

**OPENING STATEMENT OF
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NEW YORK CITY DEPARTMENT OF SANITATION**

**PUBLIC HEARING ON DSNY’S PROPOSED RULE RELATING TO THE PROPOSED FEES
FOR THE DISPOSAL OF YARD WASTE AND ORGANIC WASTE
WEDNESDAY, SEPTEMBER 4, 2024
10:00 A.M.
(REMOTE HEARING)**

Good morning and welcome. My name is Madelynn Liguori. I am Senior Counsel in the Bureau of Legal Affairs for the Department of Sanitation (“DSNY”). Thank you for attending this public hearing this morning.

DSNY is conducting this remote hearing in accordance with the requirements of the City Administrative Procedure Act. The purpose of this hearing is to receive comments from the public on DSNY’s proposed rule relating to the proposed fees for the disposal of yard waste and organic waste.

This rule was published by DSNY in the City Record on July 26, 2024, with a scheduled hearing date of today, September 4, 2024. Additionally, DSNY emailed copies of the rule to all New York City local elected officials, the City’s fifty-nine community boards, media and interested parties, and published the proposed rule on its website.

Section 16-129.1 of the New York City Administrative Code allows the Commissioner to set by rule the fees for the disposal of yard waste and organic waste at department compost facilities.

DSNY currently pays a contract operator to run the compost facilities, at a cost to the City. The Department charges fees for material delivered to its compost facilities by persons or other entities to offset these costs, as allowable by law.

DSNY has performed an analysis of its costs related to compost facilities in order to determine appropriate fees for the disposal of yard waste and organic waste. Costs considered by the Department in this analysis include payments to the contract operator to perform the services of composting and mulching and other ongoing expenses related to the operation of the facilities.

In addition, DSNY conducted a market survey of similar services provided by other public and private entities within the New York City metropolitan area and determined that the proposed fees are consistent with the market.

Finally, DSNY has determined, based on its operating experience, that it costs more to manage food waste than leaf and yard waste due to the higher nitrogen to carbon ratio, the higher rate of decay and associated need for odor controls, and the presence of non-organic materials (contamination) that must be disposed of.

Based on the Department's analysis, this proposed rule would set the rate for the disposal of leaf and yard waste at \$12 per cubic yard. A cubic yard is a volumetric measurement typically used in the industry and is how DSNY currently measures leaf and yard waste delivered to its compost facilities. Such rate would go into effect as of October 15, 2024. Thereafter, such rate would be adjusted annually after July 1st in accordance with the change in the Consumer Price Index (CPI) and such change would become effective annually on September 1st.

This rule would also establish the rate for the disposal of organic waste at \$85 per ton beginning October 15, 2024. Tons are the industry standard for putrescible solid wastes, including organics. Organic waste deliveries would be weighed upon arrival at the compost facilities.

A court reporter is present today and will record the hearing. You may present an oral statement or submit written comments concerning the proposed rule. We have been accepting written comments on the proposed rule since it was published. Today is the deadline for submission of written comments. Such comments may be emailed directly to nycrules@dsny.nyc.gov by 5PM today.

DSNY will make available a copy of all written comments received through today, together with the hearing transcript, for viewing on its website within the next few weeks.

DSNY will carefully consider all the comments it receives today at the hearing and all written comments it receives.

I will begin calling those of you who wish to speak this morning in the order in which you have signed up to testify. While the notice asked that persons wishing to testify sign up in advance of this hearing, anyone wishing to testify at this time may do so by indicating in the chat area that

you wish to testify by indicating your name and affiliation, if any. When you speak, please say your name and affiliation, and speak slowly and clearly so that the court reporter can understand and accurately record your statement. We also ask that you limit your statement to three minutes.