

New York City Department of Sanitation
Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Sanitation (DSNY or the Department) is proposing to amend its rules regarding its program for the collection of commercial waste to include the implementation schedule for the Bronx East and Bronx West Commercial Waste Zones (CWZ).

When and where is the hearing? DSNY will hold a public hearing on the proposed rule. The public hearing will take place via Microsoft Teams at 10:00AM on Friday, May 23, 2025, using the following link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZDdhMmRjYWltMThiZC00YzU5LTlkMzMtODFIYmZhNDNiMjI1%40thread.v2/0?context=%7b%22Tid%22%3a%2232f56fc7-5f81-4e22-a95b-15da66513bef%22%2c%22Oid%22%3a%225763010a-a4b6-40c9-af42-a4efa53f66e4%22%7d

Meeting ID: 294 986 288 154 3

Passcode: mG3Wk3Ni

Dial in by phone

[+1 646-893-7101](tel:+16468937101), [472099522](tel:+1472099522) United States, New York City

Phone conference ID: 472 099 522#

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DSNY through the NYC rules Web site at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to nycrules@dsny.nyc.gov.
- **Mail.** You can mail written comments to DSNY, 125 Worth Street, Room 710, New York, NY 10013.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing abadea@dsny.nyc.gov by Thursday, May 22, 2025 at 5:00 P.M. While you will be given

the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

Is there a deadline to submit comments? The deadline for submitting written comments is Friday, May 23, 2025.

What if I need assistance to participate in the hearing? You must tell the Bureau of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by email at eluna@dsny.nyc.gov or by mail at the address given above. You may also tell us or by telephone at 646-885-4996. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by Friday, May 16, 2025.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at 125 Worth Street, Room 710, New York, NY 10013 and on DSNY’s website.

What authorizes DSNY to make this rule? Section 753 and Section 1043(g) of the New York City Charter and Title 16-B of the New York City Administrative Code authorize DSNY to make this proposed rule. This proposed rule was included in DSNY’s regulatory agenda for this Fiscal Year.

Where can I find the DSNY’s rules? DSNY’s rules are in Title 16 of the Rules of the City of New York.

What laws govern the rulemaking process? DSNY must meet the requirements of Section 1043 of the New York City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043.

Statement of Basis and Purpose of Proposed Rule

In 2019, New York City enacted Local Law 199 requiring the establishment of a new program for the collection of commercial waste. The program, known as the Commercial Waste Zones (CWZ) program, is a safe, efficient, and competitive collection system designed to provide high-quality service to New York City businesses while advancing the City's waste diversion and sustainability goals. Pursuant to Local Law 199, codified in Title 16-B of the New York City Administrative Code, the geographic area of New York City has been divided into 20 "commercial waste zones."

Pursuant to a request for proposals process, three private carters providing commercial waste collection services, were selected by the Department to serve businesses within each CWZ, and five carters were selected to provide containerized commercial waste collection services from dumpsters and compactors citywide. The selected carters are referred to as "awardees." The resulting contracts with the awardees include standards for pricing, customer service, safety, environmental health, and requirements to promote the City's commitment to recycling and sustainability.

Local Law 199 requires the Department to issue rules setting forth an implementation start date and a final implementation date for each commercial waste zone established. See Ad. Code § 16-1002(e)(3). Different implementation start dates and implementation end dates may be established for different commercial waste zones. The Department previously set the implementation start and end dates for the first zone—Queens Central—with an implementation start date of September 3, 2024, and an implementation end date of January 2, 2025. This rule sets the implementation start date and final implementation date for the next two zones to be implemented—Bronx East and Bronx West. Subsequent rules will set the implementation dates for the remaining zones.

DSNY's authority for these rules is found in Section 753 and Section 1043(g) of the New York City Charter and Title 16-B of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Subdivision b of section 20-02 of Title 16 of the Rules of the City of New York is amended to read as follows:

(b) Awardees for one or more of the commercial waste zones set forth in subdivision (a) of this section and for citywide containerized service are authorized to commence service in the awarded zones on the following implementation start and final implementation dates:

Zone name	Implementation start date	Final implementation date
Queens Central	September 3, 2024	January 2, 2025
<u>Bronx East</u>	<u>October 1, 2025</u>	<u>November 30, 2025</u>
<u>Bronx West</u>	<u>October 1, 2025</u>	<u>November 30, 2025</u>

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Implementation Dates for Second Commercial Waste Zone

REFERENCE NUMBER: DSNY-49

RULEMAKING AGENCY: Department of Sanitation

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

April 9, 2025
Date

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Implementation Dates for Second Commercial Waste Zone

REFERENCE NUMBER: 2025 RG 033

RULEMAKING AGENCY: Department of Sanitation

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: April 8, 2025