

**Testimony of
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New York City Department of Sanitation**

**Hearing before the New York City Council
Committees on Sanitation & Solid Waste Management
Wednesday, April 23, 2025 10:00 A.M.**

Oversight Hearing: Commercial Waste Zones

Good morning Chair Abreu and members of the Committee on Sanitation & Solid Waste Management. I am Javier Lojan, Acting Commissioner of the New York City Department of Sanitation, and I am joined today by Neil Eisenberg, Deputy Commissioner, Strategic Initiatives, and by Frank Marshall, Assistant Commissioner, Bureau of Commercial Waste.

I am in my 26th year with New York's Strongest, and over that time period, I have seen many changes to our operation. Safety and efficiency have increased steadily throughout the years. But DSNY only services New York City's residential properties, with our hundreds of thousands of businesses employing a serpentine network of private companies to haul and process their waste.

At the time that DSNY was innovating and improving our collection operations, some of these companies were doing the same – but others were engaged in a race to the bottom, prioritizing price and speed over safety, and environmental justice.

Local Law 199 of 2019 was crafted through years of negotiation to address that; to bring the commercial carting industry in New York City in line with the best practices seen in the public sector. When fully implemented, we are looking at about 12 million fewer miles traveled by commercial carting vehicles. And, making good on a promise from when this program was created, businesses will pay less for the collection of recyclables and compostable material than they do for trash at a citywide average of 32% less for recycling and 18% for compostable material. That means businesses will have a meaningful financial incentive to separate their waste properly.

In short, commercial carting will be safer for workers, of a higher quality for businesses, and better for our environment.

As part of this program, all commercial carters are or will be required to make substantial upgrades to the safety equipment of their vehicles, including the installation of back-up cameras, auxiliary exterior lighting, and GPS monitoring systems like the ones used by municipal waste vehicles. Requiring carters to make this investment will make a real difference in safety; we believe it already has. All workers in this sector are also receiving a new mandated safety training of 40 hours in the first year, plus an eight hour refresher every year thereafter. There was no standardized safety training requirement or New York City-specific requirement for safety equipment prior to Local Law 199.

And DSNY is using the new authority it has been granted under this law to enforce these safety requirements. Enforcement is not reactive under CWZ; it is built into the program's design. We have established clear thresholds, reporting requirements, and penalties to hold awardees accountable. DSNY officers hold daily field inspections.

In January, after years of planning and months of outreach, the first of New York City's 20 non-exclusive Commercial Waste Zones came online in Corona, Elmhurst, and Jackson Heights. Since inspections began in that zone on September 3, 2024, DSNY has issued 197 Notices of Violation for vehicle and driver safety issues like spillage, unregistered vehicles, and street obstruction, as well as two company-level Notices of Violation to carters who had too many violations by their drivers. Each of those carry fines of \$2,500, with penalties that increase if issues continue.

A new standard of oversight has arrived in the commercial carting industry, with the Bureau of Commercial Waste leading the way through advanced technology and data-driven enforcement strategies.

Any updates to safety regulations will be informed by the work of the Safety Task Force created under the law. Local Law 199 outlines 11 members of this Task Force, including four individuals appointed by the City Council as a whole and one appointed by the Council Speaker; I would like to remind the Council that despite often expressing concern about the success of this program, this body has at this time not filled two of these five seats. Mayor Adams' appointees represent a broad range of policy knowledge and professional experience, and the administration would welcome the opportunity to collaborate with Council appointees as dictated by the law.

On safety, enforcement, and customer sign-ups, Queens Central has seen a successful launch. Incredibly, not a single one of the thousands upon thousands of businesses in the Zone has made a complaint to DSNY of any issues with service or billing, but the Bureau of Commercial Waste learned a tremendous amount during this first-of-its-kind implementation that will be useful for future zones.

In the past, advocates had called for DSNY to launch the entire City at once; having led the roll-out of this first zone, I can tell you I am incredibly thankful that we did not do that. Traditionally, data about commercial waste generation in New York City has been extremely limited, and there was so much to learn during this process about the needs of businesses, the capacity of carters, and the relationship between the two.

This first zone implementation was an extremely intensive process. DSNY in-house and contracted outreach staff visited some businesses eight to 10 times to discuss the specifics of the program, and significant resources went into making sure that these conversations could take place in a diversity of languages and with full cultural competence. Carters also engaged in outreach as they pitched their services, with all carter advertising approved by DSNY.

Beyond outreach, both DSNY and the carters also needed to make substantial operational updates, with the carters producing reams of new data and our team reviewing it in great detail to inform both further implementation and enforcement.

And that's to say nothing of the businesses themselves, many of which were thinking about their waste generation in a real way for the first time. While the online portal at nyc.gov/commercialwaste is extremely intuitive and easy to use, the laundromat or the coffee shop still needs to take time from the real work of running their business to make these decisions. When a business failed to make this decision, DSNY made assignments as necessary that prevented any lapse in service – a remarkable example of what government can do.

However, I must emphasize that if this implementation had been rushed, if we had been spread thinner, if the carters had not been given the time to do this right, it absolutely would have failed, and the entire program might have fallen apart.

Following this first zone, we have recently completed a data analysis that will allow for the moment that you all have been waiting for: the start of the next zones later this year, as well as the announcement of the full roll-out order to reach citywide implementation.

DSNY will next launch two zones, Bronx East and Bronx West, together covering that borough in its entirety. The outreach and customer sign-up period for those zones will begin October 1, 2025, with full implementation complete by November 30, 2025. As of this moment, nyc.gov/commercialwaste has also been updated to show the order in which the remaining 17 zones will come online in cohorts, fully complete by December 31, 2027.

This is a massive change to an industry that has for too long been treated as a race to the bottom. Minimum standards like the kind achieved under this program help businesses, they help the environment, and they help workers. We are proud to be getting it done.

Proposed Legislation

I will now turn to the bills on today's agenda.

Intro 1228, sponsored by Chair Abreu, takes on the issue of commercial organics separation. The Adams administration and this Council have worked closely on residential composting over the last several years, but requirements for businesses have lagged behind, being covered by the arcane and outdated Local Law 146 of 2013. We agree with the Council Member that requirements for businesses to source-separate compostable material should match the City's commitment to diversion of compostable waste on the residential side. Particularly given that the Commercial Waste Zone system will improve commercial diversion by providing financial incentives to businesses, we support this bill.

Int-784, sponsored by Council Member Nurse, primarily relates to the work of the Business Integrity Commission, and we will defer to BIC's written testimony.

Thank you, and we look forward to taking your questions.