

**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 May 20, 2023
Regarding the FY2025 Executive Budget for Sanitation**

Good afternoon, my name is Justin Wood and I am the Director of Policy at New York Lawyers for the Public Interest (NYLPI). Thank you to Chair Abreu, Chair Brannan, Chair Krishnan, and members of the committees for the opportunity to testify today.

As you know, the Independent Budget Office (IBO) recently released an end of year analysis showing that the City will end up with a budget surplus of about \$1.1 billion following a year of cuts to vital public services, understaffing of agencies that serve as our city's social safety net and economic engine, and severe under-invest in proven solutions to systemic inequality and the monumental challenge of the climate crisis.

NYLPI thanks Speaker Adams and the City Council for recognizing the immediate and long-term harms of austerity budgets, and for proposing restorations and expansions of vital social and economic programs and infrastructure investments that will make our communities more equitable, sustainable, and healthy.

Now is not the time to retreat from our city's public health, equity, and sustainability goals.

We are concerned that the proposed Sanitation budget will have ongoing negative impacts on our City's waste reduction, public safety, and climate goals, and offer these recommendations:

1. Community Composting and Waste Diversion

First, the administration's decision to close community composting programs and lay off composting workers is unacceptable and undermines our city's efforts to reduce waste and climate emissions and to educate millions of New Yorkers on the importance of diverting organic waste from landfills – both in our homes, and in our workplaces and businesses.

These program closures come just as a new waste characterization study shows that for the first time in recent history, recycling rates have actually declined to just 20% over the past several years – a serious blow to the City and State's climate and equity goals given that the waste sector is now thought to account for as much as 12% of statewide greenhouse gas

emissions, and that polluting solid waste transfer stations and truck infrastructure remain concentrated in a few overburdened communities of color and low-income communities in our City.

Our essential green workforce including sanitation workers and community compost workers should not have to live in constant fear of being defunded and laid off. As the City prepares to implement Commercial Waste Zones and Curbside Composting, we must seize the opportunity to synchronize, coordinate, and rationalize recycling practices citywide with an all-of-government approach spanning the residential and commercial waste sectors. We simply cannot reverse the trend of declining recycling rates with start-stop, underfunded, and uncoordinated efforts.

2. More funding is necessary to implement the equity goals of the current Solid Waste Management Plan. While the Executive Budget includes \$16.9 million for construction and renovation of transfer stations "in accordance with the City's Solid Waste Management Plan," DSNY has not announced a plan to begin accepting commercial waste at existing municipal marine and rail transfer stations, nor to convert a Manhattan marine transfer station to a commercial waste facility, which are among the commitments of the nearly expired 2006 SWMP.ⁱ

We urge that the FY2025 budget include funds to operate these transfer facilities during hours when they can accept commercial waste, thereby eliminating unnecessary diesel truck miles by private carters traveling from dense commercial districts to private transfer stations clustered in a few communities overburdened by waste facilities and other truck-intensive infrastructure.

We commend the members of the Council Sanitation Committee for advancing Intro 55 of 2024 which would mandate a plan to accept commercial waste at these transfer stations by 20 and call on the Council to pass the bill as soon as possible.

3. Enforcement of Safety and Recycling Rules

Finally, we are concerned about reductions in enforcement budgets in the proposed executive budget.

Robust enforcement of sanitation laws is critical to public health and safety and will need to be part of an all-out comprehensive effort to turn around the troubling decline in diversion rates. **I especially want to highlight the critical importance of enforcement of safety regulations, labor standards, and recycling rules in the private sanitation industry, where tragically, just last week another New Yorker was killed by a private sanitation truck reported to be illegally reversing down a one-way street.**ⁱⁱ The highest safety and labor and environmental standards

must be a pillar of the forthcoming Commercial Waste Zones system.

Thank you for the opportunity to testify and comment. We look forward to working closely with the City Council, with DSNY, and with City Hall to transform our unsustainable and costly export-to-disposal model to a system with far less waste generation, and far more sustainable and job-generating investments in local reuse, composting, and recycling.

Yours,

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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.

ⁱ DSNY, 2006 Solid Waste Management Plan, Chapter 4 "Commercial Waste Management." Available at:

<https://www.nyc.gov/assets/dsny/downloads/resources/reports/solid-waste-management/2006-swmp/swmp-comprehensive-report-2006.pdf>

ⁱⁱ <https://www.nydailynews.com/2024/05/16/private-garbage-truck-driver-reversing-down-greenwich-village-street-fatally-strikes-man/>