

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 Brooklyn East, Manhattan Northeast, Queens West, and Manhattan West Commercial Waste Zones (CWZs), and to clarify that an awardee may not refuse service to a customer because the customer needs less frequent service than the minimum level of service that awardees must offer to customers.

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 Tuesday, August 25, 2026 using the following link:

<https://teams.microsoft.com/meet/277343325711630?p=UJfjWiK4sGlrXqehgo>

Meeting ID: 277 343 325 711 630

Passcode: Ka2NZ9Hn

Dial in by phone

[+1 646-893-7101,,116321607#](tel:+16468937101116321607)

Phone conference ID: 116 321 607#

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

- **Website.** You can submit comments to DSNY through the NYC rules website 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 Monday, August 24, 2026 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 Tuesday, August 25, 2026.

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 Tuesday, August 18, 2026 at 5:00PM.

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 of 2019, codified in Title 16-B of the New York City Administrative Code, the geographic area of New York City has been divided into 20 CWZs. 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 citywide containerized commercial waste collection services to businesses that use dumpsters and compactors. 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 of 2019 requires the Department to issue rules setting forth an implementation start date and a final implementation date for each CWZ established. See Ad. Code § 16-1002(e)(3). Different implementation start and end dates may be established for different CWZs. The Department previously set the implementation start and end dates for the first ten CWZs: Queens Central, Bronx East, Bronx West, Queens Northeast, Brooklyn South, Lower Manhattan, Midtown South, Staten Island, Brooklyn North, and Upper Manhattan. This rule would set the implementation start date and final implementation date for the next four zones: Brooklyn East, Manhattan Northeast, Queens West, and Manhattan West. Subsequent rules will set the implementation dates for the remaining six zones.

Local Law 199 of 2019 also prohibits awardees from refusing commercial waste collection services to any commercial establishment required to provide for the removal of such waste within a commercial waste zone for which the awardee has been awarded an agreement with the City. See Ad Code § 16-1005(a)(2). Section 20-22(a)(2) of the Rules of the City of New York provides that awardees must offer such commercial establishments the following levels of service per week: at least two days of refuse collection, one day of designated recyclable materials collection, and, if the commercial establishment is a designated covered commercial establishment, at least one day of source separated organics collection. The Department received complaints from customers who were unable to contract with awardees for service below these levels of service. This amendment would clarify that these service levels constitute a default level of service and

do not preclude an awardee from providing less frequent service to an establishment that requests less frequent service and that an awardee may not deny, suspend, or terminate service to an establishment that need less frequent service than the default level of service provided for in such Section 20-22(a)(2).

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
Bronx East	October 1, 2025	November 30, 2025
Bronx West	October 1, 2025	November 30, 2025
Queens Northeast	January 1, 2026	February 28, 2026
Brooklyn South	January 1, 2026	February 28, 2026
Lower Manhattan	April 1, 2026	May 31, 2026
Midtown South	July 1, 2026	August 31, 2026
Staten Island	July 1, 2026	August 31, 2026
Brooklyn North	October 1, 2026	November 30, 2026
Upper Manhattan	October 1, 2026	November 30, 2026
<u>Brooklyn East</u>	<u>January 1, 2027</u>	<u>February 28, 2027</u>
<u>Manhattan Northeast</u>	<u>January 1, 2027</u>	<u>February 28, 2027</u>
<u>Queens West</u>	<u>April 1, 2027</u>	<u>May 31, 2027</u>
<u>Manhattan West</u>	<u>April 1, 2027</u>	<u>May 31, 2027</u>

§ 2. Subdivision g of section 20-20 of Title 16 of the Rules of the City of New York is amended to read as follows:

(g) If a commercial establishment fails to enter into a written agreement with a zone awardee selected for the zone in which such commercial establishment is located or a containerized commercial waste awardee in accordance with the requirements of this section by the final implementation date for such zone, and the Department has determined that the commercial establishment stores its waste in a container that has a capacity of 10 cubic yards or more, the Department may assign a zone awardee or a containerized commercial waste awardee to such commercial establishment for containerized commercial waste collection services. The processes and terms of service set forth in subdivision (e) of 16 RCNY § 20-26 shall apply except that the Department shall determine the required [minimum] default level of service for such commercial establishment.

§ 3. Subdivision a of section 20-22 of Title 16 of the Rules of the City of New York is amended to read as follows:

(a) General prohibition; [minimum] default level of service.

(1) [An awardee may not deny, suspend, or terminate commercial waste collection service to any commercial establishment within a zone for which the awardee has been awarded an agreement, except as otherwise provided in this section and as set forth in the agreement between the awardee and the Department pursuant to section 16-1002 of the Administrative Code.

(2)] An awardee must offer to each commercial establishment within a zone for which the awardee has been awarded an agreement including the following [minimum] default level of service:

- (i) At least two days of refuse collection per week;
- (ii) At least one day of designated recyclable materials collection per week; and
- (iii) If the commercial establishment is a designated covered establishment, at least one day of source separated organics collection per week.

[(3) Nothing in this subdivision shall prevent a] (2) An awardee may not deny, suspend, or terminate commercial waste collection service to any commercial establishment within a zone for which the awardee has been awarded an agreement, including a commercial establishment that needs less frequent collection than the default level of service described in paragraph (1) of this

section, except as otherwise provided in this section and as set forth in the agreement between the awardee and the Department pursuant to section 16-1002 of the Administrative Code.

(3) A commercial establishment and an awardee [from] may mutually [agreeing] agree on terms of service that include less frequent or more frequent collection than the [minimum] default level of service described in paragraph (2) of this subdivision, provided that an awardee may not refuse service to a customer because the customer needs less frequent collection than the default level of service.

**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 the Brooklyn East, Manhattan Northeast, Queens West and Manhattan West Commercial Waste Program

REFERENCE NUMBER: DSNY-59

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

July 6, 2026
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 the Brooklyn East, Manhattan Northeast, Queens West and Manhattan West Commercial Waste

REFERENCE NUMBER: 26 RG 046

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
Senior Counsel

Date: 7/6/2026