

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

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SANITATION & SOLID
WASTE MANAGEMENT

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September 20, 2022

Start: 1:05 p.m.

Recess: 3:58 p.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Sandy Nurse, Chairperson

COUNCIL MEMBERS:

Erik D. Bottcher

Amanda Farias

James F. Gennaro

Julie Menin

Chi A. Osse

Rafael Salamanca, Jr.

Marjorie Velazquez

Nantasha M. Williams

A P P E A R A N C E S

Jessica Tisch, DSNY Commissioner
Bridget Anderson, DSNY Deputy Commissioner
Greg Anderson, DSNY Deputy Commissioner
Tom Outerbridge
Lacey Tauber
Eric Goldstein
Oliver Wright
Justin Wood
Miguel Martinez
Ryan Carson
Matt Gove
Jenna Harvey
Allison Allen
Jacquelyn Ottman
Adam Peer
Solomon Blecker
Mary Arnold
Anna Sacks
Michelle Greenberg
Georgianna Page
Sharon Silberman

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2 SERGEANT-AT-ARMS: Microphone check. This
3 is a prerecorded sound test for the Committee on
4 Sanitation and Solid Waste Management. Today's date
5 is September 20, 2022. It's being recorded by Nazali
6 Patuvey (phonetic) in the Committee Room.

7 SERGEANT-AT-ARMS: Good afternoon and
8 welcome to today's New York Council hearing on
9 Sanitation and Solid Waste Management.

10 If you wish to submit testimony, you may
11 at testimony@council.nyc.gov. At this time, please
12 silence all electronic devices and thank you for your
13 cooperation.

14 Chair, we are ready to begin.

15 CHAIRPERSON NURSE: Thank you. Good
16 afternoon and welcome to the Committee on Sanitation
17 and Solid Waste Management hearing of 2022. [GAVEL]
18 We will now start.

19 We're going to be a little bit fast
20 today. We have our Commissioner here for about two
21 hours so we're going to keep things really concise
22 and, for Council Members, we're going to try to stick
23 within the clock just to allow the Commissioner the
24 time.

25

2 Good afternoon, everyone. Thank you,
3 Committee Members, Council Member Nantasha Williams,
4 Council Member Chi Osse, Council Member Jim Gennaro
5 joining us online, DSNY Commissioner Jessica Tisch,
6 Deputy Commissioner Bridget Anderson, Deputy
7 Commissioner Greg Anderson, many of the workers that
8 are here today, Zero Waste advocates, and folks from
9 the private sector. Thank you for joining us.

10 In the Mayor's Management Report released
11 last week, the total annual recycling diversion rate
12 for Fiscal Year 2022 stands at 17 percent. This falls
13 short of our citywide target and represents a
14 decrease in recycling diversion rates from the past
15 four fiscal years. New York City can definitely do
16 better. According to the Department of Sanitation's
17 last Waste Characterization Study, the city has the
18 potential to recycle 68 percent of residential waste
19 including increasing recycling rates of metal, glass,
20 plastics, paper, and organics. According to DSNY
21 Monthly Waste Tonnage Reports, 48.2 million pounds of
22 metals, glass, and plastic, called MGP, and 44.3
23 million pounds of paper was collected in just the
24 month of July. This is an immense amount of material,
25 and there is more to do, first to reduce the amount

2 of waste we produce and improve our individual and
3 collective recycling rates. In October 2020, New York
4 State's plastic bag ban took effect after years of
5 waste advocates fighting to change our city's
6 dependence on this unnecessary and destructive
7 plastic. This is an example of what we need to be
8 doing more of. We still have more work to do to make
9 sure we put plastic bags and single-use plastics
10 behind us.

11 That is why today we're also hearing
12 Intro 0494, a local law in relationship to a study of
13 single-use plastics so that we can better understand
14 the scale of the plastic crisis, a petroleum-based
15 product that is brought to us by the fossil fuel
16 industry. This comprehensive study can provide
17 pathways for new waste policy initiatives that would
18 reduce the sale, distribution, and use of single-use
19 plastic items.

20 Yesterday, I had the opportunity to visit
21 the Sims Municipal Recycling Facility in Brooklyn. We
22 had a wonderful tour. It's the largest recycling
23 facility in the country, and the tour highlighted the
24 importance of having local systems to help manage our
25 recyclables as well as the individual rules we are

2 all playing and ensuring we are recycling well in
3 each other's homes, and this is how we will continue
4 to work towards zero waste.

5 I also learned about the dangers of e-
6 bike batteries getting into our recycling stream that
7 could put the entire facility at risk of explosions
8 and fires, and it is clear we need to do more on this
9 issue as it continues to grow.

10 It is important that we truly understand
11 our waste streams and the impacts of sending our
12 trash to be landfilled and incinerated in communities
13 across the region, state, and country, and we need to
14 move toward real solutions.

15 I am concerned about the growth of
16 advanced recycling or chemically recycling for plastics
17 and the dangers that may cause to nearby communities.
18 New York City advocates fought very hard to ban waste
19 incineration or waste-to-energy facilities in the
20 city in the 1990s and we continue to be weary of
21 false solutions in the solid waste sector. In 1989,
22 the city first implemented mandatory recycling three
23 decades ago. In 2010, the city passed a law that
24 required us to meet a 33 percent recycling goal by
25 2020. Now in 2022, our recycling diversion rates

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2 stand at only about 17 percent. We are moving too
3 slowly on an issue that impacts our city, our
4 environment, and our climate, and I look forward to
5 working with the Council, the Department of
6 Sanitation, the sanitation industry, our waste
7 advocates, and our workers to move us toward zero
8 waste and a more sustainable waste management system.

9 I just want to thank my team, Annel
10 Hernandez, who is my Director of Climate and
11 Environmental Policy. I want to thank the Sanitation
12 Committee Taskforce, Jessica Albin, Ricky Chawla, and
13 welcome our new Taskforce addition Andrew Lane-
14 Lawless, and, of course, thank you to everyone giving
15 testimony today. It's wonderful to see the
16 longstanding commitment to waste issues in the city.

17 Now, I'm going to turn it over to our
18 Moderator to get us started.

19 COMMITTEE COUNSEL ALBIN: Thank you,
20 Chair. I will now administer the oath to the
21 administration.

22 Do you affirm to tell the truth in your
23 testimony before this Committee and to respond
24 honestly to Council Member questions?

25 COMMISSIONER TISCH: I do.

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2 DEPUTY COMMISSIONER GREG ANDERSON: I do.

3 DEPUTY COMMISSIONER BRIDGET ANDERSON: I

4 do.

5 COMMITTEE COUNSEL ALBIN: Thank you.

6 COMMISSIONER TISCH: Good afternoon, Chair

7 Nurse and Members of the City Council Committee on

8 Sanitation and Solid Waste Management. My name is

9 Jessica Tisch, and I am the Commissioner of the New

10 York City Department of Sanitation. I am joined today

11 by Gregory Anderson, our Deputy Commissioner for

12 Policy and Strategic Initiatives, and Bridget

13 Anderson, Deputy Commissioner for Recycling and

14 Sustainability.

15 Thank you for the opportunity to testify

16 this afternoon on recycling in New York City. In the

17 interest of time, I am submitting full written

18 testimony to this Committee, but I will provide only

19 a brief opening statement.

20 First, I want to remind everyone that we

21 are thrilled to reclaim our position as the operators

22 of the nation's largest curbside composting program

23 next month as we roll out curbside composting to

24 every household in Queens. Collection starts Monday,

25 October 3rd, for leaf and yard waste, food scraps,

2 and food soiled paper on your recycling day. The best
3 part is that many Queens residents already separate
4 their leaf and yard waste. We're just asking that
5 they put it out on a different day, and separating
6 food scraps into containers with lids will fight rats
7 and help clean up our streets, closing down the all-
8 you-can eat buffet that has allowed rat populations
9 to thrive.

10 We are here today to discuss the state of
11 New York City Recycling. I am proud to say that our
12 program is strong. It has weathered fiscal crises and
13 global market crashes and, thanks to hundreds of
14 millions in public and private investments, we have
15 state-of-the-art infrastructure to sort and recycle
16 products right here in New York City. Last Fiscal
17 Year, we collected 616,000 tons of these recyclables
18 from New Yorkers, diverting these items from landfill
19 and helping to create new products, but we can do
20 more. Of all the paper and cardboard in the waste
21 stream, we only capture about 51 percent of it in the
22 green bin according to our 2017 Waste
23 Characterization Study. For metal, glass, plastic,
24 and cartons, that figure is 48 percent. That means
25 that nearly half of everything that could be recycled

2 ends up in the trash. I look forward to discussing
3 our curbside recycling programs with you today
4 including the steps that we are taking to increase
5 capture and diversion rates and the measures in place
6 to ensure that the products New Yorkers separate
7 actually do get recycled into new products.

8 Lastly, regarding Intro 494, we look
9 forward to working with the Council to continue the
10 city's leadership role in taking on single-use
11 plastics. In particular, our upcoming Waste
12 Characterization Study will provide valuable
13 information about the success of past bans on foam
14 products and single-use plastic bags, and we hope
15 that study can also inform our future policy efforts
16 in this area.

17 Thank you for the opportunity to testify
18 on this important topic, and I am now happy to answer
19 any questions.

20 CHAIRPERSON NURSE: Thank you,
21 Commissioner Tisch. I'm going to touch a few topics
22 then hand it over to some Colleagues to get their
23 questions in so they can move on with their days, but
24 I wanted to start with overall diversion targets and
25 rates. According to Local Law 40 of 2010, DSNY is

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2 required to meet a 33 percent recycling goal by 2020.

3 I think we all acknowledge some of the major barriers

4 in the way, but we just wanted to hear a little bit

5 more from you all what are the main barriers to

6 attaining this goal for residential and containerized

7 collections.

8 COMMISSIONER TISCH: I'd say three main

9 barriers come to the top of my mind. The first is

10 access to bins. When I say access to bins, I mean

11 that ensuring that recycling bins are equally

12 convenient and prevalent in residential buildings.

13 The Department of Sanitation has a Zero Waste

14 Building Maintenance Training Program where we train

15 building workers on best practices associated with

16 waste management and recycling. The second main

17 barrier in New York City is building design. Many

18 residential buildings were not designed with

19 sufficient space to manage recyclables. They manage

20 trash. They were built when trash was a thing, but,

21 unfortunately, built before the recycling era. This

22 has become even more of an issue of late with the

23 proliferation of cardboard in our waste stream. Some

24 buildings physically lack the space to properly store

25 and manage recyclables. The third topic that I want

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2 to raise is around NYCHA. NYCHA remains, I believe, a
3 latent opportunity to capture recyclable materials.
4 We estimate that only about 1.5 percent of NYCHA's
5 recyclables make it into the recycling trucks. I
6 believe that the root of that issue lies largely in
7 the first two factors that I addressed, but, in
8 particular, in building design. In NYCHA
9 developments, there is oftentimes plenty of room to
10 conveniently manage your trash so put the trash in a
11 chute. There is not the same type of room for
12 recyclables so NYCHA residents oftentimes have to
13 bring their recycling down outside of their building
14 and into a special container that is not physically
15 within the building, and this is because of space
16 constraints.

17 CHAIRPERSON NURSE: Thank you. I want to
18 recognize Council Member Bottcher joining us. Thank
19 you for coming.

20 In 2021, DSNY testified that the best
21 approach to increasing rates involves some
22 combination of financial incentives, allowing
23 recycling to be easier, and we were trying to find if
24 those exist which was a little bit hard to find

25

2 publicly. Does the City currently offer any financial
3 incentives for recycling certain items?

4 COMMISSIONER TISCH: The current financial
5 incentives for recycling really include the New York
6 State Deposit Redemption Program or commonly referred
7 to as the Bottle Bill, and, of course, the fine
8 avoidance for properly separating out recyclables.
9 Those are the two main financial incentives.

10 CHAIRPERSON NURSE: We'll ask some
11 questions later because I know we have Tony here from
12 Sims, but we wanted to know the percentage of
13 recyclable materials that are placed in the wrong
14 type of bin or papers in with the metal and what
15 happens to those bags when there's that kind of
16 contamination.

17 COMMISSIONER TISCH: So 4 percent of
18 metal, glass, plastic is paper and cardboard that
19 should have gone in the paper recycling and 2.7
20 percent of paper is metal, glass, plastic, and
21 cartons that should have gone in metal, glass,
22 plastic recycling. There are a number of remediation
23 steps. Among them, communications campaigns for
24 example on social media, community and ethnic media,
25 we do periodic mailers to reinforce recycling

2 messaging including what should go in what bin and,
3 importantly, to get at this question what should not
4 go in the bins. We also participate in a statewide
5 Recycle Right working group to coordinate messaging
6 across New York jurisdictions. I would just add that
7 one of the larger stakeholders in remedying this
8 issue is the Department of Education. The Department
9 of Sanitation funds Department of Education to
10 operate Grow NYC's Zero Waste Schools Outreach
11 Program. It's a fabulous program. Common feedback
12 from the public when it comes to recycling is my kids
13 do this at school, my kids taught me to do this, my
14 kids taught me to separate out my organic waste, and
15 we really feel like messaging targeted at kids in
16 schools, by messaging to kids in schools we can train
17 the next generation of New Yorkers and see them
18 influence their parents and families.

19 CHAIRPERSON NURSE: Thank you. I have a
20 question a little bit later on about kind of the
21 impacts of the cuts to those programs, but I did want
22 to talk about single stream recycling, only because
23 it comes up in waves in discourse over the years.
24 Single stream recycling enables people to put metal,
25 plastic, paper, and cardboard in the same bag for

2 recycling so it doesn't require multiple bins, it
3 doesn't require additional steps, and in other
4 municipalities it arguably has led to higher
5 diversion rates or they argue that. In 2015, DSNY
6 began to explore single stream recycling for
7 residential waste and we were just curious if a study
8 was ever conducted and what were the outcomes of
9 that, if so, and then what is the current position on
10 single stream recycling from DSNY?

11 COMMISSIONER TISCH: Beginning in 2015,
12 DSNY worked with Sims Municipal Recycling, one of our
13 major recycling partners, to conduct a study of both
14 the financial and the operational implications of
15 converting to single stream recycling, and, as you
16 know, the outcome of that analysis was we are one of
17 the few large cities that held firm on dual stream
18 recycling and did not convert to single stream
19 recycling. Clearly, there are some benefits to single
20 stream recycling. Among them, fewer bins to manage in
21 buildings, consolidation of material in trucks, and
22 technically, or on paper, higher diversion rates.
23 However, on the processing side, we found that there
24 would be very high capital costs to retrofit existing
25 recycling infrastructure for single stream recycling

2 totally hundreds of millions of dollars in new
3 capital investment. This would also have entailed
4 substantial changes to our recycling contracts to
5 account for the higher cost of processing all
6 recyclables through a state-of-the-art materials
7 recovery facility. Now, I am not afraid of changing
8 contracts, renegotiating contracts like large,
9 systemic, important change for the future, but I do
10 want to note that there are some profound downsides
11 to single stream recycling that many cities that have
12 switched over to single stream have encountered, and
13 I think the largest among them is the quality of the
14 end product that comes out of single stream recycling
15 largely due to contamination. When you do single
16 stream recycling, because there is so much more
17 contamination, the products that come out of it have
18 a lower value than they would if you dual streamed.
19 In New York City, it is a pernicious myth that things
20 you put that can be recycled and that go in the
21 proper recycling bin are sent to landfill. That does
22 not happen in New York City. In cities that have
23 single stream recycling, because the value of some of
24 the end products historically has been so low, it is

2 much more likely that recycled material coming out of
3 single stream would end up in landfill.

4 CHAIRPERSON NURSE: Okay, thank you for
5 that. Okay, I'm going to turn to infrastructure and
6 capacity so what is the recycling capacity for the
7 New York City region, who are the major players,
8 facilities, and, related, what site systems equipment
9 or infrastructure is needed for New York City to
10 increase its rates and capacity.

11 COMMISSIONER TISCH: We have two major
12 partners in New York City. One is for paper and one
13 is for metal, glass, plastic, but also they play a
14 role in paper. The first is Pratt Industries. They do
15 paper. They process New York City paper with their
16 Staten Island papermill plus they have access to
17 additional regional paper facilities as needed. The
18 second partner is SMR, formerly known as Sims around
19 here, and they process our metal, glass, and plastic,
20 and they do that at their two materials recovery
21 facilities. One is in Sunset Park Brooklyn, it is
22 fabulous, I toured it myself right when I started as
23 Commissioner, and the other is in Jersey City. I
24 mentioned before that SMR also plays a role in our
25

2 paper recycling. They receive some of New York City's
3 paper, and they help transport it to Pratt.

4 You asked about capacity so let me start
5 with Pratt. The max capacity at Pratt's facility on
6 Staten Island is 450,000 tons per year. DSNY's
7 material takes up about 55 percent of that max
8 capacity at present. That can fluctuate a bit, but we
9 estimate that the Pratt Staten Island facility could
10 take an additional 150,000 tons per year from DSNY
11 with their current capacities.

12 Moving to SMR on the metal, glass,
13 plastic, their max capacity in both their Brooklyn
14 and New Jersey facilities is 382,000 tons per year.
15 DSNY material currently takes up about 78 percent of
16 that capacity at present. Obviously, that fluctuates
17 as well. We estimate that SMR could take an
18 additional 82,000 tons per year from DSNY with
19 current capacities. That's about 25 percent headroom.
20 I just also want to note that SMR continues to add,
21 and I'm so glad you went to see it, some state-of-
22 the-art equipment to improve the quality of the bales
23 of recyclables that they sell. Most of these are
24 robots that help pick out contaminants to produce
25 cleaner bales for sale.

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2 CHAIRPERSON NURSE: Thank you. I want to
3 recognize Council Member Marjorie Velazquez. Good to
4 see you.

5 My understanding also from that trip is
6 that if we were able to have better sorting, lower
7 contamination rates, that kind of correlates to the
8 direct capacity increase.

9 COMMISSIONER TISCH: Yeah, we're always
10 looking to lower our contamination rate. It just
11 results in a better net product for sale.

12 CHAIRPERSON NURSE: Right, and so for the
13 ideal non-contamination rate and about a 25 percent
14 increase, it's not necessarily that there's more
15 capacity, it's just that it would be better utilized.

16 COMMISSIONER TISCH: Yes.

17 CHAIRPERSON NURSE: Right. Okay. My
18 understanding is that recycling is dependent on post
19 collected and sorted and baled commodity markets,
20 other companies purchasing this material for further
21 processing, so does DSNY interact with these markets
22 at all and, if so, what impact does it have?

23 COMMISSIONER TISCH: We do indirectly.
24 It's really through our vendors so the material
25 that's collected on our recycling trucks is sorted

2 into commodities that are sold on the secondary
3 market. The recycled material competes with virgin
4 material to be purchased and used to manufacture new
5 goods. Virgin material is more homogenous and often
6 can be cheaper than recycled content and, depending
7 on the material, the demand for the recycled content
8 can fluctuate greatly over time. In our contracts, we
9 track recycled commodity prices in industry
10 publications and take into account a three-year
11 rolling average which smooths the highs and the lows
12 and that obviously accounts for big fluctuations in
13 the market so when the value of recyclables are high
14 DSNY shares in revenue of the composite market value
15 of the commodities listed in these trade
16 publications. Obviously, DSNY and our partners, SMR
17 and Pratt, track these markets very closely and we
18 try to be opportunistic so our partners will adjust
19 the commodities that they are generating to get the
20 most value depending on what's going on in those
21 markets.

22 CHAIRPERSON NURSE: Great. When the price
23 of the commodity is too low, where do the recyclables
24 end up?
25

2 COMMISSIONER TISCH: They do not end up in
3 the landfill. Let's just be very clear about that,
4 but it will depend. Our partners will sell the
5 commodities on the market so we like to say that
6 piece of paper you recycle in Staten Island a few
7 weeks later could end up being a pizza box in
8 Brooklyn, like it's that real. I also want to say
9 it's like very special in New York City that that
10 happens here, that we have the capacity locally in
11 New York City to do that.

12 CHAIRPERSON NURSE: Thank you. I want to
13 recognize Council Member Amanda Farias.

14 I have a question on chemical recycling
15 and then I'm going to open it up for some other folks
16 to go. Chemical recycling, also called advanced
17 recycling, includes different technologies to break
18 down the polymers in plastic so they can be made into
19 new materials. Some of these technologies turn
20 plastic waste into fuels and energy which oftentimes
21 happens through incineration. This can release toxic
22 chemicals into the environment and harm environmental
23 justice communities because these plants tend to be
24 located in low-income neighborhoods and communities

2 of color. Does DSNY have a position on using these
3 chemical recycling techniques.

4 COMMISSIONER TISCH: I also want to be
5 clear that we have no plans to leverage chemical
6 recycling at present, and also there are no
7 commercially viable chemical recycling technologies
8 available, and I want to commit to you here that
9 before we would engage or consider engaging we would
10 want to make sure that the environmental justice
11 concerns are being addressed, but this is not
12 something I see in the short and medium term.

13 CHAIRPERSON NURSE: Just to confirm, New
14 York City doesn't currently send any of its material
15 to a chemical recycling plant?

16 COMMISSIONER TISCH: We do not.

17 CHAIRPERSON NURSE: Okay, great. I'm going
18 to open it up a little bit. Did we have any questions
19 from Members. Okay, Council Member Bottcher.

20 COUNCIL MEMBER BOTTCHEER: Hi,
21 Commissioner. How are you?

22 COMMISSIONER TISCH: I'm good. How are
23 you?

24 COUNCIL MEMBER BOTTCHEER: I'm good. Thank
25 you. in your testimony, you outlined three steps that

2 the City is taking to increase recycling rates,
3 training of building staff and porters, public
4 education, a social media campaign, and efforts in
5 the schools targeted to young people, and the
6 commercial waste zones reforms which will prevent
7 private carters from refusing to collect recyclables.
8 Are these steps alone really enough to get New
9 Yorkers recycling? What else is being planned because
10 New Yorkers just aren't recycling like they should
11 be. We see it every day. If you could wave your magic
12 wand, what policies would we be taking to really get
13 a handle on this?

14 COMMISSIONER TISCH: I think the biggest
15 opportunity that we have in New York City to increase
16 our diversion rates is around organics. We know that
17 organics makes up 1/3 of the waste stream, and today
18 we divert virtually none of it, I mean a very small
19 percentage, less than 1 percent. As you know, we're
20 rolling out the largest curbside composting program
21 in the country. We're starting in the borough of
22 Queens. We're going to roll trucks every week to
23 every address in Queens on recycling day, and this is
24 importantly the cheapest organics program ever rolled
25 out in New York City and the easiest to use. I

2 mention that because those are the two drivers that
3 will inform the success and I think the scalability
4 of the program, and so our hope is that the rollout
5 goes well in Queens, that we get some meaningful
6 tonnage out of Queens and that Queens leads the way
7 and that we are in a position to be able to roll out
8 beyond Queens and eventually provide true citywide
9 curbside organic service. I think that will be the
10 number one contributor in our time here to
11 meaningfully increasing diversion rates, but I also
12 want to add the commercial waste zones can also be
13 transformative in affecting and moving in the right
14 direction the overall diversion rate. When we speak
15 of our diversion rate, we're really talking about
16 residential diversion rate, but on the commercial
17 side, like today, commercial carters aren't required
18 to take recycling. The business is required to
19 recycle, but how does that work if their carter isn't
20 required to accept recycling. Under the Commercial
21 Waste Zones Law and what that program is rolled out,
22 every carter will be required to take refuse,
23 recycling, and organics, and I think those are
24 frankly the two biggest and the two newest
25 opportunities. Obviously, training and public

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2 education and focusing on our schools, those are
3 things we have done, we can do, we need to continue
4 to do, but, if you're talking about really moving the
5 needle on our diversion rate, I'd look to both
6 organics and commercial waste zones as the big
7 drivers.

8 COUNCIL MEMBER BOTTCHEER: Thanks. Could
9 you give an update to my constituents who had
10 curbside organic service and had it taken away, the
11 residents of Manhattan Plaza, Penn South, West
12 Village Houses, when are they going to get it back?

13 COMMISSIONER TISCH: Curbside organics,
14 the new program starts on October 3...

15 COUNCIL MEMBER BOTTCHEER: Queens.

16 COMMISSIONER TISCH: In Queens...

17 COUNCIL MEMBER BOTTCHEER: Right, but what
18 about...

19 COMMISSIONER TISCH: And I think I'd be
20 getting ahead of myself by giving a timeline for when
21 it's going to go to Manhattan and Brooklyn, but I
22 think it shows not just good faith but real energy
23 and momentum and commitment to curbside organics that
24 we are doing the single largest rollout of curbside
25 organics ever in New York City so my hope and my

2 expectation is that the program is successful in
3 Queens and that it be rolled out to additional
4 boroughs, but I can't, unfortunately, give you a
5 timeline. What I can say is we are, it's wrong to say
6 doubling, we're like quadrupling down on our smart
7 composting bin strategy which has been wildly
8 successful in Astoria. What those are are like big
9 orange bins that we place on street corners, and
10 they're for compost material. We're about to roll out
11 an app that New Yorkers can use to get access to the
12 bins, and we're going from like less than 40 bins
13 today to 250 bins by the end of the fall across all
14 five boroughs.

15 COUNCIL MEMBER BOTTCHE: Do you think
16 that at the beginning of next year you'll be able to
17 give some kind of evaluation to the new Queens'
18 program to get this rolled out elsewhere?

19 COMMISSIONER TISCH: The Queens' program
20 starts October 3rd. It runs through the middle of
21 December and then we take a pause for the winter when
22 there's not a lot of leaf and yard waste out and we
23 resume in March. I believe sometime this Fiscal Year
24 you can have a thoughtful evaluation from us of how
25 the Queens' program is going. I am going to be open

2 and transparent with you about how that program is
3 doing and perhaps even work with some of your
4 Colleagues in Queens to make sure that our messaging
5 is out there, that people understand what they have
6 to do. Just to give you a sense of what's going on in
7 Queens, we're going door to door, to every household
8 in Queens before October 3rd to give personally
9 information to New Yorkers about how to use that
10 program and how simple and straightforward it is or
11 it will be to use so we're really putting everything
12 into making sure that Queens goes right and learning
13 from the mistakes of previous curbside organics
14 rollouts.

15 COUNCIL MEMBER BOTTCHEER: Thank you. Thank
16 you, Chair.

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

19 Before I turn it over to Council Member
20 Osse, just while we're on this topic, can you
21 describe a little bit more about the outreach
22 efforts, only because I've had Members say no one's
23 reached out to our office, Queens' Members, no one's
24 reached out to us to, I don't know, that's why we're
25 all here asking, so curious about those outreach

2 efforts? What kind of mobilization are you using to
3 hit every door? That's a big, tall order as most of
4 us up here know about door-knocking, and then just
5 curious about what was the rationale of doing such a
6 short program where you do this massive mobilization
7 to get people in it and then to pause given the
8 history of the stop/start program and that being
9 identified as a big reason for why people were not
10 continuing to participate?

11 COMMISSIONER TISCH: Okay, I'll start with
12 the outreach efforts because they truly are massive.
13 First, we did a mailer which hit a week and a half
14 ago to every household in Queens that very simply
15 describes the program and the service that is being
16 offered. We spent a lot of time designing that mailer
17 because mailers aren't useful when they're not
18 consumable, when you can't just get the information
19 quickly and move on, so the mailer was the first
20 thing. The second big thing is what I was describing
21 which is this door-to-door canvassing outreach
22 campaign where we are on track to get to every
23 household in Queens by October 3rd. We have over
24 about 100 people going door to door in Queens. That's
25 made up of Sanitation employees. We pulled members of

2 the Sanitation Department from virtually every bureau
3 in the Department, many members of Bridget's staff
4 and Greg's staff and our Public Affairs team, and
5 they're going door to door. I, myself, went on one of
6 these canvasses and went door to door in Rego Park
7 just to see with my own eyes how it's working, how we
8 can refine the messaging, what the reception is, and
9 the outreach is incredibly data-driven so every day
10 we have clearly defined routes that these canvassers
11 have to go on. We get number of doors knocked, number
12 of people who actually answer the door because
13 sometimes people aren't there and you just leave a
14 flyer and then we track the number of bin orders that
15 we call conversions even though you don't have to use
16 our brown bin in this program, we look at that as a
17 really important piece of data that can tell us how
18 our canvassing is going, and I'm really proud to say
19 that to date we have more brown bin orders in Queens
20 as part of this program than we had in the entire
21 opt-in program and so I think that that is a sign
22 that the outreach and the education campaign are
23 working.

24 You also asked about the pause and why
25 we're pausing for the winter. What we've learned from

2 other cities that have successfully rolled out
3 curbside organics programs is that at the beginning,
4 in the start-up phase, the leaf and the yard waste
5 drive the tonnage, and the thought here is the leaf
6 and yard waste in the fall when we're starting should
7 be superb and so we hope to get great tonnage just
8 from having people put out their leaf and yard waste,
9 something they already naturally separate. No fuss,
10 no muss with leaf and yard waste. It's easy to do.
11 It's not in your kitchen. It's separable. It's
12 already separated. Then to pause in the winter when
13 there is virtually no leaf and yard waste so that we
14 avoid the problem of empty trucks in startup. That
15 doesn't mean that every year we will stop for the
16 winter, but I think that it would set the program off
17 on the wrong foot if we ran not-full trucks in the
18 three winter months, which is why we're going to
19 resume again in March after the winter pause. That's
20 the rationale.

21 CHAIRPERSON NURSE: Thank you for that.

22 I'm going to turn it over to Council Member Osse.
23 We'll come back to this program in a little bit.

24 COUNCIL MEMBER OSSE: Thank you. Honestly,
25 Council Member Bottcher and Chair Nurse really did

2 ask a bulk of the questions that I wanted to ask you
3 in terms of the reasoning for starting with Queens
4 with this program. I know we've had conversations
5 outside of the hearing about the reasoning for that,
6 and that's to put good numbers on the board so that
7 there could be a potential expansion to the rest of
8 the other boroughs. I know that you did say that you
9 may not have a timeline now, but when are you
10 thinking you'll be able to provide that data and the
11 success rate of this program in Queens so that we can
12 expect to see this in Brooklyn, Manhattan, the rest
13 of the boroughs where a lot of our constituents are
14 asking to see this type of program?

15 COMMISSIONER TISCH: Yeah, I can commit to
16 providing you very clear data on certainly the first
17 three months of the program before the pause this
18 Fiscal Year without any doubt. I want to be open and
19 transparent about it because the Council Members can
20 be and have served as our real partners in getting
21 the word out.

22 COUNCIL MEMBER OSSE: Another question I
23 want to ask with outreach and obviously we've heard
24 about some social media that is being done as well as
25 some other things. Back to some of the data,

2 according to DSNY, 68 percent of residential waste,
3 86 percent of school waste, and 55 percent of NYCHA
4 waste could be considered as organics or recycling
5 yet they are sent to the landfills. A question that I
6 had in regards to outreach most especially in NYCHA,
7 I do represent a district with a decent amount of
8 NYCHA developments, what has DSNY done to promote
9 more outreach and education to ensure people are not
10 throwing out their trash into landfills, most
11 especially in NYCHA developments, and the reason I do
12 ask that is because for social media, for example, if
13 that's a means of doing outreach, some of our NYCHA
14 developments and NYCHA residents do not have wi-fi,
15 some don't have technology or smart phones where
16 they're able to access social media, and that's where
17 sometimes we do see a large amount of waste that is
18 going to landfills just based off of how it's
19 disposed so what is the outreach, most especially
20 looking like within NYCHA developments in Brooklyn?

21 COMMISSIONER TISCH: Deputy Commissioner
22 Bridget Anderson actually has overseen those outreach
23 efforts so I want to let her answer this question to
24 give you a full picture of what's done and how it's
25 done in NYCHA.

2 COUNCIL MEMBER OSSE: Thank you.

3 DEPUTY COMMISSIONER BRIDGET ANDERSON:

4 Thank you, Commissioner. Thank you, Council Member
5 Osse. We've worked with NYCHA for several years to
6 roll out recycling. In 2015 and 2016, we rolled out
7 the public space recycling stations in every single
8 NYCHA development throughout the city. In addition to
9 that, we had a mailer that went to every NYCHA
10 resident that was translated. We ran a campaign
11 around how to crowdsource interested groups, like
12 organizations within each development to understand
13 who might be motivated to help train the trainer or
14 help tech their peers, a peer-to-peer network seems
15 to also be helpful, but, as the Commissioner
16 mentioned, part of the challenge is creating the
17 right convenience for recycling so part of it is the
18 flyers, we co-brand our recycling decals for NYCHA
19 with NYCHA, we work very closely with NYCHA on that,
20 but we are looking at how do we actually improve upon
21 those recycling stations. That was an important first
22 step, but we know it's not sufficient so that access
23 to bins is still very critical when it comes to NYCHA
24 as well as the communication.

2 COUNCIL MEMBER OSSE: Just something to
3 add, and I appreciate that, I know, Commissioner,
4 that you came into this role maybe towards the summer
5 so a lot of the resident association meetings were
6 kind of ending. As we start up again here in
7 September, I definitely implore you all to do some
8 outreach at some of these resident associations,
9 would welcome you to some of the resident
10 association, tenant association meetings within our
11 District so that they could hear from the mouth of
12 DSNY about some of the outreach that you are doing
13 yourselves.

14 COMMISSIONER TISCH: I'd be happy to do
15 that. Thank you. That would very valuable to me.

16 COUNCIL MEMBER OSSE: Amazing. Thank you.

17 CHAIRPERSON NURSE: Thank you, Council
18 Member Osse. I want to turn it to Council Member
19 Menin.

20 COUNCIL MEMBER MENIN: Great. Thank you so
21 much, Chair. Commissioner, good to see you. One
22 question I have is have you looked at other cities in
23 terms of recycling and diversion rates because if you
24 look at obviously L.A. is at 76 percent, San
25 Francisco is at 80 percent versus the abysmal 17

2 percent that we have, I think it would be great if we
3 could get copies of the advertising and marketing and
4 promotion and outreach that those cities are doing
5 because obviously what they're doing is working, and
6 it makes me think about actually the census because
7 when I running the census in 2020 I went back to look
8 at the 2010 outreach census materials because New
9 York had a very poor abysmal rate in 2010 and it was
10 actually about the messaging because the messaging in
11 the 2010 census was fill out the census, it's your
12 civic duty, so I'm wondering if the messaging we're
13 doing around recycling is about it's the right thing
14 to do, which maybe is not motivational for a lot of
15 people, so I think we need to rethink the actual
16 words on it, we need to rethink language access, we
17 need to rethink how we're promoting this because
18 clearly it's not working so I think we need to learn
19 from best practices from other cities.

20 COMMISSIONER TISCH: I'm going to start
21 with the messaging, and then I'm going to ask the
22 other Deputy Commissioner Anderson to talk to you
23 about the comparisons with other cities. I agree with
24 you 100 percent on messaging, and this is something
25 that we've just lived and experienced through the

2 organics rollout that's about to happen in Queens. I
3 looked at the messaging for previous curbside
4 organics programs, and it was just TMI, too
5 difficult, too complicated. This isn't the only thing
6 people are doing in their lives. We needed to make it
7 much simpler, much more consumable, and much easier
8 for New Yorkers and so we actually spent a huge
9 amount of energy coming up with very simple,
10 straightforward messaging around composting. We, even
11 in certain cases, stayed away from the word
12 composting because it makes people feel like they
13 have to create soil and whatever. It's like no, no,
14 you separate out your leaf and yard waste already,
15 just leave it out on a different day. I don't care
16 what bin you put it in; just give me your leaf and
17 yard waste. I agree with you on the messaging around
18 recycling, that that needs the same type of attention
19 and care that we put into the organics messaging and
20 that clearly you put into the very successful census
21 campaign that you led.

22 On other cities, clearly there is a lot
23 to learn from other cities. Other cities do this do
24 differently from us in some respects as I mentioned
25 when I was answering previous questions, in some

2 respects they do it better, in some respects it's
3 been problematic for them, but one point I really
4 want to make clear is that the comparison rates you
5 see between New York City and other cities on
6 recycling rates are very much not apples to apples,
7 and I would like for Deputy Commissioner Greg
8 Anderson just to describe that.

9 DEPUTY COMMISSIONER GREG ANDERSON: Thank
10 you, Commissioner. Thank you for the question,
11 Council Member. I think there are a few key
12 differences between New York City and other cities,
13 not to say that we can't learn and I think there are
14 some cities, particularly on the west coast, that
15 have been doing fantastic work in this space, have
16 been real leaders. The city of Portland, Oregon, for
17 example, I think probably has one of the best
18 recycling systems in the country. They have separate
19 collection for glass, for example, which actually
20 really improves the integrity of the glass stream and
21 the marketability of that product. The key difference
22 is, one, data integrity. New York City stands alone
23 as far as cities that actually publish legitimate
24 data on how much we collect and where it goes. You
25 look at Los Angeles, for example, they put out a

2 report maybe five years ago, and, since then, there's
3 been almost nothing on their diversion rate. The same
4 with San Francisco. There's a lot of issues with
5 measurement and who's measuring what against what
6 baseline. The state of California is doing work to
7 try to improve that, and nationally there are some
8 national organizations who are trying to create a
9 sort of apples-to-apples comparison that we can use,
10 but right now it doesn't exist. Second, I would say
11 is that there are differences in the way these cities
12 operate. In Los Angeles, for example, the city
13 diversion rate only includes what the city collects
14 from single family and two- to four-family homes. It
15 doesn't include multifamily buildings which have a
16 lot of these challenges around how the building is
17 set up, where the convenience of the recycling is..

18 COUNCIL MEMBER MENIN: Okay. I guess it
19 sort of begs the question. In terms of what we're
20 doing here in New York, are you focus group testing
21 your messaging and are you doing that in multiple
22 different languages so you can actually get real-
23 world feedback?

24 COMMISSIONER TISCH: We have been focused
25 on our curbside organics messaging, but I both take

2 and agree with your point that we have to apply the
3 same rigor and thoughtfulness to our messaging around
4 recycling and I look forward to working with you and
5 working with my team to do just that.

6 COUNCIL MEMBER MENIN: Great. Thank you.
7 Thank you so much.

8 COMMISSIONER TISCH: I also want to just
9 add that the recycling rate in New York City is
10 artificially low because we do not include or account
11 for any of the recycling that happens as a result of
12 the existing Bottle Bill so today when New Yorkers
13 collect those bottles and they bring them to the
14 redemption centers, that material is not counted a
15 part of the city's diversion rate, largely because
16 those centers are not required to report tonnage.
17 They're only required to report dollar value, and so
18 I know that the Bottle Bill is being reconsidered and
19 thought through in the State, and one thing that I
20 would urge and encourage as part of any amendment or
21 change to the Bottle Bill is requiring reporting
22 around tonnage, much like we do through our tonnage
23 reporting, on what's collected. I think that it will
24 provide a meaningful bump to the overall rate.

2 CHAIRPERSON NURSE: Thank you,
3 Commissioner. It was actually one of the questions we
4 had was the support of our resolution for the State
5 Bottle Bill and if you had thoughts on that.

6 I'm going to pass it Council Member
7 Farias.

8 COUNCIL MEMBER FARIAS: Thank you so much,
9 Chair. I would love to also know if you support that
10 Reso because I even think that data piece will give
11 us better insight of where there's direct need or at
12 least communities that are (1) utilizing that, (2)
13 are in need of additional outside income because
14 that's one of the reasons why people are doing that
15 mostly in communities of color so any insight on that
16 would be super helpful.

17 I just have two quick things. Around the
18 NYCHA conversation that Council Member Osse brought
19 up, has DSNY considered looking at the NYCHAs that
20 have green groups or green spaces with plotters and
21 different things to mobilize to start that education
22 piece? I immediately think about Castle Hill Houses,
23 a NYCHA development within my Council District, that
24 has Grow NYC that I am proud to support on their
25 campus and actively is promoting composting and

2 working within the grounds because they have a group
3 that's showing people from seed to vegetable and so
4 on and so forth and so have there been any efforts
5 made around there with NYCHA developments and local
6 CBOs?

7 COMMISSIONER TISCH: I'll start with the
8 Bottle Bill part of the question, and then I'll pass
9 it over to Deputy Commissioner Bridget Anderson to go
10 over the NYCHA piece of it.

11 I think there's two big main points to
12 make on the proposed Bottle Bill. The first I already
13 went through which is that I'd love there to be
14 reporting required on tonnage because I think that
15 that would inform our diversion rate, and I think
16 that that better data would be incredibly helpful to
17 all of us, just as we think and strategize and long-
18 term plan. The second piece that I haven't mentioned
19 yet on the Bottle Bill is that if that change goes
20 through as currently written, we, the City, would
21 need to find an alternate funding stream for some of
22 our curbside recycling. As I explained earlier in our
23 conversations, the material that we collect through
24 curbside recycling gets sent to our partner
25 facilities and then is ultimately resold on the

2 commodities markets. If you take out some of the more
3 valuable material, aluminum for example, and that
4 goes into the Bottle Bill and you take a lot of that
5 out of our curbside program, then the total overall
6 resale value for New York City Department of
7 Sanitation curbside-collected recyclables goes down
8 and that partially funds our recycling contracts so
9 we would just have to think through those budget
10 implications.

11 COUNCIL MEMBER FARIAS: That's with the
12 assumption that people are actually not going to
13 throw aluminum into the garbage, which,
14 unfortunately, I will say that people will still
15 throw Canada Dry into the regular garbage can.

16 COMMISSIONER TISCH: Aluminum goes
17 everywhere. I agree with you 100 percent. I just
18 wanted to raise those two items for consideration.

19 COUNCIL MEMBER FARIAS: So that's
20 explicitly written in the current state of the bill
21 right now?

22 COMMISSIONER TISCH: The bill as written.

23 COUNCIL MEMBER FARIAS: Okay, so something
24 to consider. Great, thank you.

2 DEPUTY COMMISSIONER BRIDGET ANDERSON:

3 We've been talking about the Queens organics rollout,
4 and we've been working very closely to ensure that
5 every single NYCHA development in Queens is
6 participating in separating organic material so that
7 is going to include on the campuses, there's a lot of
8 leaf and yard waste, which is very exciting that
9 we're going to get that onto the organics trucks, and
10 we also leveraging the smart bin program, the
11 expansion of the smart bin program, to have smart
12 composting bins adjacent to some of the NYCHA
13 campuses such that individuals can place material in
14 the bins. We are also working on what can be done on
15 the campuses so not only are we looking to redesign
16 the recycling stations but also we have to add that
17 extra stream. We want to make this normal and
18 normalized within NYCHA developments as well as
19 within Queens so that's been our area of focus right
20 now but we have a long history with our New York City
21 Compost Project working with the greening groups, the
22 NYCHA farms, to make sure that compost application
23 is, you put your food scraps in the bin, you create
24 the compost, and you apply the compost. That's
25 something that we feel is a really important and

2 impactful message. This is recycling happening where
3 you can watch it happen, and that's something you
4 can't see with a plastic bottle.

5 COUNCIL MEMBER FARIAS: Sure. Thank you. I
6 just have a really quick one. I recently went
7 shopping this weekend, and I forgot my tote. I
8 realized a store charged me 50 cents for a bag, and I
9 looked back at the law and the law says at minimum 10
10 cents, not maximum, and so I'm wondering does DSNY
11 have any data on complaints of different locations or
12 businesses charging over a 10-cent fee, and the bill
13 is written at minimum, not maximum?

14 COMMISSIONER TISCH: DSNY does not enforce
15 that because it's a State bill so that's State DEC.

16 COUNCIL MEMBER FARIAS: Okay, great. Thank
17 you so much. I'll check in on that.

18 CHAIRPERSON NURSE: Thank you, Council
19 Member. Just to back up real quick to the Bottle
20 Bill, what is the annual revenue stream that you
21 would predict would be lost, and, if you don't have
22 it, that's okay but that would be a followup.

23 COMMISSIONER TISCH: We can follow up with
24 you on that. I apologize.

2 CHAIRPERSON NURSE: Okay. What about a
3 percentage-wise of your revenue stream, about an
4 estimate?

5 COMMISSIONER TISCH: We'll put together an
6 estimate for you.

7 CHAIRPERSON NURSE: Great. That would be
8 great. Okay, I'm going to talk about plastic waste
9 streams. According to DSNY monthly Waste Tonnage
10 Reports, 48.2 million pounds of metal, glass, and
11 plastic was collected just in the month of July 2022,
12 much of it is going to Sims in Brooklyn. When we were
13 preparing for this hearing, one of the things we were
14 just curious about was why are these numbers reported
15 in aggregate as opposed to being broken out? Because
16 we can't break them out, do you have any more recent
17 annual data on the specific amount per stream or is
18 this something that only gets revealed or estimated
19 based on the Waste Characterization Study?

20 COMMISSIONER TISCH: To answer the first
21 part of the question, it's really because of order of
22 operations. We collect the metal, glass, and plastic
23 comingled. We have two streams, not five. Then when
24 the truck shows up at the processing facility, it
25 gets weighed on the truck comingled, and that's where

2 our weights come from. That's why we don't have a
3 precise tonnage for plastic or for metal or for
4 glass.

5 To answer the second part of your
6 question, you're exactly right. The next Waste
7 Characterization Study which is already underway,
8 we're doing our first digging through the bags next
9 month and we're doing three seasons of it, that will
10 really inform the most updated numbers on plastics.

11 CHAIRPERSON NURSE: Okay, great. The 2017
12 Waste Characterization Study stated that the
13 proportions of plastics in the MGP is 33.6 percent
14 and noted a wide variety of types of plastics. The
15 reports listed 163 types of different plastics. Items
16 ranging from plastic bottles to rigid plastic
17 containers. How have the types of plastics, which
18 we've been calling species based on an Assembly
19 Member, how is the growth in the species of plastics
20 over time challenged collection, sorting, processing,
21 and the ability to recycle through our municipal and
22 regional centers?

23 COMMISSIONER TISCH: All right. Just to
24 give you the historical landscape on this, if you
25 compare the 2005 Waste Characterization Study and

2 then the 2017 Study, the weights associated with
3 plastics in the waste stream went up from 14 percent
4 to 15 percent so it went up by one percentage point
5 between those two Waste Characterization Studies, but
6 what we can tell you is that there are more products
7 and packaging certainly made from film and flexible
8 plastic. These are not recyclable in our curbside
9 program. They are also very light in weight and so
10 the proliferation in bags, sleeves, and wrappers is
11 not reflected in the overall weight. In addition,
12 we're seeing more bulky durable items like, for
13 example, appliances or toys or housewares made of
14 plastic as opposed to metal. These items are also not
15 easy to recycle in our curbside program. The vast
16 majority of rigid plastic bottles, containers, and
17 single-use items are made from resin types that are
18 considered valuable on the commodity market, but many
19 are now made with additives, fillers, dyes, or
20 adhesives that make it harder to reclaim the valuable
21 resin for new manufacturing. That's generally the
22 state of plastics in our recycling stream.

23 CHAIRPERSON NURSE: Right. Okay. Just a
24 little bit more on getting the work underway for the
25 solid waste management plan and the Characterization

2 Study. You've hired a staff person or you've hired a
3 firm to start this. Can you give us an understanding
4 of what their work plan is for the next year, like
5 some of the big benchmarks?

6 COMMISSIONER TISCH: Sure. Actually,
7 Bridget is overseeing that so she can provide you a
8 lot of detail on it.

9 DEPUTY COMMISSIONER BRIDGET ANDERSON:
10 Sure. Thank you for that question. Our new study
11 which will be available early 2024 will have three
12 seasons where we're collecting the data, and that's
13 to understand any seasonal fluctuations and
14 variations. In the past, yard waste has been the big
15 one that obviously is much higher in the fall. We are
16 sampling residential, NYCHA, school, and, for the
17 first time in over 20 years, we're actually sampling
18 from litter baskets as well. We have almost 350
19 sorting categories that we're sorting the samples
20 into.

21 COMMISSIONER TISCH: And that's up from
22 the last Waste Characterization Study.

23 DEPUTY COMMISSIONER BRIDGET ANDERSON:
24 Partly driven by just what we think would be
25 important related to new e-commerce items and things

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2 like that. That's the basic landscape of the study.
3 We're excited we're getting it started and we look
4 forward to having these new insights. We do think
5 that e-commerce will be one of the big changes that
6 we see in the waste stream.

7 CHAIRPERSON NURSE: Can you just repeat
8 how many categories or how many buckets are you?

9 DEPUTY COMMISSIONER BRIDGET ANDERSON: 349
10 assort categories is what we currently have planned,
11 and we start the sampling and the sorting next month,
12 in October.

13 COMMISSIONER TISCH: This is the deluxe
14 version of Waste Characterization Studies.

15 CHAIRPERSON NURSE: I was going to say
16 that's a big jump. Are there any highlights or
17 specific categories that you want to, I mean that
18 makes my mind race to be like what are these new
19 buckets?

20 DEPUTY COMMISSIONER BRIDGET ANDERSON: We
21 look at different material categories, so metal
22 categories, plastics, organics, refuse, durable
23 goods. We look at construction/demolition debris,
24 furniture. Then within those categories, we look at
25 in detail plastics, all the different types of

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2 plastics like we did last time, we look in detail at
3 the product types so to inform the Bottle Bill, how
4 many types of bottles of different types of material
5 are there to help us understand how much would be
6 taken out of our waste stream should the Bottle Bill
7 expand, things like that.

8 CHAIRPERSON NURSE: Great. Will the
9 Council be given a formal opportunity to review the
10 draft plan before it's submitted to the State?

11 COMMISSIONER TISCH: The Waste
12 Characterization Study?

13 CHAIRPERSON NURSE: No, the actual plan.

14 COMMISSIONER TISCH: Oh, the Solid Waste
15 Management Plan. The Waste Characterization Study is
16 going to inform the Solid Waste Management Plan.
17 Greg, do you know what the outreach process is?

18 DEPUTY COMMISSIONER GREG ANDERSON: Yeah,
19 so on the Solid Waste Management Plan, where we are
20 currently at is doing the current conditions
21 assessment portion and the Solid Waste Management
22 planning process has gotten much more formalized as a
23 result of the State's regulatory efforts over the
24 last several years so that current conditions
25 assessment has to come first. That's what we're

2 working on now. There's an extensive amount of public
3 engagement with both the general public, elected
4 officials, other stakeholders, and that will all
5 happen over the course of the next three years before
6 we get to even a draft plan that gets submitted to
7 the City Council, has to be approved under Local Law
8 by the City Council, and then submitted to DEC.

9 CHAIRPERSON NURSE: Great. I want to
10 recognize Council Member Salamanca. Ping me if you
11 have any questions.

12 Just one more thing related to the Waste
13 Characterization Study, will it track at all the
14 companies or manufacturers of the products?

15 COMMISSIONER TISCH: No.

16 CHAIRPERSON NURSE: Just the type? Okay.
17 Plastic bags, the topic I hate the most. In October
18 2020, New York State's plastic bag ban took effect
19 after years of waste advocates fighting to change our
20 city's dependence on this unnecessary and destructive
21 plastic. Since the implementation of the plastic bag
22 ban, DSNY has seen a noticeable difference in the
23 amount of plastic bag waste in street litter, waste
24 transfer station, and/or recycling facilities, and
25 the question is has DSNY seen a change?

2 COMMISSIONER TISCH: As I mentioned before
3 to your Colleague, New York State DEC is responsible
4 to enforce the single-use plastic bag ban and so we
5 won't really have a good answer or good data to get
6 at that question until we complete the Waste
7 Characterization Study. We'll probably have
8 preliminary data after, like we don't have to do all
9 three seasons to get a preliminary answer to the
10 question, but we'll really need to rely on a Waste
11 Characterization Study to answer that.

12 CHAIRPERSON NURSE: Okay. I guess I can
13 also ask Sims what they're seeing. I guess I'm just
14 curious if we're seeing a decrease at all. Who
15 actually is enforcing the bag ban and is enforcement
16 driven by 311 complaints, are there spot checks?

17 COMMISSIONER TISCH: The way it works is
18 the State Department of Environmental Conservation
19 began enforcing the law and the regulations on
20 October 19, 2020. Although we don't have enforcement
21 jurisdiction, a New Yorker can call 311 to put in a
22 complaint, and those complaints are sent to New York
23 State DEC so while we don't enforce, we do accept
24 complaints and then pass them on to the entity that
25 is doing the enforcement.

2 CHAIRPERSON NURSE: Okay, great. I know
3 Council Member Bottcher had a followup question. I'm
4 sorry, I forgot. Go ahead.

5 COUNCIL MEMBER BOTTCHER: Just had a
6 question about corner basket recycling. What's your
7 position on the corner baskets that have recycling
8 for paper and plastic? Over the years, I've been told
9 that they've been pulled up because people aren't
10 sorting the items properly, but isn't the answer
11 rather than pulling them up to focus on the factors
12 that are really causing people not to sort? Have we
13 just given up on doing corner recycling?

14 COMMISSIONER TISCH: The corner recycling
15 baskets work in some types of locations but not in
16 most types of locations. So where do they work? In
17 front of museums, in front of certain types of
18 educational facilities, but on the average normal
19 street corner when you go through them, they
20 virtually mimic litter baskets, their contents, and
21 so people use them interchangeably, and so our
22 strategy now is to use them where they work and take
23 them away from where they don't work because, when
24 they don't work, they're just like a complete drain

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2 on resources and the material ends up so contaminated
3 that it can't be recycled.

4 COUNCIL MEMBER BOTTCHEER: It's kind of
5 disappointing though, isn't it, that people won't
6 sort their recycling on a street corner?

7 COMMISSIONER TISCH: It's disappointing
8 but it's realistic.

9 COUNCIL MEMBER BOTTCHEER: Do you have a
10 goal of one day having a city where you could put
11 recycling on every corner and people would actually
12 do it? Is that a goal?

13 COMMISSIONER TISCH: As the Sanitation
14 Commissioner, that is absolutely the dream. I don't
15 want to promise New Yorkers something that I can't
16 see today a path to being realistic. That doesn't
17 mean we won't keep pushing and driving, but as far as
18 the City's recycling efforts, I don't think that they
19 are well-placed in increasing the number today of
20 corner recycling baskets.

21 COUNCIL MEMBER BOTTCHEER: That'd be a
22 great goal during your tenure to expand these
23 locations, and that would be a reflection of the
24 positive efforts that you're making if we're able to
25 do that.

2 COMMISSIONER TISCH: I agree with that.

3 COUNCIL MEMBER BOTTCHEER: Thank you.

4 CHAIRPERSON NURSE: Thank you, Council
5 Member Bottcher. I think we all want that dream city.
6 I don't know if we'll get there though.

7 Okay, so I want to talk just a little bit
8 about paper and cardboard. Over the past few years,
9 especially during sheltering in place and just an
10 increase in delivery-based services such as Amazon,
11 New York City has seen a major increase in packaging
12 plastics and cardboard waste, and this increased
13 waste, as you mentioned earlier, is just a new factor
14 and a new element, particularly as a barrier on the
15 pathway to zero waste so with the rise in e-commerce
16 and online consumerism, there's more cardboard, and
17 how is DSNY adapting to the change in materials that
18 are being generated?

19 COMMISSIONER TISCH: Let's first go over
20 the numbers. Cardboard between the 2005 Waste
21 Characterization Study and the 2017 Waste
22 Characterization Study went from 3.1 percent to 5.7
23 percent of the waste stream. If you compare that to
24 newspapers, for example, those went from 7.5 percent
25 down to 1.9 percent. There are a number of

2 implications of the increase in cardboard, and, by
3 the way, we totally expect that in this forthcoming
4 Waste Characterization Study to see even more
5 cardboard beyond the 5.7 percent from 2017, so the
6 big overall challenge with the increase in cardboard
7 is volume, lots of problems associated with the
8 volume of cardboard. First, obviously, storing it in
9 buildings. We talked about the building footprints
10 for waste and recyclables already aren't generally or
11 often are not sufficient to meet recycling needs so
12 volume in terms of storage in buildings is a big
13 concern. It also takes up a lot of space on the curb.
14 People are used to walking by piles of trash but then
15 even larger piles sometimes of cardboard set out
16 right next to it. Then, in terms of our operations,
17 because the cardboard is bulkier, as it grows and as
18 the percentage it makes up of the waste stream grows,
19 the number of barge trips we need to take to
20 transport it all to our processing facilities goes
21 up. Those are some of the implications of the
22 increase in cardboard that we see in our waste
23 stream. But, to be clear, the cardboard like all the
24 paper goes to Pratt. It goes to the Pratts Mill on

2 Staten Island. It's delivered there by barge, by
3 truck, whatever it is.

4 CHAIRPERSON NURSE: Okay, great. I have a
5 question actually from Council Member Jim Gennaro who
6 had to hop off who is our Chair of the Department of
7 Environmental Protection but was very, very adamant
8 that I ask. The question is, I guess he's referring
9 to Queens, will there be an additional truck added to
10 handle organic waste or will the organics be
11 collected by existing trucks already on the street?
12 His concern is that additional trucks leads to more
13 emissions. Organics collection is great, but
14 minimizing additional trucks is also good and that's
15 usually not always considered. His concern is
16 Department of Sanitation needs to minimize this with
17 the two-bin trucks so he's curious if you'll be
18 adding additional trucks.

19 COMMISSIONER TISCH: That's what we're
20 doing. I said earlier that it was the cheapest
21 curbside organics program rolled out. We have
22 achieved that, among other things, through fleet
23 efficiencies and leveraging more dual bin trucks to
24 support the program so we're on the same page.

2 CHAIRPERSON NURSE: I'm sorry. For the
3 dual bin that's being used for the organics, it's
4 recyclables and organics or it's leaf and organics,
5 what's the dual part specifically.

6 COMMISSIONER TISCH: No, the dual meaning
7 organics goes all together, whether it's food waste
8 or yard waste.

9 CHAIRPERSON NURSE: Okay, and then on the
10 other side?

11 COMMISSIONER TISCH: The other side is the
12 refuse.

13 CHAIRPERSON NURSE: Landfill trash?

14 COMMISSIONER TISCH: Yes.

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

17 COMMISSIONER TISCH: Not in every part of
18 Queens, in some parts of Queens that doesn't work,
19 but in parts of Queens where the refuse numbers allow
20 for it, we are leveraging dual bin trucks. We're also
21 creating additional routing efficiencies as well.

22 CHAIRPERSON NURSE: For this couple month
23 project, the pilot for Queens...

24

25

2 COMMISSIONER TISCH: There will be more
3 dual bin trucks out, but not every organics
4 collection route will be a dual bin truck.

5 CHAIRPERSON NURSE: Right.

6 COMMISSIONER TISCH: Because some routes
7 can't accommodate it because the amount of refuse is
8 so large.

9 CHAIRPERSON NURSE: Would you be able to
10 follow up with us on how many additional trucks...

11 COMMISSIONER TISCH: Oh, yeah, we have all
12 the numbers.

13 CHAIRPERSON NURSE: Wonderful. We didn't
14 have much to ask about metals so we just had basic
15 questions. What are some recent shifts and challenges
16 in the metal waste stream?

17 COMMISSIONER TISCH: Greg or Bridget, do
18 you want to take that one?

19 DEPUTY COMMISSIONER BRIDGET ANDERSON:
20 Sure. Aluminum is the highest value item we have in
21 our recycling stream, but, anecdotally, we see that
22 many aluminum products are a shade lighter weight
23 than they used to be and metal recycling is heavily
24 impacted by scavenging so when the value of metal is
25 high, scavenging is higher. When the value of metal

2 is low, we get more material on our trucks so those
3 are two highlights around metal.

4 CHAIRPERSON NURSE: Thank you. I only have
5 two more categories and then we can open it up so,
6 ideally, you'll be off the hook pretty soon, right
7 within time. One of the questions we had was on
8 litter and recyclables. New York City implements a
9 variety of programs to intercept trash and debris
10 before it becomes waterborne so when it rains, trash
11 and debris on the street can end up in the city's
12 catch basins. From there, the trash and debris can
13 make its way into the sewer system and sometimes all
14 the way to our waterways so when recyclable materials
15 are recovered outside of just the standard
16 residential collection or the standard waste stream
17 by city agencies, whether it's from clogged catch
18 basins, floating booms, beaches, are these discarded
19 as trash or routed to proper recycling streams?

20 COMMISSIONER TISCH: I hesitate to speak
21 definitively for the Department of Environmental
22 Protection, but I'm pretty sure that those materials
23 are discarded as trash, and, just keep in mind,
24 materials that have traveled through the sewer system
25 and that are collected from the harbor or beaches are

2 likely to be contaminated with other materials making
3 them not good candidates for recycling or
4 incompatible with our recycling which is why they are
5 discarded as trash.

6 CHAIRPERSON NURSE: Do you all collaborate
7 with DEP with around this?

8 DEPUTY COMMISSIONER GREG ANDERSON: Around
9 that litter specifically or reducing litter on our
10 streets?

11 CHAIRPERSON NURSE: No, when it's
12 recovered from DEP. Is there any collaboration at all
13 from what DEP is collecting on beaches and things
14 like that to see what can be recycled and what isn't
15 or is it just mostly going straight into the landfill
16 stream?

17 DEPUTY COMMISSIONER GREG ANDERSON: I
18 think it's a very small share of the overall waste
19 stream, but I think it's an opportunity and we're
20 certainly happy to reach out to them and have those
21 conversations.

22 CHAIRPERSON NURSE: Okay. I had one
23 question that I forgot to ask around some of the
24 barriers that you presented earlier. You specifically
25 talked about design and space in these buildings. I

2 know there is legislation for new buildings around
3 having solid waste management plans in their design,
4 but, for older buildings that are going to continue
5 to be chronically challenged, is DSNY working with
6 Department of Buildings to address some of those
7 concerns? Have there been any initial conversations
8 or collaborations around that?

9 COMMISSIONER TISCH: Greg can correct me
10 if I'm wrong, but I think the answer is no, and I
11 think that the reason why is you can't really make
12 space and so much is like squeezed into some of these
13 buildings that really the best opportunity is when
14 there's a new building being constructed or a
15 significant meaningful change to the building which
16 is when this kicks in.

17 CHAIRPERSON NURSE: Okay. My last set of
18 questions is around e-waste and specifically e-bike
19 batteries. It has come up quite a bit. There's a lot
20 of effort by Council Members to create legislation
21 around this and try to come up with some solutions,
22 particularly in relation to fires and hazardous
23 incidents have happened so I know that you gave us
24 information on the amount of money that the
25 Department of Sanitation is spending on battery

2 disposal. I have 108,000 for FY 2022 and 256,000 for
3 FY 2023. I guess to kind of dig in more, how does
4 DSNY currently handle rechargeable batteries?

5 COMMISSIONER TISCH: Let me just describe
6 generally our battery collection efforts. Batteries
7 are generally brought to us through either our safe
8 disposal events or our special waste drop-off sites
9 so New Yorkers is they have rechargeable batteries or
10 frankly any type of battery can bring those batteries
11 to us at either those events or those sites. We also
12 have information on our website about a program
13 called Called to Recycled that offers mail-back and
14 has a map of the drop-off options for rechargeable
15 batteries. That program, Called to Recycle, is paid
16 for by the State's Rechargeable Battery Law. That's
17 generally how we handle and manage batteries. I don't
18 want to neglect to mention we're doing a small pilot
19 on Staten Island where we're piloting curbside pickup
20 by appointment of batteries, but generally the point
21 is the e-mobility batteries, they represent a growing
22 share of the waste stream. The numbers are expected
23 to triple by 2025. They are incredibly dangerous if
24 they're handled improperly. Sadly, they have, as you
25 know, been involved in a growing number of fires

2 including fires that have caused serious injury and
3 death. We have a response capability, meaning when an
4 incident occurs at a residence as opposed to a
5 commercial facility, DSNY works with the FDNY in the
6 response to those incidents. That's generally our
7 role, most collection and then response with FDNY to
8 a residential incident.

9 CHAIRPERSON NURSE: Does DSNY track at all
10 any data on e-bike batteries?

11 COMMISSIONER TISCH: We don't have the
12 definitive data on it. I mean I can read off some
13 statistics about our response to incidents but we, at
14 DSNY, don't have any type of definitive data about
15 the number of rechargeable batteries out there. One
16 thing that I've learned recently is even in the
17 batteries that we collect, for example, at our Safe
18 Disposal and other types of events or special waste
19 drop-off sites, we don't track the number precisely
20 of rechargeable batteries that we get. We just track
21 the overall number of batteries so I think that
22 that's an opportunity to improve. In terms of like
23 the incidents we respond to at residences, it's going
24 up every quarter.

2 CHAIRPERSON NURSE: Okay, great. I imagine
3 then, similarly, I asked that overall because we did
4 have a question of if DSNY was tracking who's selling
5 these batteries or have any inventory of what's being
6 sold here and purchased and used here in New York
7 City, but...

8 COMMISSIONER TISCH: We don't.

9 CHAIRPERSON NURSE: Okay. I actually
10 forgot I had a section on commercial waste, but this
11 morning there was a hearing for the Committee of
12 Mental Health, and one of the bills being discussed
13 has to deal with syringe needles and a collection
14 program around it, and there were some questions
15 about who's actually responsible for handling syringe
16 needs right now so I have a question about, it was
17 alluded that Sanitation has a small department in
18 there but I wasn't sure so I was wondering if you
19 could expand on that a little bit and then I think I
20 saw a syringe at the Sims in the educational thing
21 but I couldn't remember if I saw it as recyclable or
22 not recyclable so I was curious about that as well.

23 COMMISSIONER TISCH: We definitely play a
24 role in the collection of syringes. We do have teams
25 that are specially trained that do that work. Sadly,

2 I get alerts almost daily, certainly weekly, about
3 Sanitation workers doing their job, doing their
4 collection, being pricked by a syringe that's
5 improperly disposed of in the trash. That is
6 unacceptable and it creates a real hazard and danger
7 to our workforce. Greg, is there anything you want to
8 add to that?

9 DEPUTY COMMISSIONER GREG ANDERSON: I'll
10 just add that there are safe ways to dispose of
11 syringes so there are takeback programs at pharmacies
12 and things like that. You can throw them away if you
13 have a laundry detergent bottle or something like
14 that, you can put them, tightly seal the lid, and
15 just write on there "syringes." That's a safe way to
16 get rid of these products and that way you're not
17 throwing them loosely into a litter basket or a trash
18 bag or something like that where they could hurt
19 someone.

20 CHAIRPERSON NURSE: Are they recyclable?

21 DEPUTY COMMISSIONER GREG ANDERSON: They
22 are not recyclable.

23 CHAIRPERSON NURSE: Great. Okay. I have
24 just a few questions on commercial waste recycling

2 and then I'm really turning it over for testimony. I
3 forgot I had this whole section.

4 New York City's commercial recycling rate
5 from private businesses has been much lower than in
6 leading cities like San Francisco or Seattle, maybe,
7 I know you alluded to some of the metrics around that
8 being questionable. In some of the city's private
9 sector transfer stations and recycling facilities,
10 there is a troubling decline in the amount of
11 material recycled in recent years as reported to the
12 New York State Department of Environmental
13 Conservation. A continued low commercial recycling
14 rate will undermine one of the major goals of the new
15 Commercial Waste Zones system being implemented next
16 year so how will DSNY track recycling and waste
17 reduction within the new system and are there plans
18 to rapidly increase the amounts of waste recycled and
19 composted from private businesses?

20 COMMISSIONER TISCH: I think the answer to
21 that is that with Commercial Waste Zones, we will
22 finally be able to track recycling and waste
23 reduction in the commercial world. As we discussed
24 before, currently businesses in New York City are
25 required to recycle, but the carters are not required

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2 to provide recycling service to their customers, and,
3 additionally, the problem with the current state of
4 affairs is that the data on recycling collection in
5 the commercial world is very poor. The commercial
6 waste zones will address both of those things by
7 requiring detailed reporting and requiring carters to
8 provide both recycling and organic services at a
9 lower cost than refuse.

10 CHAIRPERSON NURSE: Great. Will DSNY
11 publish that information on the disposable recycling
12 and composting rates for private haulers under the
13 new system?

14 COMMISSIONER TISCH: Yes. We're going to
15 publish regular reports on diversion rates by
16 geography and by carter as part of the reporting
17 requirements under the Commercial Waste Zones.

18 CHAIRPERSON NURSE: Okay. I know there's
19 capacity at Sims, but is any of that going to be made
20 available for the commercial sector?

21 COMMISSIONER TISCH: Under the City's
22 contract with Sims, they are able, they may accept
23 commercial recyclables in either their Brooklyn or
24 their Jersey City facilities so they can if they have
25 the capacity to do it.

2 CHAIRPERSON NURSE: Okay. For enforcement,
3 I know enforcement was pretty much not happening
4 under the pandemic, but how do you anticipate
5 capacity for enforcement as this takes effect, for
6 the new composting recycling rules for business and
7 private haulers, do you have adequate budget and
8 staff for both enforcement? I know we've talked about
9 this a little bit before in our budgetary hearings,
10 but it'd be a great refresher. Also around customer
11 education, education for the small businesses, around
12 what they are supposed to be doing?

13 COMMISSIONER TISCH: Let's start with
14 education because generally education comes before
15 enforcement, or at least in the way that this is
16 being rolled out. Education is happening first. We
17 have a dedicated staff for outreach specifically for
18 the Commercial Waste Zone rollout and so that team
19 has been assembled in advance of the Commercial Waste
20 Zone implementation, and we're going to ramp up our
21 outreach efforts as we get closer to the first
22 customer transition period, which will happen next
23 year. Over the summer, these outreach staff have been
24 working on commercial recycling and organics outreach
25 just because they're hired, they're available, and

2 they've been spending their summer reminding
3 businesses of the requirements and offering
4 information about how to comply so we do have a
5 dedicated outreach team.

6 On enforcement, enforcement for
7 Commercial Waste Zones will be conducted by the same
8 group of Sanitation police and enforcement agents
9 that enforce other cleaning and recycling laws. We
10 are working with our Colleagues at OMB to ensure that
11 we have adequate resources to match the enforcement
12 challenge that the Commercial Waste Zone will
13 represent.

14 CHAIRPERSON NURSE: Okay, for the outreach
15 team specifically, how many people is that for
16 commercial recycling?

17 COMMISSIONER TISCH: It's nine.

18 CHAIRPERSON NURSE: Nine, and these folks
19 speak a variety of languages?

20 DEPUTY COMMISSIONER GREG ANDERSON: Yeah.

21 CHAIRPERSON NURSE: Do you know how many
22 languages do they speak?

23 DEPUTY COMMISSIONER GREG ANDERSON: I
24 don't have that with me today.

2 CHAIRPERSON NURSE: Okay. I'd love to
3 follow up on that. For enforcement, how many people
4 do you have now and how many people would you like to
5 grow into?

6 COMMISSIONER TISCH: I don't have those
7 numbers in front of me, but we can definitely follow
8 up with on the numbers we have for Sanitation police
9 and enforcement agents.

10 CHAIRPERSON NURSE: Okay. I think that's
11 all my questions. It's like seven pages of questions.
12 I think we're going to turn it over to public
13 testimony now. Thank you so much, Commissioner.

14 COMMISSIONER TISCH: Thank you.

15 CHAIRPERSON NURSE: For folks who want to
16 testify, I'm going to announce a handful of folks in
17 a row. Thank you, DSNY, thank you for all your
18 answers. Thank you for sharing. We're looking forward
19 to the followup with you all.

20 The first panelist is going to be Tom
21 Outerbridge. Thank you, Tom. We're going to give you
22 about five minutes and then I do have some questions
23 specific to your operation. Thank you.

24 TOM OUTERBRIDGE: Thank you. Good
25 afternoon, Chair Nurse and Members of the Sanitation

2 Committee. My name is Tom Outerbridge. I'm the
3 President of Sims Municipal Recycling or SMR. As the
4 Commissioner mentioned, we receive and process 100
5 percent of the metal, glass, and plastic collected by
6 the Department of Sanitation across the city and
7 about half of the paper. I think to shorten the time
8 of my remarks, I'll leave out some background points
9 which I think were raised to a large extent in terms
10 of the current capture rate in the city of metal,
11 glass, plastic and what we know is still going into
12 the trash, at least based on the last composition
13 study. The good news is a little more than 50 percent
14 of what is designated as metal, glass, and plastic
15 recyclable is actually making its way into the bin,
16 and that's due to a lot of effort on a lot of
17 people's part. The bad news is a little less than 50
18 percent is still going in the trash. I think a lot of
19 us got into this recycling activity because of the
20 environmental benefit, but I think given some pending
21 fiscal challenges that the city is facing it's worth
22 noting the financial impacts of this. Somewhere in
23 the order of half a million tons a year of metal,
24 glass, plastic, and paper are going into the trash at
25 significantly higher cost than were it to be directed

2 into the recycling program and leave it to Sanitation
3 to put a dollar amount to that, but it's a meaningful
4 number in terms of the budget to the city. The other
5 thing, I think there were some good questions about
6 what is it going to take for New York City residents
7 to do this, and I'm not an expert in this but I think
8 we probably have all seen examples through social
9 media and other methods people being persuaded to do
10 a lot more difficult, less convenient, and sometimes
11 less productive things than recycling properly so I
12 wouldn't give up on getting New Yorkers to do the
13 right thing. Acknowledging, I think as the
14 Commissioner mentioned, specific challenges in New
15 York City with high density housing, small apartments
16 and NYCHA with also very limited infrastructure. The
17 other thing from our standpoint on the participation
18 front is getting people to not put things in the bin
19 that don't belong there. This also has fiscal
20 implications. When we see more and more paper in the
21 MGP bin, particularly since the pandemic because I
22 think of all the cardboard people have been receiving
23 at home through e-commerce, and when somebody puts
24 paper in the MGP bin, it costs the city more money
25 than when they put it in the proper paper bin. It

2 also doesn't help us. It's very difficult for us to
3 process and recover that paper. Textiles, perhaps not
4 so much on the financial side for the city but
5 environmentally, there's many, many options to
6 recycle textiles across the city from citywide drop-
7 offs to local Goodwills. If it comes to us which it
8 does quite frequently, it will end up in the
9 landfill. The last contaminant that I would bring up
10 which is not such a great issue in terms of volume
11 but probably our biggest hazard is lithium ion and
12 other rechargeable batteries. So if my first point is
13 public participation, my second point is really what
14 can be done about lithium ion batteries. You've
15 probably seen news, I heard another news story
16 yesterday I think of a child that may have died in
17 Queens over the weekend due to a scooter battery.
18 I've attached to my testimony some additional facts
19 and figures that we put together, but there are
20 literally hundreds of fires a year occurring at our
21 facilities and the backs of Department of Sanitation
22 collection trucks at other recycling and waste
23 management facilities and in apartment buildings
24 across the city. I raise this to the Sanitation
25 Committee, but I think you have other sister

2 Committees across the City Council where this would
3 be a relevant topic, whether that be Fire and
4 Emergency Management, Consumer and Worker Protection,
5 Environmental Protection and Public Safety. We deal
6 with it as recyclers and people in the waste
7 management business, but I think that it's valuable
8 to look at this outside of the recycling context and
9 really look at it as a public safety issue.

10 Unfortunately, there are going to be more injuries
11 and destruction of property before we get this issue
12 under control. Lithium ion battery use is projected
13 to increase I think 300 percent by 2025 and bike
14 battery fires in New York City are on track to double
15 in 2022, but we aren't helpless in this situation.

16 Washington, D.C. in 2021 passed a fairly aggressive
17 Rechargeable Battery Law. California just passed two
18 laws. We're working with different groups from across
19 the state, public and private, to draft the elements
20 of a strong bill that could be enacted either at the
21 state level or the city level. I personally think the
22 city can act quite a lot faster than the state, and
23 this is an issue that requires fast action. We do
24 need state cooperation based on the 2010 State Law
25 that specifically preempts local jurisdictions from

2 passing laws on rechargeable batteries so we hope
3 that you will work with your counterparts in the
4 Assembly in Albany to eliminate that preemption
5 language and proceed with a law here in New York
6 City.

7 The last issue I would just bring up is
8 extended producer responsibility for packaging. This
9 is state-level legislation, but last year the Council
10 issued a Resolution in support of a bill that was
11 being proposed in Albany, it didn't pass, but coming
12 from the City of New York that means a lot, obviously
13 the largest city in the state, and we expect this
14 issue to come up again this year and we hope that you
15 will be supportive and involved in that. For those
16 who aren't familiar with packaging EPR, basically it
17 has two critical variables that I would bring up
18 here. One is it incentivizes producers of packaging
19 to reduce, eliminate, or, where they can't do that,
20 make sure that the packaging they put on the
21 marketplace is recyclable. Secondly, it will
22 reimburse New York City for much or all of its
23 recycling program cost which I think last year the
24 Department of Sanitation estimated to be in excess of
25 100 million dollars a year. By the way, Maine and

2 Oregon passed EPR laws a couple years ago. California
3 and Colorado did it last year. This is not brand new
4 territory so I think it's time certainly for New York
5 to catch up here. Anyway, I think there's a number of
6 issues between this participation and so forth and
7 the battery issue have significant financial
8 implications for the city, not to mention the health
9 and welfare issues associated with batteries. I'll
10 stop there.

11 CHAIRPERSON NURSE: Thank you, Tom. I did
12 have just a couple questions that it seemed like
13 Sanitation didn't have answers to, maybe because
14 they're just not on the ground at where you are. I
15 had a question about the plastic bags, and, since the
16 ban took effect, if you had seen any increase or
17 decrease, have you seen any changes in it? I know
18 that the enforcement of it hasn't been over the last
19 couple of years. Now, it's coming back into play. Not
20 really clear if they have the capacity for real
21 enforcement or who's actually doing it so just kind
22 of seeing from your point of view on the ground what
23 you're seeing.

24 TOM OUTERBRIDGE: I would not say at this
25 point I can point out a measurable difference in what

2 we're seeing. That's not to say it's not happening,
3 but not at a level that we would be measuring it or
4 capturing it in reduced tonnage of plastic bags.

5 CHAIRPERSON NURSE: Right, and could you
6 describe how plastic bags present challenges for your
7 facility or not?

8 TOM OUTERBRIDGE: Yeah. Look, we
9 acknowledge that plastic bags are part of the way New
10 Yorkers are allowed to put recyclables out on the
11 street, just given the nature of the city and the
12 density, and we built our plants to open up those
13 large bags. The problem that we have is bag inside of
14 bags inside of bags where some people don't read the
15 public education literature and they think plastic is
16 plastic and we get plastic curtains and tarpaulins
17 and bags jammed pack full of other bags so (a) they
18 don't have a market so they end just going to
19 landfill which is a cost, but (b) they get entangled
20 in other things we actually want to recycle or we
21 have markets for, coat hangers, classic example, they
22 get tangled in shafts and straining equipment so we
23 spend a lot of time and effort extracting plastic
24 bags from the stuff we want just to then turn around
25 and send it to a landfill.

2 CHAIRPERSON NURSE: I did have a question
3 about bioplastics. Have you been seeing bioplastics,
4 as kind of like green "biodegradable" bags coming in
5 to your facility or compostable cutlery, things like
6 that?

7 TOM OUTERBRIDGE: The way we sort plastics
8 is with optical sorters rather than manually, and
9 optical sorters use near-infrared light to detect
10 plastic by resin type so, fortunately, we're not
11 relying on a human being to determine whether a plate
12 or a bowl is polypropylene or bioplastic. The optical
13 sorter does that so, if it is a bioplastic, it will
14 end up in our residue. Some bioplastics are designed
15 to mimic petroleum-based plastics, and those would
16 end up in our plastic, but we have not had complaints
17 from our customers for our sorted plastics, and the
18 plastic cutlery would not be recovered in either
19 case.

20 CHAIRPERSON NURSE: I had a question about
21 the capacity at Sims. It seems like you all have
22 capacity. Do you all currently have any commercial
23 waste or private carters that tip at your facility,
24 and, if not, would you be open to it or have you
25 explored it in the past?

2 TOM OUTERBRIDGE: We have explored it.
3 We've received test loads from different haulers who
4 I think some of them are also leading up to the waste
5 zone bids to sort of see what quality of material
6 they would collect. Right now, on a regular basis
7 only very sporadically is there a private hauler who
8 has a load of material they want to come to us so
9 today, on a regular basis, no, very little to
10 minimal. We do have some excess capacity. Obviously,
11 Department of Sanitation gets priority for that
12 capacity and so we have to reserve some of that for
13 surges that occur, typical seasonal surges in the
14 city's residential collections, but we have told
15 private haulers who are bidding the commercial zones
16 should they win, should their material be of a
17 quality that we can accept and process and market and
18 should we have capacity, we would be open to taking
19 that material.

20 CHAIRPERSON NURSE: Okay. Thank you so
21 much. Those are the only questions I had. Thank you
22 for the tour. That was my second time there. I
23 learned so much more the second time around. I really
24 appreciate what you and your team, that you spent the
25 time really going over the operations with us and

2 answering all our questions so thank you so much for
3 being here today.

4 TOM OUTERBRIDGE: You're welcome. I hope
5 you use us as a resource as much as is useful.

6 CHAIRPERSON NURSE: Thank you. The next
7 panel we're going to all is Lacey Tauber on behalf of
8 Brooklyn Borough President Antonio Reynoso. We'll
9 have Eric Goldstein and Oliver Wright representing
10 all of the SWABs, and then in the next panel we'll
11 invite some of the workers here to give testimony.
12 Lacey, you're first.

13 LACEY TAUBER: Okay. Hi. My name is Lacey
14 Tauber. I'm here on behalf of Brooklyn Borough
15 President Antonio Reynoso. Thank you so much for
16 holding this hearing today on this important issue.

17 I'm going to skip over the part of the
18 testimony that has all the stats. I think we've gone
19 over that sufficiently today and just focus on some
20 of the solutions including Intro 494 which will help
21 us find the right policies that will really work for
22 our city. In addition to those, I wanted to just put
23 forward some more ideas for how to really address the
24 fact that we are falling short on our diversion rate
25 here in New York City.

2 The first is to pass Intro 559, also
3 known as the Skip the Stuff Bill which would create
4 an opt-in mechanism for single-use plastic utensils,
5 napkins, and condiments from restaurants, food
6 delivery apps, and online delivery platforms. So many
7 of these items are immediately thrown away,
8 especially when people can eat at home, and we hope
9 to see that Bill get a hearing in the Committee on
10 Consumer and Worker Protections soon. Enforcement of
11 the plastic bag ban, which was discussed a lot today.
12 The Borough President was a real champion of ridding
13 our city of plastic bags when he was Chair of the
14 Sanitation Committee, and we're dismayed to find that
15 limited education and enforcement efforts have kind
16 of hampered the implementation. Especially with
17 smaller businesses where cost is a concern, we'd
18 really like to see the city continue to do outreach
19 and education including giving away reusable bags.
20 Prioritizing recycling in the implementation of
21 Commercial Waste Zones. The Borough President was
22 concerned to learn that before the RFP responses were
23 finalized, DSNY implemented a change to the
24 requirements giving more flexibility to the pricing
25 differential between recycling and refuse, and we're

2 hopeful that this hasn't disincentivized respondents
3 from submitting robust waste diversion plans and
4 encourage DSNY to place a high priority on proposals
5 that will push our commercial recycling efforts
6 forward. Passing the Zero Waste bills, which we also
7 talked about a lot. Intros 274 and 275 on the zero
8 waste goals, 280 on community recycling centers, 244
9 universal curbside organics collection. The BP was
10 pleased to see the recent expansion into Queens, or
11 the planned expansion I should say, but we're going
12 to continue to push until we have the citywide
13 mandatory program year-round. Then on the State
14 level, as we talked about a little bit today,
15 policies for extended producer responsibility and a
16 better Bottle Bill. We were looking at country like
17 Germany that has 70 percent country-wide diversion
18 rate and why is it so good. One of the reasons is
19 they have really strong regulations for EPR in place
20 since 1991, and we'd like to see a better Bottle Bill
21 that expands the type of beverage containers covered
22 and increases the deposit amount.

23 These are just a few ideas that the
24 Borough President supports and we look forward to

2 working with you on and always happy to be here with
3 Eric and our Brooklyn SWAB.

4 CHAIRPERSON NURSE: Thank you, Lacey.
5 Thank you very much for always coming to our hearings
6 and representing the former Sanitation Chair. Now,
7 we'll hear from Eric Goldstein from National
8 Resources Defense Council.

9 ERIC GOLDSTEIN: Thank you, Chair Nurse,
10 and good afternoon to you and the distinguished Staff
11 present.

12 I'm Eric Goldstein from the Natural
13 Resources Defense Council. We're pleased to be here
14 today to testify at this important hearing and to
15 support Intro 494 which, as you know, would require
16 DSNY in consultation with other agencies to conduct a
17 comprehensive study to identify ways of reducing
18 fossil fuel-based, impossible to recycle, single-use
19 plastics.

20 In 1989, the Council passed landmark
21 legislation to jumpstart citywide recycling in the
22 nation's largest city. The law required the
23 Department of Sanitation to designate materials New
24 Yorkers had to separate, to collect those materials
25 at curbside, and to ensure that at the end of the

2 fifth year the department was collecting at least 25
3 percent of the city's residential and institutional
4 trash for recycling. The law also included provisions
5 mandating recycling of commercial waste collected by
6 private carters. The then City Council Speaker Peter
7 Vallone called the recycling bill "one of the most
8 significant pieces of legislation in the history of
9 the city" and then Mayor Koch's Sanitation
10 Commissioner Brendon Sexton who ultimately supported
11 passage of the law told the New York Times "we're
12 going to recycle like crazy." Things haven't quite
13 worked out that way. For years, budget cuts, rule
14 changes, suspension of recycling connections,
15 ineffective public education efforts, variations in
16 enforcement, and other factors have confused
17 residents and dampened participation. As a result of
18 these factors and often tepid City Hall support for
19 the program, recycling levels did not grow even to
20 the modestly envisioned statutory targets, and, even
21 today, almost more than three decades, the goals of
22 the '89 recycling statute have not been achieved. The
23 residential rate remains under 20 percent. According
24 to the latest Mayor's Management Report, the rate
25 actually fell in FY '22 from 18 to 17 percent, and,

2 of course as the Commissioner notes, that doesn't
3 include Bottle Bill material so the actual rate is a
4 little higher. That's not nothing, that number, and
5 we thank the Department of Sanitation men and women
6 for their good work and we can be proud of the
7 operations of Sims Recycling in Sunset Park and the
8 Pratt Industries paper recycling facility in Staten
9 Island, but we're nowhere near maximizing the
10 potential of these sensible strategies.

11 Some say who cares, what if we don't
12 maximize recycling. Well, again, very quickly, for
13 one thing, the city's failure to meet these modest
14 recycling goals means that 30 years after the passage
15 of Local Law 19 the overwhelming bulk of the city's
16 trash is exported to landfills, the third largest
17 source of climate destroying methane emissions in the
18 United States, and incinerators, a major localized
19 source of air pollution. Making matters worse, both
20 landfills and incinerators are often sited in black
21 and brown communities. Second, the economic impacts
22 of this export policy are detrimental to city
23 taxpayers. Tipping fees at these landfills and
24 incinerators have increased over time. The City is
25 now paying nearly half a billion dollars a years to

2 export waste. Finally, by exporting waste and not
3 building up recycling and composting operations in
4 the city, we're missing out on the opportunity to
5 provide good blue-collar jobs for New Yorkers.

6 Here are six steps, I'll just summarize
7 them and set them forth in our written testimony,
8 that the Council and the City can and should take to
9 improve on all that's been accomplished and to grow
10 the recycling program.

11 First, and most importantly, enact the
12 Universal Curbside Composting Legislation. Food
13 scraps and yard waste are the largest portion. The
14 bulk of this material is sent to incinerators and
15 landfills. Intro 244, as you well know, now has 41
16 co-sponsors.

17 As for commercial waste, the recently
18 passed Commercial Waste Zone Law provides a vehicle
19 for the Department to consider commitments to
20 composting when it awards the zone contracts. We are
21 concerned about the Queens curbside experiment,
22 although we're pleased the administration is moving
23 forward and it's well-intended, but we worry about
24 the level of public education. We are concerned about
25 the distribution of bins. We're concerned about the

2 planned winter suspension. We need the Council to
3 intervene and pass Intro 244.

4 Four other quick things to mention in
5 terms of waste prevention. Intro 559, the Skip the
6 Stuff Bill, waste prevention is at the top of the
7 State's hierarchy, and the Skip the Stuff Bill which
8 now has 27 co-sponsors ought to be next on the list.

9 Third, ensure full school system and
10 NYCHA compliance with Local Law 19. We are pleased to
11 hear that the administration is committed to
12 expanding school system recycling in every school by
13 2023. We hope that includes a commitment to not only
14 composting but to recycling as well and to making
15 every school a recycling champion. That's going to
16 require funding from the Council for Grow NYC's
17 operation. As for NYCHA, your last hearing focused on
18 these problems. While NYCHA management faces many
19 problems, they are the city's largest landlord, much
20 more is needed there.

21 Improved public recycling education
22 efforts also has been talked about. We agree with
23 Council Member Menin's suggestion on the messaging.
24 Apple, Google, Ford, Toyota, they're very well-known,
25 well-established brands, but every year they spend

2 tens of millions of dollars to build brand awareness
3 and educate the public in very sophisticated ways
4 about the benefits of their products. We need a more
5 comprehensive, consistent, effective DSNY public
6 education program to give New Yorkers the information
7 they need on recycling.

8 Stepped up enforcement. It's great when
9 you pass laws, but, if you don't enforce them, you
10 don't achieve the statutory and the Council
11 objective. According to the Mayor's recent Management
12 Report, the number of summons for recycling
13 violations has declined from 84,000 in FY '18 to just
14 over 32,000 in FY '22. Obviously, we understand the
15 pandemic had something to do with that, but we really
16 need to step up enforcement.

17 Finally, Intro 494, figuring out the next
18 steps for reducing the ever-growing amount of fossil
19 fuel-based throwaway plastics. Who could possibly
20 oppose that legislation? We don't think that the
21 Council or the Department should do anything to get
22 behind State legislation to support so-called
23 chemical or advanced recycling, which is neither
24 advanced nor recycling.

2 We appreciate your attention and look
3 forward to working with you.

4 CHAIRPERSON NURSE: Thank you, Eric. I
5 just want to acknowledge that there were a couple of
6 questions I had related to your testimony that we
7 weren't able to get so the questions we'll be
8 following up with were about how many bins are going
9 to multi-story buildings with the new pilot. I'm
10 looking at you all. I know we can't drag you back up.
11 If people aren't putting it out in the bin, if they
12 didn't collect a bin, what is it going in? Is it just
13 a clear bag? Will you still collect it? How many
14 days? I know that those were questions that we had
15 talked about earlier so we'll request that in the
16 followup. Thank you.

17 Now, we'll hear from Oliver Wright
18 representing the SWABs.

19 OLIVER WRIGHT: Thank you. Good afternoon,
20 Chair Nurse and Members of the Sanitation Committee.
21 My name's Oliver Wright, and I'm pleased to provide
22 this testimony on behalf of the Brooklyn, Manhattan,
23 Queens, and Bronx Solid Waste Advisory Boards. I also
24 wanted to thank Commissioner Tisch and Deputy
25 Commissioners Anderson and Anderson and acknowledge

2 that some of the topics in this testimony have been
3 discussed to some extent.

4 The City's recycling program should
5 always be considered holistically within a much
6 broader landscape of waste, environmental quality,
7 public health, and environmental justice issues. As
8 the Department of Sanitation gears up to prepare the
9 2026 Solid Waste Management Plan, now is an
10 appropriate time to consider the role of recycling
11 within the City's wider goals.

12 I'll skip over the stats as we've covered
13 them a lot, but there are multiple reasons for the
14 current underperformance of recycling that we
15 recommend be addressed as follows:

16 Firstly, New York City doesn't spend
17 enough on recycling outreach and education, currently
18 spending on 86 cents per person per year by our
19 estimates. Local composting programs would create
20 local green jobs, educate the public, reduce truck
21 miles, and improve green spaces so a combination of
22 drop-off sites, local processing facilities,
23 community gardens, and micro haulers would have a
24 visibly transformative effect. A properly resourced
25 organics program should also contain a food waste

2 reduction education and outreach program at the top
3 of the waste hierarchy. Stronger EPR legislation at
4 State level could substantially increase recycling
5 rates by rationalizing packaging. As touched upon by
6 Commissioner Tisch, materials covered in New York
7 City under the Bottle Bill should also be included in
8 our citywide recycling recovery statistics. As it
9 stands, we're under-reporting our recovery rates.
10 Curbside collection currently places recyclables and
11 organic collection at a disadvantage to landfill.
12 Many neighborhoods continue to receive three weekly
13 trash pickups compared to only one for recycling.
14 This makes recycling less convenient than trash. A
15 simple reallocation of resources would allow for
16 recycling to be placed on an equal footing with
17 garbage and set the tone for higher diversion rates.

18 In terms of NYCHA, NYCHA residents are
19 not adequately included in the city's recycling
20 efforts and so we're lacking the participation of
21 340,000 residents. Passing a universal mandatory
22 curbside organics collection would be essential to
23 recovering that additional 34 percent of the
24 residential waste stream represents organic material.

2 We recommend that this legislation make the program
3 mandatory wherever it's currently offered.

4 Touching upon the upcoming Queens
5 organics rollout, we must learn from previous
6 mistakes. Commissioner Tisch stated in the hearing of
7 June 15th that the next time we roll out a curbside
8 organics program, it should be the last. We must get
9 it right this time. The current surprise expansion of
10 curbside organics collection for the entire borough
11 of Queens, it must not start and stop. Participation
12 must be mandatory, and adequate number of bins must
13 be made available to residents in multifamily
14 buildings, and there must be investment in education
15 and outreach for this new and challenging behavior
16 change. The program risks being another expensive
17 failure by not only repeating but expanding upon
18 previous mistakes, posing a fatal blow to any hopes
19 of success for this program in the future.

20 Just got a couple more quick points. The
21 Zero Waste legislative package introduced in May
22 should be passed and adequately resourced so that it
23 can be integrated with the (INAUDIBLE), the States
24 Climate Action Plan, and the Climate Leadership and
25 Community Protection Act among others.

2 Finally, we're also supportive of Intro
3 494, which would mandate a study of potential
4 initiatives to reduce the prevalence of single-use
5 plastic items. We would recommend amending this to
6 more clearly stipulate an analysis of waste reduction
7 and reuse models so that we avoid a simple
8 exploration of replacement single-use products that
9 are marketed as recyclable or compostable or just
10 aren't made of plastic. These would do little or
11 nothing to reduce waste and associated carbon
12 emissions.

13 The SWABS look forward to seeing any
14 amendments to these bills and continuing to work with
15 the city's departments and elected officials to move
16 towards the goal of zero waste. We thank you all for
17 your time and consideration.

18 CHAIRPERSON NURSE: Thank you, Oliver.
19 Thank you very much. Thanks to all the SWABS for all
20 your dedication.

21 We're going to invite the next panel up.
22 Thank you for our current panelists. We have Justin
23 Wood from the New York Lawyers for Public Interest,
24 Miguel Martinez from Local 108. We'll do these two,
25 and then everyone else is on Zoom.

2 JUSTIN WOOD: Hi, Chair Nurse. Thank you
3 so much for the opportunity to testify today. I'm
4 Justin Wood. I'm the Director of Policy at New York
5 Lawyers for the Public Interest. We're a member of
6 the Transfer Don't Trash New York City coalition.

7 I also won't rehash all the statistics,
8 many of them troubling, that we've been hearing today
9 about declines in municipal recycling. I do think
10 it's worth mentioning the why of why we're here and
11 why this topic is so important. Right now as we
12 speak, Puerto Rico is under water, people without
13 power, 3.2 million I believe U.S. citizens, same
14 thing is happening in Pakistan where there's
15 horrendous disease now spreading as a direct result
16 of the climate crisis. We know now that solid waste
17 accounts for at least 12 percent of New York State's
18 emissions. It's critical that at the municipal level
19 as you're doing, and thank you for your leadership,
20 that we address the amount of waste that we're
21 burying in landfills and burning in incinerators. For
22 people who live near things like landfills,
23 incinerators, or truck-based transfer stations, the
24 recycling rate is not an abstraction or a goal that's
25 written into law. It's also an everyday reality. For

2 example, just eight miles from where we're sitting at
3 City Hall, the Covanta Essex incinerator is burning
4 2,600 tons daily of garbage. A lot of it is coming
5 from Manhattan and Newark, a city where 75 percent of
6 the residents are black or Latino and 26 percent of
7 the residents live in poverty so everything we can do
8 to reduce the amount that we're disposing in New York
9 City is critical to increase environmental justice
10 and tackle the climate crisis.

11 We strongly support all of the
12 legislation that's been mentioned including the bill
13 being heard today and thank you for your leadership.
14 We call on the Speaker to advance these bills. It's
15 obvious that's there's a consensus developing on the
16 City Council. There is strong majority support for
17 all of this Zero Waste legislation so we applaud you
18 for leading on that and for the Council for being
19 onboard with that and it's time for the Speaker and
20 the Mayor to sign these bills into law.

21 We would also highlight the need for
22 consistency in data collection and in public
23 education, and, in addition to all the new laws that
24 we want to see passed, we also join many of the other
25 members of the public in calling for a robust

2 implementation of the Commercial Waste Zones policy,
3 Local Law 199. We've seen the same troubling decline
4 from a very low, as far as we can tell from existing
5 data, commercial recycling rate to an even lower one.
6 Some of the biggest facilities in the city have
7 declined from a very low 17 percent or so pre-
8 pandemic to reporting only 12 percent to the State
9 DEC last year, and that's just not going to get us
10 where we need. One good example is the way other
11 cities have built strong incentives into the
12 commercial waste contracts that the cities have with
13 haulers. Los Angeles has begun to make progress. They
14 actually have a target of reducing the amount of
15 disposed waste in each of the waste zones by 65
16 percent from 2019 to 2025, and just recently, I think
17 just yesterday, there was an article that you were
18 quoted in, Chair, saying that the biggest hauler in
19 L.A., according to some data, has actually achieved
20 their target for the first time so this is great. We
21 need those same strong incentives for both generators
22 of commercial waste and the contracted haulers to
23 achieve those disposal targets here in New York City
24 so we look forward to continuing to work with you and

2 the Council to pass good legislation and to implement
3 the laws we have already in motion. Thank you.

4 CHAIRPERSON NURSE: Thank you so much,
5 Justin. Always appreciate your testimony. We're going
6 to hear from Miguel Martinez of Local 108.

7 MIGUEL MARTINEZ: Good afternoon. My name
8 is Miguel Martinez. I am a union shop steward and
9 machine operator at a waste recycling transfer
10 station in the Bronx and a Throggs Neck resident. I
11 would like to start thanking the Council Member Sandy
12 Nurse and this Committee for continuing to push our
13 city to recycle and work towards a sustainable and
14 equitable city.

15 As we move forward, I would like for our
16 workers to be engaged and included in the
17 conversations. Not only do we offer a great deal of
18 knowledge, but we will signal that this Council truly
19 cares about the workforce. This industry is not easy
20 for workers. It is incredibly dangerous and at times
21 life-threatening. The process of recycling our
22 garbage is fast-paced, hands on from beginning to end
23 involving the use of heavy equipment like the
24 machines that I operate. Absent of proper training,
25 responsible management, and the provision of

2 appropriate personal protective equipment, we will
3 get exposed to dangerous toxins that are present in
4 the waste stream among other hazards. We work with
5 these industrial machines that break down
6 recyclables, where workers remove by hand any garbage
7 that doesn't belong in recyclables. If you don't have
8 the proper training and the right personal protective
9 equipment, this industry can cost you your life. I
10 say all of this to paint the picture of what our jobs
11 entail and how dangerous it is for workers. As we ask
12 the city to recycle more, we must also push for wages
13 to increase. We must ensure workers who are tasked
14 with cleaning our trash have access to quality
15 healthcare because our health is always on the line.
16 Anyone doing contracts with the City must be held to
17 strong labor standards and subsidies attached to
18 proposals must also carry strong labor standards that
19 includes wages and benefits. I get to go home every
20 day because I am protected at work. Local 108 has
21 been able to collectively bargain for higher wages
22 and safer jobs. My family and I have quality
23 healthcare and I get to go home to look forward to
24 retiring with dignity. We have the power to ensure
25 workers in the industry are well-compensated and

1 COMMITTEE ON SANITATION & SOLID WASTE MANAGEMENT 100
2 protected just like me and my fellow coworkers. Thank
3 you for your time and I ask you to always keep us in
4 mind.

5 CHAIRPERSON NURSE: Thank you, Miguel.
6 Thank you to Local 108 for showing up and being here
7 in kind of a full force, literally holding down one
8 side of the room.

9 I have a question. You said you're a
10 machine operator. Which machine do you operate?

11 MIGUEL MARTINEZ: All types of machines.
12 Excavators, payloaders, bobcats, (INAUDIBLE). We've
13 been trained to operate even machines we don't have.

14 CHAIRPERSON NURSE: Do you have like maybe
15 an example of a really hazardous or an accident or
16 something you've seen that could highlight some of
17 the safety needs you all have?

18 MIGUEL MARTINEZ: For example, guys that
19 work on the line. They have their protective gear,
20 but sometimes they get stuck by a needle and you
21 don't know where that needle came from. There's been
22 guys who have gotten very sick because they got stuck
23 by a needle. When they dump demolition, they dump all
24 of that. Debris in the air. You don't know what's in
25 that container. You're breathing that. I've been

2 breathing it going on for 27 years. It's very
3 dangerous. Machines break down. Fires. Batteries are
4 a major thing. We have a fire at least once a day,
5 and we put it out ourselves. I've seen fellow
6 coworkers pass away, cancer, hepatitis, and they've
7 worked longer in the garbage than me. I was a
8 teenager when I started. It's very hazardous, very
9 dangerous, and the wages and the benefits is what
10 keeps us going.

11 CHAIRPERSON NURSE: Right. Thank you so
12 much for sharing, and I'm looking forward in this
13 position to holding more conversations about how we
14 can create more protections for you all. You all are
15 holding down so much in the city, going through the
16 pandemic, still going to work, and so we thank you
17 for what you do every day, and we're really hoping
18 that especially with the Commercial Waste Zones, I
19 know Justin and Eric and a lot of folks fought really
20 hard to make sure worker protections was a key
21 feature of that, and so we hope that this is an
22 opportunity where we really can hold feet to the fire
23 and make sure that you have what you need and those
24 protections on your worksite. Thank you for being
25

2 here and being part of the conversation. I hope we
3 can continue to grow this conversation.

4 MIGUEL MARTINEZ: Thank you for hearing
5 me.

6 CHAIRPERSON NURSE: Thank you. Next up we
7 have online testimony. Is there anyone here in person
8 who wanted to testify before we move to the digital
9 space?

10 Okay, the next panel will be Ryan Carson
11 from NYPIRG followed by Matt Gove from Surfrider
12 followed by Jenna Harvey. Ryan, you can start when
13 the announcer makes the announcement.

14 SERGEANT-AT-ARMS: Time has started.

15 RYAN CARSON: Thank you so much. Good
16 afternoon. My name is Ryan Thoresen Carson. I'm the
17 Environmental Campaign Coordinator for the New York
18 Public Interest Research Group, NYPIRG, and very much
19 appreciate the opportunity to testify today. I will
20 also mention that I'm the Statewide Coordinator for
21 the Bottle Bill Modernization Campaign as well.

22 NYPIRG applauds the New York City Council and
23 particularly Committee Chair Nurse on its push to
24 move New York City towards its stated solid waste
25 goals. Banning single-use plastics fights climate

2 change, reduces pollution, and saves the city money.

3 However, we are concerned that this measure while

4 well-intentioned simply does not go far enough.

5 Directing the Department of Sanitation to evaluate

6 policies to ban single-use plastics and produce a

7 report by 2023 kicks the plastic can a little too far

8 down the road. We'd just like to see the timetable

9 moved up a little bit. The science is clear that a

10 reliance on any plastics, not just single-use ones,

11 is a deterrent to local and global health, and it's

12 filling our landfills and choking our oceans now. We

13 urge the City Council to pass comprehensive laws this

14 year that ban single-use plastics outright and pass

15 resolutions in support of two pieces of state

16 legislation to reduce solid waste and plastic

17 packaging, especially packaging containing plastics

18 and toxic chemicals, and expand the State's most

19 successful recycling program, the Bottle Deposit Law.

20 The State must create an extended producer-

21 responsibility program for plastics in packaging

22 reduction policy. EPR requires companies to be

23 financially responsible for mitigating the

24 environmental impacts of the packaging they use and

25 sell and use to transport their products. Nearly 30

2 percent of the waste stream is packing and much of it
3 is unrecyclable. Other than through deposits on
4 beverage containers through the State's successful
5 Bottle Bill, companies have no financial
6 responsibility for the waste management of product
7 packaging and no requirements to reduce packaging
8 waste or design packaging for recyclability. In fact,
9 the State's draft Climate Action Council Scoping Plan
10 calls for an effective and strong extended producer
11 responsibility program on waste reduction and
12 expanded container deposit programs. Municipalities
13 have simply no control over the type of packaging
14 materials that companies put into the marketplace,
15 must of which is unrecyclable. The companies who are
16 creating the packaging waste problem including
17 plastics and toxics contaminated packaging should be
18 accountable for the end-of-life cycle disposal and
19 recycling of their product packaging. An effective
20 EPR policy holds the producers responsibility for the
21 life cycle management of their products, modernizes
22 and improves the recycling systems, and creates
23 mandatory standards for waste reduction, recycling,
24 and recycled content, including surrounding
25 accountability and enforcement frameworks (INAUDIBLE)

2 packaging. In her State of the State Address,
3 Governor Hochul outlined the need for a statewide EPR
4 program, and the New York City Council chose to
5 endorse the Governor's Article 7 Budget Bill for this
6 program in Resolution 55 in 2022. While the Governor
7 and City Council's intentions were admirable, the
8 proposed EPR program didn't go far enough. The devil,
9 as usual, is in the details. Firstly, it has no rates
10 or standards for reductions. Secondly, it would've
11 opened a doorway for eliminating the State's
12 incredibly successful Bottle Bill.

13 SERGEANT-AT-ARMS: Time expired.

14 RYAN CARSON: Sorry.

15 SERGEANT-AT-ARMS: Time expired.

16 RYAN CARSON: Oh.

17 CHAIRPERSON NURSE: Thank you, Ryan.

18 RYAN CARSON: Thank you all.

19 CHAIRPERSON NURSE: Much appreciated and
20 appreciate your consistent testimony.

21 Next, we'll hear from Matt Gove.

22 MATT GOVE: Hey. Matt Gove with Surfrider
23 Foundation, and today I'm here representing Reusable
24 NYC, which is a group of groups. We've got about 40
25 NGOs that work in New York City to reduce plastic

2 pollution which is, as of right now, is totally

3 (INAUDIBLE) our lives. Reusable NYC (INAUDIBLE)

4 lesson was the group of groups that really pushed the

5 Bag Law many years ago. We were called Bag It NYC.

6 Now we're Reusable NYC and focusing on plastics. Our

7 main goal right now is to pass the Skip the Stuff

8 Bill, Int. 0559, but we wanted to jump on today

9 because we also support this bill, 0494, to do a

10 study. I think that's a good idea. There's a lot of

11 different options out there, and that could give us a

12 game plan for moving forward. We would ask for one

13 amendment to 0494. The text implies that policies

14 that focus on reusables will be looked at, but it

15 doesn't actually say reusables in the text of 0494 so

16 it would be nice to have it in there just to make

17 sure we're not just focusing on changing from one

18 single-use item to another single-use item. There's a

19 lot of great ways we can switch to reusable systems,

20 which is better for New Yorkers in so many ways. I

21 believe that's all I had. Thanks so much.

22 CHAIRPERSON NURSE: Wow. Thank you. Model

23 testifier. Thank you, Matt.

24

25

2 Next, we have Jenna Harvey who is going
3 to be followed by Allison Allen followed by Jacquelyn
4 Ottman.

5 JENNA HARVEY: Okay. Hi. Thank you. My
6 name is Jenna Harvey. I'm a Board Member at Sure We
7 Can, a non-profit recycling center, community space,
8 and sustainability hub in Brooklyn, and I'm
9 testifying today on behalf of Sure We Can.

10 Good afternoon. Thank you to Chair Nurse
11 and to the City Council for hosting this hearing. As
12 everyone has discussed today, our city's waste crisis
13 is already at a critical point, and the issue grows
14 more urgent by the day. I wanted to take this
15 opportunity to really applaud Chair Nurse and her
16 Colleagues for fighting for practical community
17 centered solutions to this overwhelming issue and to
18 express the hope that this Council will succeed in
19 passing comprehensive legislation that boldly moves
20 forward in addressing the massive problems that we
21 face including the already much discussed area of
22 organics as well as that of plastic. At our
23 organization, Sure We Can, we serve canners or the
24 folks who collect and redeem bottles and cans to earn
25 income, and we know firsthand the volume and the

2 impact of plastic waste because our community has
3 spent the past four decades, since the enactment of
4 New York State's Bottle Bill, picking up plastic
5 bottles that others thoughtlessly discard so we know
6 that (INAUDIBLE) to meaningfully collect and as a
7 community of (INAUDIBLE) to get the job done so many
8 of the schemes and the systems proposed in
9 institutional or policy development context to deal
10 with the plastic waste crisis ring hollow and come
11 off as shortsighted because they let plastic
12 producers off the hook, avoiding stronger
13 accountability systems like concrete reduction
14 targets and often they undermine systems like the
15 Bottle Bill. The Bottle Bill encourages average
16 people to participate and so this rose-colored
17 approach is not sufficient and at best it merely
18 kicks the can, or the bottle as it were, down the
19 road into the gutter and out into the ocean to join
20 the tons of plastic that are floating there. At
21 worst, it is counterproductive and simply serves to
22 reward those who are destroying our world. It's worth
23 repeating it takes a village, and any solution to the
24 waste crisis that would be truly effective in the
25 long-term has to include and empower communities and

2 especially those communities that have borne the
3 burdens of profit-driven (INAUDIBLE) and
4 indiscriminate waste and pollution for decades so a
5 system like the Bottle Bill works because it's
6 incredibly effective at producing positive
7 environmental outcomes, 70 percent litter reduction,
8 hundreds of thousands of tons of waste diverted at no
9 cost to the taxpayer and positive environmental
10 justice outcomes. Our center alone distributes around
11 700,000 dollars annually to informal recyclers, most
12 of whom come from highly marginalized demographics
13 while contributing to the betterment of the
14 neighborhoods that that plagued by plastic, air, and
15 water pollution. Just to sum up, we have so much to
16 gain and to save by focusing on inclusion,
17 empowerment...

18 SERGEANT-AT-ARMS: Time expired.

19 JENNA HARVEY: Effectiveness (INAUDIBLE)

20 Thank you.

21 CHAIRPERSON NURSE: Thank you, Jenna. I
22 really appreciate your testimony today. Next up we
23 have Allison Allen.

24 SERGEANT-AT-ARMS: Time has started.

2 ALLISON ALLEN: I'm Allison Allen. I'm a
3 Manhattan SWAB member and Chair of the Organics
4 Committee. It was an unexpected surprise to see the
5 organics expanded throughout Queens and we hope this
6 is just the beginning towards a citywide expansion.
7 We hope there's excitement and momentum building in
8 Queens, but we also have the concerns that the lack
9 of marketing and education could result in lackluster
10 results in early phases. We're concerned that the
11 program as currently designed ends after the three
12 months and we all said stopping and starting is not a
13 good way to achieve success so we urge the Mayor and
14 the Council not to rush to any early judgements. We
15 hope the program will be given the time needed to
16 allow DSNY and the Council to find the funding
17 required to adequately promote the program, work
18 through the initial issues, and ultimately bring more
19 awareness about why this is an important program. We
20 need to do much more to ensure the overall population
21 understands that organics, methane emissions, and
22 zero waste connects to climate change as well as the
23 taxpayer dollars spent on exported waste that is
24 really not waste and hopefully that will prompt
25 change in their behavior. We should also identify

2 more climate (INAUDIBLE) opportunities and
3 collaborate with those organizations to push out
4 waste-related messaging. The organics program in the
5 seven districts is experiencing a number of problems
6 including building management resistant to the lack
7 of participation which hopefully are also being
8 addressed as a priority. We need more transparency
9 and data on the New York City Open Data Portal to be
10 shared and analyzed in order to develop targeted
11 approaches to boost engagement and participation. The
12 Commissioner said that she has concerns about
13 mandatory organics, and I've heard concerns about how
14 enforcement is a concern that needs to be addressed,
15 but I don't see why a grace period or other
16 workarounds could be developed similar to other laws.
17 In prior testimony, I've outlined how we can find
18 funding from the reduction in export contract
19 payments resulting from the decrease of organics we
20 can expect in the export waste stream with mandatory.
21 These dollars can be allocated towards building local
22 infrastructure to process organics locally,
23 partnerships with other agencies, Department of
24 Health, DOE, DOT, Link NYC are key and offer
25 opportunities, budgets, and marketing assets that

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2 should be leveraged to support organics, especially
3 DOH's RAD portal. Council Members on the relevant
4 Committees should be discussing organics in all these
5 other agency Committee meetings. SWAB has an
6 organics-recycling guide we're going to distribute.
7 It'd be helpful to know DSNY's marketing plan,
8 especially with the holidays coming up including
9 Halloween pumpkins, a tremendous opportunity and
10 timely opportunity to promote composting so we urge
11 the Council to continue pushing for equitable
12 mandatory organics program and implementing
13 immediately in the seven districts.

14 SERGEANT-AT-ARMS: Time has expired.

15 ALLISON ALLEN: Tactics to ensure a
16 successful rollout citywide...

17 SERGEANT-AT-ARMS: Time has expired.

18 ALLISON ALLEN: Are managed accordingly.

19 Thank you.

20 CHAIRPERSON NURSE: Thank you, Allison.

21 Appreciate your testimony.

22 We actually have someone who came in
23 person, Solomon Blecker (phonetics). Would you like
24 to testify?

25

2 You're welcome to sit and read your
3 testimony if you want. We could go to the next person
4 if you need a minute.

5 Okay, great, so we'll go to Jacquelyn
6 Ottman.

7 SERGEANT-AT-ARMS: Time has started.

8 JACQUELYN OTTMAN: Good afternoon,
9 Councilwoman Nurse and other Committee Members. I'm
10 Jackie Ottman, an expert on marketing environmentally
11 preferable products and behaviors to consumers. I'm
12 the immediate past Chair of the Manhattan SWAB and
13 the principal author of their guides summarizing best
14 practices for improving recycling and organics
15 participation in New York City multifamily buildings.
16 I also teach recycling to superintendents and other
17 building workers in the Local 32BJ. To enhance
18 recycling in New York City, please consider the
19 following.

20 I suspect that the recycling rate in New
21 York City's multifamily buildings is even less than
22 the national average which itself is only half of
23 that for single-family homes. Why? Two key
24 challenges, diversity. Half of New Yorkers don't
25 speak English as a primary language and the transient

2 nature of New York City residents. Getting residents
3 to sort properly and keep up with the constant stream
4 of new residents primarily flows directly to building
5 staff who are ill-equipped to play recycling educator
6 and monitor. A strong chorus supports large-scale
7 communications efforts as do I. Until funding can be
8 found, there are other less costly ideas that can be
9 explored.

10 First, require clear bags instead of
11 black for trash, even just on a periodic basis so
12 it's easier to spot recyclables.

13 Two, require mandatory lease riders with
14 annual reminders the purpose to notify residents of
15 their recycling responsibilities and how recycling
16 works in their own building.

17 Three, require mandatory zero-waste
18 training for building staff who often don't
19 understand themselves how and why to recycle.

20 My final suggestion is to reinstate the
21 Citywide Recycling Advisory Board. The CRAB was
22 required by Local Law 19 of 1989 beyond the borough-
23 wide Solid Waste Advisory Boards. It last met around
24 2010. It convened two round tables that included
25 experts from other cities. They made significant

2 contributions into the design of Sims, our current
3 city-supported MRF and/or organic systems. Boston and
4 Portland have such boards composed of representatives
5 from various city agencies and other sectors. A great
6 call would be to sit such a zero-waste advisor board
7 for New York in time to inform the next comprehensive
8 SWAMP due for adoption by 2026. Thank you for the
9 opportunity to present these remarks and for holding
10 these hearings.

11 CHAIRPERSON NURSE: Thank you, Jacquelyn.

12 Okay, so we're going to go to the next person, Adam
13 Peer.

14 SERGEANT-AT-ARMS: Time has started.

15 ADAM PEER: Good afternoon. My name is
16 Adam Peer. I'm the Senior Director for Packaging
17 Consumer Products, the American Chemistry Council,
18 and I have three points that I would like to share
19 with Members today.

20 First is that the American Chemistry
21 Council is committed to a more circular economy for
22 plastics.

23 Second, public policy should be
24 determined by data and science.

2 Lastly, any sort of study of this nature
3 should take into consideration the fair consideration
4 of all economic and environmental benefits of
5 plastics.

6 In addition to submitting written
7 testimony later today, I will supply the Committee
8 with a suggested amendment. First, with respect to
9 the circularity of plastics. We have set a goal that
10 all plastic packaging in the United States should be
11 reusable, recyclable, or recoverable by 2040 and that
12 all plastic packaging is recyclable or recoverable by
13 2013.

14 On evidence-based public policy, to make
15 decisions the study should be expanded to study the
16 comparative benefits of resources of all materials
17 over the entire life cycle, and the study should also
18 consider how to make all materials more circular. The
19 study should also recognize the overall impact to
20 landfilling, climate change, energy use, etc. that
21 alternatives may pose.

22 Lastly, on fair consideration, as
23 proposed, the elements of this bill suggest that
24 eliminating plastic items is always the environmental
25 preferable choice. However, plastics play an

2 important role in reducing landfilling, lightening
3 climate impact, providing a function at a lower cost
4 among many other important benefits, and these should
5 be recognized in the study.

6 We believe that with these changes, the
7 City will have better information to make informed
8 decision, and we also urge the City consider other
9 actions that we have put together in the American
10 Chemistry Council's Five Actions for Sustainable
11 Change.

12 Again, thank you for your consideration
13 and look forward to supplying the written comments
14 and suggested amendment language for your
15 consideration. Thank you.

16 CHAIRPERSON NURSE: Thank you, Adam. Are
17 you ready, Solomon? All right, we're excited for you.
18 Take your time. No rush.

19 SOLOMON LETCHER: Good afternoon,
20 Chairwoman Nurse and Members of the Sanitation
21 Committee. My name is Solomon Blecker, and I am in
22 10th grade at Nest+m. I live in the East Village, New
23 York. I am speaking to support the New York study of
24 single-use plastics. In my neighborhood, there's a
25 lot of garbage and we're known for rat problems, even

2 compared to other parts of New York. There are a lot
3 of rats, and no one likes rats. They feed on the
4 amount of garbage, and it's not nice to look at so we
5 should study the impacts of this and come up with a
6 solution. Additionally, 89 percent of plastic in the
7 ocean is single-use plastic which harms all living
8 things in the ocean as well as ourselves. We need to
9 stop this problem, and New York banning single-use
10 plastics and studying this would not only reduce
11 plastic waste in New York but also inspire other
12 cities to do the same. We need to take a stand and
13 that starts now. We need to not let companies get
14 away with polluting our oceans and selling us things
15 that destroy our environments. Thank you.

16 CHAIRPERSON NURSE: Thank you, Solomon.

17 10th grade?

18 SOLOMON BLECKER: Yes.

19 CHAIRPERSON NURSE: Wow. Thank you for
20 being here. Are you going to be out for the student
21 strike on Friday?

22 SOLOMON BLECKER: I think so.

23 CHAIRPERSON NURSE: I hope so. Thank you
24 for testifying. I love when the youth come to
25 testify.

2 Next online, I think we have Mary Arnold.

3 SERGEANT-AT-ARMS: Time has started.

4 MARY ARNOLD: Thank you, Chair Nurse and
5 Committee Members. Please stick to your zero-waste
6 goal and incorporate comments you received from
7 Borough President Reynoso, the SWABs (INAUDIBLE)
8 today. We learned today that construction and
9 demolition debris, also called C and D, is included
10 in DSNY's Waste Characterization Study. We heard from
11 Local 108 today about the hazards of handling and
12 breathing C and D. However, so far, none of the
13 proposed legislation touches C and D, which comprises
14 the majority of landfill waste tonnage. C and D was
15 also specifically excluded from the new Commercial
16 Waste Zone Law. Other world cities, like London,
17 already have plans for reducing and recycling
18 construction material, including gypsum wallboard
19 that emits toxic hydrogen sulfide gas when it
20 decomposes in landfills. When now-Attorney General
21 Letitia James was New York City Council's Sanitation
22 Committee Chair, she held a hearing on Intro 1170
23 where testimony was given by civic organizations,
24 residents, and unions about the adverse impacts C and
25 D facilities have on residents and workers. Please

2 make C and D recycling part of the city's recycling

3 plan. The city is a major exporter of C and D to

4 landfills in other jurisdictions including

5 environmental justice communities. Environmental

6 justice communities in New York City including in

7 Queens are adversely impacted by C and D processing

8 facilities, in part because the New York State

9 Department of Environmental Conservation considers C

10 and D processing facilities with three walls and a

11 roof fully enclosed and because C and D transfer

12 stations always are served by trucks. Trucks bring

13 the C and D to transfer stations and then truck it

14 directly to landfills or across the region to waste-

15 by-rail transfer stations. Waste-by-rail transfer

16 stations are a growth industry that has enjoyed

17 foreign investment by Macquarie in the New York City

18 area including in environmental justice communities.

19 During permitting of transfer stations, New York

20 State DEC does not consider cumulative adverse

21 environmental or health impacts or impacts beyond the

22 immediate site of a transfer station. There is

23 another new Suffolk County waste-by-rail facility

24 seeking a federal permit to haul C and D and burner

25 ash. Waste-by-rail is hauled from Suffolk County in

2 open rail cars that emit waste (INAUDIBLE) and odors
3 in New York City neighborhoods. New York State
4 environmental law says that trucks have to haul C and
5 D under covers but trains don't. The polluting rail
6 cars are hauled by high-polluting 1970s locomotives
7 that adversely impact community air quality and
8 exacerbate climate change. Please ensure that New
9 York City..

10 SERGEANT-AT-ARMS: Time expired.

11 MARY ARNOLD: And recycle more C and D
12 tonnage and reduce its health and environmental
13 impacts on New York City residents. Thank you so much
14 for the work you're doing on zero waste, Chair Nurse
15 and your Committee and DSNY. Thank you so much.
16 Please pay attention to the comments from the SWABs,
17 Civics United for Railroad and Environmental
18 Solutions that I'm representing is a member of the
19 Queens SWAB. Thank you again.

20 CHAIRPERSON NURSE: Thank you so much,
21 Mary. Next, we have Anna Sacks, who's going to be
22 followed by Michelle Greenberg followed by Georgianna
23 Page.

24 SERGEANT-AT-ARMS: Time has started.

2 ANNA SACKS: Hi, everyone. Thanks for
3 having this hearing. My name is Anna. I'm a member of
4 Manhattan Solid Waste Advisory Board. I am the Chair
5 of the Legislative Committee. One is just related to
6 what we heard from DSNY. When we're doing the Waste
7 Characterization Study, I think it would be really
8 useful to have reuse also as a category that DSNY is
9 studying so we can finally quantify what is actually
10 usable at the curb. Another is where the Queens
11 organics is going and, if it's going to Newtown
12 Creek, how do they treat yard waste? Is it actually
13 going to be beneficially used and an ongoing issue is
14 also the biosolids produced from Newtown Creek being
15 beneficially used. For NYCHA, even in NYCHA
16 developments that have recycling bins, oftentimes
17 they're lined with black trash liners and oftentimes
18 the compactors are just for trash so there really is
19 no place for NYCHA residents to recycle even if they
20 do want to do so. For organics, one thing I want to
21 mention is that I think Parks needs to follow the
22 DSNY laws, the commercial laws, where 10 percent or
23 more of your waste consists of organic matter you
24 must beneficially use that and compost it, and Parks
25 currently is not actually beneficially using all of

2 the organic waste that it generates so I would
3 suggest that the City also follow the laws that they
4 impose on commercial entities.

5 For recycling, I think we need more
6 transparency about where we send our recyclable
7 commodities so even once it enters the secondary
8 market where does it go. If I put my black sushi
9 container into the recycling bin, which I currently
10 do as a rigid plastic, is it then bundled as a mixed
11 plastic and shipped overseas to a country that
12 doesn't have the proper recycling infrastructure? If
13 that is indeed the case, I will stop recycling those
14 types of plastics, low-value plastics, because I
15 don't want to contribute to another country's
16 environmental issues of segregation and polluting
17 other countries. I think that it would be beneficial
18 for all of us to know where exactly our recyclables
19 go. I think also we should have more transparency
20 about what actually has a market and, if we find that
21 consistently certain materials don't have a market,
22 then we should be allowed that information and then
23 be able to make different choices based of it. I
24 think we also need, in addition to a single-use
25 plastics study, local remanufacturing capacity so

2 what would it take for all of our recyclables to be
3 processed in New York City or within the New York
4 City region. Another thing related to if we're
5 shipping it overseas, California has proposed that if
6 you ship certain materials overseas that it counts as
7 trash, landfill incineration rather than recycling
8 and that's another way of getting at disincentivizing
9 sending certain recyclables overseas to places that
10 don't have the capacity. That's it. Thank you.

11 CHAIRPERSON NURSE: Thank you, Anna. Next
12 up we have Michelle Greenberg.

13 SERGEANT-AT-ARMS: Time has started.

14 MICHELLE GREENBERG: Good afternoon. My
15 name's Michelle Greenberg, and I'm a volunteer with
16 350Brooklyn. For many years, I've seen the
17 heartbreaking images of plastic garbage floating out
18 in the ocean. I also recently learned that almost all
19 plastic is made from fossil fuels and that plastic
20 use has increased exponentially in the past few
21 years. This means that manufacture of plastic harms
22 us not only through pollution of land and waste ways,
23 plastic production is energy intensive, produces
24 greenhouse gas emissions, and, if production
25 increases at the current rate, is expected to account

2 for 15 to 19 percent of total carbon emissions by
3 2050. Learning all this has been upsetting and made
4 me want to do everything I could to reduce the amount
5 of plastic I use in my daily life. I also started to
6 notice how much of my food and cleaning supplies
7 comes in plastic packages, many which are not
8 recyclable. Right now, in order to stop buying food
9 and personal hygiene products that comes in plastic
10 packaging, I would have to stop buying cereal, meat,
11 pasta, yogurt, cheese, and many types of bread,
12 vegetables, and fruit, not to mention toothpaste,
13 deodorant, shampoo, dishwashing liquid, and detergent
14 to wash clothes so despite my valiant efforts to use
15 less plastic, there's currently very little that I
16 can do if I want to keep eating and stay clean.
17 Clearly, something has to happen on the governmental
18 level. Fortunately, as has been mentioned, important
19 initiatives have already been proposed at the State
20 level which use extended producer responsibility,
21 EPR, where financial and physical responsibility for
22 recycling and reuse is shifted away from the general
23 public to producers. This also includes the use of
24 incentives to incorporate environmental consideration
25 into the design of their products and packaging.

2 These EPR initiatives include a proposal to revamp
3 the New York State Bottle Bill by upgrading and
4 modernizing our bottle return system. The proposed
5 modernizations include updating bottle return
6 machines and increasing the number of drop-off sites,
7 deposit amounts from 5 cents to 10 cents per bottle,
8 and the types of bottles that can be returned.

9 Because bottles and cans are redirected away from
10 landfills and dumps, in New York State this will mean
11 the 5.4 billion additional beverage containers will
12 be recycled each year resulting in an annual
13 reduction of 331,900 metric tons of CO2 and savings
14 of 70.9 million dollars annually. These proposed
15 actions are brilliant, need to be enacted right away,
16 have been shown to work in Maine, Portland, Oregon,
17 Canada, and Europe, save money, and go a long way to
18 save our planet. Unfortunately, the original bill
19 that was proposed close to two years ago wasn't
20 included in Governor Hochul's budget, but, if New
21 York City would once again take the lead and pass a
22 similar bill here along with scheduling votes for all
23 of the composting and zero-waste legislation that's
24 currently pending a vote, we would have the
25 opportunity to make this planet-saving model a

2 reality and show the rest of our state, country, and
3 world...

4 SERGEANT-AT-ARMS: Time expired.

5 MICHELLE GREENBERG: Is not only possible,
6 it can be a win-win for everybody including
7 individuals, governments, and corporations. Thanks so
8 much.

9 CHAIRPERSON NURSE: Thank you so much,
10 Michelle. Our last few folks are Georgianna Page,
11 (INAUDIBLE) Thompson, and then Sharon Silbermann will
12 close us out.

13 SERGEANT-AT-ARMS: Time has started.

14 GEORGIANNA PAGE: Good afternoon, fellow
15 citizens, advocates, Chair Nurse, and Members of the
16 Committee on Sanitation and Solid Waste Management
17 and the Department of Sanitation. Thank you for your
18 commitment to these issues.

19 My name is Georgi Page, and I'm an
20 organizer with 350Brooklyn. We're an environment
21 organization that works locally to fight the global
22 climate crisis with a focus on fossil fuels. My
23 concern is mainly with plastics and their incredible
24 damage to our environment and our bodies from the
25 beginning to the end of their life cycle. There are

2 microplastics in our oceans, animal life, the food we
3 eat, and our placentas at the very beginning of life.
4 It has to stop immediately, immediately, so I am here
5 today to voice my frustration at the lack of action
6 and progress on six to seven common sense waste bills
7 that are pending in the City Council and which I
8 believe should be scheduled for a vote as soon as
9 possible if we are to meet our climate goals, and we
10 must meet our city's climate goals because there is
11 no other option. For the vast majority of us who
12 aren't Jeff Bezos with a rocket ship, life is short
13 and there is no planet B.

14 Number one, recycling is a critical
15 component of New York City's 20-year climate plan.
16 Cost-wise, exporting our garbage to other communities
17 and other states is not a solution and costs New York
18 City taxpayers 290 million dollars in 2007. I'm sure
19 it's a lot more now, not including the cost of
20 collection. With better recycling, we will earn money
21 instead of spending it.

22 Pollution. This is really high up there
23 too. Failure to recycle plastics properly in
24 particular is leading to more and more burning of
25 waste and toxic chemicals poisoning our air and

2 water. We are using way more plastics than is
3 necessary, not because we need them but because the
4 oil industry, the chemical industry, they want the
5 profits so they pay for legislation and lobbyists and
6 mandates to support the production and use of more
7 plastics and they fight any legislation that seeks to
8 limit plastics. We are watching this closely. We are
9 watching them closely. For these reasons, it's not
10 enough to simply commit to pilots. We must accelerate
11 and redouble our efforts to pass laws, the laws
12 citywide that the citizens want. Our organization
13 supports all of the zero-waste legislation that has
14 been proposed and, as we table every weekend, this
15 legislation is also overwhelmingly supported by the
16 citizens of Brooklyn. They are clamoring to sign on
17 in support. They even give us their email addresses.
18 350Brooklyn reflects the opinions of these citizens,
19 and we ask that you redouble your efforts to work
20 backwards from the goal of saving the planet and pass
21 the following legislation with haste, especially
22 including support within the city for extended
23 producer responsibility as Michelle mentioned at the
24 State level. We must leave no stone unturned, and we

2 must ask more of our citizens because they do care.

3 They are paying attention.

4 SERGEANT-AT-ARMS: Time expired.

5 GEORGIANNA PAGE: Thank you.

6 CHAIRPERSON NURSE: Thank you so much,
7 Georgianna. Really appreciate your testimony today.
8 Sharon Silbermann is going to close us out.

9 SERGEANT-AT-ARMS: Time has started.

10 SHARON SILBERMANN: I'm Sharon Silbermann
11 testifying as the Textile Committee Chair for the
12 Manhattan Solid Waste Advisory Board. New Yorkers
13 throw 400 million pounds of apparel and textiles into
14 our municipal waste stream annually. Our charities,
15 overrun with donations, ship mountains of leftover to
16 foreign markets unable to absorb this excess. In
17 turn, what gets unsold gets dumped onto their beaches
18 and their oceans and deserts. Designers and brands
19 (INAUDIBLE) virgin materials because they're
20 deceptively cheap plus there are just not enough
21 recycled fiber at scale to satisfy the demand. Virgin
22 fiber production into textiles accounts for the
23 majority of GHGs in fashion along with the water and
24 energy used in the agricultural and manufacturing
25 processes. Recycled fibers eliminate virtually all

2 virgin fiber processing. New York State recently
3 introduced the Textiles Act aimed at developing an
4 animal and plant fiber textile manufacturing
5 industry. New York State also introduced the Fashion
6 Act, which would hold apparel manufacturers
7 responsible for mapping supply chains, reporting
8 impacts, setting reduction goals, and disclosing
9 their materials usage. These along with federal
10 initiatives to (INAUDIBLE) production and investing
11 recycling that builds the circular economy begs the
12 question why New York City isn't aggressively
13 pursuing circular textile recycling as a green
14 industry capable of supporting all these legislative
15 proposals while developing a multibillion-dollar
16 opportunity right here in New York City where we have
17 both circular city and zero-waste initiatives.

18 Apparel and textiles are responsible for roughly 8
19 percent of global GHG emissions. Per Sanitation's
20 characterization, textiles are 6 percent of New York
21 City's waste stream. Their collection,
22 transportation, and disposal cost 93 million dollars
23 in 2018. Textiles are the fastest growing of all
24 waste stream categories. The industry is forecasted
25 to grow an additional 63 percent by 2030, ironically

2 our deadline for lowering GHGs by 50 percent and
3 achieving zero waste. If unaddressed, this would
4 increase New York City's annual textile waste to 625
5 million pounds and skyrocket costs to 151 million
6 dollars annually in just seven years. This should be
7 spent on curbside collection, education, sorting, and
8 building circular recycling infrastructure. 65
9 percent of our wardrobes are polyester, which never
10 biodegrades, while natural fiber content produces
11 methane and anaerobic landfill conditions. At scale,
12 recycled content should cost no more than virgin
13 content, whose real cost is never realized in the
14 environmental and health harms it causes. This is the
15 basis for a need for effective textile EPR
16 legislation for embedding blockchain for transparency
17 to consumers and fiscal responsibility by
18 manufacturers when their products' end of life cost
19 taxpayer millions in waste management fees. Please
20 use your position to make the only choices that make
21 sense and please the MSWAB help you create effective
22 legislation and implement measures to achieve zero
23 waste for apparel and textiles.

24 I'm also going to represent the
25 Residential Recycling and Reuse Committee. I'll make

2 three points concerning the state of recycling in
3 residential buildings.

4 The first concerns educating residents
5 about why and how of recycling. To optimize
6 participation and drive efficient resident behavior,
7 we advocate here for sufficient resources to explain
8 the science and to reinforce the message that when we
9 engage in proper waste diversion, we greatly reduce
10 the quantity of trash that goes to landfills and
11 incinerators. In turn, this reduces global warming
12 and disproportionate burdens on environmental justice
13 communities. Methane created in landfill conditions
14 is 25 times more potent than carbon dioxide at
15 trapping heat in the atmosphere. To achieve optimal
16 waste diversion and correctly separate recyclables
17 and organics, residents need to learn why this is so
18 important and how to do it properly. Currently, the
19 Department of Sanitation devotes just 50 cents per
20 person annually for overall education and outreach as
21 compared, for example, to San Francisco and Seattle
22 which allocates 3 dollars per person annually. Our
23 Sanitation Department must do more to educate the
24 public and make waste diversion less confusing as
25 well as mandatory.

2 Our second point concerns establishing a
3 lease rider which would explain to new and potential
4 residents that recycling is required under the law
5 and how to correctly comply. Details provided at
6 lease signing, when people tend to be more focused
7 and attentive, will help correct confusion about how
8 to recycle. By educating residents on recycling,
9 landlords and co-op boards demonstrate that they're
10 serious about recycling rules. The result is that
11 building waste management staff will spend less time
12 on correcting recycling and organics diversion
13 mistakes. The lease rider would be a requirement for
14 all buildings in New York City just as recycling
15 itself is required. Does the city want to add
16 requirements for building managers to handle? Are
17 recycling requirements worth having?

18 Mandating curbside composting would yet
19 be another requirement and is the third point we want
20 to cover. In our current voluntary composting
21 program, residents who want to divert their food,
22 yard, and food-soiled paper waste may not have access
23 to an organics composting option if their building
24 managers or co-op boards simply do not want to
25 participate in the program. Nonparticipation reduces

2 diversion rates, raising the collection cost per
3 pound that is diverted..

4 SERGEANT-AT-ARMS: Time expired.

5 SHARON SILBERMANN: Voluntary.. Can I just
6 finish? Making a voluntary program too expensive to
7 support. Mandating participation means that building
8 managers and co-op boards would lack the freedom to
9 choose how they manage organic waste streams that in
10 landfills produce dangerous methane. Freedom of
11 choice is an American value that we might respect if
12 adhering to it wouldn't mean less tonnage to
13 landfills and incinerators and less damage to the
14 environment. Mandated recycling and organics
15 collection is intended to protect the public at large
16 from increasingly serious impacts of the climate
17 crisis caused by over-consumption and reckless
18 production of greenhouse gases in landfills and
19 incinerators. Mandated citywide organics collection
20 for all residential buildings, especially in a city
21 of 8.5 million with zero-waste and circular city
22 initiatives, is the only way we will achieve these
23 climate goals in an affordable manner. No mandates
24 may mean less drama for building managers but
25 substantial drama and enormous public expense when we

2 experience flooding, drought, fires, and record heat
3 and cold temperatures. Let's support mandated
4 curbside composting and reduce the likelihood of
5 environmental hazards. Thank you all very much and
6 thank you for letting me continue.

7 CHAIRPERSON NURSE: Thank you, Sharon.

8 Yes, we gave some extra time since you were our last
9 person to close us out. You got lucky but thank you
10 so much for everyone who has joined. I want to thank
11 our Committee staff, thank you so much, and for
12 Andrew and Ricky who are online and the folks who are
13 holding down the courtroom and the audio tech, thank
14 you for everyone who stayed and listened. I
15 appreciate all of your passion and your attention to
16 this important matter. Thank you for staying.

17 It's Climate Week so it's an important
18 week, and I hope that you all have these
19 conversations, let's grow this room. We generally
20 have the choir that comes to our hearings but would
21 love to be able to have more folks come and chime in
22 so let's use this week and the momentum generated by
23 it to really grow these conversations. Thank you so
24 much. I also encourage everyone who really cares
25 about the Zero-Waste Package to send a note to the

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2 Speaker, send a letter, encourage the bill to come to
3 the floor, the package of bills, they're great bills
4 and we'd love to see them passed so we need to keep
5 the momentum going on it.

6 Thank you for coming. Thank you for being
7 here. I'm going to close out our hearing today.

8 [GAVEL]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 3, 2022