



**Testimony of Justin Wood, Director of Policy of
New York Lawyers for the Public Interest
to the City Council Committee on Sanitation on April 29,
2022 Regarding Waste Equity and Commercial Waste Zones**

After more than two years of pandemic-related delays, New York City must move forward with a robust reform of the largest commercial waste system in the country.

As we've heard today, proposals from private waste companies to operate under the new Commercial Waste Zones system are finally due on July 15th – a milestone we eagerly look forward to. But the truly transformative potential of this step will depend on the details of the 10-year contracts that will be negotiated by the City Department of Sanitation (DSNY) and the waste industry in the coming months. This is an historic opportunity to both *decrease* waste, air pollution, and our carbon footprint and *increase* safety on our streets, justice for workers, and equity for overburdened communities.

Local Law 199, the Commercial Waste Zones was enacted in 2019 after years of advocacy and research by Transform Don't Trash NYC in close collaboration with members of the City Council and following an extensive, far-reaching stakeholder input process convened by DSNY. Our goal: more efficient, sustainable, and equitable practices in collecting and recycling more than three million tons per year of commercial waste generated by New York City's massive business sector.

As the new system is implemented over the next two years, for the first time, the dozens of private waste hauling companies now traversing city streets as they collect waste from about 100,000 businesses citywide will

be organized into a rational collection system based on 20 geographic zones. As conditions for continuing operations in their assigned zone(s), they will need to meet a series of long-overdue safety, customer service, and environmental standards.

Because the current commercial waste system is so grossly inefficient and nontransparent, we can look forward to rapid improvements as the CWZ kicks in over the next two years. For example, zoned collection is expected to eliminate up to [18 million unnecessary diesel truck miles](#) from our streets – the equivalent of driving a garbage truck to the moon and back 37 times – simply by enabling haulers to operate shorter, more efficient collection routes.

Transparency and data collection in the private waste industry will also improve, as licensed haulers will for the first time be accountable to enforceable, long-term contracts with the City. We anticipate that safety standards in the industry will also improve as companies that have failed to make basic improvements (such as installing side guards and safety cameras on trucks) exit the market, and zones are awarded to more responsible actors.

However, these changes alone are not enough to address a spiraling climate crisis and longstanding, unequal pollution burdens from the commercial waste system.

Here are critical opportunities for this administration to realize the full promise of Local Law 199:

Use incentives, service improvements, and data to reduce landfilling and incineration of commercial waste as rapidly as possible.

Overall, our city has moved backward on waste reduction and recycling goals since the start of the pandemic. Residential composting programs have been halted and frozen, recycling rates have declined, and

enforcement of a major new rule requiring food-related businesses to enroll in composting services has been delayed until late July.

In the commercial sector, it's difficult to measure the scope of the waste disposal problem, as data from private waste facilities is sparse and relies heavily on self-reporting by the industry. What we do know is not promising. Transfer station data [published by DSNY](#) shows that private transfer station owners – including many hauling companies – have designated only one percent of the massive 35,000 tons per day of total permitted putrescible waste capacity to handle source-separated organic waste. Frontline workers and zero waste activists in retail and food industries [have consistently documented](#) that large amounts of edible food and usable items are being disposed in black bags and dumpsters by retail and food businesses.

Changing this behavior and implementing good reuse and recycling systems is low-hanging fruit for cutting emissions. We estimate that New York City could avoid a whopping [two million tons of greenhouse gas](#) emissions annually by bringing commercial recycling and composting rates up to those in Seattle, which has a robust and efficient collection and recycling system.

To enable these gains, the maximum price schedules to be negotiated in the CWZ contracts need to create strong incentives for businesses to reduce waste, donate usable and edible products, compost, and recycle to the maximum extent possible. To implement successful waste reduction and recycling programs, businesses will require new levels of customer and staff education, logistical support, and access to convenient food rescue and recycling services.

In addition to traditional, truck-based hauling services, the CWZ program should ensure that businesses across the city have access to a full array of expert waste auditors, local ["micro-hauler"](#) composting services, and food rescue services, and that businesses are fully supported and encouraged

in adopting innovative approaches to waste reduction.

Make implementation of the CWZ system a way to improve air quality, safety, and equity for historically overburdened communities.

Commercial waste hauling and processing facilities continue to create grossly unequal burdens for communities where transfer stations, recycling facilities, and diesel truck yards are clustered: DSNY's [most recent report](#) on waste equity shows that over two-thirds of the city's commercial waste stream travels through the South Bronx and North Brooklyn.

The forthcoming CWZ contracts should create opportunities and strong incentives for haulers to instead utilize the City's existing marine transfer stations and barge-based recycling facilities as much as possible, to further reduce diesel truck miles and the huge volume of waste traveling through environmental justice communities.

The upcoming CWZ contracts should also include enforceable provisions to begin a transition to [zero-emissions garbage trucks](#) at a pace and scale that will accelerate domestic production of these vehicles and achieve a fully zero-emission by 2035, in sync with overall City and State goals.

Finally, CWZ contracts can leverage investments in cleaner and safer waste processing facilities to reduce air pollution, noise, hazards, and odors for adjacent communities and for workers, and ensure that hiring and workforce development opportunities are first targeted to local disadvantaged communities that have borne the brunt of pollution from solid waste and other fossil fuel infrastructure.

For all of these reasons, we cannot and should not be satisfied with simply making the existing truck-to-landfill waste system more efficient and transparent.

In the coming months, City Hall, DSNY, and BIC need to speak with one strong voice to achieve much higher standards and major investments in

waste reduction, green infrastructure, and equity from the industry over the next ten years.

Further delays would set us even further back from our climate and zero waste goals and send the wrong signal to the waste industry. Now is the time to fully realize the transformational vision behind Commercial Waste Zones.

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