



sanitation

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NOTICE OF COMPLETION OF FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

NYC Commercial Waste Zone Program

Project Identification

CEQR No. 19DOS003Y
SEQRA Classification: Unlisted

Lead Agency

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A Final Generic Environmental Impact Statement (FGEIS) has been prepared by the Department of Sanitation (DSNY) for the Commercial Waste Zone (CWZ) Program, which is classified under State Environmental Quality Review as an Unlisted Action. In accordance with the State Environmental Quality Review Act (SEQRA) (Section 8-0113, Article 8 of the Environmental Conservation Law) as set forth in 6 NYCRR Part 617, and the City Environmental Quality Review (CEQR) process, as set forth in 62 RCNY Chapter 5 and Executive Order 91 of 1977 and its amendments, DSNY, acting as lead agency, is hereby certifying this FGEIS as complete.

The Draft Generic Environmental Impact Statement (DGEIS) was issued on February 22, 2019. Public hearings on the DGEIS were held on March 11, 2019 from 9 AM to 12 PM and March 14, 2019 from 6 PM to 9 PM at 125 Worth Street, Second Floor Auditorium, New York, NY 10013. Written comments on the DGEIS were requested and were received by the lead agency until April 8, 2019. The FGEIS incorporates responses to the public comments received on the DGEIS and additional analysis conducted subsequent to the completion of the DGEIS, as applicable.

Copies of the FGEIS may be downloaded from DSNY's website at www.nyc.gov/commercialwaste. Hard copies can be accessed at repositories located at the Department of Sanitation, Bureau of Legal Affairs, 125 Worth Street, Room 708, New York, NY, 10013; and the Mayor's Office of Environmental Coordination, Hilary Semel, Director, 100 Gold Street, 2nd Floor, New York, NY 10038.

A. INTRODUCTION

The City of New York is proposing to improve commercial waste carting by implementing a CWZ Program across the five boroughs of the City, consisting of 20 zones with 3 to 5 private carters authorized to operate per zone (the “CWZ Program” or “Proposed Action”). As lead agency for the required environmental review of the Proposed Action, DSNY has prepared this FGEIS, examining the potential for adverse environmental impacts that could occur because of the CWZ Program, in accordance with the SEQRA and CEQR procedures. Implementation of the CWZ Program would involve several discretionary approvals. The City entities that may be potentially involved in the environmental review and approval process for the Proposed Action are:

- Office of the Mayor, City of New York for authorizing legislation;
- New York City Council for authorizing legislation;
- DSNY acting as lead agency for the environmental review,¹ potential rulemaking, and CWZ Program implementation including approvals of zone contracts; and
- New York City Business Integrity Commission (BIC) for oversight and potential rulemaking.

B. PROJECT DESCRIPTION

The proposed CWZ Program would utilize an implementation plan and contract-award process to develop a commercial waste system of 20 non-exclusive geographic zones throughout the City’s five boroughs system with 3 to 5 carters operating within each zone. Fourteen zones would each have three carters, while in Manhattan four zones would have four carters each, and two would have five carters each.

The CWZ Program would regulate the collection of commercial refuse, designated recyclables, and source-separated organic waste. It would exclude specialized or intermittent commercial waste streams, which would continue to be collected in the current manner under existing City and State regulatory requirements. The excluded waste streams include construction and demolition (C&D) debris; hazardous or radioactive waste; medical waste; electronic waste; textiles; yard waste (collected by landscapers); waste hauled by junk haulers or one-time bulk waste services; grease; and waste papers collected for the purposes of shredding or destruction.

The CWZ Program would require private carters to bid competitively for the right to service businesses within each geographic collection zone. Carters that win zone contracts would be obligated to meet certain contractual requirements aligned with the City’s program goals and objectives, as further discussed below. The CWZ Program would standardize the carting contract process by requiring written service agreements between carters and customers and by making the pricing structure more transparent. Customers would be able to negotiate supplemental services beyond the required minimum, for an extra fee.

Each carter would be able to compete for one or more zones throughout the City based on its preferences. No carter would be able to win contracts for more than 15 zones. Qualification requirements would be further defined in a Request for Proposal (RFP). The RFP would provide details on the program goals, methods for implementation, and requirements that carters would

¹ Lead agency status has been delegated by the New York City Council and Office of the Mayor to DSNY.

respond to in order to apply for contracts with the City to collect waste within specific zones. The proposed carting fee would constitute approximately 40 percent of the selection criteria for each proposal. The RFP would define the maximum number of carters able to operate in a particular zone, and the City expects to award that number of contracts per zone. The number of carters selected for a zone would be determined by the number and quality of the proposals received and the qualifications of the carters. Additionally, the potential to submit proposals as a consortium with other carters or organized through a broker, as well as certain subcontracting allowances, would provide opportunities for an array of different carters.

Following selection, contracts for the opportunity to collect in a zone will have a 10-year term with extension options available. Extension options will be outlined in the contract, and any extension would be at the discretion of the City for the individual carter. Pricing would be negotiated between individual businesses and carters, subject to maximum rates for each carter determined through the contract-award process. The overall BIC rate cap for licensed carters of putrescible waste would no longer apply.

Under the CWZ Program, carters would be required to comply with current regulations so they could compete for business within the CWZ Program, and DSNY would have the mechanism through contract to enforce these regulations if carters fail to comply. The CWZ Program would encourage carters to comply with industry health and safety standards and policies, as well as BIC's health and safety guidance documents. Compliance with requirements for safety equipment and training and necessary equipment maintenance would be documented and tracked.

The CWZ Program would encourage carters to comply with existing recycling and source-separation regulations so they could compete for business within the CWZ Program. As part of the solicitation process, the CWZ Program would require carters to develop "zero waste" plans and identify innovative practices to support waste reduction, reuse, and recycling and provide for additional oversight and reporting requirements to ensure that these practices are being followed. With more recycling and organic materials being separated, less waste would be sent to landfills, saving resources and energy, consistent with the City's sustainability and recycling goals.

Billing would be fairer and more transparent, with written service agreements outlining rates and any fees so that New York City businesses would only pay for the waste that they produce. Implementing this CWZ system via an orderly transition will enable New York City businesses to preserve customer choice, keep prices competitive and the quality of service high, while substantially reducing truck traffic associated with commercial waste collection.

The CWZ Program would be implemented in multiple steps. The competitive solicitation process would be expected to begin in 2020 and the evaluation and contracting with the City would be expected to last approximately one year. The RFP would be released for all zones, and all proposals would be reviewed and awarded concurrently. Once all contract agreements with the City are executed, customer transition would be expected to begin at the end of 2021 and could take up to two years following the execution of such agreements. Customer transitions to service by an authorized carter would be expected to be complete by 2023 or early 2024. DSNY would continue to serve as the project manager for the CWZ Program, and in this capacity would oversee the competitive solicitation, the negotiation of each zone's contract between the City and the carter

for the right to collect waste, and the overall transition to CWZs. DSNY would continue to enforce regulations concerning commercial waste set-out, recycling, and organics separation. DSNY would also become the primary administrator of carter zone contracts under the program and would serve as carter of last resort if carters repeatedly fail to perform services for any reason. DSNY would create a Division of Commercial Waste to administer the CWZ Program and consolidate DSNY's commercial waste outreach, enforcement, and regulatory functions in the agency under a single chain of command. The Division of Commercial Waste would oversee the solicitation and transition processes and ensure that the CWZ Program achieves its stated goals and requirements.

In summary, the CWZ Program would build on the current regulatory system, with a contract-based system where carters are subject to clear written requirements. The contracts awarded to the selected carters would be long-term; provide for transparent and fair pricing and customer service mechanisms; require improved environmental performance; and ensure compliance with and enforcement of existing and new requirements. Non-compliance could result in monetary penalties or loss of the contract. Overall, the CWZ Program would provide stability to the commercial waste industry by providing carters with predictable business and promoting long-term investments in recycling services and cleaner trucks.

C. PURPOSE AND NEED

Today's commercial waste system achieves its basic goal of collecting and handling the City's commercial waste, but the competitive market has resulted in inefficiencies, with overlapping carting routes and resulting externalities that must be borne by the public, including extra truck traffic, an increased risk to pedestrian safety, traffic congestion, air and noise pollution, road wear, and increased use of fossil fuels and resulting greenhouse gas (GHG) emissions, contributing to climate change. In some parts of the City, based on data reported to BIC by the carting industry, more than 50 carters service a single community district, and an individual commercial block may see dozens of private waste collection trucks on a given night. Compliance with the City's safety equipment and training requirements, and necessary equipment maintenance, are often not enforceable under the current system, and guidance documents, notably BIC's *Trade Waste Safety Manual*, are likewise not enforceable. Compliance with BIC's rate cap relies on self-reporting and self-policing by carters and customers, and contracts and pricing are not transparent to customers.

Commercial business customers of carters note the lack of transparency between carters and customers in the current system. The majority of contracts are oral in nature. There are no set guidelines on what a carter can charge a customer outside of the citywide rate cap, and payments for carting service are often made in cash. Furthermore, for their part, carters note that a customer can change carters with little advance notice to the carter, causing inconvenience.

Similarly, the current system does not have appropriate reporting and enforcement mechanisms to ensure that carters comply with health and safety standards (e.g., safety equipment, health and safety plans). Moreover, although existing regulations require commercial businesses to recycle metal, glass, plastic (MGP), paper, cardboard, and, in some cases, food waste from food preparation (organics) and thereby divert such waste from landfills, enforcing and tracking compliance rates is difficult.

In sum, reforming the City's commercial waste carting system seeks to achieve a series of stakeholder-driven goals. These include:

1. **Environmental Quality and Public Health:** Reduce truck traffic throughout the City to reduce air and noise pollution and improve quality of life for New Yorkers.
2. **Zero Waste:** Reduce commercial waste disposal and incentivize recycling to conserve resources and reduce GHGs.
3. **Pricing:** Provide fair, transparent pricing with low prices for businesses large and small.
4. **Customer Service:** Strengthen customer service standards and establish accountability.
5. **Health and Safety:** Improve training and safety standards to make the industry safer for workers and the public.
6. **Labor and Worker Rights:** Improve industry compliance with labor standards and laws regulating workers' rights.
7. **Infrastructure and Waste Management:** Prioritize investments in clean, modern fleets that make up a reliable, resilient, and sustainable waste management system.
8. **Robust, competitive carting sector:** Create a system that works for carters of all sizes and prevents overreliance on any single company.

To determine the structure of the CWZ Program, a robust, year-long stakeholder engagement process was conducted by DSNY, as lead agency, and the consultant team. Starting October 19, 2017, over 150 different stakeholders in the commercial waste industry were consulted, including commercial businesses, labor groups, environmental justice advocates, private carters, business improvement district representatives, real estate owners, property managers, trade organizations, other City agencies, traffic safety advocates, and elected officials. The City used the feedback it gained from this process to determine the program goals, implementation strategies, and the necessary requirements for the eventual carter contracts within the CWZ Program. Going forward, the City and project team are expected to continue to work with stakeholders during implementation of the CWZ Program.

The proposed CWZ Program that emerged from this process is therefore intended to advance the City's efforts to increase commercial recycling, reduce carter truck traffic and associated air, noise, and GHG emissions, and improve carting industry operational standards. The CWZ Program would thereby help advance several key policy objectives, including improving roadway safety, complementing Vision Zero, furthering the environmental sustainability efforts of *OneNYC2050: Building a Strong and Fair City (OneNYC)*; and reducing the environmental and community impacts of the commercial waste system, a goal of the City's Solid Waste Management Plan (SWMP).

D. ANALYSIS FRAMEWORK

The Proposed Action would change the commercial waste collection program throughout New York City's five boroughs. The 2014 *CEQR Technical Manual* serves as the general guide on the methodologies and impact criteria for evaluating the Proposed Action's potential effects on the various environmental areas of analysis in the FGEIS.

ANALYSIS YEAR

Since the Proposed Action's expected year of full implementation after a two-year transition period is 2024, that is the Analysis Year for the environmental review. As such, the environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and

consideration of alternatives assess current conditions and forecast these conditions to the expected 2024 Analysis Year for the purposes of determining potential impacts. Each chapter of the FGEIS provides a description of the “Existing Condition” and assessment of the Future without the Proposed Action (the “No Action” condition) and the Future with the Proposed Action (the “With Action” condition).

EXISTING CONDITIONS

For each technical area that has been assessed in the FGEIS, the existing conditions have been described. The analysis framework begins with an assessment of existing conditions because these can be most directly measured and observed. The assessment of existing conditions serves as a starting point for the projection of future conditions with and without the Proposed Action and the analysis of project impacts.

THE FUTURE WITHOUT THE PROPOSED ACTION (NO ACTION CONDITION)

The No Action condition predicts conditions that would exist in the Analysis Year of 2024 without undertaking the Proposed Action, and thus provides the baseline against which the Proposed Action’s impacts may be assessed. Under the No Action Alternative, it is anticipated existing carters would continue to operate the same as under the existing condition – the routes, frequency, durations and pick-up times would remain approximately the same.

The No Action condition analysis discusses the current commercial waste industry, including its shortcomings, and any regulatory changes to the industry already expected by the Analysis Year of 2024.

THE FUTURE WITH THE PROPOSED ACTION (WITH ACTION CONDITION)

In the With Action condition, there would be 20 geographic zones in each of which 3 to 5 carters would be authorized to operate and be required to adhere to certain parameters intended to improve transparency, safety, and customer service. Up to 68 zone contracts would be awarded. The identities of the carters to be awarded zone contracts are to be determined but are expected to have carting operations and garages in the City or greater metropolitan area.

THREE COMMERCIAL DENSITY TYPOLOGIES FOR ENVIRONMENTAL ANALYSIS VIA CASE STUDY

As the Proposed Action is generic, and the CWZ carter garage locations are not yet known, the FGEIS studies representative types of commercial clusters and corridors within New York City and includes an analysis of the Proposed Action’s likely effects on its environmental setting (Future with the Proposed Action) in 2024, the Analysis Year. The analysis examined how proposed changes to the commercial waste system from the CWZ Program might affect three broad classes of commercial development density, into which most development in the City can be categorized. Three representative neighborhood case study areas were selected as typologies of high, medium, and low-density commercial development, respectively, to provide a more detailed and contextual analysis of the potential benefits and adverse impacts of the Proposed Action in such New York City communities. These areas, and the reasons they were selected for study as typologies for the Proposed Action, are discussed below.

Central Business District Study Area

A central business district (CBD) is the commercial and business center of a city and in larger cities is often synonymous with a city’s “financial district.” In New York City, these high-density commercial areas are primarily found in Lower Manhattan, Midtown Manhattan, and Downtown

Brooklyn. Users of waste removal services are typically building operators, including real estate companies often with multiple buildings within the district. Typical waste producers within CBD districts include large offices, hotels, commercial retail, and restaurants.

Neighborhood Retail Corridor Study Area

Neighborhood retail corridors primarily serve as the retail and commercial hubs of medium-density residential neighborhoods outside of the City's Business Districts, such as Long Island City and Roosevelt Avenue in Queens; Fordham Road, the Hub in the Bronx; the Flatbush Nostrand Junction, portions of Atlantic Avenue, and 5th Avenues in Brooklyn; and Dyckman Street in Manhattan. Businesses within these medium density commercial corridors tend to be smaller in footprint and produce less waste per footprint area than larger buildings found in the City's central business districts. Commercial waste customers within these neighborhood retail corridors include medium-sized office buildings, small commercial retailers, neighborhood supermarkets, delis, and restaurants.

Lower (Retail) Density Study Area

Lower commercial density areas are characterized by commercial retail uses scattered throughout the district, as opposed to being concentrated in defined clusters or corridors. These low-density districts are found in the more automobile-oriented neighborhoods of the outer boroughs, including Howard Beach and College Point in Queens, Canarsie in Brooklyn, and neighborhoods throughout Staten Island. Businesses in these areas vary and include a wide variety of different retailers including chain convenience stores, gas stations, bodegas, fast-casual and take-out restaurants, other automotive businesses, big box retail, and pharmacies such as Rite Aid and Duane Reade.

Selected Case Study Areas

The following three case study areas are discussed in the FGEIS: the Midtown Manhattan CBD; a neighborhood retail corridor in the Flatbush Nostrand Junction within Brooklyn; and a lower-density study area in College Point, Queens. These study areas are used in the technical area analyses to provide detailed and contextual analyses of potential impacts from the CWZ Program upon these classes of commercial density and thus demonstrate the types of issues, potential effects, and benefits that could result in any section of the City as a result of the Proposed Action.

SCREENING ASSESSMENTS

Detailed analyses are provided in the FGEIS for land use, zoning, and public policy; socioeconomic conditions; solid waste; transportation; air quality; greenhouse gas emissions; and noise. The following CEQR technical areas did not warrant detailed discussion: community facilities; open space; shadows; historic and cultural resources; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; energy; public health; neighborhood character; and construction.

E. EVALUATION OF POTENTIAL IMPACTS OF THE PROPOSED ACTION

The FGEIS determined the CWZ Program would not result in significant adverse impacts in any of the analyzed categories.

LAND USE, ZONING, AND PUBLIC POLICY

The Proposed Action is limited to regulatory changes regarding the collection of commercial solid waste throughout the City and would not change land use or result in any new or different development. Therefore, the analysis focused on the impact to public policy.

The CWZ Program would be authorized through the enactment of a new local law to be developed by the New York City Council. The new local law would specify the basic elements of the program, including the RFP requirements and contract-award process.

In addition, under the Proposed Action, carters would be required to comply with existing legal requirements to compete for business, and DSNY and BIC would have the mechanism via contract to enforce these laws and regulations if carters fail to comply. These include Local Law 145 of 2013 (LL145/2013), which requires all trucks to implement Best Available Retrofit Technology (BART) such as diesel particulate traps or be equipped with a U.S. Environmental Protection Agency (EPA)-certified 2007 model year or later engine by January 1, 2020, and LL56 of 2015 (LL56/2015), which requires all licensed carting trucks to be equipped with side guards designed to protect pedestrians and cyclists by January 1, 2024.

LL146/2013 requires DSNY to assess, at least annually, the available regional capacity to process organic waste and to designate certain categories of businesses that must separate this material for a beneficial use, such as composting or anaerobic digestion to produce biogas. Under the Proposed Action, there would be an increase in organic waste from 3 percent collection rate under the No Action condition to 6 percent collection rate throughout the City under the Proposed Action, due to improved diversion, recycling collection, and enforcement facilitated by the CWZ Program. Additional enforcement of other recycling requirements would also occur under the Proposed Action, for the same reasons. Under the Proposed Action, the blended recyclables collection rate is projected to increase to 38 percent, compared to 30 percent under the No Action condition.

The Proposed Action would support the goals of the City's Solid Waste Management Plan (SWMP) and would further the environmental sustainability objectives of *One New York: The Plan for a Strong and Just City (OneNYC)*. Finally, the Proposed Action would be consistent with goals of the New York City Waterfront Revitalization Program (WRP).

Therefore, the Proposed Action would not result in significant adverse impacts to land use, zoning, or public policy.

SOCIOECONOMIC CONDITIONS

The CWZ Program would not result in significant adverse effects on the commercial waste carting industry, or on the customers of commercial waste carters. While the CWZ Program has the potential to reduce the total number of commercial carters operating within the City of New York, carters that fail to win zone contracts may instead undertake the collection of CWZ Program excluded waste streams such as C&D, engage in other agreements such as subcontracts to support contracted carters and/or consolidate companies, concentrate on carting opportunities in the metropolitan area outside New York City, or remove themselves from the industry. Despite the potential for some carters to close, the remaining commercial carters continuing to operate in the Proposed Action condition are anticipated to continue providing effective waste collection services across the City.

In the Proposed Action, potential changes in commercial carting industry operational costs would not jeopardize the viability of the industry, or the ability to provide city-wide carting services at a reasonable cost to commercial businesses. In total, as a result of the efficiencies associated with zoned routing, including the reduction in routes necessary to collect an equal amount of waste, the

total operational expenses to be incurred by the carting industry are anticipated to decrease by approximately 2 percent as compared with the No Action condition, despite additional equipment and administrative costs associated with the CWZ Program.

Expenses associated with commercial carting are anticipated to decrease in the Proposed Action because of efficiencies in the daily operation of the commercial carting industry. These efficiencies include some reduction in total industry staffing necessary to collect commercial waste in the Proposed Action condition. Based on the reported baseline employment estimates provided by the BIC 2015 Carter Financial Statements, the CWZ Program would reduce carter employment by an estimated 2 percent compared to the No Action condition. However, because of the increase in diversion from disposal under the CWZ Program, employment within secondary markets such as the recyclable sorting and processing industry could increase.

Business customers of commercial carting services would likely benefit from the CWZ Program. The CWZ Program would not result in a substantial increase to the expenses associated with the commercial waste collection. Customers, regardless of industry sector or location, would likely receive improved services, including free waste assessments, and access to a dedicated call center, at a competitive rate and with the increased transparency because of the CWZ Program.

Therefore, the CWZ Program would not result in significant adverse environmental impacts on the socioeconomic conditions of New York City, as the changes introduced by the CWZ Program would make carting more efficient, decreasing the expenses associated with the operation of the commercial carting industry compared to the No Action condition, which is not anticipated to substantially increase the cost of waste collection services for businesses within the City.

SOLID WASTE AND SANITATION SERVICES

The Proposed Action would not result in significant adverse impacts to solid waste or sanitation services.

One goal of the CWZ Program is to increase recycling and organics diversion. To help achieve this goal, those carters awarded contracts for the right to collect waste in a zone would be required to provide recycling and organics collection as standard services in addition to refuse collection and carters would be allowed to form consortiums or subcontract with other carters for these services. In addition, under the Proposed Action, both carters and customers would be required by their contracts to comply with existing laws regarding recycling and organics separation of commercial waste, and they will be required by contract to comply with any new or revised laws or regulations enacted during the contract term. With more recycling and organic materials being separated under the Proposed Action, less waste would be sent to landfills, saving resources and energy, consistent with the City's sustainability and recycling goals.

As such, the Proposed Action would not be expected to increase the volume of waste being produced or collected but would result in a redistribution of the type of waste collected and potential changes in carters. Under the Proposed Action, there would be an expected shift in the waste streams collected due to an increase in diversion and increased enforcement of diversion, from an estimated 30 percent blended collection rate of recyclables and 3 percent of organics in the No Action condition to 38 percent blended collection rate of recyclables and 6 percent of organics with the Proposed Action.

The CWZ Program would be able to maintain adequate carting service for the commercial sector. DSNY would serve as a carter of last resort if a contracted zone carter were unable to perform.

The CWZ Program would not directly affect any facility identified in the SWMP for the transfer, sorting, or disposal of refuse, organics or recyclables, or change New York City's plan to rely on regional or remote disposal capacity such as landfills and waste-to-energy plants for refuse. Further, existing recycling and organic processing facilities within New York City and the region are anticipated to have adequate capacity to accommodate the increase in diversion because of the CWZ Program.

Another goal of the Proposed Action is to reduce truck traffic related to the commercial waste industry. In creating zones and limiting the number of carters servicing those zones, there is expected to be more efficient routing and more efficient truck loading (e.g., filling to capacity), reducing the overall waste carting truck traffic. This would support the SWMP truck traffic reduction goals and thereby reduce truck traffic-related impacts to communities, including noise and air emissions, and enhance pedestrian safety.

TRANSPORTATION

The Proposed Action would not result in a significant adverse impact with respect to transportation.

Under the Proposed Action, the number and type of carting customers would be expected to remain the same as under the No Action condition but the limit on the number of carters within geographic zones would result in increased efficiency in waste collection routes and reduced vehicle miles traveled (VMT) and overall carter truck traffic.

To help achieve the Proposed Action's goal of increasing recycling and organic diversion, carters would be required to provide recycling and organics collection in addition to refuse collection as standard services. To do this, carters would be able to form consortiums or subcontract with other carters for these services. Recycling and organic waste collection trucks do not carry the same density of waste as standard putrescible waste collection trucks, thus a net increase in the total number of waste collection trucks would be expected because of the increased diversion to recycling and organics. However, the increased efficiency coupled with the increased diversion to recycling and organics would result in an overall decrease of overlapping truck routes along road segments, which would result in decreased VMT within New York City and region-wide for travel to transfer stations and garages in New Jersey, Long Island, and nearby upstate New York counties with the Proposed Action. The Proposed Action is expected to reduce City-wide commercial carting truck VMT by 50 percent from the No Action condition, and by 47 to 60 percent within the case study areas.

Therefore, there would be no predicted exceedance of the *CEQR Technical Manual* Level 1 Traffic Screening threshold. Additionally, the collection times, duration of collections, collection dates, and frequency of collections would not significantly change with the Proposed Action. Therefore, detailed traffic analyses are not warranted, and the Proposed Action is not anticipated to result in any significant adverse transportation impacts.

AIR QUALITY

The CWZ Program would not cause a significant adverse air quality impact.

As noted above, under the Proposed Action, the number and type of customers, pick-up times, and frequency of pick-ups would be expected to generally remain the same as under the No Action condition but would result in an overall decrease of overlapping commercial carter truck routes and related trips.

The increased efficiency in routes coupled with the increased diversion to recycling and organics would result in an overall decrease of truck trips, which would result in decreased VMT within New York City and region-wide for truck routes to and from transfer stations and garages in Long Island, upstate New York, and New Jersey, reducing emission levels from commercial carting trucks.

With the expected 50 percent reductions in VMT from the CWZ Program, the fleet-wide emissions associated with commercial carting trucks would be reduced from levels in both the existing condition and No Action condition.

The Proposed Action would not result in an exceedance of the screening levels for carbon monoxide and fine particulate matter (PM_{2.5}) in the *CEQR Technical Manual* for incremental peak hour vehicles at intersections within any of the three case study areas; therefore, there would be no potential for mobile source air impacts from the Proposed Action.

GREENHOUSE GAS EMISSIONS

The Proposed Action would not result in a significant adverse impact with respect to greenhouse gas (GHG) emissions.

A key goal of the CWZ Program is to reduce local commercial carting travel by improving the efficiency of the carting system and reducing the amount of overlapping truck collection routes. The CWZ Program would not change the mode of transport of commercial waste (for example from truck to rail, or barge), nor would the Proposed Action result in increased distances traveled by commercial waste from waste transfer stations to disposal facilities, such as landfills or waste-to-energy plants. Likewise, the CWZ Program would not require a change in the disposal technology for such waste. The CWZ Program would reduce commercial carter truck VMT within the New York City region and thus would reduce GHG emissions from mobile sources. The increased diversion of organics from landfills under the CWZ Program would reduce GHG emissions from landfill disposal.

In addition, the contracts awarded to selected carters would include incentives to provide improved environmental performance. Some of these improvements could include the conversion of commercial carting vehicles to electric vehicles or the use of compressed natural gas, which is a cleaner fuel. These improvements in performance, if implemented, would further reduce GHG emissions with the CWZ Program.

As a result, GHG emissions are expected to be reduced with the CWZ Program compared to baseline existing condition and No Action condition levels. Therefore, the Proposed Action would

be consistent with the City's earlier 80 by 50 GHG reduction goal (80 percent GHG reductions by 2050) and the superseding city-wide carbon neutral goals (net-zero GHG emissions by 2050) under *OneNYC*.

NOISE

The Proposed Action would reduce inefficiencies in commercial waste collection routes, resulting in a 50 percent reduction in commercial carting truck VMT. As a result, the Proposed Action would not cause any roadway segments to experience an increase in maximum hourly truck volume. The Proposed Action would not require changes in operations that would affect collection times, duration of collections, collection dates, frequency of collections, or number of nighttime collections. Consequently, the Proposed Action would not generate any increase in noise from mobile sources.

Commercial carter trucks are stationary when compacting refuse and, therefore, would also be considered a stationary noise source at such times. The compacting cycle noise from all commercial carter trucks is already regulated by Subchapter 5, §24-225 of the New York City Noise Control Code to a consistent level of noise emission. Fewer commercial trucks are expected at any one time in the case study areas than under the No Action condition. Commercial carter trucks compacting refuse at a given location would not result in a change in the level of stationary noise generated during collections. Consequently, the Proposed Action would not generate any increase in noise from stationary sources.

Since the Proposed Action would not result in additional mobile or stationary source noise at any noise receptors, a more detailed noise analysis is not necessary, and the Proposed Action would not have the potential to result in a significant adverse noise impact.

ALTERNATIVES

Although the FGEIS did not identify a significant adverse impact from the Proposed Action with respect to any *CEQR* environmental category, nevertheless, two alternatives to the CWZ Program were considered.

NO ACTION ALTERNATIVE

The No Action Alternative analysis considers the environmental conditions that would exist if the CWZ Program were not implemented. Under the No Action Alternative, the commercial waste industry would remain relatively unchanged, with the exception of any regulatory changes to the industry already expected by the Analysis Year of 2024.

As with the Proposed Action, the No Action Alternative would not result in significant adverse impacts to land use, zoning and public policy; socioeconomic conditions; solid waste and sanitation services; transportation; air quality; greenhouse gas emissions and noise. However, many benefits of the Proposed Action—advancing the City's efforts to increase commercial recycling, reducing carter truck traffic and associated air, noise, and GHG emissions, improving carting industry operational standards and establishing a contract mechanism to enforce applicable regulations—would not be realized.

EXCLUSIVE ZONE ALTERNATIVE

Under the Exclusive Zone Alternative, a single carter would be awarded the exclusive right to provide collection services per designated service zones as compared with three to five carters per zone under the non-exclusive CWZ Program. The goals of the Exclusive Zone Alternative would be the same as the CWZ Program, and the same 20 zones would be used.

As with the Proposed Action, the Exclusive Zone Alternative would not result in significant adverse impacts to land use, zoning and public policy; socioeconomic conditions; solid waste and sanitation services; transportation; air quality; GHG emissions and noise.

The Exclusive Zone Alternative would reduce carter VMT somewhat more than the non-exclusive CWZ Program would. However, the Exclusive Zone Alternative raised concerns regarding anticipated price increases to customers due to reduced competition, increased risks from carter insolvency within a restrictive market, and the reduced ability of a monopoly carting provider to meet the needs of the customer. The elimination of competition within commercial waste zones has the potential to increase the costs of commercial carting services on customers and could lead to a reduction in customer service and satisfaction due to the single-service provider monopoly created by an exclusive zone system. Further, implementing the Exclusive Zone Alternative has the potential to be a substantial logistical and administrative challenge, as few carters have the capacity to exclusively service a single zone, a larger number of customers would be required to change service providers in the transition period, and there could be potential future service disruption issues if the single carter is unable to successfully provide the necessary services with no alternative back-up provider except DSNY.

CWZ TRANSITION PERIOD

As other cities around the United States have adopted similar programs to the Proposed Action, the City has been able to review their transition and implementation, adopt best practices, and implement lessons learned from these peer cities. These best practices and lessons learned have been incorporated into the planning, transition, and implementation of the CWZ Program to minimize significant adverse impacts.

The CWZ Program would likely be implemented in multiple steps. The transition would begin with a period for competitive solicitation of contracts through RFP in 2020. Upon selection of the carters for the CWZ Program, a two-year transition period from 2021 to 2023 would begin the customer's transition to the awarded carters and allow for a smooth transition. Full implementation of the CWZ Program is expected in 2024.

The two-year transition period is longer than transition periods seen for commercial waste zone systems implemented in other cities. This is due to the size of the New York City commercial waste market in comparison to other cities and to allow a longer period of time for carters to adjust to new customers and service requirements. Customer transition may occur in multiple phases, with certain zones transitioning prior to other zones.

Overall, activities associated with the transition period of the Proposed Action would not result in significant adverse impacts to land use, zoning and public policy; socioeconomic conditions; solid waste and sanitation services; transportation; air quality; greenhouse gas emissions; or noise.

UNAVOIDABLE ADVERSE IMPACTS

Unavoidable significant adverse impacts resulting from the CWZ Program were not been identified in any of the technical areas.

GROWTH-INDUCING ASPECTS OF THE PROPOSED PROJECT

The Proposed Action would not add substantial new land use, new residents, or employment that could induce additional development, nor would the Proposed Action introduce or expand infrastructure capacity.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

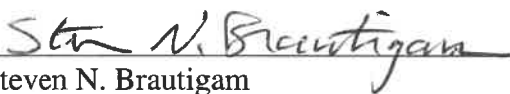
The Proposed Action would not involve construction of new buildings or infrastructure on land. As such, the Proposed Action would not constitute a long-term commitment of resources typically associated with construction projects, including the materials used in construction; energy in the form of fuel and electricity consumed during construction and operation of the projects; and the human effort (i.e., time and labor) required to develop, construct, and operate various components of the projects. Further, the Proposed Action would not constitute a long-term commitment of land resources.

The Proposed Action commitment of resources would be limited to the use of fuel consumed by the commercial carter trucks for the collection of waste throughout the City. With the Proposed Action, the commitment of fuel use is expected to be higher during the transition period but will be reduced during the full implementation of the CWZ Program because of limiting the number of carters servicing the City’s established zones and reducing truck VMTs. Fuel use would be less than under the No Action condition.

The commitment of resources is weighed against the Proposed Action’s goals of creating a safer and more efficient collection system that would provide high-quality, low-cost service while advancing the City’s sustainability and recycling goals. The CWZ Program would improve customer service and safety; promote fairness and transparency; and reduce adverse environmental impacts from commercial carting trucks upon traffic, pedestrians, air quality, and noise levels. In addition, the CWZ Program would help meet the City’s sustainability goals by furthering the goals of the SWMP and *OneNYC* (including increasing recycling and reducing landfill disposal of waste).

NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

This Notice of Completion for the FGEIS for the CWZ Program has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law.


Steven N. Brautigam
Assistant Commissioner, DSNY Legal Affairs

9/17/2019