

In Re NYC - Department of Sanitation Public Hearing
March 5, 2026

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REMOTE PUBLIC HEARING
NEW YORK CITY DEPARTMENT OF SANITATION NOTICE OF
PUBLIC HEARING AND OPPORTUNITY TO COMMENT ON
PROPOSED RULES

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Held Remotely
Via Microsoft Teams
DATE: March 5, 2026
TIME: 10:02 a.m.

REMOTE PUBLIC HEARING in the
above-referenced matter, held via videoconference at
the above time, before Sabrina Brown Stewart, a
Notary Public of the State of New York.

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

ANISSA BADEA - Counsel, NYC Department of Sanitation

S P E A K E R:

JUSTIN WOOD - New York Lawyers for the Public
Interest

1 MS. BADEA: Good morning and welcome.
2 My name is Anissa Badea, and I'm counsel for
3 the Department of sanitation. Thank you for
4 attending this public hearing this morning.

5 DSNY is conducting this remote hearing
6 in accordance with the requirements of the
7 City Administrative Procedure Act. The
8 purpose of this hearing is to receive
9 comments from the public on DSNY's proposed
10 rule relating to the implementation of the
11 Commercial Waste Zone program and infrequent
12 waste generators. This rule was published by
13 DSNY in the City Record on February 3, 2026,
14 with a scheduled hearing date of today,
15 March 5, 2026. Additionally, DSNY e-mailed
16 copies of the rule to all New York City local
17 elected officials, the City's 59 community
18 boards, media and interested parties, and
19 published the proposed rule on its website.

20 In 2019, New York City enacted Local
21 Law 199 requiring the establishment of a new
22 program for the collection of commercial
23 waste. The program, known as the Commercial
24 Waste Zone program, is a safe, efficient, and
25 competitive collection system designed to

1 provide high-quality services to New York
2 City businesses while advancing the City's
3 waste diversion and sustainability goals.
4 Pursuant to Local Law 199, codified in
5 Title 16-B of the New York City
6 Administrative Code, the geographic area of
7 New York City has been divided into 20
8 Commercial Waste Zones.

9 Pursuant to a request for proposal
10 process, three private carters providing
11 waste collection services were selected by
12 the Department to serve businesses within
13 each Commercial Waste Zone, and five carters
14 were selected to provide citywide
15 containerized commercial waste collection
16 services to businesses that use dumpsters and
17 compactors. Selected carters are referred to
18 as awardees. The resulting contracts with
19 the awardees include standards for pricing,
20 customer service, safety, environmental
21 health, and requirements to promote the
22 City's commitment to recycling and
23 sustainability.

24 Local Law 199 requires the Department
25 to issue rules setting forth an

1 implementation start and final implementation
2 date for each Commercial Waste Zones
3 established. Different implementation start
4 and end dates may be established for
5 different Commercial Waste Zones. The
6 Department previously set the implementation
7 start and end dates for the following
8 Commercial Waste Zones; Queens Central, Bronx
9 East, Bronx West, Queens Northeast, Brooklyn
10 South, Queens West, and Lower Manhattan.
11 This rule would set the implementation start
12 and final implementation dates for the next
13 two zones, Midtown South and Staten Island.

14 This rule would also remove the
15 implementation start and final implementation
16 dates for the Queens West zone. Subsequent
17 rules will set the implementation dates for
18 the remaining 12 zones. Additionally,
19 Section 16-116(a) and (b) of the New York
20 City Administrative Code require commercial
21 establishments to have a Business Integrity
22 Commission licensed carter remove their
23 waste, and to post a sign noting the day and
24 time that such establishment's trade waste is
25 picked up. If an establishment removes its

1 own waste, the sign must note the
2 registration number issued by the Business
3 Integrity Commission.

4 Section 16-116 (c) exempts from these
5 requirements any commercial establishment
6 that generates infrequent or insignificant
7 amounts of waste, and authorizes the
8 Sanitation Commissioner to promulgate rules
9 determining what constitutes infrequent waste
10 or insignificant amounts of waste.

11 Section 1-06 of Title 16 of the rules of the
12 City of New York currently provides that
13 commercial establishments must generate less
14 than one gallon of trade waste within a
15 seven-day period to meet the definition of
16 infrequent waste or insignificant amounts of
17 waste to be exempt from the requirements of
18 Section 16-116 (a) and (b).

19 This rule would create an application
20 process for commercial businesses to apply to
21 be considered a generator of infrequent
22 waste. This rule is necessary to ensure the
23 Department has a system for determining if a
24 business is a generator of infrequent waste
25 and exempt from the requirements of

1 Section 16-116 (a) and (b).

2 A court reporter is present today and
3 will record this hearing. You may present an
4 oral statement or submit written comments
5 concerning the proposed rule. We have been
6 accepting written comments on the proposed
7 rule since it was published. Today is the
8 deadline for submission of written comments.
9 Such comments may be e-mailed directly to
10 nycrules@dsny.nyc.gov by today. DSNY will
11 make available all copies of written comments
12 received through today, together with the
13 hearing transcript, for viewing on its
14 website within the next few weeks.

15 DSNY would carefully consider all oral
16 and written comments it receives. I'll begin
17 calling those of you who wish to speak this
18 morning in the order in which you're assigned
19 to testify. While the notice asked that
20 persons wishing to testify sign up in advance
21 of this hearing, anyone wishing to testify
22 may sign up by indicating in the chat area
23 your name and affiliation, if any. When you
24 speak, please state your name and
25 affiliation, and speak slowly and clearly, so

1 the court reporter can understand and
2 accurately record your statement. We also
3 ask that you limit your statement to three
4 minutes. If you would like to speak, you can
5 add your name and affiliation, if any, to the
6 chat now.

7 Thank you. Justin Wood, NYLPI, you can
8 go first.

9 MR. WOOD: Thank you and good morning.
10 My name is Justin Wood. I'm the director of
11 policy at New York Lawyers for the Public
12 Interest. We're a founding member of the
13 Transform Don't Trash NYC coalition, which
14 has been advocating for fundamental reform of
15 the City's sprawling commercial waste system
16 for more than a decade. We offer the
17 following comments on the proposed rule,
18 setting a timeline for two additional
19 Commercial Waste Zones in Midtown South and
20 Staten Island.

21 First, we continue to strongly support
22 the rapid implementation of Local Law 199,
23 mandating a citywide transition to a zone
24 commercial waste system. The clear intent of
25 the law is to simultaneously make the current

1 inefficient, dangerous, and polluting waste
2 system far more transparent, accountable,
3 efficient, and safe, while giving the City
4 the tools it needs to sharply incentivize
5 reductions in the vast amounts of waste
6 disposed in landfills and incinerators.

7 Following the implementation of the
8 first five zones, we are supportive of DSNY's
9 proposal to move forward with two additional
10 zones, for a total of nine, by the end of
11 August 2026. I'm just skipping ahead. We'll
12 submit these in writing.

13 Our second comment is that the eight
14 and ninth zones create opportunities to
15 advance environmental justice and waste
16 diversion by utilizing public infrastructure.
17 We stress that the Midtown South zone is
18 close to the East 91st Street marine transfer
19 station, and that Commercial Waste Zone
20 awardees serving Manhattan customers could
21 operate more efficient collection rounds and
22 reduce fuel, tolls, and labor costs by using
23 the marine transfer station instead of
24 driving to private transfer stations and
25 outer borough environmental justice

1 communities.

2 This and DSNY's other state-of-the-art
3 facilities were explicitly designed to accept
4 commercial waste during overnight hours as
5 part of the current solid waste management
6 plan. We urge the Department to expedite a
7 study of the competitive price point and any
8 subsidies necessary to incentivize haulers
9 and awardees to use this facility as
10 envisioned in the solid waste management
11 plan, and to partner with Manhattan awardees
12 to pilot commercial use of the MTS as soon as
13 possible.

14 Similarly, the Staten Island zone
15 contains DSNY's Fresh Kills compost facility
16 and a DSNY rail transfer station. These
17 centrally located facilities could be
18 efficiently utilized by the Staten Island
19 awardees to efficiently process commercial
20 organic waste and refuse and support waste
21 diversion programs while reducing local
22 diesel truck miles and the associated costs.

23 Our third comment is that the rollout
24 of the new zones should emphasize commercial
25 waste diversion strategies and support for

1 the small business customers. The CWZ annual
2 report published in October 2025 included the
3 first real-world data on vehicle miles
4 traveled, quantities of waste collected for
5 disposal and recycling and safety violations.
6 This initial report confirmed that consistent
7 with prior estimates, only 26 percent of
8 commercial waste collected in the first zone
9 was separated for recycling and composting,
10 meaning that more than 74 percent is being
11 trucked to landfills and incinerators.

12 Reducing, donating, and recycling more
13 of this vast quantity of waste generated by
14 diverse businesses is one of the simplest and
15 most immediate pathways New York City has to
16 reduce greenhouse gas emissions and reduce
17 the high cost of our solid waste disposal
18 system. So, we want to echo recommendations
19 we published last winter, "A People's Solid
20 Waste Management Plan," and I'll include a
21 link. And those recommendations include
22 passing local legislation to require all NYC
23 businesses and haulers to follow a uniform
24 set of separation rules for organics and
25 other recyclables, and synchronizing customer

1 and public education messaging and materials
2 across both the commercial and residential
3 sectors.

4 We also recommend implementing
5 mechanisms to more strongly incentivize the
6 awardees to partner with customers to
7 implement waste reduction and recycling
8 programs, including food donation, food
9 rescue, and organic waste recycling. And we
10 call for expediting completion of a
11 commercial waste characterization study.
12 Current law gives the Department until 2032;
13 we think that's too late, to better enable
14 DSNY's enforcement personnel, the designated
15 awardees and specialized subcontractors in
16 each zone to target education programming and
17 waste reduction services to maximize
18 diversion.

19 I will finally just say that as DSNY
20 enters into contracts with the haulers
21 designated for each zone, we think the public
22 customers and various commercial waste zone
23 stakeholders should be able to more easily
24 access each company's waste diversion plan,
25 customer education plans, VMT reduction

1 plans, prices, and the names and
2 qualifications of all subcontractors and
3 facilities being utilized in each zone. So,
4 we think the best way to do this would be for
5 the Department to publish and regularly
6 update a CWZ data dashboard, so that all
7 stakeholders can evaluate progress toward the
8 many goals of Local 199 in each community.

9 Thank you for the opportunity to
10 testify and to submit these comments in
11 writing. We look forward to a continued
12 partnership with the Department, with the
13 City Council, borough presidents, and with
14 the many stakeholders in industry to ensure
15 that this innovative new system reaches its
16 envisioned transformational potential.

17 Thank you.

18 MS. BADEA: Thank you.

19 If anyone else would like to testify,
20 please add your name and affiliation, if any,
21 into the chat.

22 (No response).

23 MS. BADEA: I'm going to keep this
24 hearing open in case others join and would
25 like to provide testimony. So, we will keep

1 it open for probably 10 to 15 more minutes.
2 For those who just joined, if you would like
3 to testify, please add into the chat your
4 name and affiliation, if any, and I will call
5 on you.

6 MR. SPENCER: Hi. Quick question.
7 Did we miss any testimony in the first
8 15 minutes?

9 MS. BADEA: There was an opening
10 statement, and then there was one comment.
11 After the hearing, the hearing testimony will
12 all be posted, the transcript, on the
13 DSNY website probably in a few weeks, so you
14 can review any public comments that were
15 given earlier.

16 MR. SPENCER: Okay. Thank you very
17 much.

18 (Whereupon, there was a brief
19 pause in the proceedings.)

20 MS. BADEA: As a reminder, if you would
21 like to provide a comment today, you can
22 write your name and affiliation, if any, into
23 the chat, and I'll call on you.

24 Thank you.

25 (Whereupon, there was a brief

1 pause in the proceedings.)

2 MS. BADEA: Justin, did you have a
3 question?

4 MR. SANCHEZ: If my hand was raised,
5 that was accidental.

6 MS. BADEA: No worries.

7 I'm going to keep the hearing open for
8 about five more minutes. If anybody would
9 like to provide a comment, then please put
10 your name and affiliation into the chat.

11 (Whereupon, there was a brief
12 pause in the proceedings.)

13 MS. BADEA: Seeing that no one else
14 wishes to testify, I wanted to thank everyone
15 for coming today. Comments may still be
16 submitted to the Department via e-mail at
17 nyc.rules@dsny.nyc.gov. Comments may also be
18 posted on the NYC Rules website. The
19 deadline is today.

20 Thank you.

21 MR. SANCHEZ: Thank you, everyone.

22 (TIME NOTED: 10:25 a.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF QUEENS)

I, SABRINA BROWN STEWART, a Notary Public within and for the State of New York, do hereby certify:

That the witness whose examination is hereinbefore set forth was duly sworn and that such an examination is a true record of the testimony given by such a witness.

I further certify that I am not related to any of these parties to this action by blood or marriage, and that I am not in any way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand on this 13th day of March, 2026.

Sabrina Brown Stewart
Sabrina Brown Stewart

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