

**Testimony of  
Javier Lojan, First Deputy Commissioner  
New York City Department of Sanitation**

**Hearing before the New York City Council  
Committees on Sanitation & Solid Waste Management and Small Business**

**Tuesday, February 27, 2024  
10:00 A.M.**

**Oversight: The City's Infrastructure to Handle & Process Organic Waste**

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Good morning, Chair Abreu and members of the Committee on Sanitation and Solid Waste. I am Javier Lojan, First Deputy Commissioner for the New York City Department of Sanitation. I am joined today by my colleagues Joshua Goodman, Deputy Commissioner, Public Affairs & Customer Experience, Ryan Merola, Chief of Staff and Deputy Commissioner, External Affairs, and Kate Kitchener, Director of the Bureau of Recycling and Sustainability.

Thank you for the opportunity to testify on a topic of deep importance to DSNY: the handling and processing of compostable material. This waste stream, everything from the kitchen and everything from the yard, accounts for about one third of what New Yorkers throw away – eight million pounds of residential waste each day.

For more than two decades, past administrations have been working to achieve citywide composting and make the separation and diversion of this food waste and yard waste go mainstream. Today, despite a massive fiscal challenge, the Adams administration is on track to do just that, to keep the material out of landfills where it contributes to climate change and instead to process and put it to beneficial use here in NYC, both as compost to beautify our parks and gardens and as renewable energy to heat our homes. In the process, we are getting it out of the black bags, off our streets, out of landfills, and away from the rats.

**CURBSIDE SERVICE**

In August 2022, after years of stops and starts, delays, and unfulfilled commitments from the City, Mayor Adams committed to making curbside composting work and to treat this important service part of the core function of DSNY, instead of a small, niche program that is difficult for the public at large to access.

The development and implementation of the largest, easiest curbside composting program ever was no small feat, and many of the advocates and elected officials in this room helped to make it happen.

DSNY distributed tens of thousands of bins, sent hundreds of thousands of mailers, and purchased 158 net-new collection trucks as part of a historic investment in making this program work.

As a result, every resident of Brooklyn and Queens now receives this service every week on their recycling day, and this October, the Administration will extend this universal service to the Bronx, Manhattan and Staten Island making curbside composting citywide as promised.

The most important thing about this program is its simplicity. There's no need for sign-ups, special dates to remember, or specific locations to visit within limited hours. Simply place your materials out on recycling day, and we'll ensure they're put to good use. This is a composting program for all New Yorkers.

Make the separation of compostable material easy, and people will do it. And we have numbers to back this up: in fiscal year 2023, DSNY diverted a record 211 million pounds of compostable material from landfill, an incredible increase from just over 150 million pounds the year before. This is a testament to the value of simple, universal programs, especially given that it includes only a part of our ongoing Citywide roll-out.

These kinds of programs not only improve the customer experience – they are MORE efficient than smaller programs because of economies of scale. We are now collecting more compostable material with fewer truck routes than in old programs.

## **SMART COMPOSTING BINS**

The ease-of-use principle holds true for our network of nearly 400 Smart Composting Bins across the five boroughs, where residents can drop off their compostable material 24/7 through an easy-to-use smartphone app. These bins are serviced six days per week and have proven to be very popular.

## **SCHOOLS**

We are also on track to bring curbside compost collection to every Department of Education school by the end of this school year, giving the next generation of composters familiarity with the ease and importance of this program.

## **OUTCOMES**

Material collected through each of these initiatives – curbside residential collection, smart bins, and schools – is put to beneficial use, either through composting or through anaerobic digestion. The Department produces tens of millions of pounds of finished compost every year at the Staten Island Compost Facility, where weeks ago Mayor Adams and Commissioner Tisch cut the ribbon on a major expansion. That 33-acre site is now permitted to take up to 165 million pounds of compostable material per year and, as a result of new technology on site, can process it in half the time it used to take – weeks rather than months.

While the City has sufficient permitted and contracted capacity to process compostable material from a citywide program, we are currently engaged in a procurement to distribute that capacity more evenly across the region. City procurement rules limit the extent to which we can talk about future status of processing infrastructure for putrescible waste, but beneficial use and waste equity are both key to our long-term planning.

## **PROPOSED LEGISLATION**

I would like to now turn to the series of bills that are on the agenda today.

The first is Introduction 55, sponsored by Council Member Nurse, which would require the City to accept commercial waste at city-owned and operated Marine Transfer Stations. Only two of the City's transfer stations have any additional capacity – the East 91<sup>st</sup> Street and Southwest Brooklyn transfer stations. However, there are significant costs that come with this approach which make requiring this approach impractical – DSNY would have to add additional City and vendor staff to process waste on a new shift overnight. In addition, our export contracts, with substantial built-in redundancy and an emphasis on rail and barge export, are not cheap. Our facilities may not be competitive with private transfer stations in New York City and the larger metro area. As it stands now, requiring DSNY to take commercial waste under any circumstance is cost prohibitive.

The second is Introduction 97, sponsored by Council Member Ung, which would increase the civil penalties for businesses that have failed to clean their sidewalk or 18 inches into the street, or from removing obstructions from the sidewalk. The bill will raise the amount of the first fine that DSNY issues and increase the second and third fines. In September, Commissioner Tisch urged this body to increase the amounts for first, second and third-time penalties so that our enforcement of the basic cleanliness rules had real teeth. We appreciate the partnership with Council Member Ung for introducing a bill that achieves this and for the Chair's support in hearing the proposal.

The third is Pre-considered Introduction 358, sponsored by Council Member Restler, to require at least 5 organic drop-off sites in each community district. As we testified, DSNY has brought curbside composting to all of Brooklyn and Queens, and by October 2024, residents in all five boroughs will receive curbside service. As a popular supplement to curbside collection, we have also installed nearly 400 smart composting bins in 25 community districts, giving millions of New Yorkers easy access to a drop-off point for their organics any day of the week. We appreciate the bill's goal of making available in every community district a drop-off point, and we are open to evaluating the need for more drop-off points as we roll-out full curbside service later this year and continue to assess the smart composting bins' success.

The final bills are Pre-considered resolutions by Council Member Nurse, the first in support of collaboration between DSNY and the Parks Department on encouraging interested parties to engage in compost-related activities in parks, and the second in support of the current version of the Extended Producer Responsibility Act in Albany. We are happy to continue working with our partners in Parks to this end, and we are deeply supportive of the State passing the Packaging

Reduction and Recycling Infrastructure Act in 2024, which we agree with the Council Member and the Chair is long overdue.

In addition to the bills being discussed today, DSNY would also like to raise the issue of commercial organics separation. Local Law 146 of 2013 requires certain commercial establishments to separate their compostable material, but this law is now substantially out of step with the City's commitment to diversion of compostable waste. The Commercial Waste Zone system will improve commercial diversion, in that DSNY is requiring carters to charge businesses less to collect recyclables and compost than to collect trash, but we also urge the Council to consider an update that would allow DSNY to have source separation at all commercial establishments, in line with the progress made in residential diversion.

Again, Chair, we thank you for the opportunity to testify about this important topic. With that, we look forward to taking your questions.