are toxic and unjust, as they usually are
12 sited in disadvantaged communities.

13 Small single-use utensils are not to be
14 captured... or not able to be captured with the
15 city's existing recycling systems. This bill will
16 save restaurants money by reducing the amount of
17 single-use Stuff they have to buy.

18 Los Angeles recently passed a similar law and
19 restaurants there are saving thousands of dollars per
20 year.

21 SERGEANT AT ARMS: Time expired.

22 MR. DUNLEA: And I submitted written testimony
23 for additional points.

24 CHAIRPERSON VELÁZQUEZ: Any questions?

2 COUNSEL: Thank you. The next panelist will be
3 Alexis Goldsmith. You may begin your testimony when
4 the sergeant starts the clock.

5 SERGEANT AT ARMS: Starting time.

6 MS. GOLDSMITH: Good morning. My name is Alexis
7 Goldsmith, and I'm the Organizing Director at Beyond
8 Plastics. We are a national nonprofit project
9 dedicated to ending plastic pollution, and we support
10 Intro 0559, Skip the Stuff, because this bill would
11 give New York a permanent fix to ensure that all
12 takeout and delivery orders provide only what a
13 customer needs. Echoing what Mark said, the three
14 major benefits of this bill would save restaurants
15 money, give consumers more choice, and reduce waste
16 and climate emissions. And of course, also there's
17 an environmental justice aspect of this bill, given
18 that a plastics are made from fossil fuels, and the
19 production of plastics is sited in low-income and
20 low-income communities of color across the United
21 States, and also where the waste goes tends to affect
22 a low income communities as well.

23 Just a note that single-use plastic utensils and
24 containers are not effectively recycled. In the US
25 as a nation, our recycling rate for plastics hovers

2 at just 5%. That's according to the Department of
3 Energy. And this is not the fault of recyclers or of
4 the department, but rather that these products are
5 not designed to be recycled.

6 So Intro 0559 is already a good bill. There is
7 an opportunity to make changes. We have just a
8 couple of suggestions that would make it even better.
9 And my written testimony includes specific bill
10 language: One, that the department incorporate
11 compliance checks into routine restaurant
12 inspections, and, two, add a provision that would
13 allow the public to report violations similar to New
14 York State's plastic bag ban.

15 I was glad to hear that the department has a
16 robust education and outreach plan for the education
17 materials, and that they've taken lessons learned
18 from the Straws Upon Request Law. It's exactly what
19 I would do if I was in their position. So bottom
20 line New York City will... restaurants will save
21 money, reduce emissions, and prevent mountains of
22 trash with this straightforward effort to reduce
23 plastic waste at the source.

24 SERGEANT AT ARMS: Time expired.

25 CHAIRPERSON VELÁZQUEZ: Any questions?

2 COUNSEL: Thank you. The next panel will be in
3 person. I will call the four panelists names. The
4 first two can take seats at the table and the second
5 two can sit behind. Megan Ortiz, Rebecca Sabnam,
6 Lacey Tauber, and Christopher Durosinmi.

7 CHAIRPERSON VELÁZQUEZ: I want to recognize
8 Councilmember Nurse has joined us.

9 COUNSEL: Panelist Megan Ortiz, you may begin
10 your testimony when the sergeant starts the clock.

11 MS. ORTIZ: Hello? Oh. Good afternoon
12 Chairwoman Velázquez and members of the Consumer and
13 Worker Protection Committee. I'm Megan Ortiz. I
14 live in Harlem, and I'm currently working in the
15 restaurant at the Grand Central Terminal, I'm a
16 Cafeteria Culture Youth Advocate and I'm testifying
17 to urge the New York City Council to pass the Skip
18 the bill... Skip the Stuff bill. And I've prepared a
19 spoken word poem.

20 114. That's how much a box of disposable...
21 biodegradable disposable forks cost. How I know
22 this? This is the exact number my general manager
23 mumbles behind me when forks suddenly go missing,
24 forks that somehow find the ways the trash before
25 ever being used, biodegradable forks that find their

2 way to landfills or waterways, and not-so-warm
3 welcomes to a single-use item meant to replace
4 plastic being treated like plastic. One time at
5 work, I took the time to read the box the forks came
6 in, and in 12 point font in red that a biodegradable
7 fork is not to be thrown in the trash as it produces
8 methane gas when disposed of in this manner,
9 effectively making it as harmful as a plastic fork.
10 The air is heavy, and it smells, but that's not a
11 problem to the customers in my establishment. The
12 smell will only be faint to them when it comes from
13 some distant land.

14 This smell however, will travel with me home like
15 I'm the proprietor of it. 114 is quite a hefty price
16 to pay for a fork that makes you feel good, without
17 ever having to do good. This single-use item,
18 appearing more like a decoration in a paper bag,
19 compostable to help you sleep at night, maybe even
20 breathe a little easier believing in a good action
21 without ever having to commit to one, one that may
22 impede on your daily life. One that can be fixed by
23 a simple question, a sign of acknowledgement, "Can I
24 please get a fork?" 114, a number that trails around
25 my store like a ghost repeated by my general manager

2 and myself, albeit for different reasons. She has a
3 budget to stay within. And I'm wondering how much of
4 an inconvenience a question can really be? Thank
5 you.

6 [APPLAUSE]

7 COUNSEL: Thank you. Rebecca Sabnam, you may
8 start when the sergeant tells you.

9 SERGEANT AT ARMS: Time has started.

10 MS. SABNAM: Good morning Chair Velázquez and
11 members of the Committee. (background voices) Oh,
12 it's not on? I'm so sorry. Is it on?

13 Okay. Good morning, again, Chair Velázquez and
14 members of the Committee on Consumer and Worker
15 Protection. Thank you for this opportunity to
16 testify. My name is Rebecca Sabnam and I live in the
17 East Village and currently I'm a student at Columbia
18 University. I'm also a representative of Cafeteria
19 Culture. And I'm testifying to urge the New York
20 City... New York City Council to pass the 0559, Skip
21 the Stuff bill.

22 I have worked in the restaurant industry, like
23 Meghan, and I've also seen firsthand the amount of
24 waste customers can produce simply when the option is
25 given to them. These single-use utensils are simply

2 treated as accessories to their deliveries that get
3 incorrectly discarded. We run through so many
4 utensils that nobody ends up using, costing the
5 restaurant a ton of money.

6 I can stand here and regurgitate a bunch of facts
7 to you, like everyone else has about the entire
8 lifecycle of the single-use plastic from start to
9 finish, and how it threatens our life and the
10 environment around us, specifically, how it
11 disproportionately affects low income and communities
12 of color. I could just tell you how plastic utensils
13 consistently are reported as one of the top litters
14 that are found in... in our environment worldwide.
15 Or just like the general awful process of making
16 plastic from fracked gas.

17 But you all know this you. This is like not
18 anything like new to anybody else. These facts have
19 been always made available to us, and they've always
20 been known.

21 What I will leave you with are the wishes of
22 fifth graders in the East Village community that I
23 teach at the lower Eastside Girls Club. These...
24 Some girls have asked for justice for the environment
25 and the community and less microplastics instead of

2 other gifts this season. Others have asked for more
3 love and hugs in the world. We will wait as a city
4 the size if the convenience of utensils is worth more
5 than the wishes of their own youth.

6 Thank you for your time and I urge you to pass
7 this bill for these fifth graders. Thank you.

8 [APPLAUSE]

9 COUNSEL: Thank you. Lacey Tauber, you may begin
10 when the time starts.

11 MS. TAUBER: Thank you. Thank you Chair
12 Velázquez and members of the Committee for taking the
13 time today to hold this hearing. I'm representing
14 Brooklyn Borough President Antonio Reynoso.

15 As trash continues to pile up on our streets, we
16 should not lose sight of our ambitious goal of
17 sending zero waste to win landfills by 2030.
18 Decreasing single-use plastic waste would further our
19 progress toward this goal while saving taxpayer
20 money, saving our small businesses money, and aiding
21 our efforts to save the planet. Businesses in the US
22 spend about \$20 billion every year buying utensils,
23 napkins, condiment packets, and other items that are
24 almost immediately thrown away. Last year New York
25 City spent \$452 million to send 3.4 million tonnes of

2 household waste to landfills, of which approximately
3 18,000 tons was single-use plastics. A 2021 study by
4 Beyond Plastics showed that the production and
5 disposal of plastics is set to outpace coal in its
6 contribution to climate change in the US by 2030.
7 Given this takeout and food delivery bags filled with
8 single-use items are not a simple convenience.
9 Rather, they're a hindrance to reducing waste and
10 taking aggressive action on climate change.

11 The solution here is simple. Intro 559 makes
12 skipping the Stuff the default, which makes sense,
13 particularly for customers eating takeout or delivery
14 at home, where presumably they have reusable items
15 that won't end up directly in the trash.

16 Importantly, having to choose to receive these items
17 will make customers conscious of their decisions,
18 which will help us chip away at a culture that
19 consumes plastics without giving a second thought to
20 need and impact.

21 Whenever we suggest policy that can financially
22 impact small businesses, we must be mindful to ensure
23 that implementation includes extensive outreach,
24 education, and the opportunity to cure violations
25 before financial penalties are issued. I would like

2 to see more specifics in this legislation about that,
3 and I'm hopeful that on the whole this bill will save
4 New York City businesses much more money than it will
5 cost them, about \$3,000 per year per business and
6 savings according to some estimates.

7 We have already reduced our reliance on plastic
8 bags and we must bring that same desire to changing
9 our behavior regarding other single-use plastics.
10 Let's Skip the Stuff and put our environment first.

11 Thank you again for holding this hearing today.

12 COUNSEL: Thank you. Christopher Durosini, you
13 may start.

14 MR. DUROSINI: Thank you Chair Velázquez and
15 members of the Committee for the opportunity to
16 testify today regarding Intro 559. My name is
17 Christopher Durosini and I'm the Director of
18 Government Community Affairs for The Wildlife
19 Conservation Society. Based in New York City at the
20 Bronx Zoo since 1895, WCS is a global conservation
21 organization dedicated to saving wildlife and wild
22 places through science, conservation action,
23 education, and inspiring people to value nature. We
24 harness the network and power of our global
25 conservation program across nearly 60 countries and

2 all of the world's oceans through our five New-York-
3 City-based parks, including the Bronx Zoo, the New
4 York Aquarium in Brooklyn, Prospect Park Zoo, Queens
5 Zoo, and Central Park Zoo, which inspire 4 million
6 visitors a year.

7 Every day we're hitting new startling information
8 about the impacts of plastic pollution. We don't
9 have to say... It's been said many times: Our
10 wildlife has been decimated. They mistake plastic
11 for food, choke, and plastic breaks down into smaller
12 pieces consumed by wildlife and eventually threatens
13 human health through seafood and drinking water. We
14 all know that by 2050 there'll be more plastic than
15 fish in our waters.

16 This information is disheartening but we're not
17 sitting by. New York City's taking a leadership role
18 thanks to the Council's passage of Intro 936 last
19 year, restricting single-use plastic straws,
20 stirrers, and splash sticks. However, we're still
21 not free from the dangers of plastics, which is
22 precisely why Intro 559 is important. The bill as
23 restaurants, food delivery apps, and online delivery
24 partner platforms to give out single-use plastic
25 utensils, utensils, napkins and condiments upon

1 request. Simply changing the default apps option
2 will reduce unnecessary waste, save money for local
3 businesses and help declutter often unused plastic
4 utensils bring to the homes of countless New Yorkers.
5

6 Eliminating plastic is also not an impossible
7 task. WCS has already eliminated plastic straws and
8 bottles from all of our parks in New York City.
9 Also, we have eliminated all single-use plastic items
10 including cutlery and condiments at the New York
11 Aquarium. New York City has a mandate of zero waste
12 to landfill by 2030. But it will not meet its target
13 without dramatically reducing disposable items like
14 the ones covered by this bill.

15 Through this bill, new York City can expand its
16 leadership role in combating plastic pollution at New
17 York's borders and beyond. Thank you for the
18 opportunity to testify today.

19 COUNSEL: Thank you. Our next panel will be
20 virtual. I will first call on panelist Mary Arnold,
21 then Joyce Bialik, and last Sara Grillo. Panelist
22 Mary Arnold you may begin when the sergeant starts
23 the clock.

24 SERGEANT AT ARMS: Time starts.
25

2 MS. ARNOLD: Good morning. My name is Mary
3 Arnold. I'm the Queens Solid Waste Advisory Board
4 Legislative Chair. I'm speaking today on behalf of
5 the Bronx, Brooklyn, Manhattan, and Queens Solid
6 Waste Advisory Boards. All of New York City's Solid
7 Waste Advisory Boards Support Intro 0559. We thank
8 the bill's sponsor, Chair Marjorie Velázquez, and the
9 Committee on Consumer and Worker Protection for their
10 leadership on this common-sense bill, which
11 measurably moves the city toward zero waste to
12 landfills and incinerators. Please get this bill
13 passed in 2022.

14 This bill will save restaurants money and reduce
15 the scourge of plastic pollution in our communities.
16 Plastics are made of fossil fuels. Their transport
17 and disposal contribute to climate change and
18 pollution. Petroleum and plastic manufacturing
19 infrastructure is overwhelmingly located in
20 communities of color and poor neighborhoods, which
21 unjustly degrades the health of these New Yorkers.
22 Single-use plastic ends up in waterways. Single-use
23 plastic also winds up in landfills and incinerators
24 which are also overwhelmingly located in communities
25 of color in poor neighborhoods.

2 New York City's solid waste advisory boards
3 resoundingly support the Skip the Stuff legislation,
4 and we look forward to seeing this legislation
5 enacted. Thank you.

6 CHAIRPERSON VELÁZQUEZ: Thank you.

7 COUNSEL: Thank you. Next, we'll have Joyce
8 Bialik.

9 SERGEANT AT ARMS: Time starts now.

10 MS. BIALIK: Good morning, members of the public
11 and Councilmembers. I'm testifying on behalf of the
12 Microplastic Task Force of the Manhattan Solid Waste
13 Advisory Board. And of course, we strongly support
14 the Skip the Stuff bill. So, this bill requires that
15 food service establishments, couriers who deliver
16 food, and food service... sorry, food delivery
17 platforms provide eating utensils, extra eating
18 containers, and condiment packets only if the
19 customer requests them.

20 So these are all macro plastics that if reduced,
21 will lead to less creation of microplastics. So what
22 are the costs benefits of such a law the state of
23 Washington who's skipped this Stuff law recently
24 passed list the following: Environmental costs from
25 natural resource extraction, climate impacts and

2 plastic pollution, business costs to purchase and
3 dispose of these items, taxpayer costs, solid waste
4 management and litter cleanup, potential human health
5 costs associated with P fats, microplastics and other
6 harmful substances in single-use items, and then lost
7 opportunity cost when we don't create more
8 sustainable ways to meet our needs.

9 So the environmental hazards of plastics and
10 microplastics are widely known, but not as well-known
11 as their serious health hazards. In the context of
12 the world gathering about a plastics treaty, Julia
13 Carlini, who's a senior attorney writes, "There is
14 strong scientific consensus that plastics associated
15 chemicals cause diseases," and she describes the
16 disproportionate health effects on certain vulnerable
17 populations...

18 SERGEANT AT ARMS: Time expired.

19 MS. BIALIK: ...including children, youth,
20 pregnant women and workers with unique... is my time
21 up?.. with unique exposures. So there's no doubt
22 that the practice of automatically including plastics
23 with the order is detrimental to our health and the
24 environment. Such plastic should be added only after
25 learning if the customer wants them. Think of how

2 much plastic lands in our waste stream when customers
3 who don't want them get them anyway. And it's about
4 time we had a Skip the Stuff bill that will end the
5 distribution of unwanted plastics. The State of
6 Washington and tiny Ulster County, north of the city
7 have such a bill. Why doesn't New York City? Let's
8 get this legislation done. And thank you for the
9 opportunity to speak to you.

10 CHAIRPERSON VELÁZQUEZ: Thank you.

11 COUNSEL: Thank you. The next panelist will be
12 Carolina Korth.

13 MS. KORTH: Oh my god. That's me.

14 SERGEANT AT ARMS: Time starts. You can go
15 ahead.

16 MS. KORTH: Hi, so sorry. I am currently in
17 physical therapy right now, but I was not about to
18 miss my opportunity to testify on this topic.

19 We are so overdue for this legislation. I'm so
20 glad that we're finally in considering this. But
21 this is something that... I mean, if you look at
22 Canada, the entire nation bans six types of single-
23 use plastics. Just recently, they've banned them
24 completely outright. It's not... you know... In
25 other words to say we've got a lot of work to do and

2 this is a really good first step. I will say, as
3 just a consumer, who does not use stainless, I will
4 call restaurants directly so that they get all of my
5 money or use their apps. I am always, absolutely
6 always saying no cutlery, no extras, no plastic, and
7 pretty much 50% of the time, I still get it. And I
8 will open my bag, go back to the business and say,
9 Hey, I didn't want these. Here take them, you can
10 give them to someone else.

11 I always get the response, "Sorry, it was just...
12 it's out of habit." We need to break this habit,
13 there is no need for most of us to be getting any
14 sort of plastic, single-use items. So many of us are
15 just getting our food to eat at home where we have
16 utensils. This is... And many of them are actually
17 not even really recyclable because of plastics that
18 they're composed of. Some of the single-use cutlery,
19 for example. So this is beyond something that needs
20 to be passed. I hope this is just the first of many,
21 many steps, because we're in a climate crisis. And
22 right now, fossil fuel companies are literally
23 publishing information about how their future profits
24 are going to be made from petroleum. Because they

2 know that oil and fossil fuels are going to be phased
3 out in vehicles and transportation.

4 That's really all I have to say. Thank you so
5 much for your attention for your time. Hello to some
6 of my favorite Councilmembers. Hello.

7 And I really hope that you pass this without
8 further ado and that this is just the first of many
9 steps. I hope we just ban single-use plastics
10 outright and I'll probably be bugging you from time
11 to time in the future. Thank you.

12 COUNSEL: Thank you. Our next panel will be in
13 person. It will be Anita Chan, Sonia Chung, Eric
14 Goldstein, and Alexis Hidalgo.

15 The first two panelists can take chairs at the
16 table.

17 Anita Chan, you may begin your testimony when the
18 sergeant starts the clock.

19 MS. CHAN: Good morning. My name is Anita Chan,
20 and I'm a Long Island City resident in City Council
21 District 26. I'm on the Queens Solid Waste Advisory
22 Board, and the Earth Matter New York Board, and a
23 member of the 350 Brooklyn Working Group Waste Not,
24 so I think about waste a lot. I am testifying on my
25 own behalf today in support of passing the Skip the

2 Stuff bill. While I'm I am disappointed that I am
3 doing this for a second time because the bill didn't
4 pass last year, I'm very relieved that the efforts
5 did not die, and that we have another opportunity to
6 do the right thing and pass the Skip the Stuff bill.
7 Most of us who order takeout or delivery probably
8 have a collection of unused single-use utensils,
9 condiment packets, and napkins that were
10 automatically included in our order. In many cases
11 the food and drinks are consumed at home or other
12 settings where supplies are already available. That
13 is why it makes perfect sense to give single-use
14 utensils, condiments and napkins only upon request.

15 The emissions associated with the production,
16 transportation and disposal of single-use items, much
17 of which is plastic, contributes to the climate
18 crisis. This bill will help us reduce and hopefully
19 transition to reuse in feasible situations.

20 Currently, some ordering platforms give the
21 option to opt out of receiving utensils, but more
22 often than not the request isn't honored. If Skip
23 the Stuff is passed and enforced, businesses can save
24 money and space from buying less inventory and not be
25 afraid of being seen as having bad service by not

2 providing the service items automatically. I want to
3 thank everyone who has been working so hard on all of
4 this and advocating for this bill. Let's not delay
5 any further and get it passed this year. Thank you.

6 MS. CHUNG: Good morning. My name is Sonya Chung
7 and I'm a staff attorney in the Environmental Justice
8 Program at New York Lawyers for the Public Interest.
9 Thank you to the Committee on Consumer and Worker
10 Protection, Chair Velázquez, and Councilmember Nurse
11 for the opportunity to testify in support of Intro
12 0559, Skip the Stuff bill.

13 NYLPI's Environmental Justice Program has
14 advocated and litigated against inequitable
15 distribution of environmental burdens in our city for
16 decades, and especially in the solid waste management
17 system. The New York City's... New York City solid
18 waste infrastructure is historically concentrated in
19 a few low-income communities of color, and these
20 environmental justice communities unwillingly bear
21 the brunt of the resulting poor air quality, unsafe
22 traffic, noise, odors, and vermin with measurable
23 repercussions for public health. For this reason
24 NYLPI enthusiastically supports Skip the Stuff bill
25 as it will help reduce the massive amount of harmful

2 plastic waste that New York City currently trucks to
3 landfills and incinerators, and joining the chorus of
4 folks who are testifying today, reducing waste,
5 especially unnecessary and unwanted waste is a
6 critical part of easing the burden on environmental
7 justice communities.

8 This bill is also well-timed to help private
9 waste haulers and businesses meet the city's waste
10 reduction goals, as New York City's landmark
11 Commercial Waste Zones Law, Local Law 199 of 2019, is
12 fully implemented next year.

13 Skip the Stuff also advances climate justice and
14 resilience, the pollution from plastic not only harms
15 and environmental justice communities where the
16 plastic waste ends up, but also the communities where
17 the plastic is produced. The petrochemical
18 facilities manufacturing plastic pellets are
19 overwhelmingly also sited in EJ communities where
20 they pump toxic chemicals into the air as well as
21 greenhouse gases, and these this harms the
22 community's health all while driving the demand for
23 fossil fuels and exacerbating the climate crisis.

24 Single-use plastics for all their far reaching
25 and harmful impacts should at minimum not be produced

2 to never be used and immediately thrown away. We
3 urge the Council to vote for Skip the Stuff. This
4 bill alongside many other comprehensive waste reform
5 bills that are from or before this Council will help
6 New York City reach its waste reduction goals, and
7 most importantly, alleviate the burden on
8 environmental justice communities. Thank you.

9 CHAIRPERSON VELÁZQUEZ: I just have a quick
10 question: Do you have any concerns with this
11 proposed legislation?

12 MS. CHUNG: No. No concerns.

13 CHAIRPERSON VELÁZQUEZ: Thank you.

14 MS. HIDALGO: Hello, is it on? Okay. Good
15 afternoon. I'm Alexis Hidalgo with the New York
16 League of Conservation Voters and I'll be delivering
17 this testimony on behalf of Alia Soomro, our deputy
18 director. NYLCV is a statewide environmental
19 advocacy organization representing over 30,000
20 members in New York City.

21 Thank you Chair Velázquez and members of the
22 Committee on Consumer and Worker Protection for the
23 opportunity to testify today.

24 One of NYLCV's top policy goals is moving New
25 York toward zero waste, and the easiest way to

1 accomplish that is by creating less waste. We have
2 become a disposable society over-reliant on single-
3 use containers for our beverages or takeout and even
4 our utensils. NYLCV supports the passage of Intro
5 0559 sponsored by the Chair in order to reduce the
6 excessive amount of single-use plastics that end up
7 in the city's waste stream. Very often these plastic
8 items are completely unnecessary leaving consumers
9 with trash they didn't ask for. The Mayor's Office
10 reported approximately 36 million pounds of single-
11 use plastic foodware collected from our city's
12 residential waste stream, and the city spends 42
13 million a year just to manage the waste from single-
14 use cutlery.

15
16 All of this processing and management just sends
17 these items to landfills or incinerators. These
18 facilities are then often located in low-income
19 communities of color where the residents are already
20 overburdened by poor air quality and other
21 environmental injustices. None of these items are
22 recyclable either so they degrade into harmful
23 microplastics that threaten wildlife and can end up
24 in our water and food supply.

2 The bill will encourage New Yorkers to reduce the
3 reliance on single-use utensils and condiment
4 packages. It will also decrease carbon emissions by
5 decreasing the use of petroleum produced plastics,
6 bringing the city closer to reaching its emission
7 reduction goals. It will reduce the amount of
8 plastics polluting our waterways and environments.
9 Finally, this is a step in the right direction
10 towards achieving our goal of sending zero waste to
11 landfills, a goal which we have made little to no
12 progress towards over the last few years. This bill
13 is a no brainer. NYLCV urges you to co-sponsor Intro
14 0559 and vote yes on this bill, which will be
15 included in our 2022 New York City Council scorecard.

16 If this bill passes, it will help clean up New
17 York City by Skipping the Stuff. Thank you.

18 MR. GOLDSTEIN: Good morning. Eric Goldstein
19 from the Natural Resources Defense Council. We thank
20 you, Councilmember Velázquez, Councilmember Bottcher,
21 for your leadership on this bill. NRDC strongly
22 supports Intro 559 and I'll summarize our written
23 testimony.

24 The legislation also has the strong support of
25 the restaurant community including the New York City

2 hospitality lines, and that's for a good reason. The
3 legislation that was passed in California imposed
4 similar provisions on takeout food and there, the
5 chief sponsor of the bill found that California
6 restaurants were saving between \$3,000 and \$21,000 a
7 year and reduced operating costs as a result of this
8 legislation.

9 The only opposition we know of to this bill would
10 likely be from the fossil fuel industry and with the
11 amount of oil and gas for internal combustion engines
12 likely to decrease over the next 15 years, it's
13 plastics, including throw-away plastics which
14 accounted for as much as 45% of the total plastics
15 production. That is a major growth area for the
16 fossil fuel industry. They are the folks who will be
17 affected by this bill, and rightly so. This bill
18 only deals with a small portion of the waste stream.
19 And we hope that it's a start for the Council to deal
20 with some of the bigger waste issues, including
21 universal curbside composting, which Sandy Nurse and
22 Councilmember Hanif have been spearheading in the
23 sanitation committee.

24 One last point Councilmember Velázquez: We
25 appreciate your highlighting the importance of

2 education and enforcement. Fortunately, this bill
3 includes a provision that directs the Department of
4 Consumer Affairs to ensure that education and
5 outreach to inform New Yorkers takes place, but as
6 the state Solid Waste Management Plan indicates:
7 Progress in waste prevention requires behavioral
8 change, and behavioral change requires education.
9 And so therefore, it'll really be essential for the
10 Department of Consumer Affairs and Department of
11 Sanitation, to ensure that they follow through on
12 this mandate for the bill to be successfully
13 implemented. We appreciate your support. We look
14 forward to the speaker advancing a vote on this bill
15 before year's end.

16 CHAIRPERSON VELÁZQUEZ: In your testimony, you
17 mentioned California, what types of restrictions were
18 implemented in their laws? And what is the impact of
19 that legislation?

20 MR. GOLDSTEIN: California has a very similar
21 statewide bill that directs localities to advance
22 legislation on their own that would essentially set
23 up plastic utensils on request, and so a number of
24 jurisdictions have already implemented that. And as
25 I say, the prime sponsor of the Los Angeles

1 implementing Bill did a survey and found that
2 restaurants were saving as much as \$21,000 a year,
3 and so there was really broad support for that
4 legislation.

5
6 CHAIRPERSON VELÁZQUEZ: Thank you.

7 COUNSEL: Thank you. The next panel will be
8 virtual. I will first... calling on panelist Brian
9 Langloss, then Jane Selden, and then Sarah Hudson.

10 SERGEANT AT ARMS: Time starts.

11 Good morning. Thank you Chair Vasquez and
12 committee members for the opportunity to testify in
13 support of the Skip the Stuff ordinance. My name is
14 Brian Langloss, and I'm with Oceana, the largest
15 international advocacy organization dedicated solely
16 to ocean conservation.

17 As we've heard, plastic pollution is a growing
18 problem for ocean health. Plastic pollution is a
19 threat to the world's oceans, as well as our food,
20 human health, and our climate.

21 Each year, an estimated 33 billion pounds of
22 plastic enter the marine divide environment, and this
23 is roughly equivalent to actually two garbage trucks
24 full of plastic being dumped into the oceans every
25 minute. Plastic pollution is everywhere. Scientists

2 have observed plastic floating on the surface of the
3 ocean in some of its most remote parts, washing up on
4 the world's coastlines, melting in Arctic sea ice.
5 It's been observed raining onto the Rocky Mountains,
6 and even sitting at the deepest part of the ocean
7 floor. As plastics continue to flood into our oceans
8 and other waterways, the list of species affected by
9 plastic pollution expands. A piece of plastic can
10 look like food to a fish, or a turtle, or dolphin, or
11 a bird. Tens of thousands of individual marine
12 animals have been observed suffering from
13 entanglement or ingestion of plastic. Plastic
14 ingestion and entanglements can lead animals to die
15 from starvation or suffocation.

16 While we begin to realize the extent of plastic
17 pollutions effects, plastic production continues to
18 increase at a rapid rate. The plastics industry
19 expects annual production will more than triple by
20 2050, and as plastic production increases, so will
21 the amount of plastic entering into our oceans.

22 The solution is to reduce single-use plastics by
23 making plastic utensils and condiment packets
24 available by request only. Recycling is not enough
25 to solve the plastic pollution crisis. Only 9% Of

2 all the plastic waste ever produced has been
3 recycled. And so this is a problem we cannot recycle
4 our way out of. We have to cut the pollution off at
5 its source. Thank you very much for your work on
6 this bill.

7 COUNSEL: Thank you. Our next panelist is Jane
8 Selden.

9 SERGEANT AT ARMS: Time starts.

10 MS. SELDEN: Thank you. Thank you for giving me
11 the opportunity to speak today. My name is Jane
12 Selden, and I'm testifying today on behalf of the
13 Climate Activist Group, 350 NYC. We at 350 know that
14 the world can't reach its greenhouse gas emissions
15 goals without seriously addressing the environmental
16 impact of plastic. Plastic production has grown
17 exponentially in the last 20 years. In fact, if
18 plastics were a country it would be the fifth largest
19 emitter of greenhouse gases in the world.

20 The sourcing production and disposal of plastic
21 isn't only accelerating the climate crisis, but has a
22 disproportionate impact on the health of low-income
23 communities and communities of color, who live near
24 fracking sites, petrochemical plants, landfills, and
25 incinerators.

1 The most effective way to reduce address the
2 plastic pandemic is to reduce demand for it, which is
3 why 350 NYC fully supports the Skip the Stuff Bill.
4 Like the plastic bag ban and the Skip the Straw law
5 Intro 559 targets single-use plastic, which comprises
6 40% of plastic produced each year. But actually,
7 these plastic utensils don't even necessarily fit the
8 definition of single-use since so often they aren't
9 used at all and just end up creating clutter in
10 people's drawers. They're impossible to recycle.
11 And if they do end up in a MRF facility, they can jam
12 the machinery. And why would anyone want to use
13 utensils made from material laced with unknown
14 chemicals?
15

16 The reality is no one benefits from the
17 proliferation of these plastic utensils except for
18 the petrochemical industry. We know from a recent
19 Ipsos poll commissioned by Oceana that the
20 overwhelming majority of Americans, regardless of
21 party affiliation, support legislation that reduces
22 single-use plastic. And I'm sure City Councilmembers
23 are aware that sanitation issues are among their
24 constituents top concerns.
25

2 So we urge the City Council to pass the Skip the
3 Stuff bill without delay, and hope this bill paves
4 the way for more waste reduction legislation in the
5 future. Thank you.

6 COUNSEL: Thank you. The next panelist is Sarah
7 Hudson.

8 SERGEANT AT ARMS: Time starts.

9 MS. RYAN HUDSON: Hello, my name is Sarah Ryan
10 Hudson and I'm the Director of Advocacy for Gotham
11 Whale. Gotham Whale is in New York City based
12 nonprofit that seeks to research, educate about, an
13 advocate for the marine mammals in our area. Thank
14 you for holding this hearing and for the opportunity
15 to express our support for the Skip the Stuff bill.
16 We're hopeful this bill will reduce the impact
17 plastic pollution is having on our local marine
18 ecosystem.

19 Our organization partners with multiple local
20 whale watches to collect data during the tours they
21 offer. We're observing floating plastic debris on
22 many of our trips. I personally have participated in
23 coastal cleanups and seen firsthand just how much
24 trash is ending up in our waterways. Though many
25 people aren't aware of it, 27 marine mammal species

2 have been observed in the New York bight. Over the
3 last decade, Gotham Whale has tracked the sightings
4 of marine mammals in our area. We have observed a
5 growing number of humpbacks and other whales,
6 dolphins and seals coming to our area to feed. We
7 frequently document humpbacks feeding with floating
8 debris visible in the same area.

9 Ingesting plastic waste is incredibly harmful to
10 wildlife, and we're hopeful this bill will change the
11 default from disposable to reusable and help New
12 Yorkers be more mindful. As with many issues facing
13 our marine wildlife, it's likely the impacts are
14 undercounted. For each instance where an animal
15 washes ashore showing signs of entanglement or debris
16 ingestion, there may be dozens of other animals who
17 suffer a simile a similar fate out of sight and
18 offshore.

19 This bill will give New Yorkers better control
20 over if using single-use materials. The current
21 default of adding condiments and plastic cutlery to
22 every order puts the burden on the consumer to
23 request no waste. In my personal experience, this
24 request is frequently overlooked or ignored.
25 Changing the default to Skipping this Stuff unless

2 it's requested would be the best for New Yorkers
3 terrestrial and marine. Thank you again for holding
4 this hearing today.

5 COUNSEL: Thank you. The next panel will be in
6 person. There will be Lisa Solomon, Debbie Lee
7 Cohen, Alexander Morgan, and Larasati Vitoux. The
8 first two panelists can take seats at the table.

9 CHAIRPERSON VELÁZQUEZ: I want to take a moment
10 to recognize Councilmember Krishnan.

11 MS. SOLOMON: Thank you to Chair Velázquez and
12 all of the members of this committee for scheduling
13 this hearing. My name is Lisa Solomon and I am
14 representing the New York City Chapter of the
15 Surfrider Foundation. Surfrider Foundation is a
16 national group that protects our oceans and coasts
17 for all people. Surfrider Foundation has been
18 running the reusable New York City Coalition for
19 three years now, which is a group of 40 local New
20 York City organizations that are supporting Bill
21 Intro 0559, the Skip the Stuff bill. The New York
22 City Chapter of the Surfrider Foundation does a lot
23 of beach cleanups mostly in the Rockaways, and the
24 items addressed in the bill are always some of the
25 most commonly found. For example, we've held 17

2 beach cleanups in 2022, with about 25 people per
3 clean up, and in total, we found 1042, plastic straws
4 and stirrers, 270 plastic utensils, 600 napkins, and
5 1600 plastic wrappers. And some of that portion of
6 the 1600 is condiment packets.

7 So clearly plastic pollution has saturated our
8 environment, our communities, and now our bodies.
9 This bill will reduce plastic pollution, save
10 restaurants money, and as a New Yorker who orders
11 takeout food will finally honor my choice to not
12 receive plastic items that I don't need to enjoy my
13 meal. Thank you very much.

14 MS. COHEN: Good morning, thank you, Chair of
15 Velázquez is and Councilmembers. And thank you so
16 much for giving our students the opportunity to
17 testify and you know, allowing the time for them
18 early on, so they could actually do it. It will
19 change their lives, and that's the way to teach
20 civics. So I appreciate that.

21 I'm Debbie Lee Cohen. I'm the Executive Director
22 and Founder of Cafeteria Culture an environmental
23 education organization. And I'm also the co-director
24 and producer of Cafeteria Culture's documentary
25

"Microplastic Madness", which features fifth graders from PS 15 in Red Hook, Brooklyn.

Cafeteria Culture is totally in support of Intro 0559 Skip the Stuff bill. We urgently need to reduce unnecessary or non-essential plastic packaging and foodware to address the massive global plastic pollution problem. It's not just an environmental emergency; it's also a health emergency. And I can speak of that firsthand. I was formerly a scenic designer, working with plastics, mixing compounds, cutting plastics with power tools, I am now a stage IV cancer patient. And I believe that my cancer has everything to do with being exposed to plastics on that level at a young age.

And so I just want to say that at this moment in time, we have an incredible opportunity because our students have pressed for plastic free lunch day citywide. And now New York City Department of Ed has agreed to plastic free lunch day on a monthly basis. We'll continue to advocate with our students to make that more regular. But one of the low hanging fruit parts of plastic-free lunch day, thanks to our students at PS 188 who testified, is that they push the school food directors to publicize "Don't Need

2 Don't Take." We have this opportunity to make it a
3 societal... a whole... like not just behavior for
4 adults, but that students can go home and talk to
5 their parents. And it can expand from schools, to
6 home, to business that we understand like we're not
7 doing these... these plastic reduction initiatives in
8 silos. That we culturally reach out to the whole
9 community. So it's a great opportunity right now to
10 get this bill passed. And I just want to say the
11 Skip the Stuff bill, it provides an immediate and
12 repeatable way for New Yorkers to say no to plastic
13 pollution, and no to the plastic health threats. And
14 I encourage you to read more about plastic health
15 threats in my testimony. Thank you so much for this
16 opportunity. And thank you for supporting the bill.
17 Thank you.

18 [APPLAUSE]

19 MR. MORGAN: Hi, thank you. My name is Alexander
20 Morgan, I founded EcoRate, which is a sustainability
21 ratings platform for cafes and refill stores
22 throughout the country, but especially in New York
23 City. And I would really like to commend the Council
24 for introducing the... for taking on this bill in the
25 form that it has. Because in my experience of

2 assessing the sustainability of, you know, hundreds
3 of cafes around the city... Really what matters most
4 is the default procedure. So it's not just that
5 there is a sustainable option hypothetically
6 available, but really the vast majority of people are
7 just going to go with the default. So making this a
8 default is absolutely the right way to go. So I
9 commend you on that.

10 And in my conversations about sustainability with
11 you know, tons of New Yorkers all over the city,
12 this... specifically this issue of the Skip the Stuff
13 below these, you know, extra cutlery and condiments
14 and things in food, especially delivery, is really
15 just a point that people just don't understand why
16 it's the case and why it continues. And so this is
17 really something that the city needs to act on... on
18 a citywide level to change the default completely.

19 And the last thing I'll say is that it's not just
20 the plastic cutlery that's, you know, at play here.
21 It's really, you know, all the people that I've
22 talked to about this see it as the obvious sort of,
23 like, no-brainer solution.

24 So it's really the city's credibility to
25 address... you know, to effectively address

2 sustainability issues that's on the line. So we
3 really need to get this passed in order to... to be
4 able to address you know, larger sustainability
5 issues and for the city to be able to reach its 2030
6 goal of being a zero waste city. Thank you.

7 COUNSEL: Thank you.

8 MS. VITOUX: Hi, everyone. My name is Larasati
9 Vitoux, and I'm the owner and founder of Maison Jar,
10 a Refillery and low-waste grocery store in
11 Greenpoint, Brooklyn, District 33. So Maison Jar is
12 a package free grocery store. We basically sell food
13 products, home and personal care essentials all
14 without unnecessary packaging, and we encourage
15 customers to bring in their own reusable containers.
16 I believe my business has been a great case study for
17 the willingness of New Yorkers to change their habits
18 for the benefit of the environment.

19 When most customers first visit my store, they
20 have never shopped at a package-free grocery store
21 before. I receive questions about how the process
22 works, what to do if you haven't brought your own
23 containers, and from time to time why all of this is
24 even necessary. The team at the store and myself
25 explain to the customers the issue with single-use

2 plastic and containers and we help them with their
3 shopping process.

4 Today I wanted to share that our business is
5 thriving, many customer that never shopped in
6 reusable containers before have happily embraced the
7 change, and now even push their neighbors and family
8 to do the same. I am supportive of Intro 0559 Skip
9 The Stuff bill, because I believe that it is a
10 necessary step to improve the impact New Yorkers
11 have... the impact New Yorkers make on the
12 environment not only for the people of this great
13 city, but for the global community we are part of.

14 Most of all, I am supportive of the bill because
15 I know that New Yorkers are ready to be part of the
16 necessary change. Thank you.

17 [APPLAUSE]

18 CHAIRPERSON VELÁZQUEZ: Thank you.

19 COUNSEL: Our next panelist will be virtual. I
20 will start by calling (inaudible)... I'm sorry, I'll
21 try... I'll say that again. Our next panelist will
22 be virtual. I will start by calling Galit Tsadik,
23 then Sandye Renz, and then Sarah Grillo. Galit
24 Tsadik, you may begin when the sergeant starts your
25 time starting time.

2 SERGEANT AT ARMS: Starting time.

3 MS. TSADIK: Hi, my name is Galit Tsadik, and I'm
4 the owner of Tsadik G Management. I'm located in
5 District 31. I am also on the board of a nonprofit
6 called The Diversity Initiative. And one of the
7 things that we work on is beach cleanups with that
8 nonprofit. So my full-time business is a bookkeeping
9 business, and I see a lot of my clients wasting money
10 on purchasing these plastic products that ultimately
11 do not get used. So from a business standpoint, I
12 want to make sure that my businesses are able to save
13 the money and not waste it on things that people are
14 not using, shoving into a drawer as soon as they get
15 home.

16 As well as when we do our beach cleanups on the
17 nonprofit side. This is one of the things that we
18 encounter all of the time and we do beach cleanups in
19 Rockaway Beach. We do them both underwater (we're
20 certified scuba divers)... we do them both underwater
21 and onshore, and we see them in both places. New
22 York depends on clean waterways and coastlines to
23 support 467,000 American jobs, and \$47.9 billion in
24 GDP in our coastal tourism, fishing, and recreation
25 industries.

2 All of that is put at risk by the staggering
3 amount of plastic that's entering our oceans and our
4 waterways. Some of the key findings among registered
5 New York voters surveyed by Oceana in 2021 include
6 that 88% are concerned about single-use plastic
7 products, 84% are concerned about plastic pollution
8 and its impact on the environment and our ocean, 83%
9 are concerned about the amount of plastic items used
10 in food delivery and takeout. That's huge. 88%
11 support local and state policies to reduce single-use
12 plastic. Thank you for listening.

13 COUNSEL: The next panelist is (inaudible). The
14 next panel is Sandye Renz.

15 MS. RENZ: Sandye. Okay? Okay, my name is
16 Sandye Rennes, and I live in district 39. I applaud
17 Councilmember Marjorie Velázquez's opening words and
18 all of the testimony in favor of this bill. I am
19 urging this committee to pass Intro 0559.

20 Most of the single-use plastic distributed
21 restaurants for eat-in, takeout, and delivery is not
22 recyclable, and a lot of it goes into the landfill
23 without being used at all, because when tables are
24 cleaned, or takeout bags thrown away, used and unused
25 just goes in the same place, it's not separated, and

2 it doesn't matter. It's a small distinction, because
3 all plastic is poison.

4 Everyone needs to get into the habit of zero
5 plastic use. And this bill is a very user-friendly
6 start for this practice. This bill will reduce
7 plastic use. Yet for those customers that still need
8 to ease into a pass plastic0free life. They get that
9 choice. It's a very gentle bill, please pass Intro
10 0559, and then let's get serious. Thank you.

11 COUNSEL: Thank you. The next panelist is Sarah
12 Grillo.

13 SERGEANT AT ARMS: Time starts.

14 MS. GRILLO: Hello, my name is Sarah Grillo, and
15 I'm a mother of four kids. I live in District Six in
16 Washington Heights. And I'm here because in the
17 summer, I go out to Orchard Beach, in Pelham, in the
18 Bronx. And I can't help but pick up all of the
19 utensils and the plastics, even the napkins that are
20 littering the shoreline because my kids can't even
21 swim in the ocean without constantly encountering
22 these items. And so I make it a thing where my kids
23 and I go and we pick up all the trash from the water
24 and from the beach, and then three hours later, when
25 we go to leave, there's... it's just replenished,

2 there's... the items have just returned back in full
3 number as they were before.

4 So I'm here to just say that I applaud the Skip
5 the Stuff bill. I think we need a cultural change.
6 I think we need to force this idea onto society,
7 because people will literally see us walking around
8 picking up the trash, as they're depositing it in the
9 sand. And until the law takes effect, there... we
10 can't just... we can't just rely on people doing the
11 right thing because they won't. There needs to be a
12 cultural shift in the way that New Yorkers and across
13 this country, regard plastics. That's all I have to
14 say. Thank you for allowing me to speak.

15 CHAIRPERSON VELÁZQUEZ: Thank you, Sarah. I'm
16 actually the representative of Orchard Beach, so I
17 appreciate your help. There are several
18 organizations there as well that do do beach
19 cleaning. So I advise you if you want to join us,
20 City Island Oyster Reef Project is one of them. So
21 join us one of these days. And thank you. Thank you
22 for your words. We really appreciate you.

23 COUNSEL: Thank you. The next panel will be in
24 person, will be Sandra Noonan, Madeleine

2 MacGillivray, Sheila McMenamin, and Delia Kulukundis.
3 Sorry.

4 Good, good morning. My name is Sandra Noonan.
5 I'm here as Chief Sustainability Officer of the
6 restaurant chain Just Salad, which is headquartered
7 and was founded in New York City. We operate across
8 six US states nationally.

9 I'm also here as an outrage citizen. I am tired
10 of the needless plastic waste in my delivery orders,
11 and in fact joined Just Salad years ago, out of a
12 passion for its commitment to waste reduction. I'm
13 here to support Skip to Stuff, therefore, as a
14 representative of the restaurant industry in New York
15 City and as citizen.

16 And I can tell you that this bill would work
17 because just salad is already taking this action on
18 its own delivery platforms. The mechanism is very
19 simple: We opt the customer out of utensils, when
20 they order on our website and on our app. And if
21 they want a utensil, they can say, "Yes, I want a
22 utensil." It's really that simple.

23 So I also just want to add why this bill is so
24 necessary: While we have done it ourselves, it is
25 necessary because for many reasons -- but I'll just

2 highlight a few. In our research, we have learned
3 that indeed, plastic utensils are not recycled. And
4 we have spoken directly with recycling facilities to
5 confirm this as a restaurant chain. Even if we use
6 compostable utensils that are made of bio plastics,
7 the situation is the same: They will not be
8 composted by most or any compost facilities, and we
9 have independently verified this.

10 I just want to conclude by saying I don't
11 remember when society decided that it was acceptable
12 to get a side of trash with your food. We have moved
13 way too far from common sense in this... in this
14 scenario. And no one's benefiting, restaurants
15 aren't benefiting, and the consumers not benefiting.
16 So please help us pass this bill. It's common sense.
17 It will eliminate a nuisance and it will help our
18 planet. Thank you.

19 Good morning Chair Velázquez and Committee
20 members. Thank you so much for this opportunity to
21 be heard. My name is Madeleine MacGillivray, and I'm
22 a New Yorker born and raised. I have also
23 researched, studied, and educated on microplastics
24 around the globe from the Galapagos to the Arctic for
25 the last eight years. I'm an ambassador of the 5

2 Gyres Institute, a prominent microplastics research
3 and education organization. And I'm also the Climate
4 and Plastics Campaign Coordinator at Seeding
5 Sovereignty, an environmental justice organization
6 where I focus on the critical connection between
7 plastics and the climate crisis. But above all, I'm
8 a New Yorker who gets takeout, and like most of us
9 has this pile of totally unnecessary plastic utensils
10 sitting in their home.

11 I'm testifying for this bill for the second time
12 exactly a year after the first hearing, which was my
13 first ever testimony.

14 So the reasons I'm for the passing of this bill
15 are seemingly endless: Plastic utensils are
16 obviously as we've discussed, not recyclable. And
17 since most takeout is delivered to homes and
18 workplaces, where consumers have plenty of silverware
19 and in fact prefer eating with silverware, these
20 utensils go directly from the oil well to production
21 to restaurants to customers' homes and just into the
22 trash without really ever being touched. So they
23 burden the city by sitting in landfill, they break
24 down into micro plastic particles that harm our
25 health and our environment. So this bill obviously

2 is really such a win-win-win. And I know that myself
3 and probably millions of New Yorkers will let out a
4 big sigh of relief if it passes.

5 Delivery, as we all know is very convenient, but
6 what to do with these utensils is extremely
7 inconvenient. So for me and many others the guilt is
8 very real.

9 As both a scientist and a New Yorker, I know that
10 these local legislative measures are really the first
11 step in moving towards a sustainable future and
12 showcasing our city as a global leader. So this one
13 couldn't be easier. So let's Skip the Stuff. Thank
14 you so much.

15 MS. MCMENAMIN Okay, hi. My name is Sheila
16 McMenamin. Thank you for having us here today. I
17 formally have been an employee of the NYC Parks
18 Department and worked within public parks in New York
19 for many years. Currently working in solar, but the
20 sustainability issue at hand is really pressing not
21 just to me, not just to the wildlife of New York
22 City, but to the people as well. I have firsthand
23 experience understanding the sheer amount of waste
24 that just gets left in our public parks here in New
25 York City, let alone waste created from ordering

2 takeout, and within our home, and it is pretty
3 inescapable.

4 And so on behalf of the city residents and the
5 wildlife here, this is really low hanging fruit, if
6 even to just set precedent for what the future of New
7 York City's sustainability initiatives can look like.
8 And you know, having worked in parks, a lot of that
9 work is just around building awareness of existing
10 green spaces or lack thereof. This is another way in
11 which we can start to build awareness for the public
12 about the prevalence and dominance that plastic has
13 taken on our everyday habits like eating food, and
14 where we can start to chip away at the pervasiveness
15 of plastics that can only create unbound potential
16 for making this more of a waste free city. So thank
17 you.

18 MS. KULUKUNDIS: Good morning. My name is Delia
19 Kulukundis, and I'm here speaking on my own behalf.
20 When I try to explain this bill to people who don't
21 already know about it, I tell them, it would require
22 restaurants to give customers only the things that
23 they asked for. What could be easier than that? So
24 I thank you, Chair Velázquez for holding this hearing

2 and for your leadership on this issue. And for the
3 rest of this committee as well.

4 Any arguments you may hear against this bill do
5 not make sense. But once you realize that the
6 plastic industry is actually just a part of the
7 fossil fuel industry, it makes a lot more sense what
8 they're... where they're coming from. The fossil
9 fuel industry tried to shift the blame for the
10 climate crisis on to regular people and telling us
11 it's our carbon footprints that are the problem. In
12 the same way, the plastic industry tried to shift
13 blame for the ocean crisis onto consumers for blaming
14 us for demanding plastic, telling us it's our fault
15 for not reducing, reusing, and recycling.

16 The plastic industry has always known that their
17 products accumulate in the oceans and poisoned marine
18 life. But instead of modifying those products to be
19 less toxic and more recyclable, they just blamed
20 consumers and municipalities for not recycling
21 enough. Meanwhile, they deliberately undermined the
22 reusable items in favor of plastic disposable ones
23 just to boost their business.

24 So right now, we know that fossil fuels are on
25 their on their way out. And the industry is looking

2 for ways to boost their business again, and plastics
3 are what they're turning to. We've seen this play
4 out before these arguments, the plastic industry
5 tried to lobby their way out of the plastic bag ban
6 in New York State. It didn't work, we finally
7 prevailed. We're working on it. But they just tried
8 to delay and confuse and distract people. Just we're
9 not buying anymore. We weren't buying it in the
10 first place. But we're still not buying it.

11 We just don't want to get disposable stuff that
12 we didn't ask for in the first place. Disrupt the
13 narrative of like, "it's our demand." We're not
14 demanding it. We're demanding no plastic. So I'm
15 asking you: Pass this bill. Get it done before the
16 end of the year. Voters have your back. We passed
17 the environmental bond act by an 80% landslide in New
18 York City. We're ready for climate action. Voters
19 have your back. It's an easy win and we want to
20 cheer you on. Thank you.

21 [APPLAUSE]

22 COUNSEL: Thank you. The next panel will be in
23 person will be Candi Cain, Kaylee Cunkel, Sarah
24 Mercer Malakoff, and Lauren Sweeney. Candy Kayne,
25 you may begin when the time starts.

1
2 MS. CAIN: Thank you very much for allowing me to
3 speak today. Chairman Velázquez. My name is Candi
4 Cain, and I'm a member of 350 NYC. I'm testifying
5 here today support of INT 059, The Skip the Stuff
6 bill sponsored by Councilperson Marjorie Velázquez
7 and others.

8 As there are a myriad of good reasons for New
9 York City to pass the bill, I barely know where to
10 start. But I will start by mentioning the Skip the
11 Stuff bill that was passed by the Los Angeles City
12 Council unanimously in June of 2021.

13 So my real question here today is what is the New
14 York City Council waiting for? Ever since COVID 19
15 spread across our city, trash on the streets has
16 become a major problem. The Skip the Stuff bill
17 would obviously help to mitigate that issue alone.
18 Who does not have a drawer full of miscellaneous
19 napkins and cheap plastics that will never be used,
20 but has to be dumped out every now and again in order
21 for precious space to be regained? These items are
22 not even single-use. They're never use. The Skip
23 the Stuff bill is a great idea that's begging to be
24 enacted.

I could go I could go on but you get my drift.
Please pass the Skip the Stuff bill now. Thank you.

[APPLAUSE]

MS. KUNKEL: Hello, my name is Kaylee Kunkel, and I'm a resident of Jackson Heights queens. When I founded my eco friendly storefront in 2020, it was because I knew the plastic pollution crisis was too big to ignore. Since then, our plastic-free message has reached and resonated with tens of thousands of Queens residents and New Yorkers beyond. They show up week after week to purchase reusable utensils, green alternatives to single-use household plastics, and they refill their containers with household essentials. And they ask me daily about how they can reduce their footprint as consumers.

As you can see, this movement is strong, but we still need your support. Intro 0559, the Skip the Stuff bill, would be a critical first step in eliminating single-use plastics from our food system, our waterways, and our city waste. Our power is immense when combined, but too often well-intentioned businesses don't listen when we ask for less stuff. This bill would put teeth behind the goal of zero

2 waste and also free up city utilities and resources
3 for greener initiatives.

4 As a green local small business owner I see daily
5 the innovations that already exist to fill the void
6 of plastic wear. This change is locally and
7 diversely led, as you can see, with environmental
8 justice at its forefront. Our movement already has
9 reusables, refill stations, circular electric van
10 delivery services, and most importantly, passionate
11 consumers who are ready for this change.

12 Please help us make this a reality for our city
13 and for our planet. Thank you for letting me speak
14 today.

15 COUNCILMEMBER BOTTCHE: I just want to say as
16 your Councilmember Thank you very much for your
17 testimony and all the great work that you're doing
18 for our climate. I look forward to working together.

19 MS. MALAKOFF: Hi, my name is Mercer Malakoff. I
20 work for Package Free Shop which is a New-Yorker-
21 founded zero waste brand with a brick-and-mortar
22 store located in District 1. We provide the most
23 sustainable versions of the products that everyone
24 uses daily. Our products use zero or minimal

2 packaging, eliminating single-use plastic from
3 everyday routines.

4 The reason why businesses like ours exist is
5 because New Yorkers want a more sustainable
6 lifestyle. In fact, almost 90% of New Yorkers
7 support local and state policies to reduce single-use
8 plastic, and 84% are specifically concerned about
9 plastics impact on the ocean and the environment.
10 The Skip the Stuff bill would dramatically lower...
11 would dramatically lower our use of plastic
12 packaging, which makes up almost half of all plastic
13 produced today. At Package Free, we prove every day
14 that not only is a more sustainable model possible,
15 it's a smart business. For the good of our planet
16 and New York we hope that you vote yes on Intro 0559

17 MS. SWEENEY: Excuse me Hello, my name is Lauren
18 Sweeney, Co-founder and CEO at DeliverZero. Thank
19 you Chair of Velázquez and the members of the
20 committee for allowing me the opportunity to testify
21 on this legislation. My company's mission is to make
22 it easier for customers and restaurants to make truly
23 environmentally-friendly decisions that reduce waste
24 in landfills, greenhouse gas emissions in our
25 atmosphere, and pollutions on our streets.

1 Single-use plastic is a climate issue and it's
2 time we do something about it. I strongly support
3 this bill because it has become clear that the
4 scourge of single-use items such as eating utensils
5 and napkins, as outlined in this bill, has become
6 unnecessary and unsustainable. Our single our city
7 EU uses over 23 billion disposable food service items
8 per year, 36 million pounds of which is single-use
9 foodware that is collected in our city's residential
10 waste stream.

12 But plastic must be seen as a climate issue, not
13 just a trash issue. Most people agree that single-
14 use plastic is bad for the environment and oceans.
15 But what they don't realize is that plastic warms the
16 planet twice as much as aviation. When it comes to
17 food delivery, every billion takeout containers are
18 equivalent to at least 100,600... 6000 tons of
19 greenhouse gas emissions. It's a lot. And at least
20 357 million gallons of water consumption. And this
21 plastic is costly on businesses and local government
22 operations. According to upstream, American food
23 service establishments spend \$24 billion each year
24 purchasing nearly 1 trillion pieces of disposable
25 foodware. This generates nearly 9 million tons of

2 waste, which costs businesses and local governments
3 \$6 billion per year to manage. And I just want to
4 echo everyone else's sentiments today, everyone else
5 who said this but it's just time to do more. This is
6 a good step. Time to do more.

7 [APPLAUSE]

8 COUNSEL: Thank you. Our next panel will also be
9 in person. And that will be Raine Manley, Jan
10 Thompson, and Carol Smolinski. If there's anyone
11 here and person who would like to testify but who has
12 not been called please see the Sergeant to fill out
13 an appearance card.

14 MS. MANLEY: So my name is Raine Manley. I'm a
15 resident of District 33. I'm here on behalf of the
16 Reusable NYC Coalition and I work for the Natural
17 Resources Defense Council.

18 What you see in this massive 30 pound bag is the
19 reason I joined the coalition a few years ago:
20 Hundreds of single-use utensils that I personally
21 tried to refuse. A day is coming incredibly soon
22 where all of this is going to end up the only place
23 that it can: The trash, and then to a landfill or
24 incinerator right here in New York City. In 2017,
25 the DSNY waste characterization study analyzed a tiny

1 fraction of the waste that we produce, and they found
2 583 tons of single-use plastic plates, cups and
3 utensils. That shows the magnitude of the single
4 waste nightmare that we're dealing with. I'm just
5 one New Yorker. So I'm asking the committee to think
6 about the millions of us who've got drawers that are
7 filled with all this stuff that we didn't need and we
8 didn't ask for. We ordered takeout to our homes
9 where we already have reusable solutions.
10

11 Beyond the residents, I'm asking the committee to
12 think about our restaurants who could be making
13 meaningful savings every single year by stocking less
14 of this unnecessary stuff. That money can make a
15 huge difference for companies who are operating on
16 razor thin margins.

17 Beyond the restaurants I ask the committee to
18 think about the city itself, our streets, our parks,
19 our rivers, our ocean, our wildlife and all the
20 single-use waste that's bound to pollute them if we
21 don't divert it.

22 Beyond our city, I asked the committee to think
23 about our planet. Plastic production is a huge
24 contributor to greenhouse gas emissions. And our
25

2 city must continue to invest in climate solutions as
3 we've done with the plastic bag and straw bans.

4 With all this in mind, the solution is simple and
5 elegant. Skip the Stuff. Don't give it to us unless
6 we ask for it. Thank you to committee Chair
7 Velázquez are reintroducing this legislation to the
8 full committee for your full support and sponsorship
9 of this bill. And to all the amazing advocates and
10 activists who pushed for this for years. Your
11 commitment shows that you're trying to make the city
12 the very, very best it can be. Thank you very much.

13 [APPLAUSE]

14 MS. THOMPSON: Good morning, or good afternoon, I
15 think it is now. My name is Jan Thompson. I'm the
16 Communication Chair for 350 Brooklyn's Plastic Free
17 Team. And I want to let you know that one of my
18 biggest pet peeves is the waste I see in takeout
19 dining. And like most of you, I am a busy person and
20 do order takeout when I don't have time to cook. And
21 I can't tell you how many kitchen drawers and
22 refrigerator cubbies are stuffed with this kind of
23 Stuff. And instead of calling this single-use
24 plastic, I call it zero-use plastic, because I never

2 use it and it gets dumped directly into the trash,
3 causing me immense guilt.

4 We can't afford to wait another minute to pass
5 this. It's such an easy win for the environment.
6 single-use plastic is clogging our rivers and oceans
7 like never before. Microplastics are insidious, and
8 I've even been found in human placentas, which is
9 crazy. Plastic takes centuries to break down
10 completely, and not only that the production of
11 plastic leads to greenhouse gas emissions as we've
12 heard, which contribute to the climate crisis we now
13 face.

14 Lastly, I just want to add what you already know.
15 This bill is so friendly and easy to pass, it's a
16 win-win since restaurants will immediately save money
17 by giving utensils and condiments only upon request.
18 Purportedly they can save as much as \$3,000 to
19 \$21,000 per year, as some businesses are reporting in
20 Los Angeles where a similar law was passed. New York
21 City has a mandate of zero waste to landfill by 2030,
22 and this would help tremendously towards reaching
23 that goal. And most citizens hate waste like me, and
24 usually have all of these items at home or at work
25 anyway. So there's literally nothing hard about this

2 bill. It comes up roses everywhere you look. I will
3 be so proud of New York City and its Council when we
4 pass Skip the Stuff. Thank you very much.

5 [APPLAUSE]

6 CHAIRPERSON VELÁZQUEZ: I'm going to take a
7 moment to recognize Councilmember Brewer.

8 MS. SMOLINSKI: So good afternoon My name is
9 Carol Smolinski. I am not representing any
10 organization. I am just a concerned citizen. So I
11 have learned a lot here today. I really... This has
12 been amazing. The reason I wanted to come and
13 testify today is because I spent the two... first two
14 years of COVID taking long walks. And I live in Park
15 Slope, Brooklyn, and my walks took me to the
16 industrial waterfront of Red Hook and Gowanus Canal.
17 And as I'm walking around there, I am seeing
18 mountains and mountains of trash, because that's
19 where New York City deals with a lot of its trash.
20 So there is a sanitation transfer station with
21 containers of trash being loaded onto barges and
22 shipped away. There is a huge mountain... a metal
23 sort... a scrap metal sorting plant that sorts metal
24 and loads it onto barges and ships it somewhere. I
25 walked past a warehouse filled from top to bottom and

2 front to back with empty bottles and cans, and they
3 were being put onto trucks and I don't know where it
4 went. But all of that just made me amazed. And I
5 started ranting and raving to my friends about all of
6 the trash that New York City produces and, "Oh my
7 god, what are we going to do about this?" And then I
8 learned about this bill. And I thought I would just
9 come and add my voice to the experts -- because
10 obviously I'm not -- about the need for such a bill.

11 And then there's a whole lot more to do beyond
12 that. But I know you all are already working on
13 that. So I'm just here to praise you and thank you
14 for putting this bill forward and I'm sure it will
15 pass. I mean, obviously, right?

16 [APPLAUSE]

17 Thank you for letting me speak.

18 CHAIRPERSON VELÁZQUEZ: Thank you for that
19 energy.

20 COUNSEL: Thank you the final panel I will be
21 calling will be virtual, if you are on it would be
22 Matt Guve, Nicole Zelick, and Rafael Santana Aguilar.
23 If any of those people... panelists are available,
24 you may testify.

25 SERGEANT AT ARMS: Time starts now.

2 COUNSEL: Okay. Okay, those, those final three
3 might not be on the Zoom. So if we've inadvertently
4 missed anyone who has registered to testify today and
5 has yet to be called, please speak with the Sergeant
6 or if you are with us remote, use the Zoom hand
7 function, and you will be called in the order that
8 your hand has been raised. It appears those
9 witnesses are not present.

10 So I will now turn it over to Chair Velázquez to
11 offer any closing remarks.

12 CHAIRPERSON VELÁZQUEZ: I just want to thank
13 everyone for showing up early morning at the rally, 9
14 a.m., a nice cold Monday for everyone. But more
15 importantly, thank you for your advocacy. Thank you.
16 It takes a village, and thank you for being there
17 from the beginning and let's get this done.

18 [APPLAUSE]

19 [GAVEL]

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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 12/26/2022