



New York City Environmental Justice Alliance

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On the ground – and at the table

June 27, 2019

Commercial Waste Zone Bill (Intro 1574) Public Hearing, NYC Environmental Justice Alliance Testimony

My name is Dr. Tok Oyewole, and I am testifying on behalf of the New York City Environmental Justice Alliance (NYC-EJA). Founded in 1991, NYC-EJA is a non-profit citywide membership network linking grassroots organizations from low-income neighborhoods and communities of color in their fight for environmental justice.

For decades, NYC-EJA has led efforts for comprehensive policy reforms to address the disproportionate burden of New York's solid waste system on a handful of environmental justice communities. To handle nearly 35,000 tons of garbage generated each day in NYC, waste trucks needlessly travel thousands of miles per night through multiple boroughs of the city, polluting our air with diesel fuel, clogging our streets, and diminishing our quality of life. The impacts are greatest in a few low-income and communities of color where truck-dependent transfer stations are clustered, causing higher proportions of health consequences such as asthma, heart disease, and cancer.

According to the city's draft environmental impact statement, passage of this bill (Intro 1574) would achieve dramatic reductions in vehicle miles travelled by diesel waste trucks, along with reductions in associated aerial particulate emissions, greenhouse gas emissions, road damage, and noise, by implementing an exclusive zoned waste collection system. We are honored to have taken part in this fight for waste reform and we support the long-overdue improvements this well-researched and prescient plan would bring about. Additionally, we are pleased that the bill will require truck compliance with certain environmental laws; higher labor standards for workers who are often immigrants and people of color; safety standards for pedestrians and cyclists; and transparency for customers. We are pleased that within the bill, DSNY would review contract applications on the basis of a carting company's disposal of waste at transfer stations geographically proximate to the zones, reducing truck burdens in environmental justice communities.

We think that a few key changes to the bill can still improve its efficacy from climate and environmental justice perspectives, including:

- a) **Adherence with environmental plans:** Currently within the bill, carters must comply with the terms of some of the plans they submit in the RFP process, including a waste reduction plan, health and safety plan, and customer service plan. However, they are not required to comply with waste management, greenhouse gas reduction, or air pollution reduction plans. The bill as drafted does not mandate that carting companies even submit plans to reduce particulate or greenhouse gas emissions, but legislates submission of these plans as more of an option. We request that these are required criteria with which carting companies must comply, appropriately addressing the urgency and gravity of our climate crisis and environmental safety.

- b) **Prioritization of facility oversight:** The same level of oversight for carters must apply to facilities handling waste within this bill - including, at the very least, their adherence with local, state, and federal laws – notably including the city’s zoning codes and federal OSHA regulations. The trucks and the facilities are inextricably connected, so regulating one part of the system while neglecting the other is likely to result in continued poor management practices at many transfer stations, including poor waste separation and idling trucks. Critically, communities living near transfer stations should not have to continue dealing with odor, noise, pollution, pests, and other disruptions from poorly operating facilities, when better management practices and technologies exist. Poor facility operations are a large part of the burden environmental justice communities face on top of the disproportionate amount of waste that is routed to them, and we cannot leave regulating this aspect of the waste system for later – it has already been too long.
- c) **Increased waste diversion from landfill:** We are pleased that the bill requires carter submission of waste reduction plans, and to strengthen this, we think that it is imperative for the bill to advance very rigorous waste reduction targets in line with the city’s OneNYC goal of Zero Waste by 2030. This would provide further benefits for overburdened NY communities and downstream EJ communities in New York, New Jersey, and other states receiving waste from our transfer stations. We cannot continue to safeguard inefficient business practices at the expense of areas of the planet that have effectively been deemed disposable. In this vein, this bill has the opportunity to uplift those businesses that are innovatively tackling our egregious waste generation and the climate crisis, by prioritizing waste reduction and reuse. These businesses include the zero- or low-emission organic waste micro-haulers who provide employment to young people, people of color, and women. They must be allowed to scale up sustainable processes such as composting by increasing infrastructure dedicated to their work and including higher tonnage allowances within this bill.
- d) **Regulated subcontracting:** If subcontracts are allowed within zones, they should be limited in number (e.g. one per waste stream), specified in detail within the RFP beforehand, and should prioritize subcontractors using at least the same standards as the primary carting companies, lest the functioning of the CWZ bill negate its stated goals and increase vehicle miles, continue to allow the criminal exploitation of workers, and the negligent disregard for communities, businesses, and ecosystems.
- e) **Increased public reporting:** We encourage meaningful, regular public involvement at least twice annually in the processes of granting contracts or subcontracts, and implementing and managing the CWZ program – we must be involved throughout the process because this system affects communities and workers most of all, so we all must be involved in finally making it work.

We thank Council Member Reynoso for introducing this legislation and for consideration of our comments, as well as the members of the legislature who have signed on. We look forward to continuing to work with advocates to promote the most just and sustainable commercial waste zone bill for our communities and future.