

**Testimony of Melissa Iachán at
New York City Council Committee on Sanitation and Solid Waste
Management Oversight Hearing on Zero Waste
Dated April 21, 2021**

Good morning, my name is Melissa Iachán, and I am Senior Supervising Counsel in the Environmental Justice Program at New York Lawyers for the Public Interest. I am here representing NYLPI to underscore the importance of ensuring that our City diverts waste from landfills and incinerators, supports and expands diversion programs including education and outreach programs, and continues to make the necessary investments in a robust organics program to begin to make a dent in the damage our massive waste stream has done to environmental justice communities, but also to our planet as a whole.

We are here today, a day before Earth Day, to shed light not only on the tragic failures of our City government to take even modest steps towards putting us on a path towards zero waste, but to highlight and demonstrate how uncomplicated and practical policies could make a critical difference to combatting climate change. As a preliminary matter, we want to express our strong support for the bills being heard today, Intros 844, 2103, and 2250, which together provide concrete goals and ways the City can begin to right the wrongs of us collectively being responsible for sending an average of 3.2 million tons to landfill and incineration on the residential side, plus another 2.5 million tons on the commercial side.

There are many feasible and achievable policies that the City should begin to implement immediately in order to get us on the path to Zero Waste. In particular, the “three Rs” should always guide our waste policy—Reduce, Reuse, Recycle.

Reduce: Practical Waste Reduction Policies

- Intro 2103: Food Donation: This important legislation advances the goal of ensuring that edible excess food is donated. This is particularly important given how COVID illuminated how prevalent food insecurity is in our City. We absolutely must do all we can to ensure that edible food does not end up in landfill.

- Save As You Throw: We urge the Council and administration to consider implementing financial incentives for residences—including multi-family homes—who consistently source separate recyclables. These policies have been proven to reduce landfill-bound waste significantly in other jurisdictions employing it, and should be utilized in NYC.
- Skip the Stuff: The Council has not yet heard another important piece of waste reduction legislation—Intro 1775-B, which mandates that plastic utensils and single-use condiments be opted into for takeout and delivery food service, rather than automatic. We urge the Council to calendar a hearing on this bill which represents another step towards reducing our reliance on single-use plastics, a major source of pollution in our waste stream.
- Plastic straw on request: The legislation mandating that plastic straws be provided only upon request has been languishing in this Council for almost three full years. We are aware that Intro 936 has been amended to account for concerns expressed by the disability rights community, and urge the Council to pass the amended legislation in short order, which is yet another avenue of reducing a harmful single-use waste stream.

Reuse Incentives

- Various local and state governments have found that funding community repair and reuse programs—including broad educational services—does result in behavior change. Further, the City Council should explore ways to incentivize reuse beyond simple donation tax deductions and Save As You Throw.

Organics Recycling and Community Composting:

- We know that organic waste releases one of the most potent greenhouse gases, methane, in high concentrations as it decomposes in landfill. We also know that organic waste moving through truck-intensive transfer stations in EJ communities represents more than one third of that waste stream, and contributes to the worst nuisance conditions for residents who live near those facilities. It is incumbent on the City to ensure that organic waste is taken out of our landfill and incinerator-bound waste and instead used beneficially.
- Universal Curbside Organics Recycling Service: We at NYLPI cannot underscore how important it is to ensure that our City offer curbside organic

waste recycling services to every resident in every borough. We joined with our fellow advocates lamenting the suspension of the voluntary brown bin program, but we also know that the program was flawed. Rather than offering a voluntary piece meal service only to certain residents—many who don't even know whether they are eligible, the City must immediately begin plans to phase in mandatory universal curbside compost collection with the goal of requiring every household—including multifamily homes—to source separate organic waste for collection.

- Equitably-Sited Community Compost Throughout All Boroughs: Much like access to the now-suspended brown bin composting program, only certain communities in certain areas have access to local Food Scrap Drop Offs or community-based compost sites who accept such scraps. We endorse the CORE Act, and look forward to seeing the Council pass this legislation that has equitable access as its operating principle. We further urge the Committee to advance legislation that begins to address the issue of equitable access to city land for compost processing for small scale organizations who do this work to engage, educate, and green their neighborhoods.
- Protect and Preserve Compost Processing Sites: in the same vein, the City must ensure that those essential organizations who have been filling the gap of collecting and processing organic waste so that it can continue to be diverted from landfill, at least in part, be protected, supported and sustained. The current predicaments of imminent eviction by the City faced by three of the primary non-profit Compost Project partners—Big Reuse, the Lower East Side Ecology Center, and Earth Matter—is unnecessary and downright wrong. The City should ensure that these and other community-scale compost organizations who are beloved by their neighbors and communities always have a place in which to operate, educate, and enrich, especially on and within NYC Parks Land.
- Expand Municipal Organics Processing Via Renewable Rikers: We are thrilled that the City passed and enacted the Renewable Rikers Act into law. According to the Law, as soon as this summer, the City can begin to transfer land and property from DOC for DSNY's use to establish and expand organic waste processing capacity on the Island, with the goal of a large processing operation that can one day receive source-separated organic waste via barge, eliminating the need for polluting truck transport.

Commercial Waste Stream: Ensure Ambitious Commercial Waste Zone System With Diversion Requirements & Accountability

- For far too long, the commercial waste industry has gotten away with failing to keep recyclables separated by generators separate, and commingling source-separated organic waste with other trash, sending all of this to landfill. For most of the last decade, our Transform Don't Trash NYC coalition has pointed out how harmful the lack of compliance with, accountability for, and enforcement of diversion requirements in the commercial sanitation sector are. Finally, we have an opportunity to fix this.
- Discounts for recycling and organics services in CWZ
- Penalize waste haulers and facilities, not just generators

Finally, we all know that the City's recycling rate lags behind almost every other major city's in the U.S. at 18%. At this point in time, with recycling having been firmly ensconced in our City's psyche for decades, that is simply unexcusable. We must do more to ensure that recycling enforcement is increased to adequately penalize those who, despite the prevalence and ease of separating recyclables, continue to lag behind. And we must not stop funding and supporting education regarding recycling for all ages and all boroughs in our City. We also know that recycling creates more than twice the jobs than traditional landfill bound sanitation. As though environmental and climate justice weren't reason enough to ensure expansion of recycling, then the creation of good green jobs will hopefully seal the deal.

We are so grateful for the leadership of Chair Reynoso in continuing to highlight the serious issues surrounding our City's waste processing and management. We look forward to continuing our work together to ensure that no time is wasted in setting us on an efficient and effective path to real waste reduction.

Thank you.

