



Legislation Text

File #: Res 0772-2023, **Version:** *

Res. No. 772

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.5713/A.3249, to require the establishment of a composting program at dormitories, dining facilities, and other facilities owned, occupied, or operated by the State University of New York, the City University of New York, and institutions subject to their jurisdiction.

By Council Members Nurse, Dinowitz, Gutiérrez, Louis, Schulman, Hanif and Brewer

Whereas, According to a 2020 report by the New York City Food Policy Center at the Hunter College in New York City, 72 billion pounds of food, at a total value of \$218 billion, are discarded by food producers, retailers, and dining establishments every year in the United States (U.S.); and

Whereas, The Food Recovery Network, a student-led movement against food waste, estimates that college campuses in the U.S. produce 22 million pounds of food waste each year; and

Whereas, Per the New York City Food Policy Center, 21 percent of landfill volume in the U.S. is food waste, whose decomposition process generates a large amount of methane, a potent greenhouse gas; and

Whereas, The Food and Agriculture Organization of the United Nations in its 2013 summary report on food waste's environmental effects highlighted that food waste was the third-largest emitter of greenhouse gases on the planet; and

Whereas, The U.S. National Aeronautics and Space Administration notes that methane and other greenhouse gases absorb solar radiation, trapping heat in Earth's atmosphere and thereby increasing global temperatures and causing climate change; and

Whereas, The New York City Food Policy Center in its 2020 report emphasized that food waste accounts for approximately 18 percent of all waste in New York State, with about 3.9 million tons of food ending up in landfills each year; and

Whereas, Per the same report, food retailers, dining establishments, colleges, and hospitals generate over 250,000 tons of food waste in New York State each year; and

Whereas, The New York State Department of Environmental Conservation (NYSDEC) estimates that if food waste were diverted from landfills, greenhouse gas emissions could be reduced by more than 120,000 metric tons of carbon dioxide equivalents each year; and

Whereas, According to the New York City Department of Sanitation, 650,000 tons of food waste are generated annually by businesses and institutions in New York City, representing one-third of all citywide commercial waste; and

Whereas, The Natural Resources Defense Council estimated in its 2017 analysis that colleges and universities were responsible for 2 percent of all food waste in New York City; and

Whereas, In 2019, New York State enacted the Food Donation and Food Scraps Recycling law, codified in § 27-2201 of the New York State Environmental Conservation Law, which requires businesses and institutions, including colleges and universities, that generate an annual average of two tons of wasted food per week or more to donate excess edible food and to recycle all remaining food scraps, if they are within 25 miles of an organics recycler; and

Whereas, Every June, NYSDEC publishes annually a list of businesses and institutions identified as designated food scraps generators (DFSG) and their responsibilities under the Food Donation and Food Scraps Recycling law, which newly identified DFSG have to fulfill by January 1 of the following year; and

Whereas, Per NYSDEC's 2022 report, 76 colleges and universities, including 22 State University of New York colleges, were required to comply with the Food Donation and Food Scraps Recycling law in 2022, with 76 of them being required to donate excess edible food and 32 of them being required to recycle food scraps; and

Whereas, Per the same NYSDEC's report, 74 colleges and universities, including 22 State University of New York colleges, were required to comply with the Food Donation and Food Scraps Recycling law in 2023,

with 74 of them being required to donate excess edible food and 39 of them being required to recycle food scraps; and

Whereas, The Food Donation and Food Scraps Recycling law limits mandatory participation to the largest commercial food scraps generators located within a very small distance of 25 miles from an organics recycling facility, while presently, waste in New York State is transported over the average distance of about 60 miles; and

Whereas, The Food Donation and Food Scraps Recycling law thus leaves out those food scraps generators who produce an annual average of less than two tons of wasted food per week or are located within more than 25 miles from an organics recycling facility; and

Whereas, The Food Donation and Food Scraps Recycling law also explicitly excludes New York City, which is governed by Local Law 146 of 2013, codified in § 16-306.1 of the New York City Administrative Code, which requires covered establishments, designated by the Commissioner of the New York City Department of Sanitation based on their size and capacity, to separate organic waste, including food scraps, and to arrange for it to be transported or processed separately from garbage and recycling; and

Whereas, However, Local Law 146 of 2013 leaves out from mandatory participation college dormitories and campuses without food service/preparation facilities, as well as college food service/preparation facilities that are below the specified size and capacity; and

Whereas, With the intent of reducing greenhouse gas emissions, combating climate change, and ensuring that publicly-funded higher education institutions play an active role in this endeavor, State Senator Lea Webb introduced S.5713 in the New York State Senate, and Assembly Member Harvey Epstein introduced companion bill A.3249 in the New York State Assembly, which would require each institution within the State University of New York (SUNY) and the City University of New York (CUNY) to ensure that all compostable waste in dormitories, cafeterias, dining halls or restaurant services operated by the institution and in facilities

used for maintenance and landscaping services be separated and placed in labeled containers, and would require the trustees of SUNY and CUNY to annually post a report detailing their composting programs; and

Whereas, S.5713/A.3249 would address shortcomings of the New York State Food Donation and Food Scraps Recycling law and New York City's Local Law 146 of 2013 by expanding mandatory organic waste diversion participation to all SUNY and CUNY institutions irrespective of their size, capacity, or location; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.5713/A.3249, to require the establishment of a composting program at dormitories, dining facilities, and other facilities owned, occupied, or operated by the State University of New York, the City University of New York, and institutions subject to their jurisdiction.

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