

**N Y L P I**

**JUSTICE THROUGH  
COMMUNITY POWER**

**Comments Submitted by Justin Wood, Director of Policy of  
New York Lawyers for the Public Interest  
to the New York City Department of Sanitation  
on August 10, 2023  
in Support of Rules Requiring Source Separation of Organic Waste**

New York Lawyers for the Public Interest (NYLPI) shares the following recommendations regarding the Department of Sanitation's request for testimony concerning the collection and source-separation of residential organic waste.

Local Law 85 of 2023 now requires the Department of Sanitation (DSNY) to develop outreach and education materials to inform residents about the program and instruct residents on how to properly source-separate organic waste from refuse and recyclables.

NYLPI strongly supports this proposed rule change, and the accompanying expansion of curbside organic waste recycling citywide as mandated by the law, and offer the following recommendations to maximize participation and reductions of greenhouse gas emissions from waste, and reduce local emission and safety hazards in communities near waste processing facilities:

**Public Education**

The simultaneous implementation of curbside organic waste recycling mandated by Local Law 85 of 2023 and the transition to a commercial waste zone system mandated by Local Law 199 of 2019 creates a major opportunity to synchronize, coordinate, and rationalize recycling practices and messaging across the residential and commercial sectors.

We urge DSNY to plan and execute far-reaching public education campaigns to ensure that building owners, homeowners, business owners, customers of commercial establishments, and employees of any business receive consistent and accessible messaging and education on how to properly recycle organic food and yard waste and how to reduce waste in New Yorkers' homes, workplaces, public spaces, and commercial establishments.

We also urge DSNY to ensure that enforcement of both residential and commercial recycling rule is consistent, equitable, and that such enforcement creates strong incentives for building owners, property managers, businesses, and commercial waste haulers to invest in and commit to source-separation and waste reduction programs involving tenants and customers.

## **Processing Capacity and Waste Equity**

While NYLPI applauds DSNY's commitment to a citywide curbside organics collection program, we call on the Department to ensure that increased use of both wastewater treatment facilities and private transfer stations to process recyclable organic material do not undermine the letter or the spirit of the Waste Equity Law (Local Law 152 of 2018) nor the environmental justice goals of Local Law 199 and the 2006 Solid Waste Management Plan.

To that end, we recommend that processing of source-separated organics prioritize local and regional composting solutions over anaerobic digestion and anaerobic co-digestion in processing. We further recommend that the City take steps to make residential and commercial compost collection as efficient as possible, and to avoid any increases to truck traffic in overburdened communities, including:

- Preserving and expanding local composting capacity in numerous sites across the City including parks and City-owned sites;
- Exploring the utilization of City-owned marine transfer stations to process both commercial refuse and residential source-separated organics; and
- Using micro-haulers and zero-emissions vehicles to collect and consolidate organic waste for local processing.

## **Waste Reduction and Food Donation**

Finally, while curbside collection and recycling of food waste is environmentally far preferable to disposal, source reduction of food waste is the best way to reduce greenhouse gas emissions and help address food insecurity in our City.

In concert with the public education campaign mandated by Local Law 85 of 2023, we urge DSNY to support rapid expansion of food donation and food rescue services so that retail stores, restaurants, and individuals can easily donate unused or expiring food products in every community.

Thank you for the opportunity to comment on this exciting program and these proposed rule changes. We look forward to working with DSNY to implement these critical Zero Waste policies.

**Justin Wood, Director of Policy**  
**New York Lawyers for the Public Interest**  
**151 West 30<sup>th</sup> Street, 11<sup>th</sup> floor**  
**New York, NY 10001**  
**jwood@nylpi.org**  
**(212) 244-4664**

**About New York Lawyers for the Public Interest**

*Founded more than 45 years ago by leaders of the bar, New York Lawyers for the Public Interest (NYLPI) is a community-driven civil rights organization that pursues justice for all New Yorkers. NYLPI works toward a New York where all people can thrive in their communities, with quality healthcare and housing, safe jobs, good schools, and healthy neighborhoods. In NYLPI's vision, all New Yorkers live with dignity and independence, with the resources they need to succeed. NYLPI's community-driven approach powers its commitments to civil rights and to disability, health, immigrant, and environmental justice. NYLPI seeks lasting change through litigation, community organizing, policy advocacy, pro bono service, and education.*