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THE CITY OF NEW YORK  
DEPARTMENT OF SANITATION  
PROPOSED AMENDMENT TO RULE RELATING TO  
MANDATORY ORGANICS  
PUBLIC HEARING

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April 3, 2024  
10:02 a.m.

Remotely via  
Microsoft Teams

Julia M. Speros  
Court Reporter

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A P P E A R A N C E S:

Madelynn Liguori, Senior Counsel  
Department of Sanitation  
Bureau of Legal Affairs

TESTIMONY GIVEN BY:

Eric Goldstein, Senior Attorney and NYC  
Environment Director  
Natural Resources Defense Council

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PROCEEDINGS

MS. LIGUORI: Good morning and welcome. My name is Madelynn Liguori. I am Senior Counsel in the Bureau of Legal Affairs for the Department of Sanitation.

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 amendment to our rule relating to mandatory organics.

This rule was published by DSNY in The City Record on February 29, 2024 with a scheduled hearing of today, April 3, 2024. Additionally, DSNY emailed copies of the rule to all New York City local elected officials, the City's 59 community boards, media, and interested parties, and published the proposed rule on its website.

Local Law number 85 for the year

1           2023 requires the Department of  
2           Sanitation to establish a mandatory  
3           citywide organics collection program.  
4           This program will make the source  
5           separation of residential organic waste  
6           in the City of New York mandatory.

7           The law requires DSNY to implement  
8           its mandatory organics collection  
9           program in 30 residential sanitation  
10          districts by October 2, 2023, and in all  
11          remaining sanitation districts by  
12          October 7, 2024.

13          DSNY's current rules provide that  
14          source separation of yard waste from  
15          organic waste is required in all  
16          districts in Staten Island and the Bronx  
17          beginning March 25, 2024, and in all  
18          districts in Manhattan beginning  
19          October 7, 2024.

20          As a result of budget constraints,  
21          DSNY has determined to amend the date on  
22          which mandatory source separation of  
23          residential organic waste commences in  
24          all such districts in Staten Island, the  
25          Bronx, and Manhattan to October 6, 2024.

1           A court reporter is present today  
2           and will record the hearing. You may  
3           present an oral statement or submit  
4           written comments concerning the proposed  
5           rule. We have been accepting written  
6           comments on the proposed rule since it  
7           was published.

8           Today is the deadline for submission  
9           of written comments. Such comments may  
10          be emailed directly to  
11          nycrules@dsny.nyc.gov by 5 p.m. today.

12          DSNY will make available a copy of  
13          all written comments received through  
14          today together, together with the  
15          hearing transcript, for viewing on its  
16          website within the next few weeks.

17          DSNY will carefully consider all the  
18          comments it receives today at the  
19          hearing and all written comments it  
20          receives.

21          I will begin calling those of you  
22          who wish to speak this morning in the  
23          order in which you have signed up to  
24          testify.

25          While the notice requested that

1 persons wishing to testify sign-up in  
2 advance of this hearing, anyone wishing  
3 to testify at this time may do so by  
4 indicating in the chat area that you  
5 wish to testify by indicating your name  
6 and affiliation, if any.

7 When you speak, please state your  
8 name and affiliation, and speak slowly  
9 and clearly so that the court reporter  
10 can understand and accurately record  
11 your statement. We also ask that you  
12 limit your statement to five minutes.

13 Thank you. I would now like to call  
14 our first person to testify, Eric  
15 Goldstein, Senior Attorney and New York  
16 City Environment Director for the  
17 National (sic) Resources Defense  
18 Council.

19 Eric.

20 MR. GOLDSTEIN: Thank you, Madelynn.

21 Good morning. My name is Eric  
22 Goldstein, New York City Environment  
23 Director at the Natural Resources  
24 Defense Council.

25 NRDC is a national nonprofit legal

1 and scientific organization that has  
2 been active on a wide range of natural  
3 resource protection, environmental  
4 health, and quality of life issues  
5 across the country, around the world,  
6 and right here in New York City where  
7 our home base has been located since our  
8 founding in 1970.

9 We've been active on New York  
10 regional waste issues since the mid  
11 1980s when Mayor Koch proposed five to  
12 eight garbage burning incinerators be  
13 located throughout the City as a way of  
14 dealing with our growing trash problem.

15 NRDC's long-term goal is to  
16 transform New York's approach to trash  
17 from my primary reliance on land-filling  
18 and incineration to making waste  
19 prevention, composting, recycling, and  
20 equity the four cornerstones of City  
21 waste policy in the 21st century.

22 The Sanitation Department is at a  
23 critical reform turning point of its own  
24 in its storied history. If successfully  
25 implemented, the moves to

1 containerization, the adoption of  
2 commercial waste zones as set forth by  
3 Local Law 199 of 2019, and the diversion  
4 of all organic waste to composting  
5 facilities would mark a historic  
6 transformation to New York City waste  
7 policy.

8 But implementation is key and  
9 implementation requires funding,  
10 resources, and a commitment at the  
11 highest levels of City government to do  
12 these programs correctly. We believe  
13 the City Council and Speaker Adrienne  
14 Adams understands this transformation.

15 We know the hardworking men and  
16 women of the Department are ready and  
17 able to take on this mission. What we  
18 need is support from Mayor Eric Adams  
19 and his team to make it -- (disruption  
20 in transmission) -- and effectively.

21 Local Law 85 of 2023 is the starting  
22 point. It requires the Department to  
23 implement a curbside organic collections  
24 program at every City household. This  
25 is one of the most important waste

1 handling laws enacted in New York City  
2 since passage of the mandatory recycling  
3 law in 1989.

4 Organics, food scraps, yard waste,  
5 and food soil paper are the single  
6 largest portion of the residential waste  
7 stream, but today the overwhelming bulk  
8 of these materials are sent to landfills  
9 and incinerators.

10 When buried in landfills, they break  
11 down, decompose, and generate methane, a  
12 very potent global warming gas; and when  
13 they're loaded into incinerators, these  
14 organics, with their high moisture  
15 content, foul the burn, lead to  
16 increased production of dioxin, and  
17 other pollutants, that are emitted  
18 throughout the region.

19 Making matters worse, many of these  
20 landfills and incinerators are located  
21 in black, and brown, and low income  
22 communities, making the waste handling  
23 of organics, the way it's currently  
24 conducted, an environmental justice. In  
25 contrast, collecting food scraps and

1 yard waste for composting turns these  
2 materials into a useful finished product  
3 that replaces chemical fertilizers as a  
4 natural soil enhancer and something that  
5 helps crops, streets trees, and rain  
6 gardens, and house plants grow healthy.

7 Local Law 85 requires the Department  
8 to implement a curbside organics  
9 collection program in no less than 30  
10 districts by October 2023 and the  
11 remaining districts by October 2024, and  
12 curbside organics are now underway in  
13 Queens and Brooklyn, a total of 32  
14 districts.

15 The proposed rule that's the subject  
16 of today's hearing would move the  
17 implementation date for Staten Island  
18 and Bronx households back from March to  
19 October 2024. The proposal notes that  
20 budget constraints are the reason for  
21 the delay.

22 While we may differ on the question  
23 of whether or not the budget situation  
24 made this delay necessary, NRDC supports  
25 the proposed rule that is the subject of

1 today's hearing.

2 We do so because the new date for  
3 the Department's curbside collections in  
4 every sanitation district under today's  
5 proposal is being moved to October 6,  
6 2024, and that date is consistent with  
7 the directive of Local Law 85.

8 One final point:

9 The curbside organics collection  
10 program will never achieve its  
11 potential, will never become  
12 cost-effective, if it is not supported  
13 by a comprehensive, vibrant, and  
14 continuing public education program.

15 You simply cannot mandate such a  
16 dramatic change and expect it to happen  
17 and that's why restoration of funding of  
18 at least 7.1 million dollars for the  
19 community compost project is essential  
20 to, and inextricably linked with the  
21 success of this curbside organics  
22 collection program.

23 The eight nonprofits that have done  
24 -- that have worked in community  
25 composting have done a remarkable job

1 and they are hidden gems in the City of  
2 New York. They are the educators, the  
3 trainers, the demonstrators, and they  
4 are the best in the business. They are  
5 needed to show New Yorkers how and why  
6 to compost.

7 This is consistent with Local Law,  
8 85 which requires an outreach and  
9 education program. The Department  
10 should embrace community composting, and  
11 so we urge the Department to support the  
12 restoration of funds and to use these  
13 nonprofit organizations as its partners  
14 in the implementation of Local Law 85  
15 and the commercial organics collection  
16 program as well.

17 We thank you for your attention.

18 MS. LIGUORI: Thank you very much,  
19 Eric, for your statement.

20 At this point, if anyone else wishes  
21 to testify, you may indicate so in the  
22 chat or you may use your "raise hand"  
23 function.

24 (No response.)

25 MS. LIGUORI: DSNY will continue

1 taking comments until 5 p.m. today. You  
2 may email them to us at  
3 nycrules@dshny.nyc.gov or you may go on  
4 the nyc.gov/nycrules website and  
5 transmit your comment online as well.

6 Last call for anyone that wishes to  
7 testify. You may indicate so in the  
8 chat, use the "raise hand" function, or  
9 even un-mute at this point.

10 (No response.)

11 MS. LIGUORI: Okay. Hearing none,  
12 thank you very much for attending  
13 today's hearing and everyone have a  
14 wonderful day.

15 (Time noted: 10:12 a.m.)  
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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF NASSAU)

I, Julia M. Speros, a Notary Public within and for the State of New York, do hereby certify:

I reported the proceedings in the within-entitled matter, and that the within transcript is a true record of such proceedings to the best of my ability.

I further certify that I am not related to any of the parties to this action by blood or marriage; and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of April, 2024.

  
\_\_\_\_\_  
Julia M. Speros

<p><b>1980s</b> 7:11</p> <p><b>21st</b> 7:21</p> <p><b>3rd</b> 14:20</p> <p><b>ability</b> 14:14</p> <p><b>able</b> 8:17</p> <p><b>accepting</b> 5:5</p> <p><b>accordance</b> 3:10</p> <p><b>accurately</b> 6:10</p> <p><b>achieve</b> 11:10</p> <p><b>across</b> 7:5</p> <p><b>act</b> 3:12</p> <p><b>action</b> 14:16</p> <p><b>active</b> 7:2,9</p> <p><b>adams</b> 8:14,18</p> <p><b>additionally</b> 3:19</p> <p><b>administrative</b> 3:11</p> <p><b>adoption</b> 8:1</p> <p><b>adrienne</b> 8:13</p> <p><b>advance</b> 6:2</p> <p><b>affairs</b> 2:4 3:5</p> <p><b>affiliation</b> 6:6,8</p> <p><b>also</b> 6:11</p> <p><b>am</b> 10 3:4 13:15 14:15,17 (5)</p> <p><b>amend</b> 4:21</p> <p><b>amendment</b> 5 3:14</p> <p><b>anyone</b> 6:2 12:20 13:6</p> <p><b>approach</b> 7:16</p>	<p><b>april</b> 12 3:19 14:20</p> <p><b>are</b> 8:16 9:5,8,17,20 10:12,20 12:1,2,4,4 (11)</p> <p><b>area</b> 6:4</p> <p><b>around</b> 7:5</p> <p><b>ask</b> 6:11</p> <p><b>attending</b> 3:7 13:12</p> <p><b>attention</b> 12:17</p> <p><b>attorney</b> 2:13 6:15</p> <p><b>available</b> 5:12</p> <p><b>back</b> 10:18</p> <p><b>base</b> 7:7</p> <p><b>because</b> 11:2</p> <p><b>become</b> 11:11</p> <p><b>begin</b> 5:21</p> <p><b>beginning</b> 4:17,18</p> <p><b>being</b> 11:5</p> <p><b>believe</b> 8:12</p> <p><b>best</b> 12:4 14:14</p> <p><b>black</b> 9:21</p> <p><b>blood</b> 14:17</p> <p><b>boards</b> 3:22</p> <p><b>break</b> 9:10</p> <p><b>bronx</b> 4:16,25 10:18</p> <p><b>brooklyn</b> 10:13</p> <p><b>brown</b> 9:21</p> <p><b>budget</b> 4:20 10:20,23</p>	<p><b>bulk</b> 9:7</p> <p><b>bureau</b> 2:4 3:4</p> <p><b>buried</b> 9:10</p> <p><b>burn</b> 9:15</p> <p><b>burning</b> 7:12</p> <p><b>business</b> 12:4</p> <p><b>c</b> 2:2 14:2,2</p> <p><b>call</b> 6:13 13:6</p> <p><b>calling</b> 5:21</p> <p><b>can</b> 6:10</p> <p><b>cannot</b> 11:15</p> <p><b>carefully</b> 5:17</p> <p><b>century</b> 7:21</p> <p><b>certify</b> 14:10,15</p> <p><b>change</b> 11:16</p> <p><b>chat</b> 6:4 12:22 13:8</p> <p><b>chemical</b> 10:3</p> <p><b>city</b> 3 3:11,17,21 4:6 6:16,22 7:6,13,20 8:6,11,13,24 9:1 12:1 (16)</p> <p><b>city's</b> 3:22</p> <p><b>citywide</b> 4:3</p> <p><b>clearly</b> 6:9</p> <p><b>collecting</b> 9:25</p> <p><b>collection</b> 4:3,8 10:9 11:9,22 12:15 (6)</p> <p><b>collections</b> 8:23 11:3</p> <p><b>commences</b> 4:23</p>
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<p><b>comment</b> 13:5</p> <p><b>comments</b> 3:13 5:4,6,9,9,13,18,19 13:1 (9)</p> <p><b>commercial</b> 8:2 12:15</p> <p><b>commitment</b> 8:10</p> <p><b>communities</b> 9:22</p> <p><b>community</b> 3:22 11:19,24 12:10 (4)</p> <p><b>compost</b> 11:19 12:6</p> <p><b>composting</b> 7:19 8:4 10:1 11:25 12:10 (5)</p> <p><b>comprehensive</b> 11:13</p> <p><b>concerning</b> 5:4</p> <p><b>conducted</b> 9:24</p> <p><b>conducting</b> 3:9</p> <p><b>consider</b> 5:17</p> <p><b>consistent</b> 11:6 12:7</p> <p><b>constraints</b> 4:20 10:20</p> <p><b>containerization</b> 8:1</p> <p><b>content</b> 9:15</p> <p><b>continue</b> 12:25</p> <p><b>continuing</b> 11:14</p> <p><b>contrast</b> 9:25</p> <p><b>copies</b> 3:20</p> <p><b>copy</b> 5:12</p> <p><b>cornerstones</b> 7:20</p> <p><b>correctly</b> 8:12</p> <p><b>costeffective</b> 11:12</p>	<p><b>council</b> 2:14 6:18,24 8:13 (4)</p> <p><b>counsel</b> 2:3 3:4</p> <p><b>country</b> 7:5</p> <p><b>county</b> 14:6</p> <p><b>court</b> 21 5:1 6:9</p> <p><b>critical</b> 7:23</p> <p><b>crops</b> 10:5</p> <p><b>curbside</b> 8:23 10:8,12 11:3,9,21 (6)</p> <p><b>current</b> 4:13</p> <p><b>currently</b> 9:23</p> <p><b>date</b> 4:21 10:17 11:2,6 (4)</p> <p><b>day</b> 13:14 14:20</p> <p><b>deadline</b> 5:8</p> <p><b>dealing</b> 7:14</p> <p><b>decompose</b> 9:11</p> <p><b>defense</b> 2:14 6:17,24</p> <p><b>delay</b> 10:21,24</p> <p><b>demonstrators</b> 12:3</p> <p><b>department</b> 4 2:3 3:5 4:1 7:22 8:16,22 10:7 12:9,11 (10)</p> <p><b>department's</b> 11:3</p> <p><b>determined</b> 4:21</p> <p><b>differ</b> 10:22</p> <p><b>dioxin</b> 9:16</p> <p><b>directive</b> 11:7</p> <p><b>directly</b> 5:10</p> <p><b>director</b> 2:13 6:16,23</p>	<p><b>disruption</b> 8:19</p> <p><b>district</b> 11:4</p> <p><b>districts</b> 4:10,11,16,18,24 10:10,11,14 (8)</p> <p><b>diversion</b> 8:3</p> <p><b>dollars</b> 11:18</p> <p><b>done</b> 11:23,25</p> <p><b>down</b> 9:11</p> <p><b>dramatic</b> 11:16</p> <p><b>dsny</b> 3:9,16,19 4:7,21 5:12,17 12:25 (8)</p> <p><b>dsny's</b> 3:14 4:13</p> <p><b>e</b> 2:2,2 14:2,2 (4)</p> <p><b>education</b> 11:14 12:9</p> <p><b>educators</b> 12:2</p> <p><b>effectively</b> 8:20</p> <p><b>eight</b> 7:12 11:23</p> <p><b>elected</b> 3:21</p> <p><b>else</b> 12:20</p> <p><b>email</b> 13:2</p> <p><b>emailed</b> 3:20 5:10</p> <p><b>embrace</b> 12:10</p> <p><b>emitted</b> 9:17</p> <p><b>enacted</b> 9:1</p> <p><b>enhancer</b> 10:4</p> <p><b>environment</b> 2:13 6:16,22</p> <p><b>environmental</b> 7:3 9:24</p> <p><b>equity</b> 7:20</p>
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