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Edward Grayson Commissioner

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**Testimony of  
Edward Grayson, Commissioner  
New York City Department of Sanitation**

**Hearing before the  
New York City Council Committee on Sanitation & Solid Waste Management**

**Wednesday, April 21, 2021  
1:00 P.M.**

**Oversight: Getting to Zero Waste  
and Intros 844, 2103 & 2250**

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Good afternoon Chair Reynoso and members of the City Council Committee on Sanitation and Solid Waste Management. I am Edward Grayson, Commissioner of the New York City Department of Sanitation. I am joined today by Bridget Anderson, Deputy Commissioner for Recycling and Sustainability, and Gregory Anderson, Deputy Commissioner for Policy and External Affairs. Thank you for the opportunity to testify this afternoon on the important subject of zero waste and the three bills under consideration today.

It is especially appropriate to recognize that tomorrow, April 22nd, we celebrate the 51st anniversary of Earth Day, a time when people, groups and cities across our nation and the globe come together to raise awareness and inspire action on sustainability and climate change. Achieving zero waste to landfills is a key part of the City's efforts to fight climate change and improve our environment.

I also want to take a moment here to reflect on where we were last year at this time and where we are today. One year ago, we were facing some of the most painful budget cuts in City history – to ensure we could continue core government operations and to devote resources to essential safety, health, shelter, and food security needs. As an unfortunate consequence, we were forced to hit the pause button on other Department programs, including deep cuts to some of our beloved zero waste programs. For me personally, this was difficult because I have spent much of my career over the last decade leading the operational implementation of many of these programs.

Before the COVID pandemic, we were making steady progress toward our goals, increasing diversion rates and expanding access to a growing suite of programs. Unfortunately, the pandemic has halted some of that progress. While MGP and paper collection tonnage is up significantly, refuse tonnage is also up in most districts, and waste generation patterns have shifted as a result of the economic toll of this crisis.

As the City's continues to recover, we're likely to see a shift again in new and evolving waste generation patterns. DSNY has never stopped planning for the future, despite these circumstances. The Department is committed to moving ahead to rebuild and reinvest in these important programs and redouble our efforts to fight the climate crisis.

### Zero Waste Programs

Reducing greenhouse gas emissions from solid waste involves reducing the volume of waste generated, collecting food waste — largest source of waste-related GHG emissions to make compost or energy — and increasing reuse and recycling of remaining materials. To achieve zero waste, the Department will implement large scale changes to some of its current programs while implementing new, improved and expanded programs that target recyclables, organics, textiles, electronics, household items and other non-recyclable waste.

Organic waste, including food scraps and yard waste, is the most significant contributor of waste-related greenhouse gas emissions – and is also the largest category of New York City's waste stream. This material makes up one-third of the current waste stream and represents a significant opportunity to reduce emissions from landfilled waste by diverting this material for beneficial methods including composting and anaerobic digestion, and in the case specifically of food waste, to minimize it at the source.

The suspension of curbside composting last year was difficult for us. We invested a lot of time and energy into that program over the last several years, and it is a very important part of achieving our zero waste goals. I am pleased that the preliminary FY 2022 budget includes \$3.5 million for the NYC Compost Project to continue operating food scrap drop off sites across the city and support community composting. These drop off sites have been extremely popular, breaking participation records over the last several months. We also offer resources to support those who are able to compost at home, both through the Department's website and through the NYC Compost Project partners. As the City continues to recover, we look forward to further restoring and expanding our composting programs in the future.

Another example of DSNY's community-based approach to zero waste is donateNYC, which helps New Yorkers give goods, find goods, and do good. By donating and reusing goods instead of discarding them, New Yorkers can greatly reduce waste, conserve energy and resources, save money, and help provide jobs and human services for New Yorkers in need. DonateNYC also provides vital support for New York City's reuse community, helping nonprofit organizations and local reuse businesses increase and promote their reuse efforts.

The preliminary FY 2022 budget also provides funding for the Department to reinstate its special and hazardous waste collection programs. We expect the special waste drop off sites to reopen in July with the same schedule as in prior years: every Saturday and the last Friday of each month. We are also planning for SAFE disposal events in each

borough this fall. These drop-off events provide for the collection of household hazardous waste.

We also thank the City Council for enacting legislation to reduce or eliminate hard to dispose of items. Imposing the five-cent fee on paper carryout bags at stores has helped reduce single-use plastic bag waste by encouraging New Yorkers to bring their own reusable bags. We have also distributed more than 1 million reusable bags to New Yorkers since 2016, and, through February, the paper bag fee has generated more than \$840,000 in revenue for NYC to support these efforts. The City's foam ban, which took effect in January 2019, prohibits businesses from using, offering or selling single use foam food-service products and loose fill packing material, and has also contributed to a reduction in foam product waste.

There is no denying that our goal of sending zero waste to landfills by 2030 was ambitious from the start; we set the bar very high. Unfortunately, some policy changes needed to make this happen are not within the City's control, and the State government also plays a key role in waste policy. The Department has been actively engaged in efforts at the State level to enact extended producer responsibility programs (EPR) for paper and plastic packaging. EPR requires the manufacturers and retailers of products to be financially responsible for the recycling or disposal of those products. EPR for packaging and paper has the potential to support the funding of outreach, for recycling infrastructure investments, and to reimburse the city for at least a portion of recycling collection costs. It has the potential to reduce the City taxpayer burden of recycling by tens of millions of dollars.

There are City and State EPR programs already in place for electronics, mercury thermostats, rechargeable batteries, and refrigerant-containing products, and soon the State will implement programs covering paint and pharmaceuticals. Sharing the cost of sustainable materials management with producers is an important tool to help the City advance its sustainability goals.

Achieving zero waste and shifting to a thriving circular economy depends on high recycling rates. While recycling rates have been improving, thanks in part to the Department's outreach efforts, the city still has a long way to go. Best practices around the world have demonstrated the success of a combination of outreach, financial incentives, and infrastructure that allows recycling to be simple, easy, and convenient. Given our dense built environment, diverse neighborhoods and older building stock, this change can be difficult. But we will continue to challenge ourselves to improve and do better.

#### Intros. 844, 2250 and 2103

I will now turn to the three bills that we are here today to discuss.

The first bill, Intro. 844, would require the Department to establish a goal of diverting 100% of citywide-generated waste by 2030. If the Department determines that such

goal is not feasible despite best efforts, the Department must report such findings and make recommendations for actions that it may undertake to achieve such diversion within 180 days of such determination.

The second bill, Intro. 2250, would require the Department to submit to the mayor and Council Speaker, on or by July 1, 2021, a plan to send zero waste to landfills by 2030, with annual progress reports beginning July 1, 2022.

The last bill, Intro. 2103, would require large retail food stores to post notices on the Department's food donation portal of excess food they have available for donation at least once per month, except for those stores that already have agreements in place to donate their excess food to not-for-profit organizations. Retail food stores would be required to arrange for the transportation of the excess food with reasonable effort if requested by the recipient.

I want to thank Chair Reynoso and the sponsors of these bills for introducing them and for convening this important conversation today. The Department supports the spirit of all three bills. Nevertheless, I have concerns about the timeline of the zero waste goal and the reporting requirements set forth under Intros 844 and 2250. Our learnings from past efforts, combined with the setbacks caused by COVID-19, show that we need to take an all-in approach to zero waste, including a combination of new policies and programs, legislative reforms, and partnerships with the private sector. While we will work aggressively to make progress as quickly as possible, the setbacks of COVID have made it difficult to predict the timeline of achieving this goal at this time.

As to the reporting requirements proposed under Intro 2250, the Department already publishes detailed monthly diversion and disposal statistics for curbside collection programs by district and borough. Additionally, the Department publishes an annual report covering all of Department programs, including curbside collections as well as non-curbside programs for e-waste, textiles, used goods, and special waste. These reports are required under various local laws passed over the past several decades, are posted on the Department's website and are publicly accessible. The reporting requirements set forth in Intro 2250 as written would be duplicative with the existing required reports. We look forward to further discussions with the Council to discuss changes to these reporting requirements that achieve our mutual goals of transparency and accountability.

As to Intro. 2103, the Department created a food donation portal pursuant to Local Law 176 of 2017, which matches prospective donors and recipients based on the availability of excess food. We are pleased that the Council would like to expand the use of this program, and we support the goal of encouraging food retailers to safely donate excess food to organizations who help feed hungry New Yorkers. However, I would like to hear more from the retail food industry and others who have joined us today, to better understand the impact of this legislation on their daily operations, their current food donation efforts and their ability to meet the bill's requirements.

## Conclusion

As the Department works to support our City's Recovery for All, we remain committed to our zero waste goals. We will continue to work with communities, stakeholders and this Council to develop, expand and deepen our programs in support of these goals. Thank you for your time, and I am now happy to answer any questions.