

New York City Department of Sanitation

Notice of Adoption of Rule Relating to the Source Separation of Organic Waste

NOTICE IS HEREBY GIVEN in accordance with the requirements of Sections 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of the Department of Sanitation by sections 753 and 1043(a) of the New York City Charter, and Section 16-308.1 of the New York City Administrative Code that DSNY adopts amendments to its rule regarding the residential collection of designated recyclable materials to require the source separation of organic waste. DSNY published a Notice of Opportunity to Comment on the proposed rule in the City Record on February 29, 2024. On April 3, 2024, DSNY held a public hearing on the proposed rule.

Statement of Basis and Purpose

Local Law No. 85 for the year 2023 (Local Law 85) requires the Department of Sanitation (DSNY) to establish a mandatory citywide organics collection program. This program will make the source separation of residential organic waste in the City of New York mandatory. The law requires DSNY to implement the mandatory organics collection program in 30 residential sanitation districts by October 2, 2023, and in all remaining sanitation districts by October 7, 2024. DSNY's current rules provide that source separation of yard waste from organic waste is required in all districts in Staten Island and the Bronx beginning March 25, 2024, and in all districts in Manhattan beginning October 7, 2024. As a result of budget constraints, DSNY has determined to amend the date on which mandatory source separation of residential organic waste commences in all such districts in Staten Island, the Bronx and Manhattan to October 6, 2024.

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 (k) of section 1-08 of title 16 of the rules of the city of New York is amended to read as follows:

(k) *Designation of districts for the required source separation of designated yard waste and designated organic waste.* Pursuant to section 16-308.1 of the Administrative Code, the commissioner designates the following districts that will be required to source separate yard waste and organic waste on or after the dates specified in this section:

(1) all districts in the borough of Queens (14 districts) on the effective date of this rule.

(2) all districts in the borough of Brooklyn (18 districts) on October 2, 2023.

(3) all districts in the boroughs of Staten Island (3 districts), [and] the Bronx (12 districts) [on March 25, 2024.

(4) all districts in the borough of] and Manhattan (12 districts) on October [7] 6, 2024.