

New York City Department of Sanitation
Notice of Adoption of Rule Relating to the Implementation of the Eighth and Ninth
Commercial Waste Zones and Infrequent Waste Generators

NOTICE IS HEREBY GIVEN in accordance with the requirements of Section 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of the Department of Sanitation by sections 753 and 1043(a) of the New York City Charter and Titles 16 and 16-B of the New York City Administrative Code that the Department adopts the following rule adding the implementation schedule for the Midtown South and Staten Island Commercial Waste Zones (CWZ), removing the Queens West CWZ implementation schedule, and creating an application process for infrequent generators of commercial waste. The Department published a Notice of Opportunity to Comment on the proposed rule in the City Record on February 3, 2026. On March 5, 2026, the Department held a public hearing on the proposed rule.

Statement of Basis and Purpose of Proposed Rule

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 (CWZ) 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 CWZs. Pursuant to a request for proposals process, three private carters providing commercial waste collection services were selected by the Department to serve businesses within each CWZ, and five carters were selected to provide citywide containerized commercial waste collection services to businesses that use dumpsters and compactors. 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 issue rules setting forth an implementation start date and a final implementation date for each CWZ established. See Ad. Code § 16-1002(e)(3). Different implementation start and end dates may be established for different CWZs. The Department previously set the implementation start and end dates for the following CWZs: Queens Central, Bronx East, Bronx West, Queens Northeast, Brooklyn South, Queens West, and Lower Manhattan. This rule sets the implementation start date and final implementation date for

the next two zones: Midtown South and Staten Island. This rule also removes the implementation start date and final implementation date for the Queens West zone. Subsequent rules will set the implementation dates for the remaining 12 zones.

Additionally, Section 16-116(a) and (b) of the New York City Administrative Code require commercial establishments to have a Business Integrity Commission (BIC) licensee remove their waste, and post a sign noting the day and time that such establishment's trade waste is picked up or, if such establishment removes its own waste, the sign must note the registration number issued by the BIC. Section 16-116(c) exempts from these requirements any commercial establishment that generates infrequent or insignificant amount of waste, and authorizes the Sanitation Commissioner to promulgate rules determining what constitutes infrequent waste or insignificant amounts of waste. Section 1-06 of Title 16 of the Rules of the City of New York currently provides that commercial establishments must generate less than one gallon of trade waste within a seven-day period to meet the definition of infrequent waste or insignificant amounts of waste to be exempt from the requirements of Section 16-116(a) and (b). This rule creates an application process for commercial businesses to apply to be considered a generator of infrequent waste. This rule is necessary to ensure the Department has a system for determining if a business is a generator of infrequent waste and exempt from the requirements Section 16-116(a) and (b).

The Department's authority for these rules is found in Section 753 and Section 1043(g) of the New York City Charter and Titles 16 and 16-B of the New York City Administrative Code. The Department received seven oral and written comments on the proposed rule—three in support and four that addressed different issues. The comments did not lead to any changes in the rule.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of the Department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Subdivision (a) of Section 1-06 of Title 16 of the Rules of the City of New York is amended to read as follows:

(a) Any commercial establishment generating an amount of waste over a period of seven consecutive days that may be contained in a one gallon bag or any other container or containers having a volume of one gallon or less shall be considered infrequent waste or insignificant amounts of waste for purposes of subdivision (c) of § 16-116 of the Administrative Code. [Such] A commercial establishment [need not comply with] that is a generator of infrequent waste or insignificant amounts of waste must submit an application in a form prescribed by the Department in order to be exempted from the requirements of subdivisions (a) and (b) of § 16-116 of the Administrative Code. The Department may require a commercial establishment to periodically recertify that such commercial establishment continues to qualify as a generator of infrequent waste or insignificant amounts of waste.

§ 2. Subdivision (b) of section 20-02 of Title 16 of the Rules of the City of New York is amended to read as follows:

(b) Awardees for one or more of the commercial waste zones set forth in subdivision (a) of this section and for citywide containerized service are authorized to commence service in the awarded zones on the following implementation start and final implementation dates:

Zone name	Implementation start date	Final implementation date
Queens Central	September 3, 2024	January 2, 2025
Bronx East	October 1, 2025	November 30, 2025
Bronx West	October 1, 2025	November 30, 2025
Queens Northeast	January 1, 2026	February 28, 2026
Brooklyn South	January 1, 2026	February 28, 2026
[Queens West]	[April 1, 2026]	[May 31, 2026]
Lower Manhattan	April 1, 2026	May 31, 2026
<u>Midtown South</u>	<u>July 1, 2026</u>	<u>August 31, 2026</u>
<u>Staten Island</u>	<u>July 1, 2026</u>	<u>August 31, 2026</u>