

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

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SANITATION AND SOLID
WASTE MANAGEMENT

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April 19, 2023
Start: 10:13 a.m.
Recess: 12:20 p.m.

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Sandy Nurse, Chairperson

COUNCIL MEMBERS:

Erik D. Bottcher
Amanda Farias
Julie Menin
Chi A. Osse
Rafael Salamanca, Jr.
Marjorie Velazquez

OTHER COUNCIL MEMBERS ATTENDING:

Alexa Aviles
Shaun Abreu
Lincoln Restler
Francisco P. Moya

A P P E A R A N C E S

Gregory Anderson, Deputy Commissioner for Policy
and Strategic Initiatives at the New York City
Department of Sanitation

Eric Goldstein, Natural Resources Defense Council

Antonio Solis

Ligia Guallpa, Executive Director of the Workers
Justice Project

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2 SERGEANT-AT-ARMS: This is a microphone
3 test for the Committee on Sanitation and Solid Waste
4 Management. Today's date is April 19, 2023. Location
5 Chambers. Recorded by Ederly Gonzalez-Rodriguez.

6 SERGEANT-AT-ARMS: Good morning and
7 welcome to today's New York City Council meeting on
8 Sanitation.

9 At this time, please turn electronic
10 devices on silent or on vibrate mode. Thank you for
11 your cooperation.

12 Chair, you may begin.

13 CHAIRPERSON NURSE: [GAVEL] Good morning,
14 everyone, and welcome to the oversight Committee for
15 Sanitation and Solid Waste.

16 Thank you, Sanitation Committee Members,
17 for being here, Council Member Osse, Council Member
18 Menin, and Deputy Commissioner Greg Anderson, for
19 joining us today.

20 Today, we will be focusing on a slate of
21 Sanitation bills that are primarily targeted towards
22 the disposal of rechargeable e-bike batteries, NYCHA
23 sanitation collection, nursing home sanitation
24 collection, community gardens organic waste
25 collection, public organic waste receptacles, proper

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2 storage of waste, and street cleanliness grading
3 systems.

4 The New York City Department of
5 Sanitation provides various critical operations to
6 New Yorkers. We are always impressed by the scale of
7 the work the workers do each and every single day,
8 and we're committed to working with the Department to
9 improve and adapt operations to meet the growing
10 needs of the City.

11 The first bill we will be hearing today
12 is number 846, which would require DSNY to develop a
13 plan for ensuring proper disposal of rechargeable
14 batteries used for powered mobility devices. Earlier
15 this year, we passed a slate of bills to address the
16 risks of rechargeable e-bike batteries, and we need
17 to continue to approach this issue comprehensively. I
18 introduced this bill to tackle the disposal aspect.
19 The popularity of e-bikes and micromobility devices
20 has taken off in New York City from City Bikes to e-
21 scooters and among the tens of thousands of
22 deliveristas who depend on them for work. E-bike
23 batteries have not only caused fires in homes and
24 apartments across the City. Last year, my team
25 visited a number of waste transfer facilities and

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2 heard about fires in Sanitation garbage trucks, in
3 these stations, and in our vital recycling facilities
4 where chemical and hazardous materials are present in
5 abundance. New York City must address the issue of e-
6 bikes comprehensively. This means we must center
7 workers and local businesses in new policies,
8 regulations, and programs. It means we need to have a
9 plan for disposal and, most importantly, it means we
10 need to hold accountable the manufacturers of e-bike
11 batteries and the companies that largely exploit
12 deliveristas and for companies to be the ones to bear
13 the cost of the transition to safer e-bike batteries
14 and the cost of disposal.

15 Next up we have Council Member Aviles'
16 Intro. 649 in relation to prohibiting the Department
17 of Sanitation from charging the New York City Housing
18 Authority for sanitation services. In June 2022,
19 Council Member Aviles and I partnered on a joint open
20 space hearing on Sanitation at NYCHA. While NYCHA has
21 various plans to improve waste management operations,
22 there is still much progress to be made across the
23 city. At the hearing, Deputy Commissioner Greg
24 Anderson testified that in 2022 DSNY containerized
25 tonnage was at an average of a little bit more than

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2 11,000 tons per month. We also learned that between
3 NYCHA's contracts with private carters and DSNY's
4 additional pickup services, NYCHA is paying a little
5 over 7 million dollars. We asked for NYCHA and DSNY
6 to follow up on that breakdown, but we actually never
7 heard back so we'd like to check back on that today.

8 Next, we have Council Member Farias'
9 Intro. 720 in relation to waste collection from
10 nursing homes.

11 We also have Council Member Abreu's
12 Intro. 832 in relation to requiring the Department of
13 Sanitation to collect organic waste from community
14 gardens.

15 Up next we have Council Member Restler's
16 Intro. 863 in relation to public organic waste
17 receptacles. This February, DSNY announced the
18 installation of 250 smart composting bins in
19 Bushwick, Bed-Stuy, Castle Hill, Harlem, Highbridge,
20 the north shore of Staten Island, many other places,
21 and with an additional 150 on the way for Manhattan.
22 DSNY had also previously stated they would site smart
23 bins nearby public schools as the City expands school
24 composting to every New York City public school by
25 the next school year.

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2 We also have Council Member Osse's Intro.
3 544 in relation to penalties for failure to store
4 waste in a satisfactory manner in required
5 receptacles and for placing waste at the curb or on
6 the street or sidewalk prior to the specified time
7 for collection.

8 Finally, we have Council Member Moya's
9 Intro. 768 in relation to street cleanliness grading
10 system. For many New Yorkers, DSNY's cleanliness
11 score simply does not match up to how residents score
12 their neighborhoods. Much like we were able to do
13 last year with our Sweep NYC bill, this bill would
14 bring more transparency into this cleanliness grading
15 system that is critical for accountability, equity,
16 and the ability to allocate resources properly.

17 Looking forward to the dialogue regarding
18 these bills today.

19 I'm going to recognize also Council
20 Member Alexa Aviles has joined us.

21 We have some opening remarks from Members
22 which you'll hear from. We will hear from Council
23 Member Osse first on his bill since he has to run.

24 COUNCIL MEMBER OSSE: Thank you, Chair
25 Nurse, and good morning, Deputy Commissioner.

2 I wanted to speak about my bill, Intro.
3 544. Our streets deserve to be free of litter and
4 rodents, but when trash is not properly
5 containerized, litter is scattered all over our
6 sidewalks, attracting rats to our community. Litter
7 and rodents are not only an eyesore, but they pose
8 serious health and sanitation risk to our neighbors.
9 As the summer approaches and more New Yorkers are
10 spending time outside, it is important to make sure
11 our streets are clean and free from trash. Currently,
12 the penalty for improper waste containerization is
13 from 50 dollars to 200 dollars, depending on the
14 number of violations. For buildings with management
15 companies and big landlords, this amount is
16 considered to be pocket change, not a lesson learned
17 to deter one from engaging in improper behaviors. To
18 have cleaner and healthier streets, we must make sure
19 that we truly hold bad actors accountable and to
20 ensure waste is properly containerized. Intro. 544
21 will impose a graduated Sanitation violation based on
22 the number of units in a building and the number of
23 repeat violations. Under this bill, the fine amount
24 will be dependent on the size of the building and the
25 number of violations on the property. A graduated

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2 violation penalty ensures that big landlords and
3 property owners who are bad actors are held
4 accountable without hurting or over-penalizing small
5 homeowners and property managers. Where there is real
6 accountability, people are deterred from acting in
7 ways that negatively impact New Yorkers, and our
8 communities deserve better. This bill, if passed,
9 would be another tool in our City's commitment to
10 ending the rodent population, and I do know that the
11 Administration and the Commissioner are supportive of
12 this piece of legislation. Thank you, Chair.

13 CHAIRPERSON NURSE: Of course, Council
14 Member Osse. I hope you have a great time at your
15 school speech.

16 Next up we're going to give it to Council
17 Member Aviles and then Council Member Moya, if you
18 have some remarks, you will come up next.

19 COUNCIL MEMBER AVILES: Thank you, Chair
20 Nurse, for holding this hearing today and thank you
21 to the Department of Sanitation for being present to
22 offer testimony and answer our questions.

23 During my tenure as the Chair of Public
24 Housing, I've heard time and time again how NYCHA's
25 dire financial situation continues to contribute to

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2 declining conditions for our public housing
3 residents. This year, the Council has been informed
4 that the financial picture for the Authority is so
5 bleak that service delivery is threatened. While our
6 State and Federal Governments desperately need to
7 step up to protect our public housing residents, the
8 City can do its part as well.

9 First, we can restore the 31 million
10 dollars to proposed cuts outlined in the preliminary
11 budget. This number includes a restoration of the
12 Vacant Unit Readiness Program which helps rehab units
13 to house and shelter residents, emergency transfers,
14 and those on the NYCHA waiting list. As it stands,
15 failing to house shelter residents in NYCHA units is
16 not a net savings to the City as we will continue to
17 pay the cost simply to another agency. This sort of
18 common sense holistic approach of looking at cost
19 savings is one of the inspirations for Intro. 649.
20 This bill is a direct offshoot of the work of
21 Assembly Member Harvey Epstein and his team at the
22 State level to the stop the double taxation on NYCHA
23 residents, double charging of NYCHA for basic city
24 services. The bill that is authored that you are all
25 considering today calls on DSNY to stop charging

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2 NYCHA for services, which only serves to sink an
3 already funded Authority further into the red.
4 Residents and advocates fought hard for this same
5 practice against the NYPD who used to charge NYCHA
6 upwards of 74 million dollars annually for additional
7 services. To use an age-old expression, why are we
8 robbing Peter to pay Paul? In drafting Intro. 649, we
9 actually had difficulty locating the unit of
10 appropriation where this transaction between NYCHA
11 and DSNY occurs, and so many of my questions around
12 these basics to get at what should be transparent
13 through the budgeting process, how much is being
14 spent for what type of service, how frequently, to
15 which developments, and so on. I look forward to
16 hearing more about the services DSNY is providing to
17 NYCHA for this additional fee and what creative
18 solutions we can come up with to prevent NYCHA from
19 having to cut services so that public housing
20 residents can receive a basic service that is
21 provided to the rest of New York City at no
22 additional cost. I underscore that NYCHA residents
23 are New York City tax-paying residents, paying for
24 sanitation services through their taxes, and, to
25 many, this is a double taxation from their

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2 perspective so we look forward to the conversation
3 and thank you, Chair and the Committee, for this
4 hearing.

5 CHAIRPERSON NURSE: Thank you, Council
6 Member Aviles.

7 If Council Member Moya would like to say
8 any remarks regarding his bill, the floor is yours.

9 COUNCIL MEMBER MOYA: Good morning, Chair.
10 Thank you so much for the opportunity today to
11 discuss my bill, Intro. 768.

12 For far too long, we have seen our
13 neighborhood burdened by the dirty streets and a
14 seemingly never-ending cycle in searching for
15 solutions. This bill would help address the concerns
16 of the trash on our streets. Intro. 768 would create
17 a letter grade index which would assess conditions by
18 the amount of weeds, discarded bulk items, and, most
19 importantly, identify illegal dumping areas. The area
20 would be measured by block-face which extends from
21 one block, corner-to-corner, including both the
22 street and the sidewalks. Sanitation would be
23 responsible to visit these sites no less than twice a
24 year, provide the grade on their website along with
25 the reason for the grade that the block-face

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2 received. This legislation would help empower DSNY to
3 make smart concentrated efforts to clean our city. No
4 one wants to walk past the same trash heap and rat
5 buffet day after day. The intent of this legislation
6 is both to help members of the community that want to
7 see cleaner areas to live, work, and play along and
8 help the Sanitation Department have the ability to
9 put resources into cleaning up the areas that need
10 the resources the most. We all deserve better than to
11 walk past the same trash heap on our block. This is
12 truly about beautifying our neighborhoods and
13 supporting the DSNY in their efforts.

14 With that, I thank you, Chair, for the
15 time.

16 CHAIRPERSON NURSE: Thank you, Council
17 Member Moya.

18 If any other Members that arrive that
19 have bills, we'll let them speak, but I think for now
20 we're going to turn it to Committee Counsel to
21 administer the oath.

22 COMMITTEE COUNSEL: Thank you, Chair. Do
23 you affirm to tell the truth, the whole truth, and
24 nothing but the truth in your testimony before the
25

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2 Council Members and to respond honestly to Council
3 Member questions?

4 DEPUTY COMMISSIONER ANDERSON: I do.

5 COMMITTEE COUNSEL: Thank you.

6 CHAIRPERSON NURSE: Looking forward to
7 hearing what you got.

8 DEPUTY COMMISSIONER ANDERSON: Good
9 morning, Chair Nurse and Members of the City Council
10 Committee on Sanitation and Solid Waste Management.
11 My name is Gregory Anderson, and I am Deputy
12 Commissioner for Policy and Strategic Initiatives
13 at the New York City Department of Sanitation.
14 Thank you for the opportunity to provide brief
15 testimony on the bills being heard by this
16 Committee today.

17 The Department of Sanitation is laser-
18 focused on cleaning up New York City. We have
19 implemented a tidal wave of change to dramatically
20 reduce the amount of time that trash sits on the
21 curb, including enrolling 2,500 buildings in the
22 multi-unit building collection program to set out
23 waste between 4 a.m. and 7 a.m. for collection just
24 hours later on the dayshift, conducting 25 percent
25 of our waste collections on the night shift and

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2 focusing those efforts in the right places, the
3 denser parts of the city with larger piles of
4 trash, starting our dayshift operations an hour
5 earlier, at 5 o'clock in the morning to get trash
6 off the streets before New Yorkers wake up,
7 removing scheduled collections from the evening
8 shift entirely, incentivizing the use of containers
9 with lids through our new set-out times rule and
10 eliminating black bags set out for collection on
11 sidewalks before 8 p.m. Together, these
12 initiatives, many just weeks old, have had a
13 massive impact on our streets. We have fewer trash
14 bags on our sidewalks, and those that remain sit on
15 the curb for just a fraction of the time. Combined
16 with unprecedented new investments in cleaning that
17 restore, and more, the cuts to cleanliness during
18 the previous administration, Mayor Adams and DSNY
19 have made substantial progress in our work to get
20 stuff clean. This includes, as Commissioner Tish
21 mentioned at last month's preliminary budget hearing,
22 a total investment of 53.2 million in the current
23 Fiscal Year by the Adams' administration for new,
24 restored, and expanded cleaning programs. We are
25 doing our part to clean up New York City, but every

2 New Yorker has a role to play in maintaining the
3 cleanliness of our neighborhoods and, in a city this
4 size, it can't just be the 10,000 members of the
5 Sanitation Department doing this work.

6 We have a renewed focus on enforcing
7 basic cleanliness rules. Cleaning the sidewalk in
8 front of a chain store, putting trash out when you're
9 supposed to and in an orderly manner, the kinds of
10 things that keep our streets clean. These are the
11 most basic cleanliness rules, not enforcement for
12 enforcement's sake, but enforcement only goes so far
13 when the penalty for inaction is too low. Right now,
14 fines for violating basic Sanitation rules are set by
15 Local Law at just 50 dollars, an amount that's far
16 too low. This was reduced from 100 dollars by the
17 City Council in 2021, sending the wrong message that
18 cleanliness is not the top priority for our City.

19 DSNY is proud to very strongly support
20 Intro. 544 sponsored by Council Member Chi Osse and
21 co-sponsored by Chair Nurse, which would increase
22 penalties for failure to store waste properly and for
23 failing to follow DSNY's new set-out time rules. The
24 bill would go farther in creating progressive
25 penalties for multi-unit properties that violate

2 these rules, correctly creating stiffer penalties for
3 the buildings that create the largest and most
4 obstructive piles of trash. We look forward to
5 working with the Sponsors and the Council to refine
6 the bill to account for operational realities of our
7 enforcement, and we wholeheartedly support its
8 enactment. We can't stop there. Longstanding
9 provisions of Local Law require property owners and
10 commercial establishments to keep clean their
11 sidewalks, public areas, and area along the curb line
12 18 inches into the street. Local Law 80 of 2021 also
13 reduced penalties for these requirements to just 50
14 dollars. In cutting this penalty at a time when
15 cleanliness was headed very much in the wrong
16 direction told property owners and businesses that
17 they don't have to do their part to ensure New York
18 City's neighborhoods are clean and vibrant. DSNY
19 strongly supports rolling back this reduction and
20 creating meaningful, but not excessive, penalties to
21 uphold this important part of the social contract.

22 Now, I'll briefly address the other bills
23 being heard today. Intro. 649 would prohibit DSNY
24 from requiring payment from the New York City Housing
25 Authority for Sanitation services. While many NYCHA

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2 properties receive containerized collection from
3 DSNY, some locations receive curbside collection, and
4 in these locations DSNY has historically provided
5 supplemental collection above and beyond the
6 neighborhood collection frequency, and NYCHA has
7 provided some reimbursement for these supplemental
8 services. Any change in this longstanding arrangement
9 would need to happen in the context of larger budget
10 discussions around reimbursement from and City
11 payments to NYCHA and overall service levels at
12 NYCHA. For this reason, we do not support this bill.

13 Intro. 720 would require DSNY to collect
14 solid waste from nursing homes at no cost regardless
15 of whether the nursing home is a for-profit entity.
16 Nursing homes, importantly, provide vastly different
17 services to residents than a standard residential
18 building, including both healthcare and food service.
19 Entities that provide these services and are not
20 otherwise eligible for DSNY collection service must
21 hire a private carter to remove their waste as with
22 all other commercial entities. DSNY does not support
23 expanding City collection to these entities and
24 opposes this bill in its current form.

2 Intro. 768 would require DSNY to
3 establish and implement a letter grading system for
4 cleanliness of each street and inspect each street at
5 least twice a year. Currently, the Mayor's Office of
6 Operations conducts monthly assessments of a sample
7 of street segments in each Sanitation district and
8 section to determine an overall rating for each
9 district and section on a monthly basis. We agree
10 that this approach is outdated and produces less-
11 than-meaningful ratings. We are thinking through
12 different ways to accomplish the goal of evaluating
13 cleanliness on a more granular, actionable level.
14 However, as I mentioned previously, the
15 responsibility for cleanliness of sidewalks and the
16 area along the curb falls to the property owner.
17 Among the options we are considering is a program
18 that would also grade individual properties along
19 each block, evaluating the maintenance of their
20 sidewalk and the area 18 inches into the street. We
21 look forward to further conversations with the
22 Council on these potential changes including the
23 resources that would be required to implement such a
24 program.

2 Intro. 832 would require DSNY to collect
3 organic waste from community gardens that request
4 such collection via an online application. In short,
5 we agree with the intent of the bill and will be
6 collecting from community gardens on a weekly basis
7 as part of our universal curbside composting program
8 rolling out over the course of the next 18 months.
9 However, we don't think that an online application is
10 necessary to achieve this goal.

11 Intro. 846 would require DSNY to develop
12 a plan for disposing of rechargeable batteries used
13 for e-mobility devices, including maintaining two
14 collection locations for rechargeable batteries in
15 each borough. DSNY currently accepts rechargeable
16 batteries at our special waste sites, one in each
17 borough open one day a week, and a Safe Disposal
18 Events twice annually in each borough. While we agree
19 that rechargeable batteries represent a growing
20 threat to public safety, we do not agree that DSNY
21 should be solely responsible for creating this
22 program as proposed in the bill. Instead,
23 manufacturers and retailers should be responsible for
24 the collection and recycling of the products that
25 they sell. We support updates to the State

2 Rechargeable Battery Law currently introduced in the
3 Legislature that would strengthen and expand the
4 existing rechargeable battery program to cover e-
5 mobility batteries.

6 Lastly, Intro. 863 would require DSNY to
7 install 25 public organic waste receptacles in each
8 community district. We are pleased with our network
9 of 250 smart compost bins that we launched earlier
10 this year and we plan to install another 150 bins
11 this summer. However, we firmly believe in the
12 universal curbside program as our primary approach to
13 providing this service to all New Yorkers, and we are
14 concerned that this number of bins would be costly to
15 both install and service, and, given our current
16 budget realities, we cannot support this bill at this
17 time.

18 Thank you for the opportunity to testify
19 today, and I am now happy to answer your questions.

20 CHAIRPERSON NURSE: Thank you, Deputy
21 Commissioner. I want to acknowledge Council Member
22 Marjorie Velazquez and then Council Member Farias.
23 I'm going to give you a chance to talk about your
24 bill.

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2 COUNCIL MEMBER FARIAS: Thank you so much,
3 Chair. Good morning, everyone. Thank you, Chair
4 Nurse, for allotting me this additional time to speak
5 on my bill, Intro. 720.

6 Intro. 720 is essential to the health,
7 well-being, and daily quality of life of our seniors
8 and our senior caretakers citywide. Right now,
9 nursing homes across the City are currently having to
10 pay out of pocket to private contractors to come
11 collect their garbage each week. This is money that
12 our nursing homes could be using towards programming
13 and allow more money to serve New Yorkers in their
14 golden years. This legislation would require DSNY to
15 begin waste collection at our nursing homes citywide
16 and thus provide assistance we know our nursing homes
17 deserve. While not all waste should be collected by
18 DSNY, the City should be open to how we can continue
19 to alleviate the burden for centers and places that
20 are helping our seniors age in place with dignity.

21 Thank you to the current sponsors of the bill,
22 Council Members Salamanca, Brewer, and Louis as well
23 as to former Council Member Ben Kallos who held this
24 bill last session and Attorney General Letitia James
25 for drafting this legislation back in 2015. It's

2 clearly been around for a long time so we have some
3 work to do. I look forward to working with DSNY and
4 finding ways to getting this bill over the finish
5 line, and I hope that more of my Colleagues will sign
6 on to Intro. 720, which hopes to support our seniors
7 and bolster our nursing home resources.

8 Thank you, Chair, for the time and thank
9 you, DSNY, for being with us here today and your
10 testimony.

11 CHAIRPERSON NURSE: Great. Thank you,
12 Council Member Farias. I'm going to try to do this
13 section by section so I think I'm going to start with
14 the NYCHA and Sanitation bill. I just have a couple
15 of questions and then kick it over to you for yours
16 and then we'll discuss the nursing home bill and then
17 we'll discuss the street cleanliness grading so that
18 Council Member Moya can chime in as well.

19 As I mentioned in my opening, we had
20 slightly a smaller version of this conversation last
21 year when we were trying to pull out and kind of
22 separate what's being paid for what. As I mentioned,
23 NYCHA testified that about 7 million is paid across
24 both private carting companies and DSNY. You
25 mentioned that what you charge for is the additional

2 pickup beyond the normal pickup days for the curbside
3 in areas that are requiring that so I just want you
4 to kind of refresh us and, if you can, update us on
5 exactly how much revenue you're getting from NYCHA
6 and for what particular services.

7 DEPUTY COMMISSIONER ANDERSON: Sure,
8 absolutely. Sanitation works very closely with NYCHA
9 on all of their waste management operations. As part
10 of the few developments that do receive curbside
11 service, generally those receive the residential
12 frequency three days a week so the same as every
13 other apartment building or household in that
14 district, and then we also will add one or two
15 additional services per week so that they don't have
16 to store the material for as long of a time, and
17 that's what NYCHA reimburses us for on the City tax
18 levy side. That averages to around 750,000 dollars a
19 year. That's the amount that's sort of baselined in
20 our miscellaneous revenue budget, and some years it's
21 slightly higher, some years it's slightly lower. It's
22 based on the actual number of additional trucks that
23 we run in any given year.

24 CHAIRPERSON NURSE: Could you kind of give
25 us a general sense of which developments on your list

2 where you're concentrating most of your resources or
3 is this just across the board or are there some areas
4 that require more service than others?

5 DEPUTY COMMISSIONER ANDERSON: The
6 supplemental service, again, is at those developments
7 that receive curbside service from Sanitation. The
8 vast majority of NYCHA developments do have
9 containerized service so we service them with a roll-
10 on/roll-off container. It's an on-call service so
11 whenever the containers are full, we come to pick
12 them up. We work very closely with NYCHA on a daily
13 basis. We have officers in every borough that work
14 with their counterparts at NYCHA to make sure that
15 service is happening on schedule and there's no
16 reimbursement or payment that happens for that. It's
17 just the developments that generally for space
18 reasons haven't installed those compactors where we
19 are providing the supplemental curbside service
20 because the NYCHA buildings don't have trash rooms or
21 trash storage areas the way that modern apartment
22 buildings are required to have, we want to try to
23 alleviate those storage concerns and pick up the
24 trash as soon as possible after it's generated.

2 CHAIRPERSON NURSE: Do you know
3 numerically how many developments is that?

4 DEPUTY COMMISSIONER ANDERSON: I know we
5 provide the RORO service from 131 developments, and
6 those are generally the larger developments. There's
7 sort of a continuum of service that we provide to
8 NYCHA. There's the sort of large, centralized
9 developments, those are generally containerized, then
10 there are a lot of places that are sort of dispersed,
11 and those are treated very much the same as other
12 brownstones or homes that are on residential
13 collection routes, then there are some developments
14 sort of in the middle that are sort of medium-sized
15 and those tend to be the more curbside routes. I
16 don't have the exact number of developments that we
17 serve as curbside with me today, but it's a small
18 share of the sort of larger traditional NYCHA
19 developments.

20 CHAIRPERSON NURSE: Okay. I'm going to
21 give to Council Member Aviles, but just to confirm,
22 you're paying about 750,000 a year. That's, we just
23 bought two dogs for that, two robo-dogs, so that's
24 what you would need to baseline to be able to do that

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2 roughly, starting there, to be able to cover the cost
3 and not have NYCHA pay you all?

4 DEPUTY COMMISSIONER ANDERSON: Yeah,
5 that's what's currently accounted for in our budget.

6 CHAIRPERSON NURSE: Okay. Council Member
7 Aviles.

8 COUNCIL MEMBER AVILES: Thank you, Chair.
9 Will you be able to provide to this Council the costs
10 that NYCHA has been paying for the service over the
11 last five Fiscal Years?

12 DEPUTY COMMISSIONER ANDERSON: Yeah, we
13 can work with OMB to provide the exact costs. That
14 money doesn't necessarily come into Sanitation's
15 budget. It's reflected as part of the overall year-
16 end accounting between NYCHA on various funding
17 sources so city tax levy is just one of their funding
18 sources, and so it's accounted for on the backend by
19 OMB, but we can work with them to provide those
20 numbers.

21 COUNCIL MEMBER AVILES: Right. Okay,
22 great. We'll look forward to receiving that to
23 understand the historical, at least the payment trend
24 in the last five years and whether it's trended up or
25

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2 down and the reasons for that so we look forward to
3 receiving that.

4 I guess we'll also be receiving a
5 breakdown of where you're providing the curbside
6 service to which NYCHA developments and the
7 supplemental so I just want to make sure I'm
8 understanding. You're noting that the 750,000 dollars
9 that NYCHA is currently paying DSNY is covering just
10 one additional day across all the development service
11 pickup. Is that what the 750 is paying for?

12 DEPUTY COMMISSIONER ANDERSON: Yeah, it's
13 covering the cost of dedicated trucks that just
14 provide supplemental service to NYCHA developments.

15 COUNCIL MEMBER AVILES: But those are not
16 the curbside developments? Those are separate
17 developments?

18 DEPUTY COMMISSIONER ANDERSON: Those are
19 the developments that receive the same curbside
20 frequency, Monday, Wednesday, Friday or Tuesday,
21 Wednesday, Saturday that other residents in that
22 district receive and then they also receive a
23 supplemental collection one or two days a week on
24 these extra trucks that are paid for by NYCHA.

25

2 COUNCIL MEMBER AVILES: Do you know how
3 much service 750,000 dollars provides, purchases?

4 DEPUTY COMMISSIONER ANDERSON: I don't
5 know the number of truck shifts that that accounts
6 for, but we can provide that.

7 COUNCIL MEMBER AVILES: That would be
8 really very helpful. Where can we locate that
9 transaction that's occurring between NYCHA and DSNY
10 in the City budget?

11 DEPUTY COMMISSIONER ANDERSON: On our
12 budget, it happens in the miscellaneous revenue area
13 so it's not necessarily showing up in our baselined
14 expense budget, but it is a chargeback, again, it's
15 an accounting exercise by OMB, a chargeback from the
16 City to NYCHA at the end of the year based on the
17 actual resources expended.

18 COUNCIL MEMBER AVILES: Does NYCHA and
19 DSNY revisit this MOU agreement? Does it set any
20 particular stipulation in terms of level of service
21 or baselined costs?

22 DEPUTY COMMISSIONER ANDERSON: As I said,
23 we have an ongoing relationship with NYCHA's Waste
24 Management Operations. Their Director of Waste
25 Management Operations is a former DSNY Chief. We work

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2 very closely on a day-to-day basis to make sure we're
3 resolving their issues so I'm confident that there
4 are many other supplemental services that we provide
5 to NYCHA on an ad hoc basis that they are not
6 currently paying for. It's just these specific
7 supplemental curbside trucks that are part of that
8 year-end chargeback.

9 COUNCIL MEMBER AVILES: I guess I
10 presupposed there was an MOU. Is there an actual MOU
11 between DSNY and NYCHA for this service or is this
12 decided on an ad hoc basis with your relationship?

13 DEPUTY COMMISSIONER ANDERSON: This is
14 done, as I mentioned, as part of the year-end
15 exercise by OMB just to sort of, again, I'm not an
16 OMB expert so I don't know exactly what the process
17 is or what other charges OMB accounts for in this
18 process, but it's not something that is reflected
19 directly in Sanitation's books. It's a miscellaneous
20 revenue item that...

21 COUNCIL MEMBER AVILES: Right. I guess I'm
22 asking is there an MOU.

23 DEPUTY COMMISSIONER ANDERSON: Not to my
24 knowledge.

25

2 COUNCIL MEMBER AVILES: Not to your
3 knowledge? Okay. I think my prior questions
4 presupposed that there was because NYCHA had done
5 MOUs for when it's receiving additional services to
6 other City agencies so I just wanted to clarify that
7 there is not an existing MOU.

8 DEPUTY COMMISSIONER ANDERSON: We can
9 doublecheck that with our team and NYCHA and see if
10 there is.

11 COUNCIL MEMBER AVILES: Okay. Can you
12 clarify how much does DSNY overall spend on
13 supplemental services for the City? What I'm getting
14 at is I'd love to know what percentage of this
15 supplemental service constitutes from the larger
16 supplemental services that DSNY provides.

17 DEPUTY COMMISSIONER ANDERSON: We don't
18 generally provide supplemental service on sort of
19 residential curbside collection to any other
20 customers. The only other sort of similar use case
21 would be DOE where we have dedicated school trucks
22 that run five nights a week to pick up trash and
23 recycling and organics from the DOE public schools.
24 For residential customers, the service is provided
25 either three days a week with one day a week

2 recycling or twice a week with one day a week

3 recycling, and that's the only option we provide.

4 COUNCIL MEMBER AVILES: Wasn't the Council
5 able to secure additional funding for additional
6 supplemental services in the last budget cycle? Did
7 the City did not provide additional supplemental
8 services to residents?

9 DEPUTY COMMISSIONER ANDERSON: On the
10 cleaning side, yes. Certainly, we have supplemental
11 precision cleaning initiative services, we have
12 supplemental litter basket service. I think those two
13 together account for around 29.5 million in FY23, but
14 those are sort of on the cleaning side, not on the
15 household trash collection side.

16 COUNCIL MEMBER AVILES: Got it. Could a
17 better containerization limit the necessity for
18 additional services?

19 DEPUTY COMMISSIONER ANDERSON: I think
20 that's absolutely something that we're looking at. As
21 the Council is aware, we are doing a sort of top-down
22 review of containerization, studying the feasibility
23 in New York City. We're also advising NYCHA on a
24 containerization pilot that they're moving ahead with
25 the Coney Island area so we certainly think that

2 containerization could help improve some of the waste
3 management practices at NYCHA, whether it ends up
4 saving money, I don't know, but certainly has the
5 potential to reduce the impact of trash and increase
6 cleanliness.

7 COUNCIL MEMBER AVILES: Do you think it's
8 fair that NYCHA residents have to pay twice for trash
9 collection?

10 DEPUTY COMMISSIONER ANDERSON: I can't
11 speak to how much the NYCHA residents are paying for
12 the service. I'm not familiar with the sort of
13 funding sources for the New York City Housing
14 Authority, but this is a supplemental service above
15 and beyond what other residents are receiving.

16 COUNCIL MEMBER AVILES: Would you say that
17 the City needs to increase its level of service for
18 NYCHA campuses across the City? Do you think what is
19 occurring now is adequate?

20 DEPUTY COMMISSIONER ANDERSON: I think we
21 can always do more with more resources. The challenge
22 is that, given the budget environment, we're not in a
23 position to just be adding additional resources.
24 We're in active conversations with OMB about
25 additional reductions in savings so it's a

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2 challenging environment to have conversations about
3 additional service.

4 COUNCIL MEMBER AVILES: For sure, but,
5 give the need, has DSNY advocated for an increased
6 level of service and funding specifically to support
7 the needs of NYCHA residents?

8 DEPUTY COMMISSIONER ANDERSON: I think
9 it's something that we look at in terms of our
10 overall service levels and resource allocations. I
11 don't think we've advocated specifically in this
12 area, but our work is to collect the trash,
13 recycling, and organics and keep the City clean.
14 We're advocating for resources across all of those
15 programs.

16 COUNCIL MEMBER AVILES: Sure. I guess what
17 I'm getting at, and absolutely we know you're trying
18 to do that across the City, but we see concentrated
19 populations with inadequate service levels and
20 inadequate capacity to even collect properly in
21 service levels, and we see accumulations of trash,
22 particularly in NYCHA unlike other places in the City
23 and so I guess I'm curious you're recognizing the
24 increased level of need, just because of the
25 conditions that exist, if DSNY has been strongly

2 advocating for increased funding specifically to
3 support that increased need that comes out of NYCHA
4 developments just because of what they are and the
5 concentration of population in those.

6 DEPUTY COMMISSIONER ANDERSON: I think the
7 majority of the sort of needs on the operational side
8 are actually within NYCHA itself. I don't think
9 there's a tremendous need in terms of additional
10 sanitation services to collect the trash that NYCHA
11 sets out. I think there is a greater need potentially
12 within NYCHA for either infrastructure or staff to be
13 able to manage that waste. I can't speak for the sort
14 of budgeting process that they go through, but I do
15 know over the past several years there have been
16 substantial additional resources in City funding
17 directed to NYCHA for things like improvements to
18 trash chutes, additional waste containers, new waste
19 containers, additional waste storage areas, new
20 concrete pads in waste storage areas, many of which
21 NYCHA did discuss at the hearing that we had last
22 June I think, but I don't have the details on those
23 specific investments.

24 COUNCIL MEMBER AVILES: Yeah, I would not
25 disagree that a significant portion of this is

2 something that NYCHA has to do internally and make
3 significant improvements. Nevertheless, sanitation
4 and trash pickup, if you see that NYCHA developments
5 across the City require supplemental services at a
6 higher rate than potentially other areas just because
7 of what the developments are, the numbers of people
8 in the developments, then that to me would scream an
9 urgent advocacy on behalf of the agency to get as
10 much as resources to make sure we meet that need for
11 those developments. I was asking specifically if DSNY
12 is doing that because I have never seen DSNY
13 specifically push for increased funding, particularly
14 for supplemental services for residents of public
15 housing. Yes, given the constraints, nevertheless I
16 think what I'm not hearing is an urgency in calling
17 for additional funding to support public housing
18 residents in particular because of the level of
19 service that is required there. Thank you.

20 We look forward to receiving a breakdown
21 of the costs of the developments, of the level of
22 frequency of service, and if that changes what the ad
23 hoc services that are in fact being provided to get
24 further information on what this is and how we can
25 support our New York City residents. Thank you.

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2 CHAIRPERSON NURSE: Thank you, Council
3 Member Aviles. I just have one other question which
4 maybe you can answer. Does DSNY have any input on the
5 pneumatic waste collection pilot that's happening at
6 Polo Ground Towers and Rheingold Houses?

7 DEPUTY COMMISSIONER ANDERSON: We were
8 very interested in the pilots. I think that NYCHA
9 campuses are actually really great places to use
10 these kinds of approaches because they can cut down
11 on the amount of staff time that's needed to move
12 trash from one place to the other so we're certainly
13 very supportive of this and working with NYCHA to
14 sort of move it towards the finish line.

15 CHAIRPERSON NURSE: Great. I know NYCHA's
16 not here, but do you know if they've actually started
17 construction on that?

18 DEPUTY COMMISSIONER ANDERSON: I don't
19 know.

20 CHAIRPERSON NURSE: Okay.

21 COUNCIL MEMBER AVILES: I think they have
22 actually. That's moving forward, and we're very
23 excited about this project with the City. I guess the
24 other thing on this end is in terms of the
25 containerization, we understand obviously NYCHA is

2 looking, I'm curious about the level of coordination
3 that happens in the discussion around
4 containerization and how NYCHA proceeds and the City
5 proceeds to make sure we don't build two separate
6 systems that don't interact very well. I was curious
7 about the level of communication that is happening
8 around that.

9 DEPUTY COMMISSIONER ANDERSON: We've been
10 advising NYCHA throughout the RFP process. We helped
11 them review the initial responses to the requests for
12 expression of interest. We helped them put together
13 the RFP. We helped them evaluate the RFP and are
14 looking forward to working with them as they roll
15 this out. I believe their timeline is sometime next
16 year, but they're still working to finalize that
17 procurement.

18 COUNCIL MEMBER AVILES: Lastly, does DSNY
19 have a sense of the amount of trash that is collected
20 from NYCHA campuses across the city?

21 DEPUTY COMMISSIONER ANDERSON: I do think
22 I have that. In total, the material that DSNY
23 collects, around 160,000 tons per year. That's the
24 material that is containerized or collected in
25 supplemental curbside collections. Obviously, the

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2 material that's collected on standard curbside routes
3 is mixed in with other neighboring loads.

4 COUNCIL MEMBER AVILES: Do you know has
5 the trend of that collection remained stable, does it
6 go up and down, do you track that over a period of
7 time?

8 DEPUTY COMMISSIONER ANDERSON: It has
9 changed tremendously over the last four years as with
10 all household collections over the last four years
11 just because of changes in the way that we live,
12 work, learn, play, etc. during the pandemic so as
13 with other collections sort of increased in FY21,
14 stayed a little higher in FY22, and then has shown a
15 decrease since then, but we can certainly look into
16 those and provide you some sort of global statistics
17 there.

18 COUNCIL MEMBER AVILES: Thank you. Does
19 this include recyclables, and is there any composting
20 occurring on NYCHA campuses?

21 DEPUTY COMMISSIONER ANDERSON: For
22 recyclables, they're generally collected on the
23 curbside routes with other recycling in the districts
24 so we can't separate the specific NYCHA recycling
25 tonnage. For composting, yes, we're providing

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2 composting services at NYCHA developments. We have
3 our smart bins in the vicinity of the four
4 developments in Queens Community Board 1 so that's
5 Ravenswood, Astoria, Queensbridge, and Woodside, and
6 we are providing curbside composting service at some
7 other developments in Queens, and we're working with
8 NYCHA to try to expand that as we roll out universal
9 curbside composting over the next 18 months.

10 COUNCIL MEMBER AVILES: Great. Could you
11 provide a breakdown of what that looks like to the
12 Council?

13 DEPUTY COMMISSIONER ANDERSON: Sure, yeah.

14 COUNCIL MEMBER AVILES: Thank you so much.
15 Thank you, Chair.

16 CHAIRPERSON NURSE: Thank you. We have a
17 couple people who walked in. I want to recognize
18 Council Members Abreu, Bottcher, Restler.

19 I'm going to let Council Members Abreu
20 and Restler say a few words about their bills, but
21 are there any questions from Members on this
22 particular bill?

23 Council Member Abreu.

24 COUNCIL MEMBER ABREU: Good morning and
25 thank you, Chair Nurse and to my Colleagues.

2 Today, I am speaking in support of my
3 bill, Introduction 832, which would require DSNY to
4 collect organic waste from community gardens that
5 request a pickup. I have heard from several
6 constituents and groups about the limited organic
7 waste options in the district, and, together, we came
8 up with this proposal to bring additional pickup to
9 the district as a step forward in organic waste
10 collection. Many large community gardens have
11 relationships with composting facilities, but that
12 isn't the case for every community garden that we
13 support in the district, and we believe that's a
14 trend that exists citywide. This bill would allow
15 smaller community gardens to opt in to collections
16 through an online portal, lowering the bar for
17 environmentally conscious neighbors to get together
18 and collect waste from the surrounding community and
19 from the garden for pickup.

20 I look forward to hearing feedback from
21 the Department of Sanitation and appreciate you,
22 Chair Nurse and my Colleagues, on this piece of
23 legislation. Thank you so much.

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2 CHAIRPERSON NURSE: Awesome. Thank you for
3 that. Council Member Restler, do you want to say a
4 few words?

5 COUNCIL MEMBER RESTLER: Sure. I really
6 appreciate it and just want to thank you, Chair
7 Nurse, for the rigor and thoughtfulness and the
8 values you bring to your leadership of this
9 Committee.

10 We've introduced a piece of legislation
11 today that would require that the Department of
12 Sanitation expand on the exciting pilot they've been
13 working on in Bed-Stuy and a couple other areas to
14 install 25 public composting bins in every single
15 Community Board across the City of New York,
16 prioritizing placement of those locations in high
17 traffic pedestrian areas like parks and commercial
18 corridors and transit hubs. Just like we have garbage
19 cans and recycling bins on our street corners, we
20 should have composting bins. While I am sincerely
21 appreciative of this Administration's efforts to
22 achieve universal composting, that is not in lieu of
23 composting bins that are needed in busy areas to
24 ensure that we're capturing that waste and diverting
25 it from landfills in real-time everyday, and that's

2 why we sponsored this legislation. Composting reduces
3 the methane pollution caused by sending food waste to
4 landfill and saves New York money by eliminating the
5 very high cost of exporting waste. Just this past
6 weekend, we did two Tree Care events in our district
7 where we were taking the very processed compost
8 that's collected in our parks, from my kitchen and
9 yours, and putting it back into the tree beds of our
10 community to keep our trees healthy. There is so much
11 good that we can do with the compost that we gather
12 in New York City, but we need to do a better job of
13 collecting it, and that's why we sponsored this
14 legislation, and I know that Greg has articulated
15 some concerns and would look forward to discussing
16 further.

17 CHAIRPERSON NURSE: Thank you, Council
18 Member Restler.

19 We're going to talk about Intro. 720 with
20 waste from nursing homes followed by Intro. 768 and
21 then we'll move down the list.

22 Council Member Farias, do you have any
23 questions?

24 COUNCIL MEMBER FARIAS: Thank you so much.
25 Just in your testimony, you said including both

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2 healthcare and food service is included for nursing
3 homes that provide a variety of different services to
4 their residents. Is this section where there's
5 opposition solely policy or administrative somewhere
6 or is there a legal mandate or designation at the
7 State level that is prohibiting us from doing waste
8 collection in this waste collection in these
9 facilities?

10 DEPUTY COMMISSIONER ANDERSON: There's no
11 prohibition at the State level. I think the challenge
12 that we face is there are many, many categories of
13 commercial establishments, some of which that do
14 provide a social good but, if they are for-profit
15 entities, they are required to hire private carters
16 for their waste collection so for-profit nursing
17 homes fall into that same category.

18 COUNCIL MEMBER FARIAS: Okay. So is the
19 main concern just that they're for-profit or is that
20 the waste also includes multiple layers of types of
21 waste that are in there like medical, like healthcare
22 waste?

23 DEPUTY COMMISSIONER ANDERSON: The concern
24 is that these are commercial establishments and would
25

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2 have to follow the same rules as all other commercial
3 establishments.

4 COUNCIL MEMBER FARIAS: Okay.

5 DEPUTY COMMISSIONER ANDERSON: To clarify,
6 we do provide collection service to non-profits.
7 There are two criteria that they can meet to receive
8 collection service. One is if they own their
9 property, which I presume some non-profit nursing
10 homes do, and have a tax-exempt letter from DOF, they
11 can provide that to us and qualify for sanitation
12 collection service. The other option is non-profits
13 that contract directly with the City can provide a
14 funding letter from their contracting agency and
15 receive collection service from us in that way. Non-
16 profits can receive collection service. Those non-
17 profits that are nursing homes that, for example,
18 have medical waste, which is regulated waste under
19 State law, also have to contract for the removal of
20 that, for the red bag waste, but for their sort of
21 standard trash and their kitchen trash, we would
22 collect that if they qualify.

23 COUNCIL MEMBER FARIAS: Okay. Just the
24 last two-part question. Most of our nursing homes,
25 both non-profit and private, are in a lot of our

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2 residential areas where routes wouldn't necessarily
3 be disrupted if DSNY were to be including them within
4 them. The New York State Department of Health website
5 lists approximately 169 nursing home facilities in
6 the New York City region so would it be feasible for
7 DSNY to provide service to these facilities at no
8 cost?

9 DEPUTY COMMISSIONER ANDERSON: It would be
10 feasible, but there would be a cost to the City to
11 provide that service because there may not be
12 additional space on the existing routes, we may have
13 to add additional trucks, and we haven't done a
14 survey of how much waste these locations generate.

15 COUNCIL MEMBER FARIAS: Okay. Thank you.

16 CHAIRPERSON NURSE: Just a question, I
17 don't know if you would know this or if we would need
18 followup, but do you know how many non-profit senior
19 centers who have already gone through the steps to
20 get their waste collected from you?

21 DEPUTY COMMISSIONER ANDERSON: I don't
22 have that number, and I don't know that we could
23 necessarily come up with it that easily because
24 they'd just sort of be on residential routes with the
25 other properties that receive collection..

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2 CHAIRPERSON NURSE: Right, just through
3 curbside?

4 DEPUTY COMMISSIONER ANDERSON: Yeah.

5 CHAIRPERSON NURSE: Okay. Any other
6 questions on...

7 DEPUTY COMMISSIONER ANDERSON: Just to
8 clarify. Here, we're talking about nursing homes
9 specifically. Senior centers is a totally separate
10 category and, in general, senior centers are
11 receiving sanitation collection service because they
12 fall into, either they're government-run directly or
13 in government facilities or they fall into one of
14 those non-profit categories.

15 CHAIRPERSON NURSE: Great. Thank you for
16 that.

17 Next, we're going to talk about the
18 street cleanliness system and then we'll go to any
19 questions from Council Member Abreu, if you have, and
20 then we can talk about Council Member Restler's bill.

21 For Intro. 768, which is the street
22 cleanliness grading system, I think just for public
23 conversation and record, if you could walk us through
24 how the current street cleanliness grading system
25 works, just in terms of frequency of establishing

2 those grades, what are the logistics, what are the
3 metrics that people when they go to a street and
4 they're looking for X, Y, and Z, what are those
5 things, what's the sample size, is it a block, is it
6 10 blocks. Can you kind of just break those down for
7 us?

8 DEPUTY COMMISSIONER ANDERSON: Sure. As I
9 mentioned in my testimony, that program is run by the
10 Mayor's Office of Operations so they're sort of the
11 experts in how that's delivered, but I can speak sort
12 of generally based on my conversations with the
13 Mayor's Office of Operations on how they deliver
14 that. That is monthly rating on a district and
15 section level so each community district is broken up
16 into several sections between two for smaller
17 districts up to eight for larger districts, and so
18 there's a rating, basically a percentage of streets
19 that are rated acceptably clean that's produced by
20 the Mayor's Office of Operations. They do that using
21 field surveys of a statistically representative
22 sample within each of those geographies. The exact
23 number of those samples I don't have, but the Mayor's
24 Office of Operations could provide that. They
25 recently made a change to their rating approach from

2 a fixed set of samples where they were sampling the
3 same streets every month for, as I recall, close to
4 40 years to a dynamic sampling approach so they're
5 now sampling a new sample set every month, which
6 allows them to sort of sample more streets over the
7 course of a year while still keeping the overall
8 ratings statistically representative for the
9 districts. Those scores are published monthly in both
10 the Dynamic Mayor's Management Report, they're also
11 provided in Sanitation Monthly, they're reported
12 annually in the Overall Mayor's Management Report. We
13 use those as one of many inputs into how we allocate
14 our cleaning resources, but, as I mentioned in my
15 testimony, having a number for a whole district is
16 not necessarily the most actionable or useful tool so
17 we are looking independently at how we can sort of
18 measure street cleanliness, and I know the Mayor's
19 Office of Operations is doing a project to sort of
20 review their approach and come up with new
21 recommendations for how to change that.

22 CHAIRPERSON NURSE: Okay. Sorry if you
23 mentioned it. Even though they're the ones carrying
24 out that assessment, which is a piece of the overall
25 way you distribute resources, did you mention the

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2 certain specific things that people are looking for
3 in that sampling? If you did, I'm sorry.

4 DEPUTY COMMISSIONER ANDERSON: I did not.

5 CHAIRPERSON NURSE: Okay.

6 DEPUTY COMMISSIONER ANDERSON: So you're
7 right. They are looking specifically at litter and
8 debris. There are separate ratings for sidewalks and
9 for streets. Again, they're the sort of experts on
10 how exactly the rating happens, but I know there are
11 different sort of categories that if a street is
12 entirely clean it gets one score, if a street has
13 occasionally scattered litter it gets another score,
14 if a street has illegally dumped material and piles
15 of litter or matted debris it gets another score, and
16 there's some point at which that block is no longer
17 determined to be acceptably clean and that sort of
18 rolls up into the overall Scorecard rating. I will
19 say one of the challenges that we have with Scorecard
20 is for every year for the past several years the
21 citywide rating has been above 90 percent acceptably
22 clean. I think we can all agree that in 2020, 2021,
23 early parts of 2022 that was not reflective of how
24 New Yorkers perceived the city and certainly how the
25 Sanitation Department perceived the city given our

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2 limited resources at that time, and so that's one of
3 the reasons we're looking at how we can change that
4 approach because it's simply not telling the whole
5 story.

6 CHAIRPERSON NURSE: Just to clarify again,
7 for that sampling size, it was great to hear the
8 different types of things they're looking for. If
9 they're sampling a Sanitation district and they find
10 this street is no longer accessible, how many times
11 do they come back to continue that assessment, or do
12 they change blocks every time they do an assessment
13 or a sampling?

14 DEPUTY COMMISSIONER ANDERSON: Again, as I
15 mentioned, they recently changed to a dynamic sample
16 model so they're changing the sample of streets every
17 month to try to get ratings for more streets.
18 Previously, they had a fixed sample that was the same
19 5,000, that's just a hypothetical number, the same
20 5,000 blocks every month. Now they're doing probably
21 the same number of blocks that they did previously,
22 but the specific blocks they're doing changes on a
23 month-by-month basis.

24 CHAIRPERSON NURSE: Okay. Thanks for
25 restating that. I'm trying to take notes and keep up.

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2 DEPUTY COMMISSIONER ANDERSON: Again, I'm
3 just speaking from my recollection of conversations
4 with Operations, but we're happy to sit down with
5 them and provide you a more detailed accounting of
6 how it works today.

7 CHAIRPERSON NURSE: Thank you. I don't
8 know if Council Member Moya is still online. If he
9 wants to ask questions.

10 COMMITTEE COUNSEL: He signed off.

11 CHAIRPERSON NURSE: Oh, he signed off.
12 Okay. Let me just make sure any of his questions
13 weren't covered.

14 Council Member Restler, go ahead.

15 COUNCIL MEMBER RESTLER: Thank you very
16 much. Deputy Commissioner, we've gone and back forth
17 on this a fair bit so I appreciate the chance to ask
18 a couple questions.

19 It sounds like the Department of
20 Sanitation does not have a great deal of confidence
21 in the Scorecard ratings that are provided by the
22 Mayor's Office of Operations. Is that fair?

23 DEPUTY COMMISSIONER ANDERSON: I would say
24 that the Scorecard ratings don't feel like they're
25 reflective of New Yorkers' perception.

2 COUNCIL MEMBER RESTLER: In instances
3 where communities are requesting a reduction in ASP,
4 is there any mechanism for the Department of
5 Sanitation to review and evaluate whether that's
6 appropriate?

7 DEPUTY COMMISSIONER ANDERSON: Under, I'm
8 going to get the number wrong, I think it's Local Law
9 30 of 2011, community districts are able to request
10 reductions in Alternate Side Parking frequency based
11 on Scorecard ratings over certain periods of time. I
12 think it's the two prior Fiscal Years.

13 COUNCIL MEMBER RESTLER: It's still at the
14 discretion of the Commissioner at the end of the day?

15 DEPUTY COMMISSIONER ANDERSON: At the end
16 of the day, yes, and our position currently is we're
17 coming up on the one-year anniversary of the full
18 restoration of Alternate Side Parking regulations and
19 the full restoration of street cleaning plus the
20 restoration of many other cleaning services, and so
21 the data from the last several years should not be
22 used to make an assessment about the future of
23 Alternate Side Parking because it has been suspended
24 and the way that New Yorkers interacted with public
25 space had been changed for several years. I will say

2 going forward one of the things that we are looking
3 at is not only do we have the right regulations in
4 the right places, but a much stronger focus on are we
5 providing the service that we're telling New Yorkers
6 we will, and I think looking at the, I forget the
7 Local Law number, but the bill that Chair Nurse
8 sponsored earlier this year for the Sweep NYC program
9 and having more accountability for us on street
10 cleaning I think will also encourage more New Yorkers
11 to move their cars. If more New Yorkers move their
12 cars, maybe we don't need twice a week cleaning in
13 many districts.

14 COUNCIL MEMBER RESTLER: There are areas
15 in and around my district that do have reduced ASP
16 and that I think have had maintained high levels of
17 street cleanliness, and it's important, in my
18 opinion, for our communities to have goals to work
19 toward and, if we are able to maintain better levels
20 of street cleanliness, then to be able to reduce ASP
21 accordingly and without having a mechanism in place
22 where the Department of Sanitation is prepared to
23 sign off on that, it limits our ability to organize
24 and generate enthusiasm for street cleanliness and so

2 I really do hope that you'll support some mechanism
3 for us to do that in the near future.

4 DEPUTY COMMISSIONER ANDERSON: I think
5 we're supportive of those conversations. I think the
6 timing given the fact that ASP was just restored last
7 July means that we would like to wait for some period
8 of time, I don't think it's forever, but at least
9 until one year has passed since the restoration to
10 see how have 3-1-1 complaints changed, how has
11 summons issuance changed, how have the Scorecard
12 ratings changed, how have other factors changed, and
13 really I think an important thing to remember and I
14 now what Commissioner Tish would say in this case is
15 if we are not cleaning the streets that means more
16 tickets get issued to the property owners because
17 that area 18 inches into the street along the curb is
18 the responsibility of the property owners under the
19 Administrative Code and has been for several decades
20 so it is imperative that we have access to the
21 streets to be able to clean them because otherwise
22 our only recourse is to send enforcement agents out
23 and write tickets to property owners which is not
24 what we want to do as our sort of first effort. I
25 think we're open to conversations about reductions in

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2 cleaning frequency, but we need to look at the full
3 set of factors, and doing so less than a year after
4 restoring ASP is not the right time to do it.

5 CHAIRPERSON NURSE: Thank you. Council
6 Member Bottcher, did you have a question on this
7 issue?

8 COUNCIL MEMBER BOTTCHEER: It's so great to
9 hear you talk about how the current rating system
10 isn't really working because having almost every
11 district in the City getting a 90 percent plus rating
12 even during the pandemic, it's not accurate and it's
13 not actionable. When you talk about new ways to
14 evaluate cleanliness at a more granular, actionable
15 level, what initial thoughts do you have for that,
16 and when you talk about evaluating individual
17 properties how would that work, how could you in New
18 York give cleanliness evaluations to individual
19 properties, how could you measure it?

20 DEPUTY COMMISSIONER ANDERSON: I think a
21 good sort of case study for this would be the City's
22 rodent inspections. Those are published on a public-
23 facing portal on a property-by-property, tax lot-by-
24 tax lot basis. I think that's sort of the model that
25 we would follow here is on some regular frequency we

2 would have inspections of these properties, not
3 necessarily for enforcement purposes on that day but
4 to indicate to neighbors of those properties like if
5 you perceive your neighborhood is dirty, these folks
6 are responsible for their sidewalks, their public
7 areas, and the 18 inches into the street so I think
8 that's one tool we could have to sort of shine a
9 light on bad actors who are sort of causing problems
10 in individual communities.

11 COUNCIL MEMBER BOTTCHEER: That would
12 include the sidewalk container situations too,
13 because a lot of times you've got an apartment
14 building with containers that are too small to hold
15 all the trash from that building so the lids are
16 open, it's a mess, it's a rodent magnet. The
17 cleanliness ratings ostensibly would capture that
18 situation as well.

19 DEPUTY COMMISSIONER ANDERSON: Yeah, of
20 course.

21 COUNCIL MEMBER BOTTCHEER: Thank you.

22 CHAIRPERSON NURSE: Thank you, Council
23 Member Bottcher. Were there any other questions on
24 the street cleanliness grading?
25

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2 I want to recognize Council Member
3 Salamanca. I'll add you to the list for questions.

4 We're going to turn to Council Member
5 Abreu's bill. I'll kick it over to you for some
6 questions.

7 COUNCIL MEMBER ABREU: Thank you, Chair. I
8 understand in your testimony is you support the
9 intent of the bill, maybe not on how we get there. Is
10 the Administration open to effectuating the goals of
11 the bill and having a conversation to achieve it
12 legislatively?

13 DEPUTY COMMISSIONER ANDERSON: Yeah, I
14 think we're certainly open. We fully agree that we
15 should provide service to community gardens for
16 composting, and we intend to do so as we expand the
17 universal curbside program over the course of the
18 next 18 months. Today, gardens in Queens that want to
19 set out yard waste or yard and food waste together
20 can do so, should do so, can do so in the same manner
21 as residential properties.

22 COUNCIL MEMBER ABREU: Is it the
23 Administration's position that we can achieve this
24 legislatively?

25

2 DEPUTY COMMISSIONER ANDERSON: We don't
3 necessarily think that it needs to be legislated, but
4 certainly it's consistent with our intent as we roll
5 out the program and so we're happy to work with
6 Council on the legislation.

7 COUNCIL MEMBER ABREU: We hope that we
8 achieve the goals of this legislation legislatively.

9 CHAIRPERSON NURSE: Okay. Does anyone have
10 questions about the community garden organics? Okay.

11 We're going to move to Council Member
12 Restler's bill. I did have just a few questions to
13 follow up from some of the hearings. Do you have any
14 updated data on the usage of the smart bins just in
15 terms of maybe tonnage collected overall, on average?

16 DEPUTY COMMISSIONER ANDERSON: Yes, so the
17 tonnage collected overall we're not able to provide
18 because they're largely being collected on the school
19 trucks.

20 CHAIRPERSON NURSE: Right.

21 DEPUTY COMMISSIONER ANDERSON: We do have
22 data on the total number of users, the number of
23 unlocks per day. I don't have that with me here
24 today, but we can certainly provide that.

2 CHAIRPERSON NURSE: Okay. If I recall, one
3 of the hearings we had, maybe it was in a budget
4 hearing last year, you had just maybe announced the
5 smart bins, and the Commissioner had testified you
6 were going to roll these out, they were going to be
7 like at every school, this was going to be the on-
8 ramp education and outreach tool to get all New
9 Yorkers in this and so just curious about those plans
10 and moving forward because I know you've rolled out a
11 bunch on the residential blocks, but I know there was
12 I think in particular in relationship to some of the
13 pieces of legislation in the Zero Waste Act around
14 community drop-off, the answer was we are going to
15 have smart bins at every school and this is going to
16 be like the great way to on-ramp so just curious
17 where we're at with that.

18 DEPUTY COMMISSIONER ANDERSON: The initial
19 commitment that we made last April in the executive
20 budget was 100 smart bins. We were able with existing
21 funding to increase that number to 250 smart bins
22 that were installed over the winter, which we
23 announced in February when we announced the universal
24 curbside program. At that time, we also announced
25 another 150 so we're up to, our sort of goal at the

2 moment is 400 smart bins across the five boroughs.

3 Those will not necessarily be equally distributed

4 across the five boroughs. We've taken sort of

5 different approaches in different places to see what

6 works. In Brooklyn and in your District and I think

7 Council Member Hudson's District and some others, we

8 have very dense deployment of these smart bins, one

9 every few blocks. In Upper Manhattan and the Bronx,

10 we have them where we're using the sort of school

11 approach. We have them in the vicinity of schools,

12 more spread out but still within a few blocks walking

13 distance of any residential property. We're trying to

14 see what approach works best where. We are seeing in

15 Brooklyn that some of the bins that are very close to

16 each other are getting a lot of usage. Some of the

17 bins that are very close to each other are not

18 getting as much. As we roll out the universal

19 curbside program in boroughs that have smart bins, we

20 want to see what's the change in usage of the smart

21 bins, what makes sense as far as deployment. We don't

22 have at this point specific funding to go beyond that

23 400 number, but we're continuing to evaluate the

24 program and want to have the right sort of

25 distribution and number going forward.

2 CHAIRPERSON NURSE: Okay. Just in
3 relationship to last year's testimony or as you were
4 thinking about it, the goal is not to, as of this
5 moment you will not be putting one or a couple around
6 schools. You mentioned in Upper Manhattan but am I
7 correct in restating that?

8 DEPUTY COMMISSIONER ANDERSON: The
9 approach that we're taking is for new smart bins,
10 like the new smart bins that we're rolling out this
11 summer, generally to service them with the school
12 trucks so they will generally be located in the
13 vicinity of schools. Some will be further away from
14 schools just because there's sort of a dearth of
15 public schools on the east side of Manhattan for some
16 reason, but we'll still put some smart bins there,
17 but because we're servicing them with the school
18 trucks we want to be able to maximize the efficiency
19 of those operations and keep them as close as
20 possible to the routes that they're already on. I
21 think going forward, we think the school truck model
22 makes sense. We don't currently have universal school
23 organics in Brooklyn yet so that's why we took a
24 different approach there. We will have universal
25 school organics a year from now in Brooklyn and so we

2 may at that point reevaluate the deployment of the
3 bins that are currently in Brooklyn, see if we can
4 move some around to try to expand the reach of that
5 program.

6 CHAIRPERSON NURSE: Okay. In relationship
7 to Shaun's bill, are you deploying some of these near
8 community gardens?

9 DEPUTY COMMISSIONER ANDERSON: In some
10 cases. We're not necessarily deliberately siting them
11 there, but if there are locations that makes sense
12 near community gardens, we will put them there.

13 CHAIRPERSON NURSE: Okay. Lastly, before I
14 turn it over to Council Member Restler, we had some
15 New Yorkers who were really surprised to read some
16 article, I didn't fully read it, to hear that the
17 organics from the smart bins are primarily being
18 anaerobically digested for methane, and it's my
19 understanding that a good chunk of that sludge coming
20 out of the eggs is first lined and then a lot of it
21 is landfilled, which is kind of like the opposite of
22 what's written on the orange bin which is compost
23 because it's not in that sense. I know this is
24 primarily a DEP thing, but I imagine you must know
25 since this is an overall strategy, what percentage of

2 the material from the smart bins is actually
3 ultimately composted or used for some other
4 agricultural benefit and what percentage goes to a
5 landfill?

6 DEPUTY COMMISSIONER ANDERSON: Sure. I
7 don't have the specific like how much goes to
8 landfill in part because there is the anaerobic
9 digestion process that converts the incoming food
10 waste into largely methane. I think 75 percent of the
11 weight of the incoming material gets converted to
12 methane. The remaining 25 percent is comingled with
13 all of the other sewage biosolids from the Newtown
14 Creek plant. Of that remaining 25 percent, I think
15 there's a piece in the Times on this today that I
16 read this morning, there's roughly 50/50, 50 percent
17 is true beneficial use agricultural purposes. The
18 other 50 percent largely does go to beneficial use
19 but is lime-stabilized and is used for things like
20 land reclamation in Pennsylvania, things like that. A
21 very small amount, I think it's 5 percent according
22 to that Times article, is actually sent to landfills
23 so 5 percent of the 25 percent is whatever that adds
24 up to.

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2 CHAIRPERSON NURSE: I didn't hear the
3 piece, somewhere in the area of 50 percent is lime-
4 stabilized and then what was that piece, what was it
5 used for?

6 DEPUTY COMMISSIONER ANDERSON: It's used
7 for things like abandoned mine reclamation in places
8 like Pennsylvania. I think that's a good use for the
9 biosolids at this point. I do understand that DEP has
10 a goal to beneficially use all of its biosolids by
11 2030, and we are very much pushing them to achieve
12 that goal. We would love to see them achieve that
13 goal faster. Certainly, as we expand digestion of
14 organics that we collect through our curbside
15 program, we want to make sure that we are pushing
16 them to beneficially use as much as possible and that
17 includes both the gas and the resulting biosolids.

18 CHAIRPERSON NURSE: Sorry I keep going
19 down the line. Do you have any idea why that 5
20 percent might go to landfill? Is it a cost thing? Is
21 it a transportation thing?

22 DEPUTY COMMISSIONER ANDERSON: You'd have
23 to ask...

24 CHAIRPERSON NURSE: It's all in one pile
25 so I'm just wondering why that little sliver is

2 somehow going to the landfill and not for the rest of
3 these other uses.

4 DEPUTY COMMISSIONER ANDERSON: We're
5 certainly happy to ask DEP and get back to you.

6 CHAIRPERSON NURSE: Yeah, we can ask them
7 too.

8 I have one more question. When you hit
9 those 400 bins, will all that material be going to
10 Newtown?

11 DEPUTY COMMISSIONER ANDERSON: Not
12 necessarily. Our goal is to have a distributed
13 network of locations to deliver the food and yard
14 waste that we collect through both the curbside
15 program, the school program, and the smart bin
16 program. Right now, we are limited to very few
17 locations where that material is processed. As we've
18 said before, we're putting out a new contract
19 hopefully this summer that will procure additional
20 transfer processing and beneficial use sites, and we
21 hope to have a sort of more distributed network as I
22 mentioned so that we don't have all of the trucks
23 going to just one, two, or three locations. We do
24 hope that we can get more composting as a part of
25 that procurement. The challenge that we face is

2 composting is a very land-intensive process at the
3 scales that we are talking about, and there are very
4 few compost sites within a reasonable driving
5 distance of New York City to take the food and yard
6 waste to those compost sites so there's a large one,
7 McEnroe Farms upstate, there's Long Island Compost
8 out in Suffolk County, there's a few in New Jersey.
9 We're hopeful that we can use those sites as part of
10 our network alongside anaerobic digestion, but we
11 have go through the procurement process and see what
12 comes out.

13 CHAIRPERSON NURSE: Are these the
14 locations that you're trying to have for larger
15 decentralization distribution points, is this
16 inclusive of some of the bigger non-profit sites,
17 like the Big Reuse, Earth Matter, LES Ecology, you're
18 already bringing stuff to there, but is the smart bin
19 stuff going to go there at all?

20 DEPUTY COMMISSIONER ANDERSON: The smart
21 bin stuff at the moment is not going there because it
22 does need to be depackaged. It is very clean
23 material, but we do allow folks to use plastic bags,
24 and generally the other kinds of drop-off sites that,
25 for example, Big Reuse receives material from, does

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2 not allow plastic bags so they can just sort of mix
3 everything together and get going on the process. The
4 depackaging is a challenge, and we're screening out
5 the plastic material without a large expensive
6 screener is a challenge for those smaller operations
7 so it's something that I think we're interested in
8 but don't have a good plan for at the moment.

9 CHAIRPERSON NURSE: Couldn't you couple
10 the small bins with a litter basket when you're
11 thinking about placement to move away eventually from
12 allowing people to use plastic bags?

13 DEPUTY COMMISSIONER ANDERSON: I think
14 we're also trying to balance convenience for New
15 Yorkers. I think if we add too many steps and
16 requirements then it stops becoming a service that
17 we're providing them and starts becoming sort of a
18 nagging exercise that we're doing so I think we want
19 to try to walk that line to make sure we're
20 collecting as much material as possible, making it as
21 easy for New Yorkers to participate, but obviously do
22 want to support those midscale community sites as
23 much as we can.

24 CHAIRPERSON NURSE: Thank you for that.
25 Council Member Restler, go ahead.

2 COUNCIL MEMBER RESTLER: Thank you so
3 much, Chair Nurse.

4 I have to say I feel like I can't
5 remember an agency only sending one person up to just
6 like do it all, maybe there's somebody else behind
7 you, but it's like Greg Anderson is a one-man band,
8 he does it all. It's good to be with you again, Greg,
9 always.

10 I just have a few questions on our bill.
11 With the existing program to install the smart
12 compost bins, what areas are the Department of
13 Sanitation targeting beyond the bins that have been
14 currently installed?

15 DEPUTY COMMISSIONER ANDERSON: As we
16 announced in February, the next 150 are primarily
17 focused on the remainder of Manhattan so right now we
18 have bins in Manhattan north of I think it's 110th
19 Street on the west side, 103rd Street on the east
20 side so we're going to try to fill in the remainder
21 of Manhattan, maybe add some more bins in high-demand
22 areas of Upper Manhattan, and that's because
23 Manhattan is getting the curbside program last so
24 they have to wait 18 months, Brooklyn only has to

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2 wait six months so we decided that Manhattan was the
3 best place to focus those efforts.

4 COUNCIL MEMBER RESTLER: I was doing an
5 event in the Bed-Stuy portion of my District this
6 weekend, and some of the Bed-Stuy residents from
7 Council Member Osse's District were hanging out with
8 us and talking about how much they've been loving the
9 smart bins and that they're utilizing them
10 frequently. Is this pilot evaluating the percentage
11 of compost that's being gathered that's household
12 waste versus just kind of compostable materials that
13 people are utilizing when they're out and about?

14 DEPUTY COMMISSIONER ANDERSON: Yeah, we're
15 not seeing a tremendous amount of like litter
16 compost. It's a lot of stuff that folks bagged at
17 home and are bringing to the smart bins.

18 COUNCIL MEMBER RESTLER: Great.

19 DEPUTY COMMISSIONER ANDERSON: Not a lot
20 of like half-eaten sandwiches from the corner deli.
21 It's mostly bagged food scraps from home.

22 COUNCIL MEMBER RESTLER: Although good to
23 have a place to take your half-eaten sandwich from
24 the corner deli.

25

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2 DEPUTY COMMISSIONER ANDERSON: You should
3 just buy the right size sandwich.

4 COUNCIL MEMBER RESTLER: Sometimes your
5 eyes are bigger than your stomach. Greg, I feel like
6 we could go back and forth on this.

7 Ideally, I think we would all love to see
8 compost bins everywhere across the City of New York
9 just as there are litter baskets all over the City of
10 New York. I think the last count that we checked on
11 was 23,000 public litter baskets. Our legislation
12 would get us to about 1,300 compost bins so a 20th of
13 that figure, 5 percent of the litter baskets that we
14 have around the city. Why is that too ambitious for
15 the Department of Sanitation to accomplish?

16 DEPUTY COMMISSIONER ANDERSON: I think the
17 challenges are a fewfold. One is the smart compost
18 bins are more expensive per unit than a litter
19 basket, on the order of 4,000 dollars to purchase the
20 unit itself and then because we want to keep these
21 things clean, neat, orderly, we have annual cleaning
22 expenses that come with that, we have software and
23 operations expenses that come with maintaining the
24 unlocking mechanism and the application and things
25 like that so we're talking millions of dollars

2 upfront and millions of dollars a year annually to
3 continue to operate these, and then the other
4 challenge is making sure we have the resources to
5 collect from them. At the level of density that we
6 have the smart compost bins distributed in Upper
7 Manhattan and the Bronx, we are able to collect from
8 them using the existing school truck routes so
9 there's no additional collection need there. At the
10 level of density that we have them in Community
11 Boards 3, 4, and 8 in Brooklyn, we are running
12 additional trucks every single day to pick those up,
13 and that's a net cost so for those 23,000 litter
14 baskets we run close to 800 trucks per week to be
15 able to service those litter baskets. I'm not saying
16 that having 1,300 smart bins would take 800 trucks
17 per week, but it would take some number of trucks per
18 week to be able to make sure that we're keeping them
19 empty because the most frustrating thing, and I can
20 say this to someone who has used smart bins and has
21 experienced this, is when you pull up the app and the
22 smart bin closest to you is red and then you either
23 walk to the one that's further away or some New
24 Yorkers may say it's not worth it, I'm just going to
25 throw it away so we want to make sure that we're

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2 keeping those smart bins green on the app as much as
3 possible and providing that level of service is part
4 of that.

5 COUNCIL MEMBER RESTLER: Is the Department
6 of Sanitation intent on, should the pilot be
7 successful in these select Community Boards,
8 expanding the smart bin model while concurrently
9 expanding curbside compost?

10 DEPUTY COMMISSIONER ANDERSON: It's
11 something that we are certainly evaluating. We do
12 want to see on a larger scale the impacts of curbside
13 composting on smart bin utilization. I think Brooklyn
14 will give us a really good opportunity to do that
15 this October so at this time we are not funded beyond
16 the 150 expansion that we've already announced, but
17 it's something that we are certainly evaluating and
18 will continue to have discussions with the Council,
19 with OMB, with the Administration as we sort of work
20 towards a universal composting program in the next 18
21 months.

22 COUNCIL MEMBER RESTLER: Just one more
23 question. Would the Department of Sanitation be open
24 to Council Members funding smart compost bins in our
25

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2 Districts through the discretionary funding at our
3 disposal?

4 DEPUTY COMMISSIONER ANDERSON: I would say
5 yes with the caveat that the service is an important
6 component of that so where there is existing, for
7 example, school truck service and there are
8 substantial parts of Brooklyn that do have school
9 truck service today of organics, I think it would be
10 much easier to place a smart bin there because we
11 have the built-in collection. In places that don't
12 have school truck service yet and are getting it over
13 the course of the next 12 months, I think we may want
14 to wait until that school truck service is in place
15 before we start to add additional smart bins.

16 COUNCIL MEMBER RESTLER: Okay. Thank you
17 very much, Chair.

18 CHAIRPERSON NURSE: They're pretty mobile,
19 like you can decide to relocate them, right, so I'm
20 wondering as curbside rolls out, depending on how you
21 want to move the bill, but as you're rolling out and
22 you're seeing okay, this street has high
23 participation rates which we're still kind of
24 figuring out how you're evaluating that, but this
25 avenue has high participation rates, maybe the smart

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2 bins can be moved. For example, Bushwick Avenue, we
3 have one every block. We don't have curbside yet, but
4 once we get it in Brooklyn and it's out for like a
5 year or six months and Bushwick Avenue is rocking, if
6 it does, maybe there's a way to not have one every
7 block but every other block and relocate some of
8 those bins in commercial corridors to achieve the
9 aims of what Council Member Restler's bill is. Is
10 that level of flexibility something you all are
11 thinking about?

12 DEPUTY COMMISSIONER ANDERSON: Yeah, it's
13 not as easy moving a standard litter basket because
14 they are physically affixed to the sidewalk, but they
15 can be moved, and we have moved them before. There's
16 a small cost associated with that, just having the
17 contractor come out and move them from one place to
18 another, but it's something that we are certainly
19 looking at, and that's part of the evaluation we want
20 to do as the curbside program rolls out in Brooklyn
21 this fall is what is the right level of, we're sort
22 of calling it very bureaucratically de-densification
23 of the smart bin deployment so it's something that we
24 are going to evaluate and potentially move those bins
25 from the highly concentrated three community

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2 districts to potentially other community districts in
3 Brooklyn.

4 CHAIRPERSON NURSE: I think Council Member
5 Restler's bill is on the nose in terms of where
6 people are eating and drinking and hanging out or
7 some of these summer markets and things like that,
8 like having this option is like a very easy way to
9 catch that so I think it's important to look at. I
10 know what you're saying in terms of the service
11 route, but I know as Members we spend so much time
12 and energy keeping our commercial corridors clean
13 just in general through supplemental cleaning
14 services, paying for baskets, all sorts of stuff, it
15 makes sense to add that layer on and try to figure
16 out how to service that at some regular standard. I
17 know because they're electronic or whatever, you can
18 know when they need to be picked up, but just a
19 general comment.

20 Council Member Aviles, you had a question
21 on this?

22 COUNCIL MEMBER AVILES: Thank you. Thank
23 you, Chair. I just wanted to make a comment and
24 clarify. In terms of the school program, where is
25 DSNY currently running organic collections?

2 DEPUTY COMMISSIONER ANDERSON: Currently,
3 we have organics collections at every public school
4 in the Bronx, Manhattan, and Staten Island, and some
5 routes but not all in Brooklyn and Queens. As we've
6 announced previously, over the course of the next
7 school year, 2023 to 2024, we will be expanding that
8 organics service to every school in Brooklyn and
9 Queens as well so we'll have every public school
10 receiving organics service by spring '24.

11 COUNCIL MEMBER AVILES: Got it. I recently
12 had a conversation with students actually from a
13 middle school in Manhattan who reported that food
14 that was not being eaten by students was tossed in a
15 container and bleach was being poured over the food
16 and that that was the policy they were told to
17 destroy food. Have you heard of such a thing, and
18 they wanted to know why wouldn't the food be
19 composted?

20 DEPUTY COMMISSIONER ANDERSON: We
21 absolutely want the food to be composted. If you know
22 what specific school that is, we can follow up
23 offline and make sure we're educating them on how to
24 do that properly.

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2 COUNCIL MEMBER AVILES: I will absolutely
3 follow up with you. In terms of what preparation does
4 DSNY provide to schools to be prepared to come
5 online, and I'd love to know which districts in
6 Brooklyn you're working with.

7 DEPUTY COMMISSIONER ANDERSON: We do a few
8 different things. The first step with every school as
9 we bring them online with composting program is to
10 give them all of the equipment, the signage, the
11 stickers, the educational materials that they need so
12 we sort of do that deployment first then we work with
13 the operational staff in the schools, the custodial
14 engineers, the food service staff to make sure they
15 understand how the program works, what goes in what
16 bin, how to set up the bins properly so that kids can
17 use them, and then the last step is actually sending,
18 and we generally work with Grow NYC and their
19 Recycling Champions programs to send engagement staff
20 into each of the schools working with the principals
21 and the sustainability coordinators and the teachers
22 to do classroom activations, to do lunchroom
23 activations, to hold staff meetings with teachers to
24 answer their questions about how the program works
25 and try to encourage them to incorporate that

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2 composting and recycling messaging into their
3 curriculum, especially where it makes sense from a
4 STEM perspective and things like that, and we do
5 provide those curriculum tools to teachers so that
6 they can incorporate that into what kids are learning
7 in the classroom.

8 COUNCIL MEMBER AVILES: Lastly, do you
9 have a sense of how much organics have been recovered
10 from the schools that are online through this
11 program?

12 DEPUTY COMMISSIONER ANDERSON: I didn't
13 bring that number with me today, but that's one that
14 we can definitely provide you.

15 COUNCIL MEMBER AVILES: That would be
16 great to know. Thank you, and also a breakdown by
17 borough.

18 DEPUTY COMMISSIONER ANDERSON: Yeah, we
19 can give you the exact locations of the schools in
20 Brooklyn that have composting today.

21 COUNCIL MEMBER AVILES: Thank you, and
22 maybe you weren't prepared for this, but in terms of
23 what's the cost of the school program at this point?

24 DEPUTY COMMISSIONER ANDERSON: The school
25 program doesn't have a tremendous cost because the

2 way we approached it was taking existing service
3 which was for trash five days a week and converting
4 that to organics five days a week because what we
5 learned in our various Waste Characterization Studies
6 of schools is most of what schools throw out is
7 either food or recyclable so if we can give them
8 daily service for organics and every other day
9 service for paper, metal, glass, and plastic we
10 should be able to capture all of their waste and
11 there's very little trash remaining. In practice,
12 it's not so perfect, but we try to work with schools
13 to get as much of the waste from cafeterias going
14 into that organics bin, and DOE has been a great
15 partner. They, several years ago, converted all their
16 foam trays to compostable trays well before the foam
17 ban took effect. They're continuing to explore other
18 ways to get single-use plastics out of the cafeteria
19 so it doesn't contaminate the food waste stream.
20 That's sort of the approach that we're taking with
21 them, and because we converted existing trash trucks
22 to organics trucks, there's very little net cost
23 there.

24 COUNCIL MEMBER AVILES: Lastly, in terms
25 of the smart bins, what's the cost of that program?

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2 DEPUTY COMMISSIONER ANDERSON: Each bin,
3 as I mentioned before, costs around 4,000 dollars and
4 then the annual operational expenses associated with
5 each bin I think is between 1,200 and 1,400.

6 COUNCIL MEMBER AVILES: Do you have a
7 total?

8 DEPUTY COMMISSIONER ANDERSON: A total for
9 the program? Not off the top of my head because it is
10 changing as we... It is changing as we expand the
11 program so next year, for example, the sort of
12 maintenance expenses for the 400 bins that we'll have
13 deployed should be around 550,000 to 600,000, and
14 then the bins themselves 1.6 total million cost for
15 procurement and installation.

16 CHAIRPERSON NURSE: That's impressive. Did
17 you just do that?

18 DEPUTY COMMISSIONER ANDERSON: Yeah, I
19 don't know if it's right. (INAUDIBLE) The oath
20 doesn't count for that one.

21 CHAIRPERSON NURSE: We'll do a followup.
22 We do have Assembly Member Harvey Epstein on who I'm
23 going to call up. He wanted to talk about the NYCHA
24 Sanitation because he has a bill related to it, but I
25 do have one final question on this because we went to

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2 visit a Zero Waste School last year, and it seemed
3 the Zero Waste School was completely dependent on in-
4 cafeteria staff, mostly part-time staff, who were
5 there really ensuring these 10-year-olds aren't just
6 throwing things, I mean it was very hands-on assisted
7 sorting of the waste and if those staff members
8 weren't there I would argue that this would probably
9 not work with the age group that we visited. Were any
10 of these Zero Waste Schools impacted by any excessing
11 of staff that happened with DOE from last budget
12 year?

13 DEPUTY COMMISSIONER ANDERSON: I can't
14 speak to DOE's budget and staffing.

15 CHAIRPERSON NURSE: No, but did you have
16 an impact on the Zero Waste Schools' programming and
17 the ability to carry it out at the cafeteria level?

18 DEPUTY COMMISSIONER ANDERSON: Not to my
19 knowledge.

20 CHAIRPERSON NURSE: Okay. I'm going to
21 call up Assembly Member Epstein if he wants to say
22 some words.

23 ASSEMBLY MEMBER EPSTEIN: Thank you,
24 Council Member (INAUDIBLE) and sorry to interrupt
25 your hearing, but I just wanted to take a minute to

2 acknowledge the work that you all have been doing on
3 the issue of Sanitation fees related to public
4 housing. I've been working with Council Member Aviles
5 around legislation that I introduced here in Albany
6 and legislation she's introducing in the Council,
7 trying to stop the double taxing of our NYCHA
8 residents. Public housing pays Sanitation fees like
9 every other New Yorkers, but, unfortunately, there's
10 an additional cost related to the public housing
11 residents, about 30 million dollars. A few years ago,
12 this was also an issue related to fees going to the
13 NYPD. It was about 90 million dollars, and the City
14 and State together were able to stop that double
15 taxation around police fees, but the Sanitation fees
16 continue, and we know that our public housing
17 authority in New York City is struggling for
18 resources and to be able to return 30 million dollars
19 to them to ensure better services in New York City
20 and fixing up public housing is critical so I just
21 really want to applaud you, Council Member Nurse and
22 Council Member Aviles, for moving this forward before
23 the Council, and I wholly support this legislation
24 being passed in the Council. Whatever help I can

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2 provide from the Assembly side, I would be happy to
3 do. Thank you for letting me interrupt your hearing.

4 CHAIRPERSON NURSE: No, thank you. We're
5 happy to see you and also maybe we need to scheme on
6 the compost infrastructure so not all of the stuff
7 gets burned off and some of it can actually be turned
8 into compost like it says on the bins. Thank you for
9 joining us.

10 ASSEMBLY MEMBER EPSTEIN: Yeah. Again,
11 thank you for your leadership on composting. We've
12 been trying, but the Community Action Council and
13 kind of what we're seeing in Albany unfortunately is
14 not moving in the perfect direction around
15 composting, but I'm deeply committed as you are to
16 ensuring that we have community composters and doing
17 our best that we ensure that composting is turned
18 into compost.

19 CHAIRPERSON NURSE: Thank you. We look
20 forward to a State budget.

21 The last chunk, I saved it for last so
22 that some of the other Members could go about their
23 day, but we're going to talk about the rechargeable
24 battery disposal. I know we're coming up on the two-
25 hour mark.

2 We're going to talk about Intro. 846.

3 Again, this bill would require Sanitation to come up
4 with a plan for how to ensure proper disposal of
5 rechargeable batteries used for powered mobility
6 devices. We just wanted to start by asking has DSNY
7 seen an increase in issues related to the improper
8 disposal of these batteries? If you can maybe share a
9 little bit about what you're seeing or what the
10 conversations are like on DSNY's end around these?

11 DEPUTY COMMISSIONER ANDERSON: I think
12 nationwide we've seen an increase in fires in waste
13 collection and waste management related to
14 rechargeable batteries, particularly over the last
15 three or four years. That's something that we
16 experience. We've had fires in our trucks in an
17 increasing number. We're not always able to pinpoint
18 exactly what the cause of those fires are, but we
19 have had I know from our own reports and from what
20 the FDNY has told us we've had several fires in the
21 last year that have been identified as related to
22 lithium-ion batteries, and we do certainly appreciate
23 the very real safety challenges that the growing use
24 of rechargeable batteries creates. The Mayor has
25 convened a 16-agency task force led by staff from the

2 Mayor's Office to address this issue comprehensively.

3 I think the Administration is proud to have worked
4 with the Council on the bill package that passed
5 earlier this year to address some of those really
6 critical safety challenges, and I think we're proud
7 to be a part of that task force addressing this
8 issue.

9 CHAIRPERSON NURSE: Do you know how many
10 battery-related fires you all have experienced in the
11 last couple of year? I know you said a handful, but
12 do you know how many?

13 DEPUTY COMMISSIONER ANDERSON: I don't
14 know the exact. Again, we're not able to pinpoint the
15 cause of the fires in many cases. I will say
16 anecdotally what we've heard from our recycling
17 vendors is that in some cases they're having fires as
18 often as once a week. Again, not always able to
19 pinpoint the exact cause of the fire, and they're
20 thankfully generally able to put them out very
21 quickly and have not had damage to property or any
22 serious injury or loss of life as a result, but we
23 have seen a growing number of fires at recycling
24 facilities in the New York Metro area and around the

2 country so this is certainly a growing challenge that
3 we as an industry are facing.

4 CHAIRPERSON NURSE: How do you currently
5 collect rechargeable batteries from e-bikes?

6 DEPUTY COMMISSIONER ANDERSON: We collect
7 rechargeable batteries a few different ways. The
8 primary is through our Safe Disposal events, one in
9 each borough twice a year, and our special waste
10 sites one in each borough open every Saturday and the
11 last Friday of the month. We accept all kinds of
12 rechargeable batteries at those so everything from
13 power tools to e-bikes. We also accept e-waste,
14 paint, other types of special waste, and then at the
15 Safe Events we accept all kinds of hazardous waste as
16 well, things like chemicals and other products.

17 Through our curbside collection program on Staten
18 Island, we do accept batteries alongside e-waste and
19 textiles. The usage of that program has been
20 incredibly low for batteries. We get a lot of e-
21 waste. I think I have the number written down here
22 somewhere, 208,000 pounds of e-waste this year, only
23 1,700 pounds of batteries so far this year so much
24 higher demand on the e-waste side than on the battery
25 side through that program.

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2 CHAIRPERSON NURSE: Wait. Say that again.
3 208 pounds of e-waste?

4 DEPUTY COMMISSIONER ANDERSON: Thousand.

5 CHAIRPERSON NURSE: Thousand, okay. I was
6 like wait. And for rechargeable batteries, what was
7 that?

8 DEPUTY COMMISSIONER ANDERSON: 1,700.

9 CHAIRPERSON NURSE: 1,700? And that's just
10 for the Staten Island program?

11 DEPUTY COMMISSIONER ANDERSON: Correct.

12 CHAIRPERSON NURSE: What about citywide
13 annually? What did you collect last year in
14 rechargeable batteries?

15 DEPUTY COMMISSIONER ANDERSON: The
16 rechargeable battery number, because it's managed
17 along with all of our other household special waste
18 and hazardous waste, we don't have a specific
19 breakout for that specifically. We did in Fiscal '22
20 collect 501 tons total of special waste and hazardous
21 waste compared to 1,603 tons of e-waste so again
22 seeing a lot more e-waste through those programs, in
23 part I think attributable to the State e-waste
24 disposal ban and EPR program which funds much of our
25 e-waste collection operations. It funds our e-cycle

2 program, it funds the recycling and proper disposal
3 of e-waste products that are collected through our
4 special waste sites and Safe Events. We're not seeing
5 the same State sort of approach on e-mobility
6 batteries and would love to see that happen.

7 CHAIRPERSON NURSE: Yeah. Just for the
8 specific breakout, is that something you would be
9 considering including in the updated SWAMP? Creating
10 a breakout for the batteries itself?

11 DEPUTY COMMISSIONER ANDERSON: We could
12 talk to our special waste disposal vendor, Veolia, on
13 what they could sort of break out for us in terms of
14 data on batteries specifically.

15 CHAIRPERSON NURSE: Okay, and then what's
16 the budgetary cost on, I know e-waste is separate
17 from special waste/hazardous waste, for the budget
18 item that's associated with where the batteries would
19 be which is the special/hazardous, right, what's the
20 budget item for that annually?

21 DEPUTY COMMISSIONER ANDERSON: There's a
22 few different costs associated with it. There's the
23 piece which is related to the management of the
24 material. I don't have the number for that annually
25 but can provide it. It's several million dollars

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2 across the Safe Events and the special waste sites,
3 and then there's also cost in terms of staffing the
4 special waste sites to keep them open so increasing
5 the number of days per week that those are open, for
6 example, which is something we've talked about
7 before, it's simply an operational cost. Having
8 someone there because these are sites that are
9 permitted by the State DEC, you have to follow
10 certain requirements, you have to have them staffed
11 anytime they're open, you have to keep a logbook of
12 all the material that's coming in and where it's
13 coming in from so meeting those requirements means
14 that you have to spend money on that.

15 CHAIRPERSON NURSE: Can you tell us more
16 about the recent issues at Gravesend Storage Facility
17 and what are the overall challenges DSNY faces in the
18 disposal of e-bike batteries?

19 DEPUTY COMMISSIONER ANDERSON: The issues
20 at the facility in Gravesend at the Southwest
21 Brooklyn Complex were really related to batteries
22 that had been involved in fires and so as part of the
23 Mayor's task force that he created, we've really
24 addressed those specific issues and that was related
25 to batteries that had been involved in fires, and

2 once a battery is damaged or defective, it becomes
3 hazardous waste and the storage and transportation
4 requirements become much more complex. Sanitation is
5 great at managing regular waste. We can even do
6 special waste. Hazardous waste is a totally different
7 animal so the challenge there was there were a lot of
8 batteries that had been involved in fires, they were
9 in these sort of specialized storage drums, and they
10 were just accumulating, and they were sort of beyond
11 our ability to dispose of so we worked with DEP to
12 take over the disposal of that hazardous waste and
13 they have hazardous waste experts on staff. They
14 manage a lot of the hazardous waste response in city
15 government so they're the right folks to take than
16 on.

17 CHAIRPERSON NURSE: Okay. I know that you
18 all mentioned you don't support this, but I think we
19 don't have the EPR yet that we want, the dream EPR
20 that we want, and the reality is that whether you're
21 a worker or someone just buying this for your
22 personal enjoyment, the proliferation of these
23 batteries is an issue, and people are just storing
24 them in basements, they're rigging them different
25 ways, they're throwing them out. If DSNY was able to

2 develop a plan for collections of this material and
3 hand them off to the right storage, this seems like a
4 program that would fully qualify for an EPR and
5 ultimately have some revenue generating aspect for it
6 even though there might be an upfront cost at first
7 associated with DSNY like rolling out a plan. I think
8 we don't really have much other choice right now,
9 we're not necessarily holding corporations' feet to
10 the fire and we're kind of behind the curve on this
11 so it seems like we need some agency to do this. Your
12 collections and operations of collections is your
13 wheelhouse. Would you be open to starting up as
14 hopefully the advocacy works at the State level to
15 put that EPR forward so that eventually this could be
16 something that wouldn't be cost negative for us?

17 DEPUTY COMMISSIONER ANDERSON: I think
18 it's something we're open to discussing, but we can't
19 ignore the fact that there are costs for creating new
20 programs and certainly appreciate that Staten Island
21 is probably not representative of the rest of New
22 York in terms of the usage of e-mobility devices, but
23 we have not to date seen tremendous demand for that
24 sort of curbside collection approach, and we've
25 discussed before at length about the challenges...

2 CHAIRPERSON NURSE: I'm not talking about
3 a curbside collection program, but I'm just talking
4 about like either locations, like drop facilities,
5 like some other thing. I don't think curbside is the
6 right way to do it. I'm talking about more access to
7 a safe disposal site beyond just a couple events a
8 year, beyond trekking to like two facilities, because
9 the proliferation of them is so big that there just
10 needs to be more locations available in places where
11 you're seeing a lot of workers, you're seeing a lot
12 of delivery services. It's unimaginable to think that
13 we're just going to rely on corporations to step up
14 and take this back. I don't think that's the reality
15 for a while, and the fires we're dealing with are
16 more frequent so I'm talking specifically about
17 ability to drop off batteries somewhere for just
18 somebody who's like I'm a worker or I got this e-
19 bike, I don't know anything about this stuff, I don't
20 care about this stuff, I just need to get this out of
21 my house so it doesn't burn my house down.

22 DEPUTY COMMISSIONER ANDERSON: Yeah, I
23 think we're open to creating such a program, but
24 there is a cost associated with it, and we have to
25 consider that cost in the context of the overall City

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2 budget so it's not something that we can commit to in
3 a vacuum outside of other budget conversations.

4 CHAIRPERSON NURSE: I guess it was more
5 like a comment rather than a question.

6 Do you have any questions about this?

7 I have a few more. One of them was what
8 resources would the agency require, and it sounds
9 like you need staffing, you need management, and
10 potentially facilities.

11 DEPUTY COMMISSIONER ANDERSON: Yeah, and I
12 think the facilities are honestly the biggest piece
13 of this. I think staffing is something that we can
14 provide relatively easily and quickly and can put a
15 number on in a pretty straightforward manner, but in
16 terms of identifying where these drop-off sites are
17 going to be located and ensuring that they have the
18 right DEC compliance, whether it's a permit or
19 registration or whatever, that's something that we
20 have to plan for and it takes time to be able to put
21 that in place.

22 CHAIRPERSON NURSE: Are Sanitation garages
23 something that DEC or DEP inspects or has any part in
24 the process of ensuring as a safe facility by chance?
25

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2 DEPUTY COMMISSIONER ANDERSON: Yes, but
3 generally only related to things like the discharge
4 of water that's used to wash equipment or the storage
5 of things like used motor oil or other sort of
6 chemicals that are used to maintain the equipment.
7 They're not regulated as waste management facilities.

8 CHAIRPERSON NURSE: Okay. So exploring
9 that route of potentially having every garage
10 potentially be a place for a certain amount of
11 storage, obviously that has a budget cost, it's a
12 whole thing, but given that that's where people are
13 already associated with trash, if facilities is the
14 biggest kind of challenge, maybe the garages could be
15 something to be explored.

16 DEPUTY COMMISSIONER ANDERSON: I think
17 we're open to further discussions on that, but there
18 are severe space limitations at some of our
19 facilities and it may not be feasible everywhere.

20 CHAIRPERSON NURSE: Okay. I think the rest
21 of these questions are kind of implicitly answered. I
22 don't have any further questions for you at this
23 time.

24 Council Member Restler, do you have
25 anything else to add? Okay.

2 Sorry. I'm getting a text from

3 (INAUDIBLE) There's probably one more question she
4 would like me to ask.

5 How does DSNY collaborate with the New
6 York State Department of Environmental Conservation
7 in relationship to the e-bike batteries?

8 DEPUTY COMMISSIONER ANDERSON: I think we
9 have been, to be frank, frustrated by their level of
10 effort on rechargeable batteries in general. The
11 history is New York City in 2007 passed a
12 rechargeable battery law that was much more
13 ambitious. In 2010, the State Legislature preempted
14 the City law which happens most of the time that the
15 City passes a good EPR program, and the level of
16 enforcement of the existing rechargeable battery law
17 at the State level, which does not cover e-mobility
18 batteries, I think has been pretty low, and I think
19 we're seeing pretty low compliance, and we are
20 actually expressly prohibited from enforcing the
21 existing State law so I think that's one of the
22 things we would like to change. We understand DEC has
23 a huge mandate that covers many different areas, and
24 they don't have the staff to be able to do
25 everything. We have experience doing enforcement here

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2 in New York City and holding businesses accountable
3 that are supposed to be doing the right thing. We
4 should have enforcement authority to be able to make
5 sure that folks that are selling batteries, currently
6 not e-mobility batteries but hopefully in the future
7 when the State law covers e-mobility batteries, the
8 folks that are selling products are taking the
9 products back and safely recycling them.

10 CHAIRPERSON NURSE: Okay. Thank you,
11 Deputy Commissioner.

12 DEPUTY COMMISSIONER ANDERSON: Thank you.

13 CHAIRPERSON NURSE: Thanks for answering
14 all those questions today.

15 We're going to turn it over to testimony.
16 We're going to bring up our honorary Committee
17 Member, Eric Goldstein, who might as well be part of
18 the Committee. I don't know if we have any of the
19 Workers Justice Project folks. We can add them after
20 him.

21 Go when you're ready.

22 ERIC GOLDSTEIN: Good afternoon, Chair
23 Nurse and Staff. My name is Eric Goldstein, the
24 Natural Resources Defense Council. NRDC has been
25 following waste issues in New York City since then-

2 Mayor Koch proposed to build five to eight huge
3 garbage burning incinerators in the 1980s. We thought
4 there was a better way, and, since that time, our
5 focus has been on converting city policy from primary
6 emphasis on incineration and landfilling to making
7 recycling, waste prevention, composting, and equity
8 the four cornerstones of waste policy in New York
9 City. We believe the top priority for the Council
10 continues to be on the waste front the Zero Waste
11 Package and specifically Intro. 244 which you and
12 Council Member Hanif and Powers are leading the
13 charge on. It's great to see so many Council Members
14 interested in so many issues on waste policy. That's
15 not something that has always happened and the
16 enthusiasm and recognition of the importance of these
17 waste issues is really when you look at it with a
18 historic lens is very encouraging.

19 Quickly, a rundown of today's agenda.

20 Intro. 544, Council Member Osse, would boost the
21 penalties for failure to store waste properly. The
22 current penalties are often just seen as a cost of
23 doing business. We strongly support that legislation.

24 Intro. 649, Council Member Aviles, would
25 prohibit DSNY from charging NYCHA for Sanitation

2 services. We see no reason why NYCHA residents should
3 be treated differently from every other resident in
4 the city. NYCHA should be receiving free DSNY
5 service. We strongly support that legislation.

6 Intro. 846, Council Member Nurse, would
7 require DSNY to develop a plan for promoting proper
8 disposal of rechargeable batteries used for motorized
9 devices. While the details may need further
10 consideration, we believe that the safe disposal of
11 these batteries should and must receive increased
12 attention from the City. We encourage you to move
13 forward and we definitely support legislation on this
14 front.

15 Intro. 768, Council Member Moya, would
16 direct DSNY to implement the system for letter grade
17 ratings of street cleanliness. We like this goal and
18 believe the concept seems some refinements, certainly
19 addressing all of the commercial corridors but maybe
20 meshing this idea with an expansion and improvement
21 of the existing analysis provided in the Mayor's
22 Management Report, which I think rightly were
23 critiqued today for not being accurate reflections of
24 the reality all of us see on the streets of the City.

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2 Intro. 832 by our friend, Council Member
3 Abreu, would require DSNY to collect organics from
4 community gardens. We love the community gardens, but
5 our understanding, which DSNY confirmed today, is
6 that the Department will be collecting from community
7 gardens as the curbside program is phased in.

8 Intro. 720, which would require DSNY to
9 collect solid waste from nursing homes, even those
10 privately operated at no cost. We don't believe it
11 makes sense that nursing homes be treated differently
12 from every other commercial for-profit business in
13 the City so we don't support that legislation.

14 Finally, Intro. 863, Council Member
15 Restler, another great environmental friend on so
16 many issues, that would require DSNY to install at
17 least 25 public organics receptacles in every
18 community district. We share the Council Member's
19 sentiment, but, at least in the present form, are not
20 sure that this legislation should move forward. As
21 noted at the outset, we believe the priority for
22 organics should be passage of the Zero Waste Package
23 with the curbside bill, 244, and after that have the
24 City analyze exactly where the need for these
25 additional smart bins should go.

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2 We thank you for your attention. This was
3 a great hearing, and your continuing work is
4 appreciated by everyone. Even though there weren't a
5 lot of people here today, we know that New Yorkers
6 care about these issues. We appreciate your
7 leadership.

8 CHAIRPERSON NURSE: Thank you so much. I
9 really appreciate it.

10 I think we just have a couple people
11 online. We're going to call up Antonio Solis and
12 Ligia Guallpa to testify.

13 SERGEANT-AT-ARMS: Your time will begin.

14 ANTONIO SOLIS: (Speaking Spanish)

15 CHAIRPERSON NURSE: (Speaking Spanish)

16 ANTONIO SOLIS: (Speaking Spanish)

17 CHAIRPERSON NURSE: (Speaking Spanish)

18 Next, we're going to hear from Ligia.

19 SERGEANT-AT-ARMS: Your time will begin.

20 LIGIA GUALLPA: Can you hear me?

21 SERGEANT-AT-ARMS: Yes. Your time will
22 begin.

23 LIGIA GUALLPA: Okay. Good afternoon.

24 Thank you, Chairwoman Sandy Nurse and the Council

25

2 Members of this Committee, for the opportunity to
3 testify today.

4 My name is Ligia Guallpa. I'm the
5 Executive Director of the Workers Justice Project, an
6 organization that organizes low-wage workers to
7 transform their industries to be a driver and a
8 source of safe and dignified jobs. I'm here to
9 testify in support of Intro. 0846 that will require
10 the Department of Sanitation to develop a plan for
11 ensuring proper disposal of rechargeable batteries
12 used for powered mobility devices. This legislation
13 is part of a comprehensive plan to ensure our city
14 can transition to a new era of safe micromobility,
15 and it is the right approach to address the spikes in
16 fires caused by leaking batteries. Los Deliveristas
17 and Workers Justice Project supports the City Council
18 effort to get unsafe batteries off our streets and
19 transition New Yorkers to the use of certified
20 batteries. At this very moment, we have, as Antonio
21 has said, we have 65,000 deliveristas who will have
22 to transition to certified batteries, which means we
23 will have thousands of deliveristas who would need to
24 know how, where, and when to dispose these
25 uncertified batteries. We are committed to working

2 with New York City Council and the Department of
3 Sanitation to educate the deliverista community about
4 the disposal of thousands of uncertified batteries
5 while building a safe micromobility infrastructure
6 including public charging stations across our city
7 and working together to ensure New York City delivers
8 a minimum pay for deliveristas without any further
9 delay.

10 The reality is that the growing
11 dependency on e-bikes is fueled by the demand of food
12 delivery apps that have recklessly widened delivery
13 radius without notice, forcing delivery workers to
14 travel longer distances to fulfill the orders as soon
15 as possible. The problem is not deliveristas nor the
16 e-bikes that they use do this work. There is a clear
17 need to shift the public narrative. By creating
18 policies that transform this industry into a
19 profession that not only deserves respect but also
20 deserves an infrastructure that meets their needs.
21 Deliveristas need more accessible collection areas,
22 need more charging stations, need a program that
23 allows them to transition to the use of uncertified
24 to certified batteries at low cost, and, most
25 importantly, they desperately need a minimum pay so

2 they no longer have to rely on tips as Antonio had
3 said. The same way deliveristas had our backs during
4 the pandemic, New York City Council and the
5 Administration has the responsibility to protect them
6 and build the infrastructure that meets the needs of
7 65,000 deliveristas. We're ready to work with the
8 Department of Sanitation to deliver education, to
9 make sure every deliverista knows how and where to
10 dispose these batteries, and deliveristas have
11 already demonstrated how vital they are to our city's
12 economy and how vital they are to the disaster
13 response and recovery of our city. In order to
14 protect deliveristas, we must implement policy and a
15 plan that takes into account their voices, their
16 needs, and the reality of deliveristas in our
17 community. We look forward to working with you all,
18 the Council Members and the Department of Sanitation,
19 on moving us to a new future of safe micromobility.

20 CHAIRPERSON NURSE: Thank you so much for
21 your testimony and your time today. Looking forward
22 to working with you on this and being in conversation
23 with the wider coalition around the e-bike economy
24 that is growing here in New York City and the

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2 infrastructure we need around it so thank you so much
3 today for joining.

4 We are done hearing testimony. Thank you,
5 everyone, for joining today. We are going to close
6 out. [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 April 28, 2023