

From: [Kings County Carting Corp.](#)
To: [NYC Rules \(DSNY\)](#)
Subject: [EXTERNAL] Comment
Date: Monday, March 25, 2024 4:53:00 PM

You don't often get email from kingscarting@gmail.com. [Learn why this is important](#)

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Representations at DSNY,

I don't know who you are. I have met some people from BIC. They visited my physical yard to inspect and help me with the best solutions. You never came to me. Nobody at DSNY came to me for any discussions.

I don't know your company.

I don't know your company's product.

I don't know your company's technology. You asked me to share my information about my company's technology. I don't bother about your technology.

I don't know your company's customers. I don't bother your customers.

I don't know your company's records. Why bother about my records?

I don't know your company's reputation. Why are there many violations with who got in some zones? My company and some other carters have excellent reputation with no violations or even one!

Now what was it you wanted to shut me down? This is wrong. You must BUY ME OUT. MUST EITHER ACQUISITION OR EMINENT DOMAIN.

I WANT TO STAY SMALL- LESS PROBLEMS. NO ISSUES ON THE ROAD. GO BIGGER CAUSES PROBLEMS.

THIS IS MY DISABILITY ACT. I'M A PROFOUNDLY DEAF OWNER.

SMALL AND MIDDLE AND BIG COMPANIES—FIVE CARTERS SHOULD BE IN EACH ZONE

CITYWIDE SHOULD BE FOR FRANCHISE AND BIG COMPANIES WHO HAVE OVER 4000 CUSTOMERS SHOULD BE QUALIFIED FOR THIS CITYWIDE.

Respectfully submitted,

Alex Veman President @ Kings County Carting Corp.

From: [Kendall Christiansen](#)
To: [NYC Rules \(DSNY\)](#)
Subject: [EXTERNAL] Commercial Waste Zone Pilot Proposal
Date: Monday, March 25, 2024 8:03:56 AM
Attachments: [DSNYPilotZone-GSTestimony-March25^J2024.pdf](#)

You don't often get email from kendall@gaiastrategies.com. [Learn why this is important](#)

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please accept and record the attached comments

thank you

--

Kendall Christiansen
Gaia Strategies
151 Maple Street
Brooklyn, NY 11225
cell: 917.359.0725
kendall@gaiastrategies.com

From: [Evette Zayas](#)
To: [NYC Rules \(DSNY\)](#)
Subject: [EXTERNAL] New cater rules
Date: Tuesday, January 30, 2024 9:21:53 PM

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To whom this may concern,

I just read that the catering rules are going to change. Does this mean that the present catering company we do business with might not be the one we may use in the future? And if that is the case then how do we know if the new catering company is not going to charge us more than we are paying now? What if we don't like the catering companies that New York City chose? Why would New York City put rules on a private company especially if they are doing a good job? I don't want to be pushed or forced into doing business with anyone who is going to charge me more than what I am paying now. Please let me know what I am supposed to expect to do.

Evette Zayas
CakeBurgers
400 East 120th st.
NYC

From: [Alia Soomro](#)
To: [NYC Rules \(DSNY\)](#)
Subject: [EXTERNAL] NYLCV Comments - DSNY CWZ Rule
Date: Friday, March 22, 2024 2:05:37 PM
Attachments: [NYLCV Comments - DSNY CWZ Hearing - 3_25_24.pdf](#)

You don't often get email from asoomro@nylcv.org. [Learn why this is important](#)

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Hello,

On behalf of the New York League of Conservation Voters, please see our **attached comments** on the proposed rule on Implementation Dates for Commercial Waste Zones. Please let me know if you have any questions.

Thank you,
Alia Soomro

--

Alia Soomro (she/her)
Deputy Director, New York City Policy
New York League of Conservation Voters
asoomro@nylcv.org
www.nylcv.org



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO

Brooklyn Borough President

NYC Department of Sanitation

Rules Hearing on Implementation Dates for Commercial Waste Zones

March 25, 2024

Good morning representatives of DSNY, and thank you for holding this hearing today. After many years of delays, I am heartened to see implementation of Commercial Waste Zones (CWZ) finally moving forward. When we passed this bill in 2019, we could not have guessed that we would be in 2025 by the time the first zone was finalized.

Due to the delayed timeline and the ongoing controversy surrounding the RFP process and resulting awards, it is even more important that we get this done quickly, and get it done right. This means providing transparency and accountability at every step of DSNY's implementation of this transformative program. This rulemaking process is a missed opportunity to codify such measures, including:

- 1) Outreach and education:** Preparing businesses to participate in CWZ with clear and accessible information is critical for this program's success. In fact, Local Law 199 of 2019 requires the DSNY Commissioner and Chair of the Business Integrity Commission to create a CWZ outreach and education program aimed at businesses, including information on how to work with the chosen carters, as well as the program's health and safety benefits. According to law, this program should include but not be limited to seminars, webinars, conferences, and a multilingual education program. Yet we have seen none of this, despite the very long runway between passage of the bill and implementation, leaving business owners confused.

At the City Council's Sanitation Committee budget hearing on March 14, Commissioner Tisch testified that the department has \$3.2 million budgeted specifically for CWZ outreach and education, despite budget cuts. However, there is no indication of how DSNY plans to spend this money in advance of September to prepare businesses in the language-diverse communities of Queens Central, including Corona, Jackson Heights, and East Elmhurst, nor what happens when this funding dries up. Robust, culturally sensitive, and language accessible outreach is critical for businesses to participate in this program successfully. I will fight alongside my colleagues in the City Council for restoration of the Department's outreach and education funding, but at the same time, DSNY must make

its specific plans for this effort in the pilot district public and start their outreach efforts now.

- 2) **Metrics:** Given that this is a pilot, how will the Department measure success? DSNY said on the record that they believed the way we designed this program, it was “on a path to failure.” My former colleagues and I obviously disagree. We did not envision a pilot district in the legislation, and so we set no metrics to evaluate the program’s impact based on implementation in one district alone. It is critical that DSNY share its goals and evaluation criteria, so that the Department, the industry, the impacted businesses, and the public can all fairly evaluate how the program is working and what needs to change, if anything, before a full program rollout.

- 3) **Oversight:** DSNY is currently out of compliance with Local Law 199 of 2019 because they have not convened the Commercial Waste Zones Safety Task Force since March of 2022. The law tasked DSNY with forming and convening the committee quarterly through 2021 and annually through 2024; according to DSNY’s website, the Committee has met twice total. Additionally, Council Member Sandy Nurse has proposed Intro 352, which would create a Commercial Waste Zones Working Group to advise on other elements of the program outside of just safety. I encourage the Department to convene the Safety Task Force in advance of implementing the pilot district to advise on the metrics mentioned above, and to support passage of Intro 352 and/or create the Working Group on its own.

Finally, I want to underscore how important it is that we get this right, now. Since the Department chose to announce all the selected carters at once, we’re already seeing consolidation within the industry, creating a chaotic situation where carters that were not selected may go out of business before selected carters can technically begin their work in a district, potentially leaving businesses without carting services. It is critical that we move to full implementation quickly and efficiently, with sufficient transparency and accountability to build trust with the industry, local businesses, and the public. Thank you for your time.

NYC Rules



DSNY Initial Zone Rule for Commercial Waste Zones – Amended Notice

Print PDF Email

Rule status: Proposed

Agency: DSNY

Comment by date: March 25, 2024

[Rule Full Text](#)

DSNY-Initial-Zone-Rule-for-Commercial-Waste-Zones-AMENDED-NOTICE-1.pdf

In 2019, New York City enacted Local Law 199 requiring the establishment of a new program for the collection of commercial waste. The program, known as the commercial waste zones program, is a safe, efficient, and competitive collection system designed to provide high quality service to New York City businesses while advancing the City’s waste diversion and sustainability goals. Pursuant to Local

Law 199, codified in Title 16-B of the New York City Administrative Code, the geographic area of New York City has been divided into 20 “commercial waste zones.”

Pursuant to a request for proposals process, three private carters were selected by the Department to serve businesses within each commercial waste zone and five carters were selected to provide containerized commercial waste collection services citywide. The selected carters are referred to as “awardees.” The resulting contracts with the awardees include standards for pricing, customer service, safety, environmental health, and requirements to promote the City’s commitment to recycling and sustainability.

Local Law 199 requires the Department to promulgate rules setting forth an implementation start date and a final implementation date for each commercial waste zone established pursuant to section 16-1001. Different implementation start dates and implementation end dates may be established for different commercial waste zones. See Ad. Code § 16-1002(e)(3). This rule sets the implementation start date and final implementation date only for the first commercial waste zone to be implemented - Queens Central. Subsequent rules will set the implementation dates for the zones being implemented later.

DSNY’s authority for these rules is found in Section 753 and Section 1043(g) of the New York City Charter and Title 16-B of the New York City Administrative Code.

Attendees who need reasonable accommodation for a disability such as a sign language translation should contact the agency by calling [1 \(646\) 885-4996](tel:16468854996) or emailing mliguori@dsny.nyc.gov by **March 18, 2024**

Send comments by

- **Email:** nycrules@dsny.nyc.gov
- **Mail:** Bureau of Legal Affairs, 125 Worth Street Room/Floor: 710 ; New York, New York 10013

Public Hearings

[Virtual Public Hearing](#)

Comments are now closed.**Online comments: 10****Munassar
Yafee**

We been in this business since 2007
And they tell us to leave that is not fair .
My company name is Middle East management Corp .
They could at least have us 1 zone instead of giving 1 company
more than 14 zones .

Comment added February 11, 2024 8:59pm

**Alex
Veman**

Hello everyone,
how possibly Actions Carting to be in all 14 zones to manage
over 300,000 customers. That's health hazard. They have to pay
heavy on tolls daily back and forth from Jersey City. How come
they have several violations and fatal accidents the other 38
carters are doing properly?

Comment added February 12, 2024 12:07pm

**John
Dimarco**

This is a disgrace! I strongly suggest you to have five carters in
each zone. You can't put pressure and health hazards on all the
drivers and workers.

There will be more accidents and health problems. More
lawsuits to follow. Adam's administration is not good. I have
been in this waste industry for more than 40 years. Its the best
to torn out the proposal.

The proposal has to be terminated. Leave all carters take care of
their services.

Comment added February 12, 2024 12:54pm

Ali Mousa

It's very disappointing that after a long wait, we are told "your proposal will not be selected for negotiations.." "thank you for your interest." That's it. In the initial RFP proposal request it was stated there was more than 90 carters servicing commercial businesses in NY. After the first RFP was submitted, 48 carters were deemed responsive and were allowed to submit a second RFP. How is it that now only 15 companies out of 48 were awarded a zone?! With the highest awarded 14 and 11 zones. In the announcement email it was stated there was a mix of "small, medium, and large carters" to address concerns that this "reform would lead to an industry dominated by a few large companies." This concern is still true. Many smaller companies, including mine, had very little or no violations at all with the BIC. How is it that these larger companies with many violations can get so many zones and we can't even get 1 zone, which would anyway be shared by 2 other carters and subcontractors.

This is also unfair on the worker's who now have longer routes and a higher workload for over 200,000 commercial businesses. Fewer companies doesn't mean there will not be the same or an increase in health hazards and accidents.

Now many of the worker's and owners of the left out companies have to look elsewhere for jobs after so many years of working in this industry. How does this make sense? This is unbelievable!

Comment added February 15, 2024 2:34pm

Nick Artese

The DSNY under the Adams Administration is **REQUIRED** to eminent domain to these non-awardee carters. The state of New York **MUST** pay "compensation" at the non-awardee carters' fair market of the private business. Not providing fair compensation to the non-awardee carters is an eminent domain abuser.

In your current proposal, you are allowed these selected awardees' carters to take all customers from non-awardee carters in the zone **WITHOUT** acquisition! The non-awardee

carters built their business with marketing for years with all the costs they spent on, then lost everything!

Comment added February 17, 2024 11:55am

Barbara Hertel

I am concerned about the awards that have been given out. I heard that a few large carters were selected to represent more than their share of the carting. That smaller competitive carters were not awarded. It is not right to have one carter get all the contracts that is not the way this was supposed to happen. Please change your method of awarding contracts to primarily the big carters.

Thank you

Comment added February 26, 2024 11:55am

Ralph

We have been doing business with kings since we opened in 2018 and we have absolutely no complaints. We don't feel it's fair if you take the stop away from kings carting, it should be our choice what company we wan to pick up our garbage. Not the city.

Comment added March 12, 2024 10:07am

Richard W Getfield

Looking forward to seeing y some contracts

Comment added March 17, 2024 12:27am

Brooklyn Borough President Antonio Reynoso

See attached

 [Comment attachment](#)

BP-Reynoso_CWZ-Rules-Hearing-Testimony-Final-3.25.24.pdf

Comment added March 25, 2024 10:30am

Alex Veman

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came to me for any discussions.

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CITYWIDE SHOULD BE FOR FRANCHISES, AND BIG COMPANIES THAT HAVE OVER 4000 CUSTOMERS SHOULD BE QUALIFIED FOR THIS CITYWIDE.

50 CARTERS, WHOEVER SUBMITTED THEIR FIRST RFP₁ TO DSNY SHOULD CONTINUE TO BE ALL AWARDEES AFTER RFP 2.

Respectfully subimitted,

Alex Veman @ Kings County Carting Corp.

Comment added March 25, 2024 4:55pm

DSNY Commercial Waste Zones –
Proposal to Designate Queens Central as Initial Pilot Zone
Submitted to nycrules@dny.nyc.gov - March 25, 2024

Thank you for the opportunity to comment on the Commercial Waste Zone pilot zone designation of Central Queens, to begin in September.

As the implementation phase of the Local Law 199 (of 2019) is now proceeding from the procurement and award phase - which is properly restrictive with respect to the public sharing of information about the proposal review and awards process - the sole purpose of a “pilot zone” is to test the presumptions that underly LL199 with respect to their various impacts, and then determine what adjustments should be made before citywide implementation of this unprecedented and transformational new system.

To best accomplish that purpose, this “test” should be open and transparent, and subject to public oversight by stakeholders.

In particular, DSNY should do the following:

1. Appoint and support an oversight/advisory committee of no less than ten people (not DSNY or BIC or employees of any other city agency), to be empowered for the duration of the pilot (and before/after).
2. Develop clear evaluation criteria, including baseline data, performance metrics, etc.
3. Develop and utilize clear evaluation methodology, e.g., surveys, focus groups, etc.

Thank you for your consideration.

Kendall Christiansen

The writer is the Principal of Gaia Strategies, a consultancy focused on the waste, recycling and organics businesses. He was founding Assistant Director of NYC’s recycling system, is a longtime member of the Brooklyn Solid Waste Advisory Board, chaired the Citywide Recycling Advisory Board, follows and works closely with the waste industry across the US and Canada, and served as executive director of New Yorkers for Responsible Waste Management during the extended debate over LL199. He also is a longtime Board member of the Brooklyn Chamber of Commerce, and currently serves as Secretary of its Board.

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**Testimony of Alia Soomro, Deputy Director for New York City Policy
New York League of Conservation Voters
New York City Department of Sanitation
Proposed Rule on Implementation Dates for Commercial Waste Zones
March 25, 2024**

My name is Alia Soomro and I am the Deputy Director for New York City Policy at the New York League of Conservation Voters (NYLCV). NYLCV is a statewide environmental advocacy organization representing over 30,000 members in New York City. Thank you for the opportunity to testify.

NYLCV strongly supported the passage of Local Law 199 of 2019, establishing the City's first Commercial Waste Zones (CWZ) program. Championed by a wide group of stakeholders, this law will overhaul the City's antiquated and inefficient commercial waste management system by dividing the City into 20 zones, limiting each zone to a maximum of three of private sanitation companies selected through a competitive bid process and holding companies to higher standards.

NYLCV welcomed DSNY's announcement in January of the Queens Central Commercial Waste Zone, the City's first zone to be implemented as part of this law. While it has taken the city far too long to get to this point for such a common sense policy, the CWZ law will bring the city closer to its zero waste goals and improve the safety of workers, pedestrians, and cyclists. It will also cut down on traffic congestion, improve air quality, and curb the city's tailpipe pollution and carbon emissions, which is especially important in low-income communities and communities of color.

Although the first zone is slated to rollout in September of this year with the final implementation date for this zone in January 2025, we are still waiting for the law's full implementation (*nineteen* other zones). While we understand the importance of starting off on the right foot and learning from other cities' attempts at overhauling its waste system, it is imperative that the City carries out this law in a timely and transparent manner. We urge the City to dedicate the requisite amount of resources and funding for staffing, education, and outreach to fully implement the CWZ law.

We also urge DSNY to continue working towards transitioning to zero-emission vehicles for DSNY and commercial sanitation trucks. Additionally, the City must continue working with DCAS, utility companies, and industry professionals to ensure adequate charging infrastructure is installed and available for sanitation trucks and give extra consideration for CWZ carters with the most aggressive plans to do so. Requiring cleaner fleets as part of the City's move to CWZs

is also the best way to bring measurable air quality improvements to neighborhoods that house a disproportionately high number of haulers and waste processing facilities. It is not good enough to require citywide emissions reductions. We should also strive for more localized benefits.

NYLCV looks forward to seeing the timely implementation of this law citywide so all New Yorkers have the chance to breathe a little easier.

Thank you for the opportunity to testify.

N Y L P I

**JUSTICE THROUGH
COMMUNITY POWER**

**Comments of Justin Wood, Director of Policy of
New York Lawyers for the Public Interest
to the Department of Sanitation on March 25, 2024
regarding DSNY Proposed Rule
Implementing the Queens Central Commercial Waste Zone**

Good morning, my name is Justin Wood and I am the Director of Policy at New York Lawyers for the Public Interest (NYLPI). We are a founding member of the Transform Don't Trash NYC coalition, which for more than a decade has advocated for fundamental reform of the city's sprawling commercial waste system.

We are strongly supportive of the goals of Local Law 199, the law mandating a citywide transition to a zoned commercial waste system passed over four years ago in 2019. The clear intent of this law is to simultaneously make the current inefficient, dangerous, and polluting commercial waste system far more transparent, accountable, efficient, and safe while giving the City the tools it needs to sharply incentivize reductions in the vast amounts of commercial waste disposed in landfills and incinerators.

After years of delays to implementation, we are excited to see DSNY introduce this rule beginning to set timeline for transition to a new system in which designated private sanitation companies will finally be accountable to contractual standards negotiated with the City.

However, we are concerned by the extremely limited scope of this rule, which sets a transition timeline for only one of twenty zones - a tiny slice of the overall system - and by the extremely limited amount of information the Department has released about plans to achieve waste reduction, reduce vehicle miles travelled (VMT), increase worker and public safety, and reduce pollution and truck traffic burdens on environmental justice communities located within and near the initial Central Queens zone. Thus far, the public has not been able to view details of the plans submitted by each designated hauler in the first zone, including waste diversion plans, customer education plans, VMT reduction plans, prices, and the names and qualifications of all subcontractors, transfer stations, recycling facilities, and micro-haulers that the designated haulers intend to utilize to service the zone.

We remain concerned that some designated haulers currently acting as brokers may utilize subcontractors that could undermine the high environmental and labor standards envisioned in Local Law 199.

We therefore hope that transparent, full disclosure of contract details and scaled-up commercial enforcement and customer education programs are forthcoming.

Finally, I want to stress that the CWZ system cannot achieve the transformational change and infrastructure investments necessary to achieve the New York City and State's urgent environmental and safety mandates if it is treated as a limited pilot program rather than a citywide transition to a new, high-performing waste system. For example, waste diversion will require a citywide, coordinated customer and employee education and training to successfully integrate organics recycling, donation of food and useful products, and major reductions in disposable plastics into hundreds of thousands of businesses' daily operations citywide. This can and must be synchronized with DSNY's plan to expand residential curbside organics recycling service citywide over the next year, so that New Yorkers can finally learn one set of simple and accessible rules and behaviors regardless of whether they are recycling at home, at work, or in a public building or space.

Moreover, we need the waste industry to make the major investments needed in organics recycling facilities, zero-emissions trucks, customer service infrastructure, and community-level services such as micro haulers and waste auditors to achieve the goals of Local Law 199, PlaNYC, and the New York Climate Leadership and Community Protection Act (CLCPA). This will be difficult or impossible for the industry if DSNY does not provide economies of scale and capital financing that would be facilitated by setting a firm timeline for an expeditious, full citywide transition to the CWZ system.

We therefore hope that DSNY will soon propose rules setting firm timelines for transition to the CWZ system for the remaining nineteen zones.

Thank you for the opportunity to testify today. We hope to work in partnership with DSNY, the City Council, Borough Presidents, and the many community and business stakeholders in this exciting new system to ensure that it reaches its envisioned, transformational potential.

Justin Wood
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