

**OPENING STATEMENT OF  
REBECCA LIPMAN  
BUREAU OF LEGAL AFFAIRS  
NEW YORK CITY DEPARTMENT OF SANITATION**

**PUBLIC HEARING ON DSNY'S PROPOSED RULE  
RELATING TO THE LEVEL OF SERVICE COMMERCIAL WASTE ZONE AWARDEES MUST  
PROVIDE TO ASSIGNED CUSTOMERS**

**FRIDAY, DECEMBER 27, 2024  
11:00 A.M.  
(REMOTE HEARING)**

Good morning and welcome. My name is Rebecca Lipman. I am an attorney 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 level of service commercial waste zone awardees must provide to assigned customers.

This rule was published by DSNY in the City Record on November 27, 2024, with a scheduled hearing date of today, December 27, 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.

The Department of Sanitation is currently implementing the first zone of the Commercial Waste Zones program mandated by Local Law 199 of 2019. The private waste carters who have been awarded the right to operate within the first zone ("awardees") have been signing up customers, but the percentage of businesses that have signed up with an awardee remains low. Pursuant to 16 RCNY 20-20(e), the Department will assign an awardee to any businesses that have failed to sign up with an awardee by the final implementation date for the zone. The rules of the Department currently state that assigned businesses shall receive two days of refuse collection per week and one day of designated recyclable materials collection per week, as well as one day of source separated organics collection per week if the commercial establishment is a

designated covered establishment. However, there are businesses that generate a large amount of waste such that they currently require waste collection as frequently as five days per week. If these businesses were assigned an awardee for waste collection just two days per week, their waste would not be collected in a timely manner, and it could build up on the street. Therefore, the Department proposes to give itself the flexibility to assign a business up to five days a week of waste collection if an assigned business generates an amount of waste that requires collection more frequently than two days a week.

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@dny.nyc.gov](mailto:nycrules@dny.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.

# Alterations to the Level of Service Commercial Waste Zone Awardees Must Provide to Assigned Customer

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 [rules.cityofnewyork.us/rule/proposed-rules-to-alter-the-level-of-service-commercial-waste-zone-awardees-must-provide-to-assigned-customer/](https://rules.cityofnewyork.us/rule/proposed-rules-to-alter-the-level-of-service-commercial-waste-zone-awardees-must-provide-to-assigned-customer/)



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**Rule status:** Adopted

**Agency:** DSNY

**Effective date:** January 2, 2025

Proposed Rule Full Text

DSNY-Proposed-Amendment-of-Rules-Relating-to-Level-of-Service-Required-to-be-Provided-to-Commercial-Waste-Zone-Customers-1.pdf

Adopted Rule Full Text

DSNY-Notice-of-Adoption-of-Amendment-of-Rules-Relating-to-Level-of-Service-Required-to-be-Provided-to-Commercial-Waste-Zone-Customers.pdf

**Adopted rule summary:**

The Department of Sanitation is currently implementing the first zone of the Commercial Waste Zones program mandated by Local Law 199 of 2019. The private waste carters who have been awarded the right to operate within the first zone (“awardees”) have been signing up customers, but the percentage of businesses that have signed up with an awardee remains low. Pursuant to 16 RCNY 20-20(e), the Department will assign an awardee to any businesses that have failed to sign up with an awardee by the final implementation date for the zone. The rules of the Department currently state that assigned businesses shall receive two days of refuse collection per week and one day of designated recyclable materials collection per week, as well as one day of source separated organics collection per week if the commercial establishment is a designated covered establishment. However, there are businesses that generate a large amount of waste such that they currently require waste collection as frequently as five days per week. If these businesses were assigned an awardee for waste collection just two days per week, their waste would not be collected in a timely manner, and it could build up on the street. Therefore, this rule will give the Department the flexibility to assign a business up to five days a week of waste collection if an assigned business generates an amount of waste that requires collection more frequently than two days a week.

## Comments are now closed.

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**Online comments:** 1

### Brooklyn Borough President Antonio Reynoso

Providing flexibility for refuse collection is smart policy that will help keep our streets clean. However, if businesses are generating a large amount of refuse, it stands to reason that they may also generate a large amount of recycling and/or organics, especially as we continue to expand the types of businesses mandated to source separate organics. Therefore, DSNY should expand this rule to add more flexibility for recycling and organics collection as well. This is an easy change that will support increasing our city’s diversion of waste from landfills.

Comment added December 23, 2024 4:19pm

REBNY Testimony | December 27, 2024

# The Real Estate Board of New York to The Department of Sanitation on a Draft Rule Pertaining to Commercial Waste Zones Level of Service

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association. Founded in 1896, REBNY represents commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople and other organizations and individuals active in New York City real estate. We appreciate the opportunity to comment on the Department of Sanitation's (DSNY) proposed rule that would authorized the Department of Sanitation (DSNY) to assign a business who does not contract with an eligible private waste carter an approved carter and dictate the collection schedule for that business.

REBNY has been an active partner with DSNY and other stakeholders in the development and implementation of the commercial waste zone program. Under current rules, a business that is assigned a hauler by DSNY because they did not hire one themselves can only receive 2 trash and 1 recycling pick ups per week. But, some businesses generate more waste than can be handled by this frequency. This rule would allow DSNY to assign a business up to 5 pick ups a week to remove these larger volume businesses.

REBNY supports the proposed rule, which is a commonsense change that accounts for on- the-ground realities. The rule will result in better service for businesses and a better outcome for local residents alike.

Thank you once again for this opportunity to testify on this draft rule.

## **CONTACT:**

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