

Testimony for DSNY Proposed Further Amendment of Rule Relating to the Use of Certain Receptacles by Commercial Establishments

October 24, 2023

The Center for Zero Waste Design is a non-profit that develops and implements design strategies to reduce and better manage waste, enabling cities to improve streetscapes and equitably achieve zero waste and circular material systems. We thank the Department of Sanitation (DSNY) for this opportunity to comment on their proposed rule relating to the use of rigid receptacles by Commercial Establishments. We fully support DSNY's aim to get rid of bags of trash piled up on sidewalks and instead move to a system where waste is collected from containers by mechanized trucks, whether by DSNY or by private carters. However, we believe that in this change there are many opportunities to achieve other goals – improving streetscapes, reducing waste and reducing costs to businesses and residents. Slight adjustments to this proposed rule would allow the City to move closer to its zero waste goals and take up less valuable public space on sidewalks.

Since earlier this year when DSNY adopted the rule requiring food-related businesses to use rigid receptacles, we have seen many more trash bins permanently placed on sidewalks, often chained to lamp posts or storm drains, often over-full. Though even when neat they still take up valuable sidewalk space, see below.





This rule could be tied to initiatives to reduce waste, and separate food waste, in various ways:

1. At a minimum DSNY could use this opportunity to enforce the [commercial organics rules](#), as we have seen many businesses that should be separating their organic waste set out only trash.
2. Next this rule could only allow **one trash bin** on the sidewalk / business. Additional recycling or organics bins would be allowed, incentivizing waste separation and diversion. Currently most businesses only set out trash, despite the fact that most of a food service business's waste is organic waste. It would also incentivize businesses to use reusable cups and dishware and minimize use of disposable packaging within businesses. Businesses could use compaction equipment to reduce the volume of waste, and larger businesses should be able to find space within the store, so the 1 trash bin rule would provide the needed relief for small businesses that are very space constrained.
3. Lastly this initiative should be tied into commercial waste zoning, as this would give private haulers an incentive to containerize waste, , see this [discussion](#) or this [article](#) for more. This would also bring cost savings to businesses and haulers, and would improve streetscapes substantially as all waste containerization could happen within the streetbed.



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Combined with DSNY's move to require 1-9 unit buildings to use rigid containers, it will mean that for streetscapes with commercial storefronts and 1-9 family residences above there may be 6 or more bins lining the streetfront. See more on our suggestions for how waste containerization should be integrated into streetscapes on Vanderbilt Avenue Brooklyn on our website [here](#), or in this video [here](#), or our Vital City article [here](#).



Thank you for the opportunity to testify

A handwritten signature in black ink that reads "Clare Miflin".

Clare Miflin, Executive Director
Center for Zero Waste Design