

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

**PUBLIC HEARING ON DSNY'S PROPOSED RULE  
RELATING TO THE USE OF CERTAIN RECEPTACLES BY CERTAIN ENTITIES THAT  
RECEIVE DEPARTMENT COLLECTION SERVICE**

**THURSDAY, AUGUST 8, 2024  
9:30 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 use of certain receptacles by certain entities that receive Department collection service.

This rule was published by DSNY in the City Record on July 8, 2024, with a scheduled hearing date of today, August 8, 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.

This proposed rule would require that all buildings that receive Department collection, other than residential buildings containing ten or more dwelling units, set out any refuse at the curb for DSNY collection in rigid containers with tight-fitting lids. This requirement would go into effect on November 12, 2024. (Please note that the published rule indicated November 13<sup>th</sup>, but this was a typographical error that will be corrected in the notice of adoption). By June 1, 2026, the proposed rule would require that such rigid containers with tight fitting lids be purchased from an authorized vendor. Such authorized vendor would be chosen through a competitive procurement process and such receptacles would be available for purchase from a retail outlet or online platform.

This rule would allow all buildings and entities that receive Department collection, or are applying for collection service, to apply for and receive a waiver if compliance would create a public safety hazard for pedestrians or would pose an unreasonable hardship. Instructions relating to such waiver requests would be outlined on the Department's website. There will also be an appeals process for those buildings or entities that are denied such waiver request.

These changes are a part of the City's commitment to cleaning up New York City streets and reducing food sources for rats. Residences and other buildings that receive Department collection are generators of refuse, and bags of waste set out for collection on the curb, even when in compliance with existing waste setout requirements, attract rats and vermin. Requiring such buildings to utilize a specific City approved receptacle for the disposal of refuse will allow DSNY to streamline collections and further limit potential food sources for vermin.

These changes align with other City initiatives to increase the use of containers for waste storage and collection, creating cleaner, more livable, and more vibrant streets and neighborhoods across New York City.

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.