



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

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NYC Department of Sanitation

Rules Hearing on Implementation Dates for Commercial Waste Zones

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Good morning representatives of DSNY, and thank you for holding this hearing today. After many years of delays, I am heartened to see implementation of Commercial Waste Zones (CWZ) finally moving forward. When we passed this bill in 2019, we could not have guessed that we would be in 2025 by the time the first zone was finalized.

Due to the delayed timeline and the ongoing controversy surrounding the RFP process and resulting awards, it is even more important that we get this done quickly, and get it done right. This means providing transparency and accountability at every step of DSNY's implementation of this transformative program. This rulemaking process is a missed opportunity to codify such measures, including:

- 1) Outreach and education:** Preparing businesses to participate in CWZ with clear and accessible information is critical for this program's success. In fact, Local Law 199 of 2019 requires the DSNY Commissioner and Chair of the Business Integrity Commission to create a CWZ outreach and education program aimed at businesses, including information on how to work with the chosen carters, as well as the program's health and safety benefits. According to law, this program should include but not be limited to seminars, webinars, conferences, and a multilingual education program. Yet we have seen none of this, despite the very long runway between passage of the bill and implementation, leaving business owners confused.

At the City Council's Sanitation Committee budget hearing on March 14, Commissioner Tisch testified that the department has \$3.2 million budgeted specifically for CWZ outreach and education, despite budget cuts. However, there is no indication of how DSNY plans to spend this money in advance of September to prepare businesses in the language-diverse communities of Queens Central, including Corona, Jackson Heights, and East Elmhurst, nor what happens when this funding dries up. Robust, culturally sensitive, and language accessible outreach is critical for businesses to participate in this program successfully. I will fight alongside my colleagues in the City Council for restoration of the Department's outreach and education funding, but at the same time, DSNY must make

its specific plans for this effort in the pilot district public and start their outreach efforts now.

- 2) **Metrics:** Given that this is a pilot, how will the Department measure success? DSNY said on the record that they believed the way we designed this program, it was “on a path to failure.” My former colleagues and I obviously disagree. We did not envision a pilot district in the legislation, and so we set no metrics to evaluate the program’s impact based on implementation in one district alone. It is critical that DSNY share its goals and evaluation criteria, so that the Department, the industry, the impacted businesses, and the public can all fairly evaluate how the program is working and what needs to change, if anything, before a full program rollout.

- 3) **Oversight:** DSNY is currently out of compliance with Local Law 199 of 2019 because they have not convened the Commercial Waste Zones Safety Task Force since March of 2022. The law tasked DSNY with forming and convening the committee quarterly through 2021 and annually through 2024; according to DSNY’s website, the Committee has met twice total. Additionally, Council Member Sandy Nurse has proposed Intro 352, which would create a Commercial Waste Zones Working Group to advise on other elements of the program outside of just safety. I encourage the Department to convene the Safety Task Force in advance of implementing the pilot district to advise on the metrics mentioned above, and to support passage of Intro 352 and/or create the Working Group on its own.

Finally, I want to underscore how important it is that we get this right, now. Since the Department chose to announce all the selected carters at once, we’re already seeing consolidation within the industry, creating a chaotic situation where carters that were not selected may go out of business before selected carters can technically begin their work in a district, potentially leaving businesses without carting services. It is critical that we move to full implementation quickly and efficiently, with sufficient transparency and accountability to build trust with the industry, local businesses, and the public. Thank you for your time.