



NYC-EJA Testimony In Response to the December 18, 2020 Proposed Rule Regarding the NYC Commercial Waste Zones Law

Rules Hearing Date: January 26, 2021

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

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. As part of the Transform Don't Trash Coalition, we have worked for around 7 years advocating specifically for the creation and just implementation of this program, and particularly working to ensure the benefits of alleviating burdens of disproportionate truck traffic and waste tonnages within predominantly Black, Brown, and low-income communities.

Organics

- We are glad to see rules pertaining to organics collection at covered establishments. We'd like to ask if a carter can elect to collect organic waste at a commercial establishment that is *not* a "designated covered establishment" pursuant to "**16-306.1 Organic waste.**"? This definition prevents some commercial businesses who may want to separate, such as certain offices, or smaller restaurants. The purpose of this question is to enable the expansion of commercial organics collection and diversion to the fullest extent.
- Organic waste should also be allowed to support economies, communities, and purposes outside of traditionally established paths designated, which are also positive assuming that they are diverting from landfills, incinerators, and other unsustainable uses.
 - Specifically, the rules designate organics can be delivered to farms for feeding animals, but not for composting. The rules should be expanded to say that organic waste can, in addition to the facilities mentioned, be delivered to a number of applicable uses with capacity to accept them, in order to spur local distribution of organics for reduced vehicle miles traveled. Such uses can include direct partnerships with local gardens, farms, community composters, land restoration, and other groups with needs for and ability to process organic waste locally; as well as to farms generally, not just limited for animal feeding, but for the above listed purposes as well.



- We support the prevention of commercial organics to incineration; what is the Department's position on organics to landfills? It seems to be aiming for prevention of that in these rules, but can these rules specify a path toward a ban of transporting organics to landfills, as well?

Facility Compliance with Laws

In addition to an awardee following laws, additionally, the rules should specify that an awardee must show documented proof that it has sought to **contract with facilities following all applicable laws**, especially as they pertain to public health and safety.

Operations and Vehicles

Trucks should also not idle or block roads, in addition to the great concerns written in these rules.

There are rules on truck maintenance: Are rules on a path toward ending use of polluting, fossil fuel-intensive vehicles and compliance with LL 145 (at minimum) going to be in the next set of proposed rules? Are carters going to be allowed to use non-traditional trucks that are non- or less-reliant on fossil fuels?

Zone Crossing

- We do not understand the motive behind banning zone crossing during standard hours (9am-5pm) but allowing at other times, and would appreciate clarification, and especially how it relates to the reduction of truck traffic. Zone crossing regulations and exceptions should be made to prevent additional truck traffic.

Thank you for your time and consideration in thoughtfully implementing this law and considering all of the goals provided therein.