



New York City Environmental Justice Alliance Oversight Hearing Testimony on NYC's Climate Resiliency Efforts To NYC Council Committee on Fire and Emergency Management, Jointly with the Committee on Oversight and Investigations

June 3, 2024

Founded in 1991, the New York City Environmental Justice Alliance (NYC-EJA) is a non-profit, 501(c)3 citywide membership network linking grassroots organizations from low-income neighborhoods and communities of color in their struggle for environmental justice. NYC-EJA empowers its member organizations to advocate for improved environmental conditions and against inequitable environmental burdens by the coordination of campaigns designed to inform City and State policies. Through our efforts, member organizations coalesce around specific common issues that threaten the ability of low-income communities of color to thrive. NYC-EJA is led by the community-based organizations that it serves.

NYC-EJA is also a founding member of Transform Don't Trash (TDT), a longstanding coalition of environmental justice, labor, and environmental organizations working to transform New York City's sprawling solid waste management systems to be far more equitable, efficient, sustainable, and safe for workers and the communities most affected by solid waste infrastructure. Since 2013, the Transform Don't Trash Coalition has worked together toward reformation of the solid waste industry, in a campaign that culminated in the October 2019 City Council passage of the Commercial Waste Zones Law (Local Law 199).

The most ambitious overhaul of NYC's commercial waste system in a generation, LL199 intended to create a safe, efficient, and green commercial waste collection system centered around worker and labor protections, environmental justice, and emissions reductions. In fact, DSNY found that implementing CWZ would decrease truck traffic associated with commercial waste collection by 50% citywide, as measured in vehicle miles traveled, reducing both the number of trips and the lengths of collection routes for commercial waste, resulting in corresponding reductions in air pollutant emissions and noise, as well as improvements in traffic safety.

Currently, in New York City, over 24,000 tons of garbage are produced daily, generating massive transportation and pollution impacts to and from privately owned and operated waste transfer stations along the waterfront. While the total amount of waste handled at private transfer stations in NYC has decreased approximately 17% since the implementation of the "Waste Equity Law" in 2018 (Local Law 152), [newly released data from the Department of Sanitation](#) shows that the system remains grossly unfair and unequal. Just four community districts still handle 75% of all NYC's private waste. The vast majority of this garbage generated by



businesses and buildings citywide passes through communities with some of the highest rates of asthma such as North Brooklyn, the South Bronx, and Southeast Queens.

Additionally, private waste transfer stations are more likely to be sited in communities with a higher percentage of people of color living below the poverty line and bring with them truck traffic, noise, and health-harming emissions according to [NYC Comptroller's recently released audit report on the City's Fair Share compliance](#). While there are 24 waste facilities crammed into these overburdened community districts, a total of 45 other districts have no waste facilities at all. The Waste Equity and Commercial Waste Zone Laws were written to address these environmental and quality of life disparities and issues, yet communities of color are still forced to shoulder the burden of waste transfer sites and waste collection services, such as truck traffic and pollution.

TDT is increasingly concerned about how DSNY is implementing the Commercial Waste Zone Law and the lack of transparency, specifically on how DSNY is evaluating and selecting the contractors. LL199 laid out 14 distinct clear criteria to be used in the evaluation process, including requiring applicants to submit plans for recycling and composting and the use of clean-burning and zero-emission vehicles; plans for reduction of greenhouse gas emissions; and history of compliance with health, safety and worker protections. However, it is not clear how and if the criteria was used and how plans were evaluated and awardees and plans selected. We also have questions about the reasons and motivations for implementing it first as a pilot program and what that means for the implementation and timeline for the rest of the zones. Some of the contractors who were awarded contracts have BIC violations or had troubling histories, which are hard to keep track of when companies keep merging and/or getting acquired.

Mayor Adams and the City Council should be taking immediate steps to relieve EJ communities of excessive truck traffic, pollution, and odors, while reducing the miles that dangerous and polluting waste trucks drive on all New York City Streets. We call on the administration to:

- First, DSNY needs to implement commercial waste zones (CWZ) as required by Local Law 199 of 2019. When implementing, DSNY needs to follow the legislative intent of Local Law 199 and prioritize reductions in truck miles, recycling and waste reduction practices, labor and worker rights, and clean truck fleets alongside price considerations. We also support Int 0352-2024, which would establish a working group and include EJ representatives.
- Second, expand the City's operations and capacity to begin accepting commercial waste at publicly-owned Marine Transfer Stations, thereby reducing the number of dirty, dangerous diesel garbage trucks driving on local streets. Environmental justice



communities have long advocated for this measure, which is required by the Solid Waste Management Plan passed by the City almost 20 years ago but has still not been implemented by DSNY.

- Third, simultaneously, the City needs to get us as close to zero waste as possible using various strategies so there is less trash being handled and shipped to landfills in EJ communities in other states. One way to do this is to invest in extensive local organic composting infrastructure to process yard waste and food scraps that must be separated and recycled under Local Law 85 of 2023. As such, NYC-EJA supports Int 0696-2024 – CM Nurse’s bill that would establish composting facilities in each borough and not rely on anaerobic digestion, which is how most of our compost is getting “composted”, producing biogas and methane flares.

The fight for waste equity, cleaner air, healthier and safer communities continues as we work to ensure not only that the City handles its trash and siting of waste transfer stations more equitably, but also reduces its greenhouse and co-pollutant emissions by transitioning to greener, alternative modes of solid waste management and investing in zero waste strategies such as organic composting.