

**From:** [Ulrike Nischan](#)  
**To:** [NYC Rules \(DSNY\)](#)  
**Cc:** [Mary Arnold](#); [Anna Sacks](#); [Rhonda Keyser](#); [Matthew M. Civello](#); [Bronx SWAB](#)  
**Subject:** [EXTERNAL] Comments for Public Hearing on Pilot Program for the Use of Stationary On-Street Containers  
**Date:** Tuesday, November 12, 2024 4:24:54 PM  
**Attachments:** [24.11.12 All SWAB Testimony on DSNY's Pilot Program for the Use of Stationary On-Street Containers .pdf](#)

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Comments on behalf of Brooklyn, Bronx, Manhattan, and Queens Solid Waste Advisory Boards attached.

**From:** [Alia Soomro](#)  
**To:** [NYC Rules \(DSNY\)](#)  
**Subject:** [EXTERNAL] NYLCV Comments - DSNY Proposed Rules on Pilot Containerization Program  
**Date:** Friday, November 8, 2024 2:33:25 PM  
**Attachments:** [NYLCV Comments - DSNY Proposed Rules Pilot Containerization Program- 11 12 24.pdf](#)

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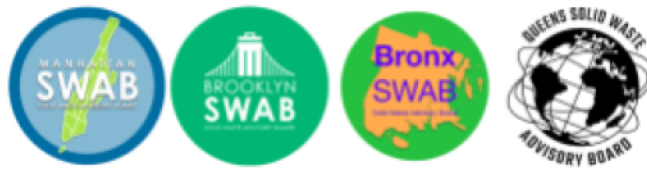
Hello,

On behalf of the New York League of Conservation Voters (NYLCV), attached are our comments on DSNY's proposed rules on a pilot containerization program.

Thank you,  
Alia Soomro

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Alia Soomro (she/her)  
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New York League of Conservation Voters  
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**Testimony on behalf of the Manhattan, Brooklyn, Queens, and Bronx Solid Waste Advisory Boards  
before the New York City Department of Sanitation  
November 12, 2024**

**Testimony on DSNY's Pilot Program for the Use of Stationary On-Street Containers**

Thank you for the opportunity to provide feedback on the Department of Sanitation's proposed containerization pilot program for Manhattan Community District 9. The Solid Waste Advisory Boards of Manhattan, Brooklyn, Queens, and the Bronx believe efforts to containerize waste should be postponed until participation and material capture rates in the universal curbside organics diversion and collection program—designed to containerize all putrescible waste, leaving only non-putrescible items in regular trash and recycling—reach at least a 50% capture rate, with the ideal goal of approaching 100%.

However, should this pilot proceed, we urge DSNY to clarify and prioritize four key areas:

First, we urge DSNY to clearly identify the program's objectives and the metrics for evaluating success. For example, the pilot should assess the impact on refuse diversion, logistical efficiencies, operational challenges, and the program's overall influence on community cleanliness and rodent control. Without a clear and comprehensive evaluation protocol—including both quantitative and qualitative measures—the outcomes of this pilot may be difficult to assess and replicate citywide.

Second, we encourage DSNY to commit to transparency in monitoring and reporting. The agency should issue interim and final reports on the program's progress, along with deadlines for these updates. We also believe it's essential to understand who will oversee and monitor this pilot, including both public agencies and non-public stakeholders. Effective oversight will help ensure that outcomes are tracked in real-time and that necessary adjustments can be made as the pilot progresses. Transparency is critical, especially given that past containerization efforts only shared limited outcomes, like reductions in 311 rat complaints, with little insight into any broader assessment.

Third, we ask DSNY to report on key areas of concern that emerged from previous pilots, including any effects on litter, illegal dumping, labor requirements for buildings and DSNY, actual rat activity, the number of bins occupying sidewalks, and whether container sizes met community needs.

Lastly and above all, it's vital that DSNY evaluate how this trash-only containerization effort affects overall diversion rates. We caution that an exclusive focus on trash containerization could inadvertently detract from containerized organics collection efforts. Without integrated planning, residents may find it challenging to maintain proper source separation for

## Solid Waste Advisory Boards of Brooklyn, Bronx, Manhattan, and Queens

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compostable and recyclable materials. Further, containers intended for trash that prevent access to materials by canners or other redeemers will deter potential diversion by misdirecting glass, plastic, and other metals away from the recycling system to landfill and incineration. Trash containers should not be locked.

We encourage DSNY to assess, in real time, whether this pilot impacts broader waste diversion goals, particularly regarding recyclable and compostable materials, and adapt the pilot to address any negative impacts identified. Conducting baseline tests and comparisons with a control area will be essential to measure changes accurately.

In summary, we support DSNY's commitment to cleaner streets, but we urge the city to fully commit to organics containerization and diversion before rolling out further efforts to containerize. If the pilot goes forward, we demand greater transparency on how success will be monitored and measured, the reporting schedule, and how this pilot complements broader waste management goals, especially around organics.



**Testimony of Alia Soomro, Deputy Director for New York City Policy  
New York League of Conservation Voters  
New York City Department of Sanitation  
Proposed Rules for a Pilot Program for the Use of Stationary On-Street Containers  
November 12, 2024**

My name is Alia Soomro and I am the Deputy Director for New York City Policy at the New York League of Conservation Voters (NYLCV). NYLCV is a statewide environmental advocacy organization representing over 30,000 members in New York City. I would like to thank the New York City Department of Sanitation (DSNY) for the opportunity to testify today.

NYLCV supports DSNY's proposed rules for a proposed pilot containerization program in Manhattan Community District 9, encompassing West Harlem. Food waste is the third largest source of New York City's overall emissions according to the City's [integrated NYC Greenhouse Gas Inventory](#), after buildings and transportation. Twenty percent of New York City's greenhouse gas emissions come from household food consumption. When food waste is sent to landfills, which are disproportionately located in low income and communities of color, organic waste decomposes to create methane gas, a powerful greenhouse gas more than twenty times more potent than carbon dioxide. Neighborhoods near polluting facilities like waste transfer stations and incinerators have higher rates of pollution, which cause disproportionately higher cases of asthma, cancer, and other health issues and compound already existing environmental and racial inequities.

We have supported moving our City towards waste containerization and are excited to see this pilot program roll out, especially since similar programs have been long established in global cities such as Barcelona, Paris, Amsterdam, and Buenos Aires. Waste containerization is important not only from a climate and environmental justice perspective, but also for improving New York City residents' quality of life. Containerization will reduce litter on the ground, the mounds of plastic trash bags on our sidewalks, and the rat population, which is particularly important to Manhattan CD 9 because it is one of the rat mitigation zones designated by the Department of Health and Mental Hygiene. A portion of this area was also the subject of a much smaller scale pilot program for containerization that resulted in fewer 311 rat complaints in the area. Waste containerization also has the potential to revitalize our City's streetscapes and sidewalks for public use.

We understand that New York City's cityscape and density varies widely, from 1-2 families, to 3-6 story walk-ups, to large 5 -12 story buildings to towers. So, as DSNY recognizes in this initial pilot program, there is a need for more than one single containerization solution citywide. With that said, NYLCV hopes that DSNY can move towards a comprehensive containerization

program that includes trash, recyclables, and organic waste to increase diversion rates. We also hope that a program can one day include shared building containers for smaller buildings in order to preserve space for other public uses.

As this pilot program progresses, we underscore the need for long-term funding for Automated Side-Loading Trucks and containers. In the future, NYLCV hopes the City learns from the pilot in CB9 to implement and fully fund a permanent citywide waste containerization program on our streets to streamline waste and prevent buildup on sidewalks and trashrooms.

Providing permanent, sealed containers throughout the City to hold trash bags prior to collection can mitigate the issues of the bags being opened by rodents and will create a cleaner city. Ultimately we want to invest and improve our streetscapes and work toward our City's zero waste by 2030 mandate to reduce the amount of waste sent to landfills. At the moment, competition for curb space has been front and center. Getting trash off the sidewalk creates more opportunities for beneficial use of public space like bioswales, bike corrals, sidewalk seating, bus shelters, delivery microhubs, and pedestrian plazas.

Thank you for the opportunity to speak.

## Testimony on 11/12/24 Department of Sanitation Rules Hearing

Open Plans writes today in regard to the on-street containerized trash pilot. We have consistently advocated for on-street containerized trash in New York City, and are excited at this first step to bring such a program to life. This pilot serves as a great foundation, and we believe it can be improved by leveraging the opportunity to also pilot shared containers between smaller buildings.

- **Pilot shared containers for buildings between 10 and 30 units.** Evidence has shown that trash containers in the curb lane are the most equitable and efficient way to carry out containerization. However, leaving out a significant portion of the housing stock in this pilot (and hundreds of thousands of units in a potential citywide program) from being required to use curbside containers is a mistake. Instead of swapping the clutter on our sidewalks from bags to bins (which would be a clear improvement but can still disrupt the pedestrian experience), the City should pilot shared containers in the curb lane for nearby buildings between 10 and 30 units. Shared containers are especially important to ensure that there is not an over-proliferation of containers per block. While the concern of potentially unclear maintenance responsibility is understandable (which also raises the need for more holistic public space management), if penalties are assessed to all buildings for lack of maintenance, we believe maintenance would be carried out. The city should also work with buildings that have trash rooms to provide a solution for large bins to be kept inside the buildings and rolled out only for collection day. There is no better time to try a shared container solution than in a pilot program.

Respectfully,  
Open Plans

Sara Lind  
Co-Executive Director  
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# Pilot Program for the Use of Stationary On-Street Containers

 [rules.cityofnewyork.us/rule/relating-to-pilot-program-for-the-use-of-stationary-on-street-containers/](https://rules.cityofnewyork.us/rule/relating-to-pilot-program-for-the-use-of-stationary-on-street-containers/)



**Rule status:** Proposed

**Agency:** DSNY

**Comment by date:** November 12, 2024

[Rule Full Text](#)

[DSNY-Proposed-Rules-Relating-to-Pilot-Program-for-Use-of-Stationary-On-Street-Containers.pdf](#)

This rule sets the framework for the Department of Sanitation’s (“Department”) application of trash containerization requirements to residential buildings with 10 or more units, starting with a limited pilot program. This rule designates Manhattan Community District 9, encompassing West Harlem, which also includes the neighborhoods of Hamilton Heights, Manhattanville, and Morningside Heights, as the first area in which to pilot these requirements, with an expected implementation date of June 1, 2025 and end date of May 31, 2026. This area was chosen because it is one of the rat mitigation zones designated by the Department of Health and Mental Hygiene and it offers a very diverse set of building types and streetscapes. A portion of this area was also the subject of a much smaller scale pilot program for containerization that resulted in fewer 311 rat complaints in the area.

Specifically, this rule would require all residential buildings having 31 or more dwelling units located in the pilot area to utilize stationary on-street containers (“SOSCs”) for the disposal of refuse beginning on the implementation date. Such buildings would be required to use SOSCs rather than their own rigid receptacles with tight-fitting lids because large residential buildings tend to generate too much refuse to fit in such receptacles. The Department would affix SOSCs to the roadway in the parking lane along the curb, with specific locations for each SOSC chosen in coordination with the Department of Transportation. A building with 31 or more dwelling units in the pilot area would not be required to utilize an SOSC if it receives off-street collection, including collection from inside a loading dock, or if the Department determines that such building’s location warrants a different containerization method or alternative set-out method based on its own independent analysis.

Residential buildings containing 10 to 30 dwelling units located in the pilot area would be required either to dispose of their refuse in SOSCs or to set out their refuse at the curb for collection by the Department in rigid receptacles with tight-fitting lids not exceeding 55 gallons in size. A building of this size could apply to use an SOSC during the application period (proposed to be December 15, 2024 to February 1, 2025). The Department would notify a building if the request to utilize an SOSC has been approved or denied no later than two months prior to the implementation date. If a building’s application to use an SOSC is denied, or if a building did not apply to use an SOSC in the first place, such building would have to use rigid receptacles with tight-fitting lids not exceeding 55 gallons in size or, if the Department determines that the amount of waste generated by the building warrants a different containerization method or an alternative set-out method for such building, such method as designated by the Department. Any such method would need to be in place by the implementation date.

Any building utilizing SOSCs would also be responsible for certain maintenance and cleanliness requirements. Specifically, SOSCs must be kept clean, well-maintained, and clear of trash, debris, graffiti, vermin, food scraps, and unsanitary conditions. Additionally, the area of the roadway extending one and one-half feet beyond each side of an SOSC must be kept clean.

These changes are a part of the City’s commitment to cleaning up New York City streets and reducing food sources for rats. Residences and other buildings that receive Department collection are generators of refuse, and bags of waste set out for collection on the curb, even when in compliance with existing waste setout requirements, attract rats and vermin. Requiring these buildings to utilize a specific City approved receptacle for the disposal of refuse will allow DSNY to streamline collections and further limit potential food sources for vermin. Based on the results of this rule in the pilot area, the Department will consider whether any changes are necessary prior to establishing a more permanent program in the pilot area and expanding these requirements to other parts of the city in future rulemakings.

These changes align with other City initiatives to increase the use of containers for waste storage and collection, creating cleaner, more livable, and more vibrant streets and neighborhoods across New York City.

Attendees who need reasonable accommodation for a disability such as a sign language translation should contact the agency by calling 1 (646) 885-4786 or emailing [email protected] by **November 5, 2024**

### Send comments by

- **Email:** [email protected]
- **Mail:** NYC DSNY- Bureau of Legal Affairs, 125 Worth Street Room/Floor: 710 ; New York, New York 10013

## Public Hearings

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### Microsoft Teams Public Hearing

Date

November 12, 2024

10:00am - 12:00pm EST

Location

Microsoft Teams

Connect Virtually

[https://teams.microsoft.com/join/19%3ameeting\\_NGUxYWU4MGMtZDJkMi00OTRjLTliZTMtZDdkOGE0N2NjOWQx%40t%20hread.v2/0?context=%7b%22Tid%22%3a%2232f56fc7-5f81-4e22-a95b-15da66513bef%22%2c%22Oid%22%3a%221d3255a2-4904-4aaa-899e-3f943348182b%22%7d](https://teams.microsoft.com/join/19%3ameeting_NGUxYWU4MGMtZDJkMi00OTRjLTliZTMtZDdkOGE0N2NjOWQx%40t%20hread.v2/0?context=%7b%22Tid%22%3a%2232f56fc7-5f81-4e22-a95b-15da66513bef%22%2c%22Oid%22%3a%221d3255a2-4904-4aaa-899e-3f943348182b%22%7d)

Disability Accommodation

Sign Language Interpretation

**Comments are now closed.**

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**Online comments:** 7

## **Richard Savino**

- 1) Does the building purchase these containers?
- 2) What about buildings to 100+ units?

Comment added October 15, 2024 10:51am

## **Emma Lopez**

Do we need to have a container on each of the tenants' units?  
Will the tenant be responsible to purchase the container?

Comment added October 16, 2024 9:54am

## **Nick Frost**

This seems like a well thought-through proposal. I'm looking forward to living in a city that doesn't put bags of rat food on the sidewalk.

Comment added November 3, 2024 9:01pm

## **Miles Nelligan**

The quantity and size of the containers have a high impact on the streetscape, placing this many permanent large scale garbage receptacles along the street, makes them the most noticeable feature of the street since they are higher than the cars. They frequently have garbage that "missed" the container around them and the lids are frequently not closed.

I have seen this type of arrangement in Europe, but never this amount of containers. They take over the street more than bags did.

Comment added November 6, 2024 12:27pm

## **Bennett**

I support the proposed rule and hope you'll quickly expand to the rest of the city.

Comment added November 12, 2024 9:55am

## Michael Sutherland (Open Plans)

Open Plans writes today in regard to the on-street containerized trash pilot. We have consistently advocated for on-street containerized trash in New York City, and are excited at this first step to bring such a program to life. This pilot serves as a great foundation, and we believe it can be improved by leveraging the opportunity to also pilot shared containers between smaller buildings. Further comments are in the attached testimony.

### Comment attachment

Open-Plans-Testimony-on-11-12-24-DSNY-Rules-Hearing.pdf

Comment added November 12, 2024 2:59pm

## Clare Miflin

The Center for Zero Waste Design is a nonprofit that develops research, advocacy campaigns, and policy tools for buildings and cities to achieve zero waste. We recently released a new report titled *On Containerization* [see our website] with recommendations to containerize waste as New York City explores new sanitation practices such as commercial waste zoning and mandatory bins for commercial and residential buildings citywide. We have been advocating for waste containerization since releasing the *Zero Waste Design Guidelines*, and provided strategies to containerize in our advocacy campaign, *Put Waste To Work*, which was produced in collaboration with WXY Studio.

Additionally, we would like to submit the following comments:

Pilots are useful for testing and evaluating strategies. There need to be clear aims, and evaluation criteria. After the pilot an evaluation report should be done and shared with the public

The only information shared about the previous Hamilton Heights waste containerization pilot was a decrease in 311 rat complaints.

Criteria we think should be evaluated in any containerization pilot:

Waste related:

Diversion rates: How did a trash-only pilot affect the quantities of recycling and compostable waste collected?

Labor for buildings to use and maintain containers

Capacity of containers – were they under / oversized?

Costs of collection by DSNY

Public Space concerns:

Sidewalk litter

Rat activity – beyond 311 complaints, actual analysis.

Illegal dumping

Were there still bins staged on sidewalks for resident use?

Amount of public space used – street / sidewalk

Truck impacts – time taken, noise, frequency

Stakeholder concerns:

Resident concerns

Building management concerns

DSNY labor concerns

Canner concerns

Equity concerns

Were underresourced buildings more or less successful in implementing?

Costs to buildings

The regulation for this pilot should include the following:

Clear statement about what is being tested, e.g., diversion, logistics, operations, etc.

Clear guidance re the evaluation protocols, including both quantitative and qualitative methods

Clear guidance about issuing interim and final reports, including timetable/deadlines.

Clear statement about who is involved with the pilot's oversight and monitoring – both public and non-public stakeholders.

Comment attachment

241112-Hearing-on-Pilot-Program-for-the-Use-of-Stationary-On-Street-Containers.pdf

Comment added November 12, 2024 5:20pm