How to Avoid Violations: Business Organics
Agenda

- **Part 1**: Background
- **Part 2**: Business Organics
- **Part 3**: Other Regulations

[nyc.gov/zerowastebusinesses](nyc.gov/zerowastebusinesses)
Part 1: Background

Bureau of Recycling and Sustainability
BACKGROUND:
NYC Commercial Waste System

DSNY

Education  Violations

GENERATOR
BACKGROUND:
NYC Commercial Waste System

[Diagram showing the relationship between DSNY, BIC, GENERATOR, and PRIVATE CARTER with Education, Violations, Licenses, and Violations]

DSNY

Education

Violations

GENERATOR

PRIVATE CARTER

BIC

Licenses

Violations
BACKGROUND: NYC Commercial Waste System

DSNY

Education

Violations

GENERATOR

WASTE CONTRACT/ AGREEMENT

PRIVATE CARTER

BIC

Licenses

Violations
The Current Situation

Everyday, over 250,000 businesses generate over 9,000 tons of waste
The Current Situation

What is happening today—26% Recycled

Recycled
26%

Garbage
74%
The Potential Situation

What should be happening under the new rules—54% Recycled

Garbage 46%  Recyclables 54%
The Potential Situation

What would happen if you also separate Organics—89% Recycled

- Organics: 35%
- Recyclables: 54%
- Garbage: 11%
Benefits of Reduction, Reuse and Recycling

- Reduce Waste to Landfills
- Reduce Money Wasted
- Reduce Vermin
Evaluate Your Waste Stream

- Hire Private Consultant
- Waste Stream Survey by private carter: nyc.gov/bic
- Periodic visual self-assessment
Evaluate Your Waste Stream (Incentives)

Environmental Protection Agency (EPA)
epa.gov/smm/wastewise

New York State Pollution Prevention Institute (NYSP2I)
nysp2i.rit.edu

Foundation for New York’s Strongest
foodwastefair.nyc/microgrants

Hotel Kitchen Toolkit
hotelkitchen.org
Reduce Waste

- Work with suppliers to reduce excess orders
- Avoid overproduction
- Maximize efficiency through staff training
Part 2:

Business Organics Rules

Bureau of Recycling and Sustainability
Since 2016 some businesses have been required to separate their organic waste.

These businesses are already required to comply.
Avoiding Organics Violations

Establishments Affected by 2018 Commercial Organics Designation.

Beginning August 15, 2018, additional New York City businesses will be required by law to separate their organic waste.
What Organics to Separate

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food Scraps</td>
<td>Does not include material sold to farmers or rendering companies, or food that is donated</td>
</tr>
<tr>
<td>Plant Trimmings</td>
<td></td>
</tr>
<tr>
<td>Food-soiled Paper</td>
<td></td>
</tr>
<tr>
<td>Certified Compostable Products</td>
<td>Must meet processor certification requirements</td>
</tr>
</tbody>
</table>
donateNYC Food Portal

Don’t let good food go to waste!

The donateNYC food portal is a digital tool that facilitates hyper-local donations between food businesses with excess edible food and organizations that feed New Yorkers.

The portal enables donors to post listings of available food and an algorithm then matches the donation to an organization based first on food type and then by distance.

Sign up today at nyc.gov/donate!
Organics / Special Cases

Organics that are donated or sold to a rendering company or farmer for feedstock are not covered by this law as long as the material does not end up in a landfill or incinerator.
Choose a Transportation or Processing Method

Which method or combination of methods is best for your business?

- Private Carter
- Self-Transport
- On-Site Processing
Private Carter

- Hire a NYC Business Integrity Commission (BIC) licensed private carter to collect your organic waste.
- Use setout containers that meet your carter’s specifications and have latching lids that are resistant to tampering by rodents or wildlife.
- Set out organic waste in containers with lid securely latched.
Self-transport

- Register with BIC to legally transport organic waste.
- Transport your organics directly to an appropriate facility.
- Keep a copy of the written agreement with the processor or transfer station and make available to DSNY upon request.
On-site Processing

• Process organics by composting or aerobic/anaerobic digestion. A food waste grinder is not permitted.

• Submit a complete on-site processing form at nyc.gov/businessorganics to DSNY within 30 days of installation and renew annually.

• Record weights or volumes and retain for a minimum period of three years.

• Any remaining organic waste must be separated via one of the other options.
SET UP: Post Transport/Processing Sign

Post an official organics decal next to your other private carter decal(s) indicating your transport/processing arrangement. Make sure that all decals are accurately filled out!

**Private Carter**
Official BIC organics decal

**Self-Transport**
Official BIC organics decal

**On-Site Processing**
DSNY-issued on-site processing decal
Educate Staff

Labeling Requirements
• Label all containers for organics only
• Labels must be visible at all times and consist of legible text

Signage Requirements
• Post and maintain signs in areas where staff routinely handle organic waste (Examples: food prep areas/commercial kitchens)
• Signs must contain specific instructions on your organics program
  ✔ WHAT materials need to be separated
  ✔ WHERE materials should be placed/stored

Obtain Signs
• Make your own or contact your carter
  • recycleacrossamerica.org
  • stopwaste.org

TIP! | Color code your recycling program.
SET UP: Staff Areas

Source: New York Times

Source: Boston Globe
SET UP: Storage/Set-out Areas

Source: http://www.toter.com

Source: https://doitbest-weblinc.netdna-ssl.com

Source: NYC Department of Sanitation/BRS
Commercial Organics Fines

Per Violation
(Within a 12-month Period)

First Offense: $250

Second Offense: $500

Third Offense or more: $1,000
What to Expect When Inspected

- DSNY enforcement personnel
- Know your rights: [on.nyc.gov/dsny-bizrights](on.nyc.gov/dsny-bizrights)
- Questions or disputes must be addressed to the Office of Administrative Trials and Hearings (OATH): [nyc.gov/oath](nyc.gov/oath)
- Organics violations can be issued by DSNY (Sanitation), DOHMH (Health & Hygiene) and DCA (Consumer Affairs)

**TIP!** Prepare for an inspection during normal business hours.
Organics Rules Review
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- Businesses that meet the minimum requirements outlined must separate back-of-house (staff-handled) organic waste.
Organics Rules Review

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• Affected businesses must arrange to transport and/or process organic waste for beneficial use through one of the following methods and follow all relevant regulations:
  ➢ Hire a BIC licensed private carter.
  ➢ Self-transport by obtaining a Class 1 Self-Hauler Registration from BIC.
  ➢ Register with DSNY to process on-site using in-vessel composting, aerobic or anaerobic digestion.
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- Post and maintain signs in areas where staff handles organic waste describing how organics should be separated from other recyclables and garbage.

- Staff-handled organic waste must be kept separate from other recyclables and garbage at all times.
Additional Resources

Resources can be found at [nyc.gov/dsnybusinessresources](nyc.gov/dsnybusinessresources)

- Request a site visit, sign up for a training or find out how to host your own
- Watch a video of this presentation

Order Free Materials

DSNY Business Rules & Regulations

Download Materials

Notices in 11 Languages

Sample Signs
Part 3:
Other Regulations
Business Recycling
NYC Polystyrene Foam Packaging Law

Not recyclable in NYC!

As of January 1st, 2019, certain expanded polystyrene (EPS) items are banned in NYC.

nyc.gov/foamban
Questions?

Comments, questions, and inquiries can be sent to commercialprograms@dsny.nyc.gov
Thank You!

For more information visit nyc.gov/zerowastebusinesses

Bureau of Recycling and Sustainability