

**Testimony of
Javier Lojan, First Deputy Commissioner
New York City Department of Sanitation**

**Hearing before the New York City Council
Committee on Sanitation and Solid Waste Management**

**Tuesday, October 24, 2023
1:00 P.M.**

**Oversight – The State of NYC Sanitation Workers’ Safety and Protections
and Intros. 978, 1131 & 1161**

Good afternoon, Chair Nurse and members of the City Council Committee on Sanitation and Solid Waste Management. I am Javier Lojan, First Deputy Commissioner of the New York City Department of Sanitation (DSNY). I am joined today by Ryan Merola, Chief of Staff and Deputy Commissioner for External Affairs; Joshua Goodman, Deputy Commissioner for Public Affairs and Customer Experience; and Kate Kitchener, Director of Recycling and Sustainability. Thank you for the opportunity to testify today on worker safety and protections at DSNY as well as on Introductions 978, 1131 and 1161.

Trash Revolution

As Commissioner Tisch shared with this committee in September, the City is in the midst of a Trash Revolution. The Adams Administration has implemented an ambitious and game-changing set of new initiatives, programs and policies around reducing the impact of trash bags on the sidewalks, fighting rats, and cleaning up our City. I’d like to provide a brief summary of our agenda’s milestones to date:

- **Set out times.** In April, we implemented a new and simple standard for set out times: no trash in black bags can be set out for collection earlier than 8:00 p.m. Trash in bins can be set out earlier: 6:00 p.m. for residents or an hour before closing for businesses.
- **Business container rules.** In August and September, we implemented rules that required food-related businesses and chain stores to containerize their refuse. In mid-September, we announced a proposed rule that would extend this requirement to every commercial business in the City beginning on March 1, 2024. That means 100% of the City’s businesses will be required to containerize their refuse, accounting for nearly half of all trash in the five boroughs.
- **Residential container rules.** We are taking a thoughtful approach to residential containerization and focusing on it in two parts: solutions for buildings that have 9 or fewer units; and solutions for those with 10 or more units. Two weeks ago, we announced our go-forward strategy for 9 or fewer units: by Fall 2024, those residences will be required to use containers for refuse, and by Summer 2026, those containers must be the

official NYC wheelie bin. That will cover 95% of all residential properties in the City. The official NYC Bins will be available for purchase at a price point far below the market value for comparably sized bins and will be designed for mechanized collection. We are still considering the right solution for 10 or more units. To that end, we are piloting shared containerization in Hamilton Heights, which includes 14 schools and 10 residential blocks.

Our drive to containerize also celebrated another milestone on October 2nd: curbside collection of organics began in Brooklyn. All Brooklyn residents can source-separate organics into containers with secure lids for guaranteed collection of that material on their recycling day. As of October 21st, under the rules enacted pursuant to Local Law 85 of 2023, organics separation became mandatory in both Brooklyn and Queens. Until Spring 2025, the Department will only issue warnings, so that residents in all five boroughs will have had curbside collection for at least 6 months before we issue violations.

Safety Practices & Containerization

I would now like to turn to the topic of today's hearing – safety and protections for New York City's Sanitation Workers.

Workforce safety is a guiding principle for this Department. As a former sanitation worker myself, I know firsthand the importance of making sure that New York City's strongest can safely collect, clean and plow our streets. Let me be clear: being a sanitation worker is grueling, difficult and labor-intensive work, and our safety policies are designed to account for the realities of collecting and cleaning. The Department takes great pride in preparing our workforce for the challenging nature of the job. The Department trains its Sanitation Workers from Day 1 in the Sanitation Academy on proper lifting techniques to minimize strain and chance of injury. Sanitation Workers receive a uniform allowance that allows them to purchase Department-prescribed personal protective equipment, which includes work gloves, boots, eye coverings, and reflective clothing. We instruct Sanitation Workers on how to exit their vehicles to minimize the risk of an accident with a vehicle or cyclist, and we have all collection trucks equipped with rearview cameras to give our workforce the benefit of minimizing their blind spot when maneuvering their vehicle for collection.

Training does not stop when a Sanitation Worker graduates from the Academy. Routinely, Department-wide messages on safety practices are distributed to our garages and are required to be read by supervising staff to all Sanitation Workers at the start-of-shift roll calls. In the lead-up to winter each year, DSNY conducts in-service training for **all** uniformed staff. The training refreshes the workforce on safety protocols, the operations of all vehicles and equipment, the proper procedures for attaching snow plows and tire chains, and how to use two-way radios.

The precautions we take and the trainings we conduct will never mitigate all hazards. However, our drive to containerize residential trash in the City is truly the next frontier for worker safety. The newly-announced waste containerization requirements for residences with 9 or fewer units represent meaningful safety improvements:

1. Sanitation Workers will handle less material directly because more waste will be in containers that can be manually tipped in collection trucks;
2. The stress and strain of carrying containers to and from the collection truck will be reduced thanks to wheels on the containers of official NYC Bins; and
3. We are assessing the feasibility of giving our workforce the option for mechanized tipping so that they can choose whether to use that aid when on their routes.

As always with new equipment, we will review potential solutions with our partners in Local 831 and thoroughly field test them.

The safety improvements are not just abstract ideas; they can be measured against the categories of worker injury that will be less likely as New Yorkers set out their waste in containers and official NYC Bins. For example, in FY23, the Department recorded 760 injuries for its uniformed workforce. Of those, more than 40% were due to workers being splashed with an unknown substance while hauling bags and loose material; workers straining to lift and throw material into the truck; and workers suffering lacerations and needle sticks because they handled material directly. **These are the kinds of injuries that will become far less likely when our workforce is collecting material set out in wheeled containers and given the option to use a mechanized tipping solution.**

Vehicles

I would now like to discuss another critical part of the Department's efforts to improve worker safety: replacing and enhancing DSNY's fleet.

Every day, 1,500 heavy-duty DSNY vehicles are on our City's streets. To properly operate them, Sanitation Workers receive extensive training in the Academy, which emphasizes:

- watching for blind spots while turning;
- always using a guide person for backing up;
- using the parking brake;
- operating a vehicle in poor weather conditions, including, of course, snow; and
- entering and exiting vehicles using three points of contact.

These safety practices are reinforced during start-of-shift roll calls and through DSNY's annual in-service training.

Newer trucks are also safer trucks, and for the past two years we have made great strides in improving the Department's fleet. Last year at this time, our fleet's average age for rear loaders was more than 6 years per vehicle. Thanks to significant investments from the Adams Administration, our rear loaders' average age is expected to drop to just over 4 years in FY24. In addition to the rear loader improvements, the Department has replaced almost 30% of its dual bins and 38% of its mechanical brooms.

Along with a younger and healthier fleet, the Department is systematically upgrading every heavy-duty vehicle's standard safety features. As I mentioned before, all collection trucks and mechanical brooms are equipped with rearview cameras, which significantly reduce the driver's blind spot. Now, the Department is moving forward with 360-degree cameras as a standard feature of collection trucks and mechanical brooms. 360-degree cameras provide vehicle operators with a full picture of their surrounding environment – far beyond the visual field of side-view mirrors. Before the Adams administration, these cameras were tested but never actually piloted on our fleet. In partnership with Local 831, the Department successfully implemented these cameras on collection trucks and mechanical brooms, and they are now a standard feature for all new truck and mechanical broom purchases.

Another standard feature for all new collection trucks is the strobe light safety system. The lighting system is a major step forward in nighttime safety for our workforce as well as drivers and cyclists on the road. Already, more than 600 collection trucks have this lighting system.

Worker Complaints

To conclude my testimony on the topic, I'd like to address the Department's management of worker complaints regarding safety. Sanitation Workers are encouraged to raise workplace safety concerns with their supervisors, and supervisors are required to investigate each complaint and document when a condition is found that warrants further investigation or remediation. Complaints can range from the need for electrical repairs to the clearing of clogged drains on garage floors. The Department tracks those requests through our internal work request system and actions for any necessary repairs.

Legislation

Lastly, I will now turn to the three pieces of legislation on today's agenda.

The first is Intro 978 which would require large chain stores to donate nonsalable personal care products. This bill would require the Department or another agency as designated by the Mayor to set up a web portal to facilitate donations of these products to qualified non-profit organizations.

While the Department supports the bill's underlying goal of making personal care products more available to those in need, DSNY is not the appropriate entity to facilitate these donations. The current DonateNYC platform is not scalable for any additions without significant financial investments. Given the current financial climate, it is not an area that we can or should allocate resources at this time.

The second is Intro 1131, which would give the Department of Sanitation authority to enforce against unlicensed mobile car washes. The Department supports this bill. We are at the intersection of public space, businesses and communities, and we understand the importance of ensuring our streets and sidewalks are clean. Our enforcement operations prioritize compliance

with cleanliness and safety standards, including road and sidewalk accessibility as well as proper waste disposal.

The last is Intro 1161, which would require collegiate and professional sports venues to allow attendees to enter with a reusable beverage container. The Department supports the goal of this legislation as we encourage the use of reusable items to reduce overall waste.

Thank you for the opportunity to testify today. We are now happy to answer your questions.



The City of New York
BUSINESS INTEGRITY COMMISSION
100 Church Street · 20th Floor
New York · New York 10007

Elizabeth Crotty
Commissioner and Chair

**Testimony of Deputy Commissioner of Legal Affairs
and General Counsel David A. Feldman of
the New York City Business Integrity Commission before
the Committee on Sanitation and Solid Waste Management of
the New York City Council on Worker Safety in the Trade
Waste Industry**

October 24, 2023

Good afternoon, Chair Nurse and members of the City Council Committee on Sanitation and Solid Waste Management. I am David Feldman, Deputy Commissioner of Legal Affairs and General Counsel at the New York City Business Integrity Commission, or BIC. Thank you for the opportunity to testify today on these important topics related to safety in the trade waste industry.

BIC's mission continues to include freeing the industries it regulates from the grip of organized crime and other forms of corruption. BIC currently regulates the "trade waste" (or commercial waste) hauling industry, and the City's public wholesale food markets, including the Fulton Fish Market, the Hunts Point Produce Market, and several others.

In addition to BIC's traditional role of promoting public safety by fighting corruption and ensuring that companies regulated by the agency conduct their affairs with honesty and integrity, BIC has, pursuant to legislation and rulemaking over the past several years, expanded its mission to include other types of safety, including worker safety and traffic safety.

Trade waste collection is dangerous and strenuous – and it presents challenges to workers given that heavy-duty collection trucks must share the road with other motor vehicles, cyclists and pedestrians. Although BIC does not employ or supervise any sanitation workers, BIC works to promote safety through regulation, enforcement, and communication with private companies that haul trade waste in New York City.

In that regard, Local Law 198 of 2019 gave BIC the power and duty to establish and enforce traffic safety requirements for trade waste vehicles. As a result, failure to abide by traffic safety laws constitutes a potential ground for denial of a BIC license or registration. The comprehensive background investigations that BIC performs with respect to every applicant for a license or registration, include review of driving records and confirmation of adequate workers' compensation insurance. BIC staff may request additional documents or compel sworn testimony if warranted. Finally, BIC can require a company to retain a third-party independent monitor, in response to safety concerns or other issues.

Following the implementation of Local Law 198 of 2019, BIC promulgated new rules relating to traffic and vehicle safety. These rules require companies to provide annual worker safety training, as well as defensive driving courses for drivers every three years. The rules also contain vehicle inspection and reporting requirements, and mandate vehicle safety equipment like convex mirrors. BIC issues violations to companies if workers are caught riding on the outside of the truck, an extremely dangerous practice, or if they cannot produce requested daily driver vehicle inspection reports or required reports for six-month inspections by a qualified mechanic.

In addition, Local Law 56 of 2019 requires trade waste companies to provide workers with and conspicuously post specific information related to worker rights and safety, and Local Law 57 of 2019 requires BIC to refer labor-related complaints to appropriate agencies such as the

Department of Labor, codifying the agency's previous practice. Licensees and registrants must also abide by federal hours of service requirements for workers, and must obey the requirements set forth in the New York State Vehicle and Traffic Law.

BIC's enforcement activity has increased significantly in recent years and months, and much of that increase is attributable to our focus on safe operations. In addition to issuing violations when a BIC licensee or registrant fails to obey the relevant laws and agency rules, BIC also issues violations to companies that attempt to avoid regulation by operating without a license or registration. Since August 2022, more than 70 companies applied to BIC as a result of such enforcement. BIC also issued more than 1,200 safety-related violations to licensees and registrants in FY2023.

BIC ensures compliance through truck stops and garage inspections by an Investigations Unit that is staffed by peace officers (most of whom were formerly with the NYPD), by working with an NYPD squad embedded within the agency, and by resolving complaints. BIC conducts an average of 260 truck stops per month with investigators active on the streets during staggered day, night, and weekend shifts. Of the violations issued to regulated companies in FY 2023, approximately 60% were safety related. BIC's presence on the street is well known in the trade waste industry, and it reinforces the message every day that safety must be the number one priority during trade waste operations.

Each year, BIC fields about 350 complaints, with an average time to reach a resolution of about seven days. Complaints may concern safety, as well as service, cleanliness, or other matters under our authority. A BIC investigator is assigned to each complaint. Follow-up may include coordinating between a carter and customer or member of the public, referring the matter to a

partner agency, or starting a longer-term investigation. BIC has received complaints from trade waste workers in the past and we work diligently to investigate each matter.

BIC's capacity to carry out our public safety mission is enhanced by our partnerships. BIC has been a member of the Vision Zero Task Force since 2016, and regularly conducts joint street enforcement with the NYPD's Transportation Division and DSNY. We have a strong partnership with the NYPD's Collision Investigation Squad (or CIS), which investigates all fatal traffic collisions in the City. When one of those collisions involves a trade waste truck, CIS notifies BIC immediately and our investigators go to the scene and follow up with the driver and company owner to ensure that appropriate regulatory action is taken and that BIC stays informed of pending criminal investigations.

In addition, one of BIC's investigators recently completed a course focusing on federal regulations and applying them during commercial motor vehicle safety inspections, which will allow BIC to do joint enforcement stops with New York State Department of Transportation and remove vehicles from service if it is determined that the vehicle is unsafe for operation.

Finally, I would like to briefly touch on our efforts regarding outreach and engagement with the trade waste industry. BIC's job as a regulator involves balancing enforcement with engagement; we are committed to effective industry outreach and to working with the industry to ensure compliance and promote public safety. Commissioner Crotty and other members of BIC's team have attended safety meetings at several trade waste companies and have seen firsthand how important it is to prioritize worker safety and public safety during everyday operations. BIC sends regular electronic communications to our licensees and registrants to share information and resources related to safety, and we engage directly with the industry to address concerns and answer questions to help comply with applicable safety rules.

For example, following a spike in the issuance of safety violations this past spring, BIC held a hybrid virtual and in-person town hall event in April 2023 to address frequently asked questions; the event was attended by 300 participants. Notably, safety violations have decreased since then even though our truck stops have continued with the same frequency, indicating a potential uptick in compliance. We look forward to hosting similar events in the future.

Thank you for the opportunity to testify this morning. I am now happy to answer your questions.



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO

Brooklyn Borough President

**City Council Committee on Sanitation and Solid Waste Management
Oversight Hearing: The State of NYC Sanitation Workers' Safety and
Protections
October 24, 2023**

Good afternoon, Chair Nurse and thank you for holding this hearing today. My name is Lacey Tauber and I am the Legislative Director for Brooklyn Borough President Antonio Reynoso. BP Reynoso has long been a champion for health and safety of workers in the private sanitation industry, and so I am here today to again call for swift implementation of Commercial Waste Zoning (CWZ) in NYC.

When BP Reynoso was Chair of the Council's Sanitation Committee from 2014-2021, we routinely heard news reports and testimonies from workers in the industry that documented the many issues they faced, including:

- Long hours and pressure to complete routes quickly, leading to unsafe driving practices from speeding, to running red lights and driving the wrong way, to falling asleep at the wheel;
- "Helpers" routinely hanging off the back of moving trucks;
- Employers hiring off the books, paying less than minimum wage and/or engaging in wage theft, and requiring workers to provide their own personal protective equipment; and
- Use of trucks that failed to comply with safety regulations, routinely failed safety inspections, or hadn't been inspected in years.

ProPublica reported in 2018 that private sanitation trucks killed seven people in NYC in the previous year.

In response, the Council and partners carefully designed the CWZ legislation to address these issues. The law requires, among other things:

- City oversight of routes and schedules, and compliance with federal regulations regarding hiring, wages, the number of hours a driver can be on the job;
- Whistleblower protections for employees;
- Tailored worker safety trainings covering driving, collection best practices, and operation of equipment;
- Compliance with safe driving regulations including but not limited to stopping at red lights, not driving the wrong way, and not riding out the outside of vehicles;

- Six-month vehicle inspections to ensure compliance with safety and environmental regulations;
- Use of cross-over mirrors, back-up cameras, exterior lighting, and a digital system to monitor speed and flag unsafe driving behavior; and
- A safety task force tasked with monitoring industry safety conditions and making recommendations to improve them.

DSNY's CWZ request for proposals also required consideration of the applicant's history of compliance and submission of a health and safety plan demonstrating their roadmap for exceeding existing safety and technology requirements. While DSNY has begun to contact carters about their awarded zones, the full scope of these is not yet clear to the public, so it is hard to say now whether the awards made will reward companies who are known to be good actors within the industry. This is something we will be watching closely as we learn more information.

Unfortunately, due to delays in CWZ implementation, the problems outlined above still remain unaddressed. A scan of headlines reveals at least three New Yorkers killed by private sanitation trucks in the last year-and-a-half. Additionally, the Solid Waste Association of North America (SWANA) reported a sharp increase in worker fatalities last year in the US and Canada, retaining the industry's standing on Forbes' list of the top 10 most dangerous jobs in America in 2023.

BP Reynoso has already been in front of the Council and spoken to Commissioner Tisch directly to express his disappointment with the delays that have already occurred. So, in conclusion, I will simply say again that we hope to see a swift rollout of the program citywide after DSNY announces the first zone awardee next year. The longer we wait, the longer workers experience unsafe conditions, and the longer we put off making our streets safer for all New Yorkers.



Greetings, I am testifying on behalf of the Manhattan Solid Waste Advisory Board (SWAB), my name is Wendy Frank and I'm a board member.

We would like to address - unlicensed mobile car washes Support * issues: * toxic effluent going directly into sewage harming fish and wildlife * theft of services - plug into light and water fire hydrant * pollution - air VOC, noise pollution and carbon emission from generator *

As we acknowledge the marvel at the entrepreneurial spirit of the workers the Manhattan Solid Waste Advisory Board (SWAB) would like to acknowledge the environmental impact of pop-up car washes on the streets. an issue of toxic chemicals going directly straight down our storm drains and into the local waterways. Dumping into our sewer system and in our water stream harming fish and wildlife Car's line up with their engines idling, while residents in Inwood, Washington Heights and Harlem deal with the fumes.

NYC sidewalks where are pedestrians are already navigating other obstacles now have to navigate generators and hoses. While it may be easy for those who live far removed from this "business" to utilize it when then they drive their car into another neighborhood for an inexpensive car wash and vacuum., for those of us who live here the interrupted traffic, hazard of getting one's car involuntarily sprayed as you pass by, monopolization of sidewalk and street, and absence of contribution to the legal economy -- including taxation-- cause a decrease in the quality of life in the neighborhood

There seems to be a lack of enforcement by DEP and NYPD. There are good reasons why car washes are regulated, notably environmentally but others as well. The need for rules, regulations and enforcement -- for the law. The first is a matter of empathy and sympathy. The second a matter of maintaining order in society in all ways.



**STATEMENT OF THE NATURAL RESOURCES DEFENSE COUNCIL
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT**

October 24, 2023

Good afternoon, Chair Nurse, Councilmember Farais and members of the Committee. My name is Eric A. Goldstein and I am New York City Environment Director at the Natural Resources Defense Council (“NRDC”).

As you know, NRDC is a national, non-profit legal and scientific organization, active on a wide range of environmental health, natural resource protection and quality-of-life issues internationally, across the country and right here in New York City, where we were founded and where our main office has been located since 1970. The issue of solid waste has long been one of our regional priorities. And our long-term goal has been to transform the Department’s focus from reliance on landfilling and incineration, to making waste prevention, recycling, composting and equity the cornerstones of New York’s 21st century waste policy.

There are a lot of exciting things happening on the solid waste scene and we agree with First Deputy Sanitation Commissioner Javier Lujan that the city is “in the midst of a Trash Revolution” -- thanks largely to this Committee, to the Council and the Administration.

Regarding oversight of sanitation workers safety and protection, let me just say that we are anxious about the implementation of the commercial waste zone law (Local Law 198 of 2019). This was one of the two most important pieces of solid waste legislation enacted by the Council in the past 30 years. But it will only be successful if implemented, and with contracts awarded, based not only price but also on environmental performance, clean air protection, public safety, labor rights and worker safety – as the Council explicitly required when passing this landmark bill. We hope and expect that the Administration will take all of these criteria into account when awarding the waste zone contracts.

We are pleased to be here today to testify in support of two excellent legislative proposals and one very sensible proposed Council resolution: Intro 1161 (introduced by Councilmember Shaun Abreu), Intro 978 (introduced by Councilmember Althea Stevens) and Resolution 816 (introduced by Councilmember Nurse).

Waste prevention is at the top of New York State’s solid waste management hierarchy, as set forth more than three decades ago in the State’s 1988 Solid Waste Management Act. That statute sets forth the State’s list of preferred waste handling methods. It begins, “first, to reduce



the amount of solid waste generated,” and is followed by reuse and recycling. Next comes waste incineration, followed by landfilling at the bottom of the list. Unfortunately, despite this official state policy, the overwhelming bulk of our city’s waste continues to be exported to landfills and incinerators, in an increasingly expensive process that is costing city taxpayers almost 500 million dollars every year.

To its credit, the Council has advanced several important waste reduction initiatives in recent years. These include a fee on plastic bags (which the State converted into a plastic bag ban); a prohibition on polystyrene foam food and beverage containers; a “Skip-the-Stuff” program that requires restaurants to provide utensils, condiments etc. available to take-out customers only upon request; and, most significantly, a universal curbside organics collection program that promises to turn food scraps and yard waste into valuable, finished compost.

But there is certainly more that can be done. And items on today’s Committee agenda are designed to move New York City smartly in the right direction in terms of reducing waste and saving taxpayer dollars.

Intro 1161 takes on the challenge of reducing waste at stadiums and arenas throughout the city. Specifically, the bill provides that professional and collegiate sports venues cannot prohibit stadium and arena attendees from bringing in empty reusable beverage containers. We believe this could eliminate the consumption and disposal of hundreds of thousands of plastic water bottles alone at New York City stadiums and arenas every year, while saving fans money they don’t have to spend on expensive bottled water. In short, allowing refillable containers in stadiums and arenas means that large volumes of plastic waste won’t be generated in the first place. This is a pennant-winning idea!

We have one important friendly amendment to the 1161 proposal. In its current form, the bill would allow stadium operators to limit the types of refillable containers that would be allowed into their venues. This raises the possibility that some operators might restrict the types of refillable containers to plastic bottles, and actually encourage the production of more fossil-based, climate-destroying plastics. Accordingly, we recommend that the final legislation eliminate that provision and specify that venue operators must allow fans to bring in empty beverage containers that are made from stainless steel, aluminum or plastic.

Finally, we would welcome an amendment to this bill that would encourage stadium and arena operators and vendors to offer for sale beverages like beer and soda in refillable aluminum cups. Such cups, with team logos, could become collectors’ items and would provide another vehicle for switching venues away from waste generation down the field to waste prevention.

Intro 978 is another excellent idea for reducing waste in New York City. It provides that chains of three or more stores selling personal care products be required to donate to non-profit organizations -- rather than throw away -- non-saleable products like soaps, shampoos, tooth paste, shaving cream and diapers. It also directs the Department of Sanitation, in conjunction



with other city agencies, to create a web portal that facilitates the donation to non-profits of such non-salable personal care products from a broader group of retailers, including department stores, convenience stores and pharmacies. Citizen street-trash surveys, such as those conducted by Trashwalker Anna Sacks, have revealed significant amounts of perfectly usable personal care products placed out for commercial trash collections in all five boroughs. This is a classic example of America's foolish and wasteful disposal practices. Intro 978 would set New York City on a nation-leading turnabout that would reduce waste burdens while assisting those New Yorkers most in need. This bill has our strong support.

The Department testified earlier today that it is concerned about this legislation because it does not have the resources to build up the web portal that would facilitate the personal care product donations. But Intro 978 is a simple and rational way to provide help to needy New Yorkers. And it is the first significant proposal to achieve the objectives of the Zero Waste legislation that was enacted by the City Council earlier this year. The Department of Sanitation should be asked to provide to the Council a realistic estimate of resources it would need to implement such a program; it would seem like a very modest staff increase to enhance the already-existing DonateNYC website would be the major investment needed, and one whose benefits exceed its costs.

Although we were unfamiliar with the problem of unlicensed mobile car washes that are the subject of Councilmember Salamanca's Intro 1131, we have been moved by the testimony today and the benefits that would likely follow from giving the Sanitation Department the authority to impose civil penalties and tow unlicensed mobile car washes that are blocking street-cleaning operations and creating other sanitation and quality-of-life problems in some city neighborhoods. Accordingly, we are likely to support this legislation in the days ahead.

Finally, Resolution 816, presented by Chair Nurse, urges the State Legislature to amend the existing producer responsibility bill for batteries to include e-mobility device batteries; these batteries represent a threat to public safety and this Resolution is one very sensible response; it has NRDC's full support.

Advocates of the
Food Industry
Since 1900



FOOD INDUSTRY ALLIANCE OF NEW YORK, INC.

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**Testimony from the Food Industry Alliance of New York
NYC Council Oversight Hearing: The State of NYC Sanitation Workers' Safety and
Protections**

October 24, 2023

Good afternoon, Chair Nurse and members of the Committee,

The Food Industry Alliance of New York (FIA), the premiere trade association representing the full spectrum of the retail food industry, appreciates the opportunity to submit this testimony today regarding industry concerns related to Int. 978-2023.

While the intent of this legislation is laudable, we have significant concerns with this legislation as written. The retail food industry has long been a champion of philanthropic investment. In partnership with food banks and charitable organizations throughout New York City, our industry is constantly donating excess food and numerous other products, including the personal care products specified by this legislation. Enacting legislation like this has the potential to hurt these partnerships and have the opposite effect that the authors intended.

A key concern is lack of clarity and completeness in the definitions. For example, in the definition of nonsalable personal care products, there is no reference to product expiration dates. The current definition would seem to capture products whose use could pose health and safety issues. We would like to ensure that these concerns are addressed.

We also are concerned that the bill does not address the logistics of donating products, including transportation costs and responsibility for the donated products. Absent the creation of a “web portal” there is minimal information related to the actual mechanics of donating products. Perhaps most importantly, we are concerned about undermining the many longstanding community partnerships that our members have built. Would they be allowed to continue, or would all donation efforts be required to utilize the to be created portal?

Retailers are also concerned with the lack of language related to protections from litigation. Once a product is donated, the quality of the product is out of the control of the retailer. Should something occur that alters the product between donation and when it is used by a consumer, it could reach several touch points outside the retailer’s control. The bill as written does not offer any protection for the retailer in the unfortunate instance someone is harmed or gets sick by the donated product.

For this reason, we recommend adding clarifying language to protect retailers.

The retail food industry is always a willing partner in meaningful efforts to reduce waste, increase food security and provide charitable organizations with products which are needed in communities throughout

New York City and across our state. Unfortunately, we believe this legislation could have adverse effects on current partnerships. We welcome an opportunity to work with the Council and the Department of Sanitation to develop effective partnerships to accomplish our shared goals. Our members' experience and expertise can be a valuable tool.

The Food Industry Alliance of New York and our members look forward to participating in future discussions related to improving waste reduction and promoting charitable donations .

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael P. Durant". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael P. Durant
President/CEO
Food Industry Alliance of NYS, Inc.



**Testimony of Alia Soomro, Deputy Director for New York City Policy
New York League of Conservation Voters
City Council Committee on Sanitation and Solid Waste Management
October 24, 2023**

My name is Alia Soomro and I am the Deputy Director for New York City Policy at the New York League of Conservation Voters (NYLCV). NYLCV is a statewide environmental advocacy organization representing over 30,000 members in New York City. Thank you, Chair Nurse and members of the Committee on Sanitation for the opportunity to testify.

NYLCV supports the passage of Intro 1161 of 2023, sponsored by Council Member Abreu. The bill would require professional and collegiate sports venues to allow attendees to enter the venue with a reusable beverage container and establish penalties for venues that fail to comply. We also support Resolution 816 of 2023, sponsored by Council Member Nurse, which calls upon the New York State Legislature to pass, and the Governor to sign S.643-C /A.7339-A (the Rechargeable Battery Recycling Law), an act to amend the environmental conservation law in relation to extended producer responsibility for rechargeable batteries. The bill this Reso is in support of will be included in NYLCV's 2023 New York State Environmental Scorecard this year.

Single-use plastic products, which are designed to be used once and thrown away afterwards (like the ones thrown away in sports venues), contribute to our reliance on fossil fuels, harm residents, our waterways, and threaten the health of our local wildlife. For each ounce of polyethylene produced (the plastic most commonly used in single-use plastics), one ounce of carbon dioxide is [emitted](#). When plastics are sent to landfills—which are historically located in low income and communities of color— they take centuries to decompose. Additionally, Reso 816 is in support of a state bill that would maximize the removal of unwanted rechargeable batteries from the solid waste stream, and help reduce the amount of waste being shipped to landfills.

Currently, Intro 1161 is drafted to allow stadiums and arenas to decide what types of container materials and size are allowed in their venues. To strengthen this bill even more, we recommend that the bill be amended so that the type of bottle materials are not left to the discretion of venues. Instead, at the very least, the bill should specify that aluminum and stainless steel containers be accepted. NYLCV also recommends that the bill include a provision urging stadiums to offer refillable cups and to allow attendees to reuse any reusable container sold at stadiums or arenas. For instance, if a souvenir cup is sold at the venue, attendees should be allowed to refill them.

NYLCV supports Intro 1161 because it aligns with New York City's zero waste by 2030 goal and reduces plastic pollution. According to the NYC Department of Sanitation, more than 20,000 tons of plastic foodware are discarded annually in New York City. Passing Intro 1161 will contribute to a decrease in single-use plastic bottles, which cuts our carbon emissions, bringing the City closer to reaching its greenhouse gas emissions reduction goals and zero waste goals. If successfully implemented, this bill can become a model for other jurisdictions throughout the country.

We urge you to cosponsor Intro 1161 and Reso 816 and vote yes when they come up for a vote. Intro 1161 is a strong candidate for our 2023 New York City Council Environmental Scorecard.

Thank you for the opportunity to testify.



October 27, 2023

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Testimony of WE ACT for Environmental Justice

To the New York City Council Committee on Sanitation and Solid Waste Management

Regarding Support for Int 1161-2023 – Allowing reusable beverage containers in sports venues.

Dear Committee Chair Sandy Nurse and Committee on Sanitation and Solid Waste Management:

WE ACT is a community-based organization in Harlem, New York City. At the city, state and federal levels WE ACT has been fighting environmental racism – racial discrimination in environmental policy-making, enforcement of regulations and laws, and targeting communities of color for toxic waste disposal and siting of polluting industries. We recognize and advocate for community-driven solutions that can remedy the institutionalized harms associated with unjust urban planning policies that have plagued communities of color for generations.

Through our Climate Justice Working Group we advocated for the passage of the [Zero Waste Act](#) and the need for New York City to drastically reduce the amount of waste that ends up in landfills and incinerators.

WE ACT is asking the City Council to support and quickly pass Councilmember Shaun Abreu’s bill, Int 1161-2023. This bill would require professional and collegiate sports venues to allow attendees to enter the venue with a reusable beverage container.

This summer, [The New York Times reported](#), “More than \$2 billion in reusable water bottles were sold in the United States in 2022, up from around \$1.5 billion in 2020.” However, if people are unable to maximize the use of their renewable bottles, they resort to single-use plastic cups and bottled water to stay hydrated.

Currently, most of New York City arenas and stadiums do not allow attendees to enter with any sort of reusable water bottle. This leads to an unnecessary amount of wasted plastic cups that end up in the trash – even if they are recyclable. Int 1161-2023 would reverse this trend by requiring



venues to allow reusable beverage containers while also allowing venues the freedom to decide if the container must be empty upon entry.

Waste disproportionately hurts low-income communities and communities of color. New York City spends approximately \$450 million a year to export its trash. Some landfill sites are as far as Ohio or South Carolina and waste incineration plants as near as New Jersey.

Landfills and waste incineration causes air pollution and creates serious health problems. And these polluting sites are often placed in environmental justice communities. Achieving our zero waste goals would mean our city is working towards righting this wrong.

The issue of waste is big and it is necessary that we take a sector-by-sector approach to reducing waste from various sources. Int 1161-2023 does just that; it is a simple, common sense change that will have a positive impact on your journey to zero waste.

Sincerely,

Lonnie J. Portis

New York City Policy & Advocacy Manager

646-866-8720 | lonnie@weact.org



**Testimony on behalf of the Retail Council of New York State
Regarding Introduction 978-2023**

**New York City Council
Committee on Sanitation and Solid Waste Management
October 24, 2023**

Testimony submitted by:

Kelsey Dorado

Director of State and Local Government Relations

Retail Council of New York State

kelseydorado@rcnys.com

Chair Nurse and honorable Committee members:

Good afternoon. My name is Kelsey Dorado; I am the Director of State and Local Government Relations for the Retail Council of New York State. Our organization is the state's leading trade group for the retail industry, representing member stores in New York City and across the state, ranging from the smallest independent merchants to national and international brands. Thank you for the opportunity to speak today on Introduction 978-2023.

As currently drafted, the legislation would require a city agency to create and maintain a web portal to facilitate the donation of "nonsalable" personal care products by certain local stores. Covered retail establishments would be prohibited from discarding personal care products unless the merchandise is "the subject of a product recall" or the store makes the product available for donation on the city's web portal.

We share the perspective that product donation, rather than disposal, is a preferable choice. Several of the brands we represent have existing donation programs for a wide variety of product categories, including personal care items. However, the captioned legislation does not address myriad scenarios in which stores would not be able to comply with specific provisions.

For example, retail establishments would be prohibited from disposing covered items "unless the personal care product is the subject of a product recall, or the covered store made the personal care product available for donation on the department's web portal." This requirement, however, does not take into consideration the necessary disposal of products due to expiration, damage to the container or defective components. Ultimately, the donation of such products may pose a health or safety risk to the consumer. In addition, there is no consideration for existing contract provisions between stores and manufacturers that specify products must be returned to the vendor, in certain cases for a credit to the local merchant.

Finally, the bill does not address reverse logistics and transportation challenges that may exist for products that are broken, leaking or partially full. While these items may not be subject to a "product recall," there are existing requirements related to proper and safe disposal. The donation of such items under these circumstances may not be feasible or authorized.

We pledge to remain constructive as your committee considers issues related to retailers in New York, and we welcome the opportunity to discuss current donation protocol and standards. However, we oppose this bill in its current form due to the aforementioned concerns.

Respectfully submitted,

Kelsey Dorado
Director of State and Local Government Relations
Retail Council of New York State
kelseydorado@rcnys.com

**Testimony of Dawn Henry, Senior Advisor, Beyond Plastics
and Former Environmental Commissioner of the U.S. Virgin Islands**

before the New York City Council

In Support of Allowing Reusable Beverage Containers in Sports Venues

Initiative no. 1161

October 24, 2023

Good Afternoon Chairperson and members of the New York City Council, I am here to testify in support of initiative no. 1161 a bill to amend the administrative code to allow reusable beverage containers in sports venues. I am Dawn Henry, Senior Advisor for Beyond Plastics, a project at Bennington College with a mission to end plastic pollution everywhere.

We strongly support this bill and believe that it will have a positive impact on plastic reduction in our City. It is a fact that nearly 10 billion tons of plastic have been produced since 1950. Sadly only 9% has been recycled. Global plastic production is projected to increase by 40% by 2030. You may say "so what"! What is wrong with plastic production increasing? Everything. For example:

1. If we don't change course, by 2025 we will have 1 pound of plastic for every 3 pounds of fish;
2. The ill health effects of micro and nano plastic on the body will continue to increase because plastic is produced with multiple toxic chemicals like formaldehyde, PFAS and phthalates. These nasty chemicals disrupt our endocrine system and pose significant health risks, with our children being most vulnerable. These plastic particles have been found in human blood, heart and lung tissue, and even the placenta; and
3. Facilities that produce plastic and manage plastic waste are predominantly located in communities populated primarily by people of color and the underprivileged.

So what is Beyond Plastics' immediate solution to plastic pollution? Plastic Reduction and, more specifically, packaging reduction. Packaging accounts for 46% of the plastic produced. So Initiative 1161 directly gets at the problem. There are several sports venues in New York

City, including 5 major league teams. The New York Yankees alone saw over 3.2 million visitors in 2023. When we allow these individuals to bring their own reusable beverage containers, we automatically reduce the demand for single-use plastic packaging, and by extension, plastic production. We also support individuals being able to bring stainless steel and other non-plastic containers, which will eliminate their exposure to the nasty chemicals commonly found in plastics. This reuse and refill system will permit New Yorkers to participate in reducing plastics in our communities. It will be a key to packaging reduction. If you think about it, this is not a new system, it is an old concept that we followed prior to plastics taking over our economy and polluting our world.

Finally, I would like to take a minute to discuss Assembly bill A5322-A and Senate bill S4246-A, New York's Packaging Reduction and Recycling Infrastructure Act. The New York legislature is currently considering this bill and it will work nicely with Initiative 1161. The Packaging Reduction and Recycling Infrastructure Act will accomplish 5 important goals:

1. Reduce packaging and toxics and make packaging truly recyclable
2. Incentivise reuse and refill systems
3. Allow consumers to recycle product packaging or return it for refill
4. Place the responsibility on the companies that manufacture packaging to manage packaging waste and meet recycling targets
5. Finally, and this is a big one for New York City, companies relieve taxpayers from the financial burden of managing packaging waste and invest in infrastructure to improve recycling and reuse. This has the potential to save New York City over \$100 million dollars per year and divert tons of packaging waste from going to New Jersey to be incinerated.

So, we see how allowing individuals to bring their own reusable beverage containers to stadiums will have a multiplying positive effect - from reducing single use packaging and the exposure to nasty chemicals, to protecting our environment.

I appreciate you allowing me to testify on Initiative 1161 and I will remain available for any questions.



Ocean Advocacy
Since 1984

Clean Ocean Action

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**Clean Ocean Action Testimony
NYC Council Member Shaun Abreu
Regarding Int. No. 1161
October 24, 2023, Virtually Presented**

Bill Title:

A Local Law to amend the administrative code of the city of New York, in relation to allowing reusable beverage containers in sports venues.

Testimony:

Hello, thank you for the opportunity to speak today on behalf of Introduction Number 1161. My name is Kira Cruz, Debris Free Sea Coordinator for Clean Ocean Action or COA, a 501c3 nonprofit organization based in Long Branch, NJ. COA formed in 1984 to investigate sources, effects, and solutions of ocean pollution, and today is a leading local, regional, and national voice whose mission is to improve the degraded water quality of the marine waters off the NJ/NY coast. COA researches pollution issues affecting the marine environment, then formulates policy and campaigns to eliminate pollution at the source, including plastic pollution.

Clean Ocean Action hosts a statewide semi-annual event called Beach Sweeps in New Jersey. It is the largest volunteer environmental event in New Jersey. COA's Beach Sweeps started in 1985 at one cleanup site with 75 volunteers. Fast forward 38 years and the program now hosts 77 sites statewide with thousands of dedicated volunteers. What makes the Beach Sweeps so unique is that volunteers remove harmful debris from the environment and also tally each piece removed on COA's data card. The data collected is used to monitor trends in items collected and is used to support legislative and policy efforts at the local, state, regional, as well as national levels to reduce litter and pollution. Over the years, the one trend that has been consistent: plastics are a devastating problem. Each year in the Beach Sweeps data, the category of plastics, including foam plastics, dominates the total items collected by a landslide. In relation to the bill under consideration, I will highlight our data about plastic bottles and the associated plastic caps.

In 2022, 10,051 plastic beverage bottles and 52,512 bottle caps were found during the Beach Sweeps. From 2017-2022, a total of 63,825 plastic beverage bottles and 301,216 bottle caps were removed during the Beach Sweeps.

The ocean is shared between New York and New Jersey, and, unfortunately, so is the pollution. As such, Clean Ocean Action applauds the New York City Council for considering this bill and supports legislation to reduce sources of litter, including plastic bottles usage and by extension demand for single-use plastics, to protect communities, waterways, and the ocean downstream. Thank you.

Commented [K(1)]: That's a lot of numbers to say. What I meant was to report the 2022 numbers and then add up the past 5 years (2017-2022) and report those numbers. Up to do you if you want to change it



**STATEMENT OF THE INNER CITY GREEN TEAM ECONOMIC & ENVIRONMENTAL DEVELOPMENT
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT &
COMMITTEE ON PUBLIC HOUSING**

**RE: RECYCLING OUTREACH/EDUCATION, WASTE DIVERSION, RAT MITIGATION INITIATIVE,
REMOVING ON-SITE OPERATIONAL BARRIERS, EXPANDING RESIDENT RECYCLING
PROGRAM FOR RESIDENTS AT NEW YORK CITY HOUSING AUTHORITY and RAD/PACT**

October, 24 2023

Good day Committee Chairs – and Councilmembers! Thank you for the invite to testify.

I am Brigitte Charlton-Vicenty, a life-long South Bronx NYCHA resident and Founder of Inner City Green Team Economic & Environmental Development (ICGT). **Inner City Green Team is a nonprofit environmental organization focused on poverty alleviation and community development. Our mission is to protect the environment and help transform the lives of residents living in New York City Housing Authority (NYCHA) developments through recycling outreach/education, job training, and paid work that can lead to a lifetime of employment and civic engagement.**

When first testifying before this Committee-was because as a law abiding citizen, I thought I was doing the right thing by placing my recyclables in the appointed bins at my development until 2006.

That is when I witnessed my recyclables being thrown away with the garbage. I was shocked to learn that all my efforts over the years were in vain, because NYCHA was not in compliance with the recycling laws of NYC. Afterwards, I began taking my recyclables to my children's school in Harlem. Being that this effort was just a drop in the bucket I knew something had to be done.

I had a vision in 2011 after discovering that NYCHA's recycling program was nonexistent and found the perfect opportunity (at least I thought) to help establish a recycling program in my development when I came across a NYCHA posting urging residents to get involved with Commissioner Lopez's "Green Agenda". Consequently I started a Resident Green Committee (RGC) in my development with the confidence of fulfilling the Commissioner's agenda to help green public housing. Towards that end:

- I held public meetings and events to raise awareness and educate NYCHA residents about recycling and energy efficiency.
- Conducting door to door surveys to ascertain residents interested in learning and participating in a recycling program.
- Organized a recycling rally to mobilize residents around the issue.
- Created the Door-to-Door/Floor-to-Floor Recycling Pilot Project which proposes a unique solution not only to help NYCHA come into compliance with New York City recycling law.

Fight for the Right to Recycle - For twelve years, I've led battles in trenches for me and my fellow resident's "Right to Recycle". I wanted to do the right thing; all while working to prove my concept, but the first eight years were riddled with a host of setbacks from being threatened with eviction, ICGT filing a lawsuit with the Natural Resource Defense Council to force NYCHA to come into compliance, battling with a slew of adversaries, and not being fully funded or supported by City agencies.

Addressing the Issue - I envisioned an at-your-door recycling collection service model which proposed a unique solution not only to help NYCHA come into compliance with recycling law, but build a model for residents to become educated about how and why to recycle. and create sustainable green collar jobs to help address high unemployment rates amongst NYCHA residents. Under this initiative, NYCHA residents will be hired to go to each unit in the development to collect the recyclables residents set-out. This "white glove service" approach incorporates education, outreach, ease of use, accessibility, digitized data, and rewards to influence behavior change.

Getting a pilot program in NYCHA - In 2017, an international competition (NYCx Co-Lab Challenge; Zero Waste in Shared Space) sought solutions to improve recycling capture rates at NYCHA developments, increase resident engagement, mitigate litter, reduce the amount of time that NYCHA employees spend dealing with waste and involve the community in a meaningful way. I applied and won \$20K to implement my program at the Brownsville Houses and in just four months the recycling rates tripled! More than 7 tons of recyclables were diverted from the waste stream during the pilot. Lessons learned from the pilot demonstrated that this community-based recycling program can yield impressive results within a short period. An additional 10 tons were also diverted at the end of the pilot period.

A Resistant NYCHA - it was a struggle to keep the program running when being flouted by then NYCHA Interim Chair/DSNY Commissioner Kathy Garciano who functioned as our nemesis and used her authority to intercept our progress. Through fundraising and using **my personal savings** I was able to run the program for another year until COVID shut us all down.

Resiliency Pays Off - in late 2020, I had the opportunity to present my solution to former NYCHA Chair Gregory Russ at a NYCHA Town Hall. He expressed interest and wanted to know more about the work. With enduring support from Vlada Kenniff (then VP of Sustainability) ICGT was awarded an RFP to implement the program at the Wagner Houses the following year. Since my first testimony to this Council in 2013, my organization has made strides to increase residential recycling at NYCHA developments in Brownsville BK and East Harlem, NY. At the Wagner Houses alone we have diverted over 100,000 lbs. of materials from landfills. As a resident-led organization and Section 3 vendor, my organization has officially been in contract with NYCHA since June 2022. The staff consists of five NYCHA residents and Targeted Sec 3 team members who collect resident's recycling and conduct outreach/education activities on a weekly basis.

Challenges on Campus - although we now have the dedicated support of my fellow residents and sincere commitments from the Office of Sustainability at NYCHA, it's not enough. The past year has been daunting to operate effectively on the Wagner campus. The recently dismissed PM made reckless and hellish efforts to stop our operation. After she was prohibited by the legal department from shutting down our first Earth Day event in 2022, she was on a vengeance filled warpath-fabricating slanderous statements about operations on campus and changing the locks of the rooms where she initially permitted us to utilize. In meeting after meeting she could not justify the reason for her actions.

Limited Operational Capacity - Wagner Houses is a 26-acre campus with dozens of underutilized rooms-which many have sat dormant for decades. We originally operated in three rooms for admin use, store equipment, engage with residents, and sorting the recyclables. Being housed on campus is imperative and residents witnessing us in action has been an effective way to convert residents' thoughts and behaviors.

Office of Security and Safety (OSS) - recruits resident volunteers to patrol the lobby and buildings in an effort to deter crime and they have jurisdiction over the Resident Watch rooms). *Given the crime rate at MAP sites like Wagner, many residents like myself feel it is not in their best interest to patrol their buildings for the sake of their safety. We feel the initial purpose of these rooms are antiquated and ineffective.*

Last fall the Office of Security and Safety (OSS) made coordinated efforts with the PM to shut us out - stating they were looking to reactivate all of the tenant rooms. Since the PM was removed, we continued to be threatened with stoppages to our operations and eviction through the OSS.

Assistant program manager (Tracy Lovelace) and VP (James Secreto) threatened to give away our redeemables to the homeless and have management discard all our equipment and supplies. By their order, we were being forced out, but with the support of Vlada Kenniff, we have been conducting our operations in one small cramped space.

This off-putting “Evilene-like” culture is notorious with NYCHA staff and is a never ending complaint amongst NYCHA residents. My organization has been met with bureaucracy and outright disdain to environmentally, economically, and socially improve my neighborhood. Throughout most of our disenfranchised experiences, it seems most of the people we have called on for help don’t appear to have the power to reign in the numerous Property Managers and department heads who go rogue with their authority. As a resident it is my right to help improve my neighborhood, but time after time my right to perform my civic duty is being thwarted. What’s more disheartening is that some of the culprits are POC. I find it to be an oxymoron when residents are asked to make a difference, yet are met with unprofessional and incredibly resistant staff.

Waste Management at NYCHA - in NYCHA communities all over the city, recyclable materials are still being thrown in the trash! With little to no response, we steadily implored some sort of advocacy from NYCHA’s Waste Management Dept. who was initially supportive. However, we recently learned that the department is rolling out a recycling pilot program to revisit putting recycling bins back near the buildings (where they were) prior to the last multi-million dollar plan (NYCHA Recycles!) which moved the bins away from buildings. *(This is a thorough example of continually wasting time, resources, and spending millions of dollars to solve problems with old ideas instead of providing funding and support to organizations like ICGT that work).*

A new program, NYCHA First includes a recycling pilot which will be conducted at three developments. One of the three developments is...you guess it Wagner Houses!! Although the heads at the Waste Management dept. are thoroughly knowledgeable about our program and participated in an open forum to support our initiative, we had to hear about NYCHA First through the grapevine. What’s more incredible is that after we made a huge stink about it being competitive and totally opposite of our scope of work, we were then asked for our participation and insight-which we thoroughly declined as we witness the materials collected were STILL BEING THROWN AWAY AS GARBAGE.

Modern Solutions for Old Ideas - This innovative solution to a very old problem has demonstrated much promise, yet instead of all departments working to accelerate and expand this program, we are met with setbacks, restrictions, and obstructive tactics. The persistent marginalization gives me pause to an agenda to see my organization fail because an African-American woman living in public housing envisioned a proven solution to increase recycling at NYCHA. I literally feel oppressed and at times harassed by those who simply don’t care about the fate of our communities or planet. Battling the naysayers who don’t believe our only planet is in peril while walking about with their heads up their

butts. According to some reports, we are past the precipice of not being able to reverse the effects of climate change, so wouldn't it make even sense for **all of us** to do whatever we could to save our only home?!?

Expansion Plans - recycling at NYCHA developments has not been given the priority which has been a detriment to the thousands of residents who deserve these services like any other New Yorker. We are working to amplify our waste prevention structure to the next level by constructing One-Stop-Drop Recycling and Eco-Education Center on NYCHA campuses. OSD can broaden the types of materials we collect from NYCHA resident's waste streams which includes food scraps, electronics, textiles, along with other types of materials (i.e. batteries, light bulbs, toothpaste tubes, and toothbrushes) not deemed recyclable in the NYC sanitation system. The center will also enable us to implement concentrated educational and engaging initiatives around issues of sustainability for every age. We are on a continuous search for funding to continue our general operations and purchase steel containers to be retrofitted to create an "environmental emporium." Its design will be eco-friendly-utilizing solar panels to produce energy for essential utilities, HVAC systems, storage, have administrative space, and a sorting facility. After the completion, we look to operate a minimum of 5 days per week.

Recycle Right - program is a once-a-week door to door recycling collection service for residents living in multifamily dwellings. Our program is designed and is consistent with NYC recycling rules. We provide Sort N' Store Recycling stations to each unit for convenient separation and storage of metal, glass, plastics, paper and cardboard. Each resident enrolled receives a recycling training and special scanning code to track their participation. Our service is coupled with a reward-based program where residents are credited each time they recycle.

Textile Collection - Re-fashionNYC is a convenient in-building clothing donation and textile recycling service. Every year NYC residents throw away approximately 195,000 tons of clothes and other textiles. This clothing reuse program makes textile donations as easy as possible. We have made many requests to have these installed and manage the bins, but the conversation has fallen on deaf ear.

E-Waste Collection - we currently bring the e-waste we collect from residents to LES Ecology Center events since we have been unable to get permission to utilize one of the rooms to store e-waste.

sRATegy MitigationTM - the onus is on every citizen who throws out food waste which must be diverted to help mitigate the rodent population. You Bred "Em, When You Feed "Em is the tagline for our rat mitigation campaign. It's an outreach program slated to combine the strategic solution for rat reduction coupled with the need to create organic collection programs to redirect food waste for composting which eliminate food waste being thrown on the curb in plastic bags and decrease the hot summer garbage smell that NYC is notorious for.

Cardboard Recovery - we've had discussions with Wagner Houses Grounds Supervisor to train our ICGT staff to operate the bailer. This would help to free up maintenance time and increase cardboard recycling rates.

Resident-led solutions at work! - the reason we are in a contract with NYCHA is simple-the program is working. According to the former Chair of the Sanitation and Budget Committee and now BK Borough President Antonio Reynoso, "ICGT has done more for recycling at NYCHA than any agency in the entire City." When it comes to recycling we are the only ones doing it-and quite well I might add. For a program that has all the benefits of addressing environmental injustices, creating jobs in low income communities, and improving social inequities, the question-WHY NOT?!? If a program created to serve residents is deemed viable then there should be an exception to the rules of utilizing these spaces. The insipid culture of NYCHA managers must be stopped and the bureaucratic tape must finally be removed in order for us to operate impactfully on the property. For a more rapid build-out, we need support from every department at NYCHA

Allocalades - we have appeared in the NYCHA Journal Newsletter and Office of Sustainability on many occasions championing and promoting our work, won a international competition to increase recycling at the Brownsville Houses, awarded Fellowships and grants to support our work, awarded an RFP to implement the program at Wagner Houses, won \$5000 Climate Action Network grant through a partnership with Public Housing Community Fund and just yesterday the announcement was made that ICGT has been honored to receive the 2023 Environmental Leadership award by the Northeast Recycling Council.

You would think with all this winning, a red carpet should be rolled out every time we show up. Although my dream to create an innovative recycling infrastructure has come to fruition a decade later, it has been an uphill battle at every turn.

Scaling - the sheer scale of NYCHA housing means that a program like this, if implemented city wide, will not only have a positive impact on NYCHA communities, where it is needed the most but on the overall city's economy as well. If our program is scaled up to cover all of NYCHA and RAD/PACT campuses we can potentially create hundreds if not thousands of sustainable green-collar jobs, recycle millions of pounds of recyclables generated at NYCHA each year – save the City over millions in export costs and reduce NYC's carbon footprint annually by hundreds of thousands metric tons of Co2 . Also, we can put millions of dollars, through savings and discounts, back in the pockets of some of NYC residents who need it most. The success of the pilot program illustrates that when recycling is made more convenient, NYCHA residents will recycle and can have a positive impact on the city and planet. It also showed that NYCHA residents do care about recycling and are interested in ideas of

sustainability, they just need information and access to a program that works for them. The combination of convenience, jobs, discounts, and savings for some of our most cash strapped citizens who desperately need them makes this recycling program a win-win for everyone.

The Ask

Dear members of the Council, I implore you to do what is necessary to stop this prime example of what a contradiction looks like.

I plead with the Council to:

- Hold NYCHA managers and departments more accountable and comply with all NYC waste management laws and rules.
- Allow adequate space at developments wherever space is not being utilized to fulfill ICGT contractual obligations and work with intention to provide our residents all the services they need and deserve.
- Make stipulation for ICGT to be fully supported at every NYCHA development we serve
- Follow through with Local Law 49 (2017) - requires DSNY and NYCHA to consider implementing a pilot incentives program to increase recycling rates in public housing and collaborate on a review of voluntary recycling incentive pilot. If the department concludes that such a program is feasible and would increase recycling rates, it must implement such a program and report on its effectiveness and whether it should be made permanent after two years.
- Help Mayor Adams' hold up his candidacy pledge to "fully fund recycling" at NYCHA developments and implement ICGT into the city's waste management budget.
- Repurpose unutilized funds earmarked for NYCHA Capital Projects for ICGT operations

Power to the People!



October 24, 2024
Testimony of Matt Malina
on behalf of NYC H2O

before the New York City Council Committee on Sanitation and Solid Waste Management
Public Hearing on: Reusable Beverage Containers in Sports Venues (Intro 1161)

Thank you, Chair Nurse and Members of the New York City Council Committee on Sanitation and Solid Waste Management, for your leadership in convening this hearing and providing the opportunity to deliver public testimony in support of reducing single-use plastics by promoting reusable beverage containers.

My name is Matt Malina and I am the Director and Founder of NYC H2O. NYC H2O's mission is to inspire and educate New Yorkers of all ages to learn about, enjoy, and protect their city's local water ecology. Our activities promote science-based knowledge of New York's local ecosystems and of what is needed for urban water resilience in a time of escalating climate change impacts. Every year we bring hundreds of volunteers to waterfronts across the city to pick up trash and see firsthand the devastating impact poor waste management has on our local waterways. One thing we always emphasize is that there is no "away": throwing trash in your garbage does not make it disappear. For this reason, I am here testifying today in support of Intro 1161, Council Member Shaun Abreu's bill to allow reusable beverage containers in sports venues.

NYC H2O has been organizing educational programming and advocacy campaigns around the City's Zero Waste by 2030 goal since it was announced in 2015. We supported the goal then and believe it remains essential for the City to meet its broader climate change and environmental justice goals. Single-use plastics make up an ever-growing share of our waste stream, so we support any initiative that allows people to reduce their single-use plastic consumption and instead bring reusable containers with them. Intro 1161 does not *require* attendees to bring reusable containers; it instead *requires sports venues* to allow attendees to bring their own containers. We believe that making it as easy as possible for people to bring reusable containers with them is essential to move from a culture of single-use disposables to one where people carry reusable items with them.

Thank you for your consideration of NYC H2O's testimony. We look forward to continuing to work with the Council Members, DSNY, and our community partner organizations to ensure New Yorkers have sustainably managed waste and garbage-free waterways.

Contact: Matt Malina, matt@nych2o.org

TESTIMONY OF DAVID BIDERMAN
BIDERMAN CONSULTING, LLC
October 24, 2023

My name is David Biderman, and I am the President of Biderman Consulting, LLC. I am not testifying today on behalf of any single solid waste company. I am here today because it is important for this Committee and other elected and unelected officials, in New York City and throughout the United States, to be reminded that solid waste companies and municipal sanitation departments such as DSNY prioritize the health and safety of their employees, as well as the safety of the communities and the neighborhoods in which they operate.

Prior to starting a consulting firm earlier this year, from 2015 through March 2023, I was the Executive Director for the Solid Waste Association of North America (SWANA), the biggest U.S. association for the solid waste and recycling sector. While at SWANA, we built an industry-leading, award-winning safety program. Prior to SWANA, I was the Safety Director and General Counsel at the National Waste & Recycling Association (NWRA). I have provided safety training to tens of thousands of solid waste employees over the past 20 years. I currently serve on the Department of Sanitation's CWZ Safety Task Force and the Business Integrity Commission's (BIC) Trade Waste Advisory Board. I have spoken frequently at BIC safety events and participated in the November 2022 NYPD Dusk and Darkness event just a few blocks from here.

The solid waste industry's safety performance in New York City has improved substantially over the past 10 years. According to the BIC's data, in 2017-2019, licensees averaged nearly 4 fatal incidents per year. For each of the past 4 years, licensees have had 1 fatal incident per year, and importantly, not a single private sector solid waste collection worker has been killed this year. This improvement is remarkable, and far better than the national data that also shows reduced worker fatalities and injuries. Why are we seeing this decline in fatalities?

1. Most solid waste companies take safety very seriously.
2. SWANA¹ and NWRA² provide a lot of resources on safety over the past decade, including sending weekly safety newsletters to all of their members. Companies and local governments are using those resources and reducing accidents and injuries.
3. A growing number of solid waste companies in New York City provide ongoing safety training to their front-line employees. In just the past 9 months, I have participated in safety meetings at 6 BIC licensees.

¹ <https://swana.org/initiatives/safety> (reviewed October 20, 2023).

² <https://wasterecycling.org/safety-at-nwra/> (reviewed October 20, 2023).

4. The BIC's greater focus on safety, which includes both new regulations and heightened enforcement.

If this Committee, DSNY, and the BIC want to improve worker safety for sanitation and solid waste employees, here are several recommendations:

First, e-bikes and scooters pose a very serious safety threat to solid waste collection workers. These vehicles are on City streets at all hours and are often ridden in complete disregard for applicable traffic laws. Videos from solid waste companies show e-bikes and scooters ignoring red lights and going down one way streets in the wrong direction. Carter employees often need to cross a bike lane to get waste left at the curb, and run the risk of being struck by an e-bike or scooter dozens of times each night.

Second, the improper disposal of lithium-ion batteries is a growing menace to the sanitation and solid waste industry. Nationwide, the [number of fires in waste and recycling trucks and facilities has risen substantially](#),³ and lithium-ion batteries are a substantial contributor. The City Council recognizes the serious dangers posed by these batteries, and passed multiple bills earlier this year designed to reduce the hazards associated with lithium-ion batteries used in e-bikes. These batteries are used in a wide variety of devices and are often tossed into the trash and collected by DSNY or private sector companies. When compacted in the back of a garbage truck, they are causing [fires](#).⁴ The City Council should provide more resources to DSNY and others to remind New Yorkers it is illegal to dispose lithium-ion batteries in either the trash or recycling.

Third, the City's [Vision Zero](#)⁵ efforts should allocate more resources to educating pedestrians, bicyclists, and motorists about how to walk, bike, and drive safely in New York City. Pedestrians are frequently texting or talking on their cell phones while crossing the street. I've already discussed bicyclists. The number of traffic fatalities and injuries involving cars and trucks has risen over the past few years, at the same time that the solid waste industry's safety performance has improved. Reckless driving, distracted driving, drunk driving, and speeding are just some of the principal causes of these incidents.

Solid waste companies will continue to improve their safety programs and reduce collisions and injuries. The industry will continue to work with this Committee, DSNY, the BIC, and others. Nothing we do is more important than making sure each of our industry's employees goes home to their families at the end of each day.

I would be glad to answer any questions.

³ <https://www.wastedive.com/news/high-number-of-facility-fires-in-2022-prompts-renewed-look-at-battery-recyc/645682/> (March 22, 2023)

⁴ <https://gothamist.com/news/lithium-ion-batteries-a-growing-fire-hazard-in-nyc-garbage-trucks-dsny-says> (April 30, 2023).

⁵ <https://www.nyc.gov/content/visionzero/pages/> (reviewed October 20, 2023).

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Public Testimony:

Committee on Sanitation and Solid Waste Management Hearing – October 24, 2023

Oversight - The State of NYC Sanitation Workers' Safety and Protections.

My name is Robert Bishop. I am a member of Pitta Bishop & Del Giorno LLC and serve as the Legislative Director for the Uniformed Sanitationmen's Association, International Brotherhood of Teamsters Local 831. As you are aware, President Harry Nespoli is unavailable today.

I want to thank the City Council and Chair Nurse for holding this critical hearing on the safety of the women and men that do this wonderful but often thankless job daily. It is heartening to see the City Council put a focus on these 6800 women and men whose work and wellbeing are critical to the health and safety of all New Yorkers.

My testimony today is intended to shed light on the risks that our women and men incur each day as they prepare to serve this city. The need for increased protections, stronger safety standards, and increased community consideration for these workers is vital, especially as incidents of injury and death are trending in the wrong directions. We remind the Department of the need for our members to help determine the safest equipment for the job.

Sanitation Workers perform a task which can often be perilous. In fact, Sanitation work is one of the most hazardous jobs in the City. There are several factors that put the safety of our workers at risk. First, our workers face the dangers of the roads on which they work daily. This includes the actions of reckless drivers, who often hastily and angrily maneuver around Sanitation trucks – even running over the feet of workers – while they are attempting to collect trash. I remember one young man- an athlete- who passed the Sanitation exam in 2007 and was hired in 2012. In June 2013 his world was literally turned upside down, when while loading garbage into the truck he was hit by a passing truck, tossing him into the hopper and crushing and almost severing his leg. The Department did the right thing. He was allowed to remain employed while he underwent multiple surgeries and until he completed probation and was entitled to a disability pension. Road rage turns into physical threats and actual violence regularly.

Next, the contents of the waste pose constant risks to our members. People seem comfortable placing very dangerous things in the trash. Items ranging from hydrofluoric acid to unsecured sharps – needles -- wind up in the trash. Michael Hanly, a 22 year-veteran of the Department of Sanitation tragically lost life on November 12, 1996, when he was accidentally sprayed by hydrofluoric acid while doing in job. His injured partner, who suffered burns on the face and

hands when he came to Mr. Hanly's aid, was Thomas Giammarino of Staten Island, a member of the department for 15 years who required treatment at the burn unit. Mike was survived by his widow and four children.

Our members are often stuck by needles when handling the trash. When our vehicles are parked on the street due to undersized garages – we need to check the seats for needles.

We also witness too many injuries caused by the heavy machines which are the tools of the trade and by the weight of the debris. In 2004, Eva Barrientos, 41 and a mother of three, had climbed on top of an EZ Pack truck to pull free a trash bag that had jammed the compactor when one of the truck's metal garbage-lifting levers swept down and pinned her causing fatal injuries.

Our members contend with sub-par conditions in many of our garages. For years our members have complained about ventilation issues in these facilities. Some of the City's sanitation garages still suffer from infrastructure issues such as collapsing roofs. The older facilities offer substandard conditions for our 250 women members. That is quite frankly, unacceptable.

The job of a NYC Sanitation worker goes well beyond waste collection, recycling, and snow removal. We are also first responders who cleanup after disasters like Superstorm Sandy and the tornadoes that ripped through Queens in 2012. Our members are always ready to respond to cleanup after any disaster that comes our way to lay the groundwork for the rebuilding process. You can imagine the strain that this puts on the strength and stamina of our members.

We also deal with the impacts of health disasters. Our members worked every day during the pandemic. They did not stop because there was insufficient PPE. They did not have the ability to work from home. They went to work; many got Covid-19, if they recovered, they went back to work. Unfortunately, not all recovered.

In 2012 – with the advent of Tier 6 -- five additional years of service was added to the time our members must work to be eligible to receive full pension benefits – along with the insulting Social Security offset. That's five additional years of physical wear and tear and exposure to the dangers of the job.

According to the Solid Waste Association of North America (SWANA), in 2022 alone, 46 sanitation workers in the United States and Canada died from on-the-job injuries. This represents a sharp 64% increase from the year prior. SWANA found that 54% of these deaths occurred during collection operations with incidents involving worker trucks (falling from them, being struck by them, and being crushed by them) being the leading cause. These tragic deaths often come at no fault of the worker themselves.

Too many of our members have lost their lives while on the job since Mike Hanly in 1996 and, if you would indulge me, I would like to take a moment to acknowledge our fallen. Among them:

- Sanitation Worker *Frank Consalvo* was killed by a hit-and-run driver while on collection duty (in 2000);

- Sanitation Worker **Alfred G. Timmons** died of a massive heart attack while on duty on August 16, 2000. He was 50 years old.
- Superintendent **Michael Gennardo** was fatally shot by an intruder while inside the garage (August 2001);
- Sanitation Worker **Keith Bridges** succumbed to injuries suffered in an motor vehicle accident (December 2003);
- Sanitation worker **Vincent Gugliemino**, suffered a fatal heart attack in 2004
- Sanitation Worker **Eva Barrientos** was crushed by an EZ pack collection truck (January 2004);
- Sanitation Worker **Rodney Page** was killed in an accident on the New Jersey Turnpike (March 2005);
- Sanitation Worker **Michael Occhino** was killed in an accident on the Brooklyn-Queens Expressway (August 2006);
- Sanitation Worker **Allen Gormely** died of a heart attack while on collection duty (September 2006);
- Sanitation Worker **Rafael Concepcion** succumbed to injuries sustained in an accident while on collection duty (December 2006).
- Sanitation Worker **Stephen Dixon**, died of a heart attack while on collection duty (March 2009).
- Sanitation Worker **Richard Timmons** died of a massive heart attack while on duty, October 2009. He was 46 years old
- Sanitation Worker **Frank Justich** (January 2010) was killed when a tractor trailer struck his collection truck.
- Sanitation Worker **Steven Frosch** who was struck by a street sweeper (June 2015).
And others which I wish I could name here, but have not uncovered the records

At least nine Sanitation employees were confirmed to have lost their lives due to COVID-19:

- Sanitation Worker **Raymond Copeland** died on April 5, 2020 due to complications of Covid-19, Mr. Copeland was the Sanitation Department's first employee to die of the novel virus.
- Sanitation Worker **Kevin Williams;**
- Sanitation Worker **Ali Ali;**
- Sanitation Enforcement Agent, **Rickey Downtin, Jr.;**
- Auto Mechanic **Michael Geraci;**
- Auto Mechanic, **Francisco Nunez;**
- Sanitation Worker, **Quebiy Pigott;**
- Clerical Associate, **Iqbal Shaikh;**
- Auto Mechanic, **Paul Santoro, Sr.**

Thank you again to the Council for holding this hearing and thank you for considering my testimony.

Robert Bishop, Esq.



Testimony of Surfrider Foundation New York City before the New York City Council Committee
on Sanitation and Solid Waste Management
October 24, 2023

Good afternoon, my name is Lisa Salomon and I am representing the New York City Chapter of the Surfrider Foundation. Surfrider Foundation is a national group that protects our oceans, coasts, and beaches for all people.

Surfrider Foundation has been running the Reusable NYC coalition for three years now, which is a group of 40 local NYC organizations that are supporting different bills including bill Intro 1161, a local law allowing reusable beverage containers in sports venues.

It is estimated that one million plastic bottles are bought around the world every minute and less than 1/3 of all plastic bottles will be recycled¹.

To bring this issue locally to New York City: the NYC Chapter of the Surfrider Foundation does a lot of beach cleanups, mostly in the Rockaways, and plastic bottles and caps are always some of the most commonly found items. So far this year, we've held 17 beach cleanups, with about 25 people per cleanup and in total we found 680 plastic bottles, 2,471 bottle caps, and 1,323 straws.

Clearly, plastic pollution has saturated our environment, our communities, and now our bodies. By allowing reusable bottles in sports venues, this bill will decrease the amount of plastic bottles bought that are contributing to our plastic pollution problem. This bill will allow New Yorkers to make sustainable choices and be able to use their own reusable water bottles. Thank you very much for giving me the opportunity to testify today.

¹ Beyond Plastics <https://www.beyondplastics.org/fact-sheets/plastic-water-bottles>

Testimony of Paul Zambrotta of Mr. T Carting Corp.

Good afternoon, my name is Paul Zambrotta, and I am the Safety Director for Mr. T Carting. I have had the pleasure of working for Mr. T Carting since 1995. I am part of the 3rd generation of a long line of hard-working drivers & helpers. I have a CDL (a commercial driver's license) and can tell you with certainty that 20 years ago, the word safety was rarely heard at solid waste companies in New York City. However, today, it is rare that you'd find a company that didn't hold safety paramount.

About a year and a half ago, post COVID, Mr T and other solid waste companies were struggling to recruit and retain qualified drivers. In fact, there was (and still is) a nation-wide driver shortage. As a result, I needed to drive one of our trucks to service our customers. During my route, at about 4am on Flushing Ave in Brooklyn, my vehicle was rear ended by a passenger vehicle at an estimated 30mph. In addition to the other vehicle being totaled, and causing over \$25,000 in damage to our vehicle, I was next to the truck and was tossed up in the air like a rag doll and suffered broken bones, lacerations, and contusions. I was lucky to survive the collision, because if I had been standing a little bit further to the left, the vehicle would have hit me head on, and I probably wouldn't be here to tell you this story today.

Before I took the truck out, I performed a thorough pre-trip inspection. When the motorist hit me and our truck, I was outside the vehicle, in the rear, with my parking brake set, with all my lights working, and my 4-way hazard lights on. My truck was pulled over to the side of the road, so other vehicles could safely pass. I complied with EVERY operational and safety standard, yet I was still struck by someone who was either drunk, distracted by their phone, or asleep. At our company, as well as many others, we pride ourselves on innovation and forward thinking, especially regarding safety. While we are not perfect, we strive for constant and never-ending improvement.

It is important for the Committee as well as ALL New Yorkers to recognize that our drivers & helpers are people too. And we deserve the same right to a safe working environment as every other person in our city. It amazes me that cyclists, scooters, and other electronic forms of transportation share the road with other licensed drivers, yet THEY are not required to learn, or follow, the same rules of the road that apply to us.

I am happy to hear that accidents and injuries in our industry are down, and that is happening while the e-bike type of vehicles are getting more dangerous. The Daily News just reported that this is the worst year for cycling fatalities since 1999. My company and I will continue to do our part in being safe, and we try every day to make it safer. We agree with the city holding us to high standards when it comes to safety and we ask that they apply those same standards to the other users of the road. If we are going to continue to improve safety in the private sanitation industry and achieve the City's Vision Zero goals, we need stronger regulations of these e-bikes and similar modes of transportation, and tougher enforcement against those who violate our city's traffic laws. Thank you.

Good Afternoon,

I'd like to thank honorable Council Member & Chair Sandy Nurse and all the council members on the Committee on Sanitation and Solid Waste Management for giving me the time to speak with you all today as well as Commissioner Tisch / the Department of Sanitation for all your efforts.

My name is Anthony Lewis – I am an experienced roll-off driver in the waste management industry for over 30 years and have been driving for Royal Waste Services for the past 8 years.

Currently, I am the proud shop steward for Royal Waste Services, which is the largest 813 union shop in New York City with over 160 experienced members who possess the knowledge and understand the intricacies of operating in New York City.

In my time driving with Royal Waste Services, I strongly believe Royal is the safest company for all employees, the city of New York, and the communities in which we operate in. Royal's commitment to safety, sustainability, & community should be the benchmark for every other company operating in New York City.

Most importantly, Royal provides us with a great quality of life wage, a 401k retirement program, and full medical benefits which provides us all with the confidence to perform our job safely.

As a shop steward I can attest that Royal Waste Services currently has the following safety equipment & procedures in place that surpasses the industry as a whole.

- Lytx:
 - 360-degree camera system which provides full coverage on the entire truck
 - Monitors speed limits & breaches of city traffic laws
 - Provides live video access to inside cab, front, rear, and both sides of trucks.
- Mobile Eye Pre-Collision Avoidance System
 - Blind Spot Detection
 - Lane Departure Warning
 - Pedestrian & Cyclist Collision Warning
 - Headway Monitoring and Warning
 - Speed Limit Indication
- Speed control / governor on all trucks
- Weight & tonnage controls on all trucks
- Smith System Driver Training
 - Royal Waste Services has a certified full-time Smith System Driver Trainer on staff who perform regular training and re-training for all operators.

- Third party safety training
 - In addition to our regular in house safety training, Royal Waste Services hired Biderman Consulting, who is an industry leader in safety, to perform training and retraining to all employees every 3 months.

As you can see, we are leaders in safety but additionally, we at Royal Waste Services are the largest single stream & organic recycling company in NYC as Royal continually invests in the latest equipment and infrastructure for our sustainable future. Our single stream recycling facilities now operate with robotics and optical scanners, which gives us the ability to recycle over 30 million pounds of material on a monthly basis.

Furthermore, to minimize vehicle miles traveled, we are proud to average around 7 vehicle miles per load across our routes.

Lastly, as a local community-based company in Jamaica Queens, we are proud that 90% of employees live in the areas in which we service.

I invite you all to come visit Royal and come see our new trucks, infrastructure, and recycling capabilities firsthand and encourage you to do the same across all the different companies currently operating in New York City.

Again, to reiterate, I strongly believe Royal Waste Services is the best company for all employees, for the city of New York and for all the communities we operate in, and I thank you all for the time today.

Thank you!

TESTIMONY DSNY 10/24/2023

My name is Dominick Romeo, creator of the NYCBuildingSuperS.Com group. We are a group of Building Superintendents & Porters who are being forced to go back to work at 8 p.m. to toss our building trash, 3 nights a week, 12 nights a month, and 144 nights each year and are now working 14-hour days because of this city regulation.

We have been missing dinners with our families because of this regulation, and missing out on nights with our friends, seeing a moving at night, or even going to a bar at night, or taking night classes to help improve our lives because of this - we are exhausted after already working a 10-hour shift.

We have reached out to our council members and we are asking you to suspend this regulation immediately, and adopt our alternative plan, which moves the trash **take-out to 5 PM** - and insists that **the compost program (The Food & Scrap Program) be initiated throughout the five boroughs, first**, which will reduce the amount of regular trash bags we throw out, hence reducing the number of containers we will need to purchase, and make room for, in our very small basements - and **allowing us to toss out our recycling paper and trash bags without containers**, which also reduces the number of containers we will have to find space for in our very small New York City Basements - and **moving the hour that our building would be finned by DSNY to 9 AM, instead of 8 AM**, because we now have to remove these empty containers off of the street after DSNY empties them and sweep our sidewalks at the same time.

It has been **178 days** since this poorly thought-out regulation was enacted, and **73 nights** in which our family & personnel lives have been destroyed because of this.

How many more nights are you going to take away from us Supers and Porters until this gets resolved?

How many nights would be OK for your boss to tell you that you had to return to work, past 8 Pm, 144 nights out of each year, and miss out on your personal and family time before you tell your boss where he or she can go???

The list below indicates some not all of the problems my mom who is now 90 years old and myself has endured for the passed 2 plus years of having a Mobile Car wash directly behind our home.

(Our bedrooms are to the back and side of the house where we are exposed to the generator noise and the chemical smell all day into the night)

Please bare in mind that we are surrounded by to clubs one 2 feet from us the other is just 100 feet.

Our home is located by Boston Road and East 222nd street we are inundated with noise at all time due to traffic and inconsiderate persons.

We would like this Mobile Car wash to be moved and some sign to prevent any other(s) from coming there. We saw when the first people who were back there leave after a year and 8months. In one day 4 different ones came to take the spot. They were asked to leave and they did but within the same week this current one came and they were asked also but did not leave.

-breed mosquitoes.

-traffic hazards and traffic congestion

-trash accumulation (increase rat population)

-noise of the generator

Noise from loud music from cars

Noise from people congregating by the car wash

Damage to the grassy area by the curb(wet and muddy)

Damage to the stone

wall (top)

The chemical smell from the solutions they use to wash the vehicle's (this smell has caused me to have several sinus infections. I am nursing one currantly)

Setting up of tables and chairs on the side walk where folks can't walk pass if some is handicap with a regular or motorized wheelchair as well as a walker. Pedestrian have had to go in the street with cars coming at them

Weed smoking (both Mom and myself is allergic to the smell)

Thank you for giving me the platform in which to make known our plight.

We anxiously await your decision.

Cordially

Fredda

Good Afternoon. I am Joyce Bialik, a member of the Manhattan Solid Waste advisory Board. In supporting Int: 1161 I am not speaking on behalf of the SWAB, although they certainly favor reducing single use plastic waste. By requiring sports venues to allow attendees to bring their own beverage containers the bill would eliminate every additional container individuals would have purchased, and therefore result in far fewer containers polluting our land, water, and air. One amendment I would suggest is that the one type of reusable container a venue could permit under the law should be metal or glass and not plastic, the reason for which I explain below.

Like the Choose to Reuse Bill Int: 1161 is another worthy measure for reducing single use plastics. For food and beverage containers these bills are the first step in protecting our environment. The second step is restricting the sale of food and beverages in plastic containers. Plastic contains chemicals many of which are toxic. The toxins then leach into the food we eat and the beverages we drink – when the food and beverages are in a plastic container. The more we use a plastic container and the warmer the contents the heavier the leaching. Dr. Pete Myers, an expert on endocrine disrupters explains that government in its limited testing found that several chemicals commonly added to plastics are actively harmful. Chronic diseases linked to endocrine disrupting chemicals include infertility, diabetes, obesity, ADHD, and autism. Thus I suggest that the one type of container a venue permits should not be plastic, and we should be creating the next bills to restrict the sale and use of plastics for food and beverages.

Hello, I'm, founder and Leader of It's Easy Being Green, an Upper West Side climate education and personal action group. We work to reduce reliance on single use plastics for personal and commercial use. As an affiliate of BYOContainer US reduces we encourage businesses to let consumers use their own containers for take out beverages to reduce plastic waste. According to Beyond Plastics, a national organization with which we are also affiliated, at best, less than 1/3 of all plastic bottles will be recycled and end up in landfills where they emit greenhouse gas. Just providing recycling containers at stadiums is not enough. We believe that we cannot recycle our way out of the plastic pollution problem and its accompanying health effects. NYC stadiums should be leaders in sustainability and single use plastic reduction and follow the example of State Farm Arena, Atlanta which earned platinum level certification in operating zero waste from the Green Sports Alliance. Also, our own Arthur Ashe Stadium should be commended for allowing patrons to bring their own containers to the US Open. Let's learn from these examples. We fully support Int 1161-2023 as proposed by Councilmember Shaun Abreu. Let's encourage our sports fans and stadiums to be part of the solution to plastic pollution.

Testimony Tyrell Boyd

Topic Committee on Sanitation and Solid Waste
Oversight Hearing - The State of NYC Sanitation Workers' Safety & Protections.

Date Tuesday, October 24, 2023

Good afternoon. My name is Tyrell Boyd. I have been working in the sanitation industry since 2018. At first, I started working for non-unionized employers in Long Island and now I am a member of Laborers' Local 108. I would like to thank Chair Nurse and the rest of the committee for allowing workers to voice and bring light to the rampant wage theft and dangerous working conditions that exist in the sanitation industry.

Being a sanitation worker is no easy task. We put our lives at risk every time we go to work. Our labor is essential-yet there are employers in this industry that take advantage of us and still do business in this City. Wage theft is widespread and if you don't have representation at the job, many times you simply take what you get. Many times, you're putting your life at risk not really realizing the dangers until it's too late.

I recently received a \$30,000 settlement after filing a wage theft lawsuit against an employer that is still working in this City today. As we move forward and implement Commercial Waste Zones, it is critical that there be a mechanism where workers can speak up and bring claims of wage theft and dangerous working conditions to light. There is no reason why employers who are constantly committing wage theft and putting their workers' lives at risk should still be allowed to do business with New York City.

Working for employers who don't center their business practice on safety measures and protections is incredibly dangerous. At Liberty Ash, I received no training. I worked under really unsafe conditions and I did the work alone. For example, I would usually lift 21 tons of garbage a night followed by another night where I would lift 10 tons of cardboard by myself. This was really hard for my body and not having benefits and proper health care only added to the stress. I always felt like I was getting robbed and my wages not being fully paid. There needs to be a way to hold employers accountable to ensure Commercial Waste Zones truly achieve one of its main goals of lifting and protecting sanitation workers.

Today, I feel like my voice is heard and I want to help my fellow workers. Today I have proper training and PPE, both my employer and union truly care about my safety. At Action Carting, we have monthly safety meetings, are provided both in-class and hands-on training, and we are provided with the best PPE there is to work safely and efficiently. I am fully aware of my rights, I am compensated for my labor and I have access to benefits and proper healthcare. This is what every worker deserves.

Thank you for your time.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1161, 978 Res. No. 8/16
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ERIC GOLDSTEIN

Address: _____

I represent: NATURAL RESOURCES DEFENSE COUNCIL

Address: 40 WEST 20 ST

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 10/24/2023

(PLEASE PRINT)

Name: Robert Bishop

Address: 120 Broadway, 28th floor NY NY 10271

I represent: International Brotherhood of Teamsters

Address: Local 831

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 10/29/23

(PLEASE PRINT)

Name: Rene del Carmen

Address: MARCY AVE

I represent: Sve We Can / AIR-NYC

Address: 219 McKibbin St, Brooklyn, NY

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 10/29/23

(PLEASE PRINT)

Name: Ryan Casralia

Address: Dorchester Rd. Brooklyn 11226

I represent: Sure We Can

Address: 219 McKibbin St, Brooklyn, NY 11206

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Tyrell Boyd

Address: _____

I represent: LOCAL 108

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Donna Dodge

Address: _____

I represent: LOCAL 108

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kajem Hill

Address: _____

I represent: LOCAL 109

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: David Biderman

Address: Chain Bridge Rd Fairfax VA

I represent: Biderman Consulting LLC

Address: David@bidermanconsulting.com

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 10/24/23

(PLEASE PRINT)

Name: Anthony Lewis

Address: E 114th St NY 10466

I represent: Royal Waste Services

Address: 187-40 Hollis Ct

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Hector Vazquez

Address: 411 West 18th St. New York

I represent: Fulton Tenants Association

Address: same

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 10-24-63

(PLEASE PRINT)

Name: DANIEL L. WRIGHT

Address: 48-18 VAN DAM ST LIC NY

I represent: LOCAL 813 TEAMSTERS

Address: 48-18 VAN DAM ST LIC NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Paul Zambrotta

Address: 73-10 EDSELL AVE, Glendale NY

I represent: MR. T Contracting Corp

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: John Reali

Address: W 15th St

I represent: Royal Wash Services

Address: 168-46 Douglas Ave Jamaica NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Sam Manfredi

Address: Cancia Drive

I represent: Cogent Waste Solutions

Address: 860 Humbolt St Bklyn

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1161 Res. No. _____

in favor in opposition

Date: 10/24/2023

(PLEASE PRINT)

Name: Lisa Salomon

Address: 37th street Astoria NY

I represent: Surfrider Foundation

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kate Kitchener

Address: Director, Recycling & Sustainability

I represent: DSNY DSNY

Address: 125 Worth St, NY, NY 10013

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lacey Tauber

Address: _____

I represent: Brooklyn Borough President Antonio Reynoso

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JOSE VEGO

Address: Huguenot St New Rochelle NY

I represent: Local 393 45114

Address: Huguenot St New Rochelle NY

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 5th Avenue Res. No. _____
 in favor in opposition hear. us
Date: _____

(PLEASE PRINT)

Name: Canner Shaw

Address: _____

I represent: USWU Local 393

Address: Huguenot St New Rochelle NY

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition
Date: _____

(PLEASE PRINT)

Name: Javier Lojan

Address: FDC, DSNY

I represent: DSNY

Address: 125 Worth St. NY, NY 10013

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Joshua Goodman
Address: DC for Public Affairs, DSNY
I represent: DSNY
Address: 125 Worth St, NY, NY 10013

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ryan Merola
Address: Chief of Staff & DC for External
I represent: DSNY Affairs
Address: 125 Worth St, NY, NY 10013

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