

**Testimony of
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**Hearing before the New York City Council
Committee on Sanitation and Solid Waste Management**

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Oversight Hearing: Ongoing Challenges with Street Cleanliness

Good afternoon, Chair Abreu and members of the Committee on Sanitation and Solid Waste Management. I am Anthony Pennolino, Chief of Department at the New York City Department of Sanitation, and I am joined today by Chief of Cleaning Operations Jeff Pitts and by Joshua Goodman, Deputy Commissioner, Public Affairs & Customer Experience.

When I joined the Department as a Sanitation Worker more than twenty years ago, the nature of our work was very different, with less technology, less data analysis, and bureaucratic red tape that meant some areas were not regularly cleaned. Every Sanitation Worker wanted to work hard and deliver a clean City, but that was hampered by a status quo that accepted less than perfect conditions in large parts of the City. Those days are over.

In recent years, we have doubled down on these core cleaning functions with significant additional resources while also adding several new initiatives: The creation of the Targeted Neighborhood Taskforce, Highway Unit, Precision Cleaning Unit and Graffiti Unit have been incredibly gratifying, as has the addition of specialized equipment to sweep our expanding network of protected bike lanes. Though there is more to do, as the parent of a young child I wake up every day and feel pride at the quality of life this Department is now working to deliver.

Allow me to provide a few examples.

CONTAINERIZATION

In October 2022, the Adams administration kicked off the Trash Revolution. Effective April 2023, set-out times for both residential and commercial waste became 8:00 PM, instead of 4:00 PM, one of the earliest set-out times in the country. Containerized waste could be set out two hours earlier at 6:00 PM, encouraging people to use containers. DSNY also changed our operations to collect more of the trash earlier, and together, this ended a practice by which one fifth of the trash was left out for almost a full day.

Just over one year ago, container rules went into effect for all businesses of every type in New York City. These rules require businesses to get their trash off the streets and into secure bins. We wrote 70,000 warnings to businesses as this rule went into effect. We have written tens of thousands of summonses since. This has resulted in broad compliance. Restaurants, delis, shops,

and other businesses on our commercial corridors now use bins to keep their streets clean and free of millions of pounds of trash.

The first containerization requirement for residential buildings in more than 50 years went into effect November 12, 2024. All buildings with 1-9 residential units are now required to use bins. This can be either their own, or the official NYC Bin. This program was designed thoughtfully so that these discounted bins would be a reasonable responsibility for most New York City property owners as part of the Trash Revolution.

To date, New Yorkers have purchased over 900,000 of these bins at www.bins.nyc or at NYC Home Depot locations. These bins have fundamentally altered the look and feel of our streets, replacing piles of black trash bags that attracted the rats and were unsightly, smelly obstacles for pedestrians. These bins may look like simple pieces of plastic, but they have led to double digit percentage decreases in rat sightings citywide, with sightings falling eight straight months in a row.

Starting June 2026, this will be the only bin permitted for lower-density residential trash, to facilitate safer, cleaner collection.

Containerization for businesses and for 1- to 9-unit residential buildings accounts for 70% of trash already covered by containerization requirements. We have a plan for the remaining 30%, which is already in action. We are currently collecting trash from 1,100 stationary on-street containers called Empire Bins in Manhattan Community District 9 as part of the first full-district containerization pilot. The pilot has taken those huge piles of trash bags generated by the largest buildings off the streets and, instead, is storing them in secure containers just like you would see in Europe, South America, or Asia. As Mayor Adams and Acting Commissioner Lojan announced this week, we plan to expand this pilot to Brooklyn Community District 2 in the coming months.

This containerization initiative for large buildings is happening faster than anyone thought possible.

ENFORCEMENT

While the Department of Sanitation will never enforce for enforcement's sake, during the last several years we have worked to hold property owners accountable for compliance with the very basic requirements around cleanliness. Property owners, our partners in maintaining street cleanliness, are required to maintain a clean sidewalk, to remove litter and debris from the first 18 inches into the street, and to set out waste at the proper time and in the proper receptacles. We target ongoing enforcement in the highest-density parts of the City, doubling down on this in the Council's designated Rat Mitigation Zones.

In addition to enforcing the basic rules of cleanliness outside every property in the City, we have implemented new strategies to combat two specific quality-of-life offenses.

The first is our camera enforcement approach to the ongoing problem of illegal dumping. Illegal dumping is defined in the law as the disposal from a vehicle of at least one cubic yard of material – approximately two large trash bags. This occurs in areas that dumpers consider to be “out of the way,” like dead-end streets, underpasses, and, perhaps worst of all, alongside cemeteries.

For the first part of my career at DSNY, the Department did not have a meaningful enforcement strategy against the crime of illegal dumping. We just cleaned and cleaned over and over again, while violators continued to afflict neighborhoods like East New York, Glendale, and Hunts Point.

We have *significantly* stepped up illegal dumping surveillance under the Adams administration. Each illegal dumping summons starts at \$4,000. The violator is required to pay the cost of cleaning up the mess. Importantly, we impound the vehicles that are used to break the law, and both fines and storage fees must be paid before it is returned.

We are also using new strategies against abandoned or derelict vehicles. For years, complaints about these conditions could fall through the cracks because of bureaucratic confusion about whether a specific vehicle was responsibility of DSNY or NYPD. We have cut through these black holes of bureaucracy by working with the NYPD to create an interagency Abandoned Vehicle Task Force. This Task Force has led to thousands of additional vehicles removed from the streets, as reflected in the MMR.

But there are strategic gaps in our enforcement authority – areas where the Department of Sanitation does not have the tools we need to do our job. And the Council has the chance to help fill those gaps with legislation that’s been introduced.

We strongly support the passage of Intro 11, sponsored by Council Member Bottcher, which will expand the hours of the day that DSNY may enforce commercial cleanliness rules. I will speak about this in more detail later in this testimony, but DSNY is disappointed today’s hearing does not include a discussion of this bill, and we urge this Committee to add it to an upcoming hearing to support your stated goal of increased street cleanliness.

I do want to thank the Council for its support of state legislation to increase enforcement authority around alternate side parking. While the state legislation did not pass this year, we will continue to advocate for Albany to support clean streets by passing this necessary legislation. We appreciate your support.

I know many of you are rightfully concerned about selfish dog owners not picking up after their pets. As my colleagues have said here before, it is nearly impossible for us to enforce the law requiring dog owners to remove their pet’s waste from the sidewalk because enforcement personnel has to visually observe the dog owner fail to remove the waste.

We understand this to be an important quality-of-life issue in many areas of the City. We have done patrols in areas with the highest number of complaints. We are exploring the use of mobile cameras to increase enforcement against these careless residents. We have also done – and continue to do – several ad campaigns and educational outreach on this issue.

CLEANING MORE AREAS THAN EVER BEFORE

Early in my career, DSNY did not have resources to clean areas such as medians, step streets, or underpasses on a regular schedule. No one was sure which agency was responsible for cleaning them in a sustained way. The status quo answer to the question, “why doesn’t DSNY clean these areas” would be, “well, that’s the way it’s always been.”

Status quo thinking is over. Since this administration created the first DSNY Highway Unit in 2023, we have added specialized highway cleaning equipment and implemented important highway safety trainings. This new unit has now cleaned 15 million pounds of debris off the highways, areas that visitors to our city often see first.

Another new unit, our Targeted Neighborhood Taskforce, provides regular cleaning to over 1700 areas that had been left out of prior plans. I guarantee there are several in every one of your districts – areas where your constituents are finally seeing results, from Snake Road to the West 230th Street steps to Conduit Boulevard.

We took management of the City’s graffiti removal program, increasing the number of 311 Service Requests closed by 80%.

And our Precision Cleaning Initiative is meeting 21st century challenges. Just this summer we deployed to the Hub in the Bronx with a mobile command bus to ensure real-time cleaning as part of the interagency effort to restore safety and quality of life to that major intersection.

While this has always been a data-driven agency, we are using new technology to streamline public space cleaning. For decades, cleaning condition logs were maintained manually and locally. We have removed barriers between districts and created one single digital log that is used across the agency. This means more areas of your district serviced in an even more timely manner.

LITTER BASKETS

There’s one more thing each of you can do to help. Rethinking how the trash is stored does not only apply to waste set out for collection, but to public space trash as well. DSNY is proud that New York City’s street corners now have approximately 5,000 litter baskets of the future, which we call the BetterBin. The old green mesh basket had become an icon over decades of use, but it is an icon of a different time.

The old baskets are full of holes that let garbage juice and odors out, while welcoming rats in. The new baskets have no holes for the first eight (8) inches, and much smaller openings throughout. They are harder to misuse, take longer to fill up, and are far easier for Sanitation Workers to service. This is in addition to a modular design that means only the least expensive part ever needs to be replaced.

We appreciate our Council partners who have purchased BetterBins over the past two fiscal years with their discretionary funds. We are excited to work with your offices in the next year to keep BetterBins rolling out. We look forward to discussing other discretionary cleanliness spending that may work for your districts.

LEGISLATION

I will turn now to the three bills being considered today.

Intro 1349, sponsored by Council Member Dinowitz, would exempt any business that produces medical waste from being required to participate in the landmark and groundbreaking Commercial Waste Zone program. This program is getting real results for workers' rights, for pedestrian safety, and for sustainability, including by reducing vehicle miles traveled and emissions produced by commercial carters. Medical waste itself, which is handled by specialized carters, is already exempt.

Under this proposal, a pharmacy or hospital or veterinary practice that generates any amount of medical waste, large or small, wouldn't need to comply with this important piece of safety and workers' rights legislation. That means you might have major areas of a Commercial Waste Zone around hospital systems or clinics where the new rules don't apply at all. That means more trucks on the road and more fumes in the air.

The Commercial Waste Zone system is a complete reimagining of a troubled industry. The idea of exempting all the *regular* trash from a place that *also* produces medical waste would be the first step in eliminating the entire program – in walking back this law just as it is starting to get results. If that is the Council's intention, then certainly it is your right to proceed. But if you do not wish to undo the Commercial Waste Zone program, then please oppose this bill, as we do.

Intro 536, sponsored by Council Member Brannan, would require certain retail food stores to post notices on a food donation web portal concerning the availability of excess food, and arranging for the transportation and retrieval of such food. DSNY is interested in any opportunity to keep food waste out of landfill and to achieve this goal. Through the NYC Food Portal at DonateNYC, we already connect businesses and nonprofits with excess food to organizations that can use or redistribute it. However, it would require additional staff and resources to mandate more than 15,000 retail businesses to post food donations once a month. We support the spirit of bill and we hope to work with Council Member Brannan to align the bill with the Department's existing resource.

Intro 1370, sponsored by Council Member Stevens, would create an online submission system for complaints about illegal dumping. This already exists via 311 – googling “NYC 311 illegal dumping” should take you right to the page. We are happy to work with the Council Member on any changes to the existing system, but do not feel that new legislation is necessary.

Intro 1279, sponsored by Council Member Ayala, would delay containerization requirements for supplemental service providers by three years, to August 2028. DSNY has already engaged in more than one year of outreach around these rules, and this Council has allocated \$5 million to

BIDs and supplemental service providers in order to facilitate implementation. As you all know, businesses and many residents are required to containerize their waste. Extending this requirement to supplemental service providers has been done slowly, thoughtfully, and with substantial resources. Legalizing the placement of this trash in bags right on the street for three more years is a mistake, and we oppose this bill in order to get the streets clean.

As mentioned earlier, despite the stated goal of this hearing around street cleanliness, Intro 11, which would expand the hours of the day that DSNY may enforce commercial cleanliness rules, is not being heard today.

I want to be clear: Right now, all the commercial cleanliness rules can only be enforced during two hours each day. That limits our ability to keep every one of your district's clean via quality of life enforcement. Extending these hours, as Intro 11 seeks to do, would give DSNY more tools to do our job, and we again register our regret at the missed opportunity that is taking place by not hearing it today. This hearing includes multiple bills that would allow more trash on the streets, and does not include a bill that would allow us to take steps *against* this trash. It is very unfortunate.

We look forward to your questions and the opportunity to discuss street cleanliness concerns and strategies with you.