

CITY COUNCIL
CITY OF NEW YORK

----- X
TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

----- X

April 29, 2015
Start: 10:06 a.m.
Recess: 1:21 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: ANTONIO REYNOSO
Chairperson

COUNCIL MEMBERS:
Andy L. King
Vanessa L. Gibson
Costa G. Constantinides
Steven Matteo

A P P E A R A N C E S (CONTINUED)

Dan Brownell
Commissioner
NYC Business Integrity Commission

Kathryn Garcia
Commissioner
NYC Department of Sanitation

Bridget Anderson
Duty Commissioner
Recycling and Sustainability
NYC Department of Sanitation

Justin Wood
Organizer
Environmental Justice Program
New York Lawyers for the Public Interest

Kate Ferranti
Business Operations Manager
Clever Company

Mai Tai Quinn
Manager
Business Development and Marketing
Sims Municipal Recycling

Ray Borrero
Teamsters Local 813
Appearing for: Sean Campbell
President of Teamsters Local 813

Steve Changaris
Regional Manager
National Waste & Recycling Association

Naomi Cooper
Cooper Tank Recycling

Tom Toscano
Chief Financial Officer
Mr. T Carting
Chair, National Waste & Recycling Association

Andy Moss
Government Affairs Manager
Progressive Waste Solutions a/k/a IESI
Vice Chair, National Waste & Recycling Association

Brigid Flaherty
Organization Director
ALIGN - Alliance for a Greater New York
Member of Transform Don't Trash NYC Coalition

Mike Hellstrom
Business Manager
Laborers Local Union 108

Carlton Darden
Five Star Carting

Michael Burson
Five Star

Violeta Trinidad
El Puente

Eric Goldstein
Natural Resources Defense Council

Rebecca Rosado
The Point CDC

Joan Levine
Co-Chair
Morningside Heights West Harlem Sanitation Coalition
Member or NYC Environmental Justice Alliance

Wilber Rodriguez
We Stay - Nos Quedamos

Juan Feliz
Worker
Mr. T Carting

Jenny Romer
Environmental Community Organizer
Neighbors Allied for Good Growth, NAG

Janet Burak
Appearing for Hannah Kamens
Member of Congregation B'nai Jeshurun, Manhattan
Member of Transform Don't Trash New York Coalition

Brendan Sexton
Chairperson
Manhattan Solid Waste Advisory Board

Gregg Todd
Network Alliance of Local Composters, Recyclers and
Carters

Tanya Blay
Compositing Advocate

Vandra Corbin
Composter

Anna McGuinness De Luca
Sure We Can

Anita Ganelle
Green Building Cleaner

Lisa Giovanelli
Bio High Tech America
Chestnut Ridge, New York

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

6

2 CHAIRPERSON REYNOSO: All right. Good
3 morning, folks. A beautiful morning. Unfortunately,
4 about 10% of us are standing. I apologize for that.
5 We are going to try to make this efficient. Today's
6 goal is efficiency. We have an Oversight and
7 Sanitation Committee regarding sustainability in the
8 commercial waste industry. I'm very excited to hear
9 what we're going to have today. I like the crowd. I
10 like that it's--everyone is here. I want to just
11 make sure we acknowledge that our Council Member
12 Steven Matteo from Staten Island is also with us.
13 And we're going to start with a presentation, which
14 is it's--it's already flawed because that is
15 residential garbage not commercial waste. But baby
16 steps. We're all going to get it all right one day,
17 guys. So we're going to move forward with some
18 slides.

19 As we all know, the Department of
20 Sanitation handles all residential waste while the
21 commercial waste industry is privatized. Because of
22 issues with corruption and organized crime the
23 busiest integrity commission, formerly called the
24 world--The Trade Waste Commission--I apologize--has
25 regulated the commercial waste industry since 1996

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 after Manhattan District Attorney's Office issued a
3 114 count indictment of various industry players.

4 The City of New York requires retailers and
5 commercial establishments to have their garbage and
6 recyclables collected by a private cart or registered
7 as a self-hauler with BIC. All New York City

8 businesses are required to recycle, and private
9 carters report data regarding their volumes of waste

10 and recyclables to DSNY twice a year. Private
11 transfer stations also report quarter to the

12 Department of Sanitation, and the type of volume--and
13 the type and volume of waste tip at their facilities.

14 The report is done via--through paper surveys.

15 Outside of these surveys, there is little clarity

16 about sustainability within the commercial waste

17 industry. Though we do have a few statistics, the

18 Department of Sanitation estimates the commercial

19 waste industry diverts about 40% of its waste from

20 landfills through recycling and composting, although

21 this number seems to be contested. A major issue is

22 that there are currently no incentives for businesses

23 to recycle and compost. Businesses are usually

24 charged a flat fee by commercial carters, whether or

25 not they separate recyclables and other materials

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 form their trash given no financial incentive to
3 reduce waste or recycle. Education is also an issue.
4 In a survey conducted by the Department of Sanitation
5 of 686 businesses in all five boroughs, over 80%
6 indicated they recycle. But about 45% believe that
7 the commercial recycling rules are the same as
8 residential recycling rules. The survey also finds
9 that few businesses actually provide recycling bins
10 or educate employees or customers about recycling
11 requirements.

12 Because each of New York City's 250,000
13 businesses is individually responsible for
14 contracting, for waste collection services,
15 collection routes are grossly inefficient and
16 redundant. This creates millions of unnecessary
17 diesel truck miles every year. In Midtown Manhattan
18 along, 79 different companies operate waste
19 collection trucks. On any given street in the city
20 each business could have its waste collected by a
21 different truck. In 2013, a report submitted to BIC
22 states that the current truck fleets use heavy duty
23 diesel engines, which produce particulate matter and
24 nitrous oxide emissions that contribute smog and to
25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 respiratory and cardiovascular problems and is in
3 some cases related to cancer and death.

4 Since 2007, there was only 1.5% turnover
5 of trucks in the commercial fleets meaning that up to
6 90% of the trucks in the commercial sector are more
7 than 10 years old. Twenty-five percent of all
8 commercial trucks are 20 years or older. And only a
9 very small percentage of trucks in the commercial
10 fleet meet the EPA's most stringent emission
11 standards. In 2013, the City Council enacted Law
12 145, which requires all commercial truck engines up
13 to EPA's 2007 standards or have the best available
14 retrofit technology by 2020. While this is the first
15 step that can greatly improve air quality if
16 implemented properly, it has yet to be seen--it has
17 yet to be seen what the real impact will be.

18 The great majority of waste handled in
19 New York City's--New York City is trucked to one of
20 the handful of outer borough communities and then
21 long haul trucked back out of the city. Communities
22 like North Brooklyn and South Bronx are inundated
23 with thousands of waste truck trips every day.
24 Overall, solid waste ranks fifth on the list of
25 riskiest jobs in the United States. There is an

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 average of 33 deaths for every 100,000 workers. In
3 New York City, Sanitation workers experience twice
4 the fatality rates of police officers, and seven
5 times the rate of fire fighters. Despite the risks
6 taken for this job according to a report by the Blue
7 Green Alliance, between 2006 and 2011, real wages for
8 Sanitation workers fell in the commercial waste
9 hauling industry for new hires in the Bronx,
10 Brooklyn, and Staten Island. Critical safety
11 equipment and training are major issues for employees
12 as well. [coughs]

13 A coalition of advocates Transform Don't
14 Trash recently put out a report titled, *Dirty,*
15 *Wasteful and Unsustainable: The Urgent Need to*
16 *Reform New York City's Commercial Waste System.* Many
17 of their findings were based on a report done by
18 Halco Consultants for DSNY in 2012. Perhaps the most
19 significant finding was that the commercial waste
20 industry's recycling rate is only about 25%, well
21 below the previous estimate of 40%. The majority of
22 waste is trucked to landfills. Additionally, the
23 report shines a light on the inefficiencies of the
24 open system mentioned earlier, which allows business
25 owners to choose freely which carts to use. For

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 example, they found up to 22 separate hauling
3 companies may service a single commercial corridor.
4 This map created by NYC's Environmental Justice
5 Alliance or EJA, shows customers of waste haulers
6 located across boroughs. As you see, just spread
7 across boroughs with little thought to efficiency and
8 sustainability, or it seems like it's inefficient and
9 unsustainable.

10 The One NYC Plan, which we all should
11 clap for, by the way. I just want to say for--
12 [applause] Oh, yes, I'm sorry. We're going to have
13 to do this. Sorry, Sergeant. Yes, yes. The One NYC
14 Plan released last week by the de Blasio
15 Administration, seeks to send zero waste to landfills
16 by 2030. One of the ways they intend to do this is
17 by reducing commercial waste by 90% by 2030. It also
18 commits the Administration to conduct a study of
19 commercial waste collection zones. Encourage waste
20 audits, and large--in large--for large commercial
21 buildings. Require all food service establishments
22 to source separate organic waste, and ensure that New
23 York City will have the best air quality among large
24 U.S. cities by 2030.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 I look forward to exploring with the
3 Commissioners of Sanitation and BIC today how we can
4 work together to address some of those systematic
5 issues in the industry and create new policies in
6 order to forward this ambitious agenda. Thank you
7 guys and we're done. [applause] I'm trying to find
8 a good picture. A thank you is fine. Thank you is
9 fine. Okay, now with us to testify first we have Dan
10 Brownell of--the BIC Commissioner and John Curry,
11 Assistance Deputy Commissioner of BIC. We also have
12 Deputy Commissioner Bridget Anderson with us, and the
13 Commissioner Kathryn Garcia. And, of course, if
14 Commissioner Garcia can go first, and followed up by
15 BIC and then we'll get to questions.

16 COMMISSIONER BROWNELL: And I'm--and I'm
17 actually going to go first, if that's all right.

18 CHAIRPERSON REYNOSO: Oh, you're going to
19 first? You've got to hit your mic first. That's the
20 first thing. Is the mic on.

21 COMMISSIONER BROWNELL: I think so.

22 CHAIRPERSON REYNOSO: Oh, okay.

23 COMMISSIONER BROWNELL: Can you hear me?

24 CHAIRPERSON REYNOSO: Yeah, go ahead.
25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 COMMISSIONER BROWNELL: Okay. Good
3 morning Chairman Reynoso and members of your
4 committee. My name is Daniel Brownell, the
5 Commissioner of the New York City Business Commission
6 or BIC. I'm happy to be here this morning with the
7 Department of Sanitation and Commissioner Garcia and
8 Bridget. Thank you for inviting John and I to
9 participate in today's oversight hearing. In order
10 to fully understand BIC's combined regulatory and law
11 enforcement structure, it's important to know how and
12 why BIC was formed. Historically, organized crime
13 controlled private trade--the private trade waste
14 industry in New York City. Members of La Cosa
15 Nostra, traditional organized crime created a cartel
16 system using racketeering, anti-competitive
17 practices, intimidation and other illegal tactics to
18 dominate the industry. As a result of the cartel
19 system, trade waste collection fees for businesses in
20 New York City were among the highest in the country.
21 And no honest carting business could operate in the
22 industry.

23 Beginning in the 1950s, numerous criminal
24 prosecutions uncovered the corruption that was
25 endemic in the system. The wide ranging cases

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 brought by the Manhattan District Attorney's Office
3 as Council Member Reynoso indicated a couple of
4 minutes ago in the mid 1990s exposed the illegal
5 cartel system. The Trade Waste Commission now, BIC
6 was formed in the wake of those prosecutions to
7 combat organized crime's influences, and prevent its
8 return to the city's private carting industry.

9 BIC's core mission and licensing scheme
10 is laid out in Local Law 42 that was enacted in 1995
11 granting us legal authority to license and regulate
12 the trade waste removal industry in the city. It
13 should be noted that a regulatory authority centers
14 on the carting companies, and we have no such powers
15 regarding the commercial businesses they collect from
16 or the transfer stations. Because the public
17 wholesale markets were also plagued by organized
18 crime and corruption the regulate--the regulation of
19 those entities was also placed under what is now BIC.

20 As formed under Local Law 42, BIC is a
21 commission comprised of myself as Commissioner and
22 Chair of the Commission, and the Commissioners of
23 Sanitation, NYPD, Department of Investigation, Small
24 Business Services, and Department of Consumer
25 Affairs. Denials of an application occur after a

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 finding that the business and/or one or more of its
3 principals in quotes, "Lacks good character, honest
4 and integrity."

5 The City's Administrative Code sets forth
6 10 specific considerations for denying a license, and
7 requires that the reason or reasons for the denial be
8 specified to the applicant business. And that the
9 applicant have the opportunity to challenge the
10 denial. Among the factors to consider to deny a
11 license are:

12 Failure by the applicant to provide
13 truthful information in connection with its
14 application. Commission of a racketeering activity
15 or knowing association with someone who has been
16 convicted of a racketeering activity as defined by
17 either State or Federal Statute. And association
18 with any member or associate of an organized crime
19 group as identified by a federal, state or city law
20 enforcement or investigative agency when the
21 applicant knew or should have known or the organized
22 crime associations of such persons.

23 To carry out our mission, we have a staff
24 of investigators whose responsibilities are focused
25 on criminal investigations and assisting in the

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 background investigations of applicants. Our
3 criminal investigations usually related to the
4 commercial trucking industry or the wholesale markets
5 are conducted in conjunction with city, state, and/or
6 federal prosecutors. And also, frequently include
7 the inspector general agencies. As part of BIC's
8 prime mission to combat corruption, and keep the bad
9 actors out of the industries we regulate, our
10 regulate--our inves--investigators also issue
11 administrative violations. The nature of these
12 violations focuses on ensuring that businesses and
13 individuals in the carting industry abide by BIC's
14 rules and regulations.

15 The main violations issued for operating
16 a carting business in the city without a BIC license
17 illegal dumping of refuse and truck or operational
18 safety infractions. Our Audit staff also issues
19 violations to carting companies that fail to provide
20 certain data that they are required to produce to BIC
21 on a regular basis. Two troubling trends in the
22 industry involve the theft of cardboard and used
23 cooking oil. While most of us might view these items
24 as worthless commercial refuse, they are actually
25 commodities. BIC licensed carters contract for and

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 collect those types of waste from businesses such as
3 restaurants, grocery stores, and office buildings and
4 sell them to specialized recycling facilities to be
5 refurbished and returned to the market. Used
6 cardboard becomes new cardboard. Used cooking oil
7 can become a bio--bio fuel additive. As you can
8 imagine, diverting used cardboard and oil from
9 landfills makes a significant difference in the
10 volume of refuse dumped. Also, used cooking oil was
11 often simply drained--dumped down the drains of city
12 sewers--dumped into city sewers creating a severe
13 environmental hazard.

14 The reuse of both of these commodities
15 contributes to the city's overall sustainability
16 goals. We want to do all we can to encourage the new
17 businesses that collect and recycle these items.
18 Unlicensed, illegal carters have undermined the
19 development of this area of recycling. With--with
20 respect to cardboard, illegal carters often using
21 pickup trucks and vans rove the streets at night
22 stealing all the cardboard they can--they can find
23 that has been left by the side of the street for the
24 contracted collector. Other illegal carters use
25 various scams to trick restaurants into letting take

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 their used oil. Often misrepresenting themselves as
3 a legitimate carter. Fast food restaurants in the
4 outer boroughs who often store their used oil in
5 collection tanks located at the back of the
6 properties, battle with the illegal carters to keep
7 them from constantly damaging and breaking into those
8 tanks and stealing the oil. Catching these thieves
9 is difficult and time consuming for BIC, and we rely
10 on the legitimate BIC carters to provide us with
11 information we need to identify the rogue companies
12 and combat the theft in this area. Those legitimate
13 carters have been extremely cooperative. [coughs]
14 While these thefts are a crime, it has been difficult
15 to convince prosecutors to take these cases, but we
16 have had some successes.

17 BIC is also working with local community
18 composting groups to encourage as much collection and
19 composting of organic materials as possible in the
20 city. BIC is working on a Memorandum of
21 Understanding to be executed with all current
22 organizations that transport these materials so that
23 they can continue to thrive and grow as a not-for-
24 profit or even a small business without having to
25 worry about regulation. We are likely to acquire

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 them to register with BIC without a fee, and
3 demonstrate that they have otherwise complied with
4 all other city and state regulations. BIC will
5 monitor its regulation of organic composting
6 transport as it grows and as larger for-profit
7 businesses inevitably start to emerge in this area.

8 While BIC's main as a law enforcement
9 agency is to monitor and maintain the integrity of
10 the commercial carting industry, we are also
11 committed to playing our part as the trade waste
12 industry evolves and becomes more environmentally
13 efficient. We are already active in this area in
14 that we have conducted a number of investigations
15 into serious environmental crimes including those
16 that hinder the goal of accomplishing higher
17 diversion rates of recyclable materials.

18 In addition to our mission of protecting
19 the integrity of commercial carting, BIC was granted
20 the authority to conduct students and or
21 investigations in order to assist the city in
22 formulating policies regarding the trade waste
23 industry, as well as the responsibility for doing so.
24 This includes reviewing the possibility of
25 establishing specific trade waste removal districts

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 as a potential first step to an industry wide
3 franchise model.

4 Since I took over at BIC about
5 approximately ten months ago, we have been meeting
6 with Sanitation regularly as well as people from your
7 staff, Chair Reynoso and the Transform Don't Trash
8 NYC Coalition to discuss our steps forward concerning
9 the possibility of franchising or as better phrased
10 by Sanitation a commercial zone collection system for
11 New York City. As the Mayor laid out last week in
12 the City's One NYC Plan, the City including BIC is
13 committed to reducing greenhouse emissions and
14 sending as little waste as possible to landfills.
15 Our immediate aim is to understand the actual truck
16 miles traveled and waste collection routes used so
17 that we can better determine how the regulatory
18 structure of the trade waste industry can be updated
19 to achieve the relevant One NYC Plan goals. As I
20 reported to the City Council a few weeks ago, BIC has
21 executed a major agreement with New York University
22 Center for Urban Science and progress or CUS to
23 conduct a comprehensive study of both the current
24 aspects of the New York City trade waste industry and

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 the likely impacts of adopting some form of a
3 commercial zone collection system.

4 Sanitation, the Mayor's of Sustainability
5 and the Mayor's Office of Data Analytics are also
6 participating in this project. We are now in the
7 early stages of the cost study. The project will
8 rely heavily on empirical data including an extensive
9 analysis of the customer registers that BIC's
10 licensed carters are required to submit to BIC twice
11 a year. As noted earlier, the focus of this first
12 phase is to give us a clearer, more detailed at what
13 commercial carting looks like now in the city so that
14 we can better predict the impacts of implementing
15 some form of a commercial zone collection system.
16 BIC is also requesting detailed information from our
17 carters concerning exact truck route data, which will
18 greatly enhance the value of the study. We are also
19 speaking with officials from other cities that are
20 either currently engaged in some form of a commercial
21 zone collection system, or are taking the initial
22 steps towards that goal, or are contemplating doing
23 so.

24 The two main cities that have such plans
25 under way are San Jose and Seattle. Even though

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 those cities are vastly different from New York, we
3 can learn from the experiences. In addition, Los
4 Angeles is set to have their new trade waste
5 collection procedures fully implemented by 2017. We
6 are speaking to their Department of Sanitation
7 officials and consultants. Of course, no two cities
8 have the same infrastructure or commercial waste
9 collection system. There are various permutations
10 used based on the unique characteristics of each
11 city, as well as that city's priorities and goals.
12 In its most basic form, when a city adopts a
13 commercial zone collection system, the city is
14 divided into various geographic regions with
15 commercial waste generators being serviced by a
16 limited number of carters. The carters then compete
17 through a bidding process to gain the right to
18 service any particular geographic collection region.
19 Considerations of initiating a commercial zone
20 collection system must not only account for the
21 potential benefits, but also the potential costs.
22 There--there needs to be more public discussion
23 concerning the potential tradeoffs among the various
24 policy goals. As best as possible, we want to ensure
25 commercial zone collections--that a commercial zone

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 collection system provides fewer truck miles meaning
3 less air and noise pollution and road wear.

4 Lower emissions and safer carts or
5 trucks, more recycling of more types of waste
6 materials.

7 Safer conditions and better pay for trade
8 waste workers including the truck drivers and
9 transfer station workers.

10 Modern transfer station facilities that
11 allow for better waste removal and recycling a
12 composting facility.

13 Thriving profitable carting businesses.
14 Reasonable and affordable carting fees for
15 businesses.

16 Safer cleaner streets for pedestrians,
17 cyclists and other motorists.

18 And more equitable distribution around
19 the city of the main trade waste truck routes and
20 transfer station locations.

21 Too often most or all of the goals I just
22 recited are presented as if they are fairly easy to
23 obtain through a commercial zone collection plan.

24 However, the reality is that many of these items
25 actually compete with each other, one lessening the

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 ability to achieve another. To reach a plan that is
3 both equitable and effective, we must engage in a
4 fair balancing of concerns being sensitive to the
5 consequences of choosing one form of trade waste
6 collection system over another. For instance, the
7 admirable goals of higher diversion rates combined
8 with improved work conditions and better and more
9 modern facilities with a higher pay for trade waste
10 workers assured--assuredly means higher costs for
11 carters. Those increases--those increased costs are
12 then passed on to commercial waste generators.
13 Particularly for a small business, or any business
14 with a slim profit margin that prospect of higher
15 cost can be fatal. And make no mistake, just about
16 any form of a commercial zone collection system plan
17 that is adopted will almost definitely exclude small
18 commercial carting companies. The companies with
19 one, two, or three trucks are simply--are probably
20 simply going to be too small to bid for the right to
21 collect in a geographic region of the city where the
22 maximum number of carters is highly limited. Often
23 the response has been what's the big deal.

24 Workers will get picked up as the bigger
25 carting companies grow even larger under the new

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 system. As we continue to explore the commercial
3 zone collection system, it is important that we
4 review this closely to ensure there is--that there is
5 empirical data that actually supports these types of
6 statements. Moving forward, we have to weigh the
7 desire for less air and noise pollution in road wear
8 against the goal of diverting as much as possible
9 from landfills. This is a delicate balance that must
10 consider all of the many variables and develop a
11 meaningful and sustainable plan. We have some real
12 work ahead of us, and some steep challenges to
13 address. All of the relevant parties need to be part
14 of the conversation in order to reach the best
15 solution. In partnership with the Council and
16 various stakeholders, we are discussing--we are
17 discussing a complete restructuring of the trade
18 waste industry in America's largest and densest city.
19 Whatever choices we make will have far reaching and
20 dramatic consequences. While we cannot allow the
21 magnitude of this task to paralyze us into an action,
22 we must be responsible and careful in making our
23 decisions. Thank you for the opportunity to speak
24 today, and I will now turn the mic over to
25 Commissioner Garcia.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 CHAIRPERSON REYNOSO: Actually, we have
3 good news. Because our group is larger, we're going
4 to get to move on up to the bigger room. [laughter]
5 And people are going to get to sit down. I don't
6 know if--if the-- Sergeant, can we do it right away
7 or should I wait a couple more seconds? We're going
8 to just get up and go to the other room so that you
9 guys can--

10 SERGEANT-A-ARMS: Hold on a second.

11 CHAIRPERSON REYNOSO: But wait one
12 second. You guys got to wait. I said we're going
13 to. [background comments, laughter] I've--I've
14 lost. Yes, I've lost control.

15 [pause]

16 CHAIRPERSON REYNOSO: They need a few
17 more minutes guys, a few more minutes. Patience.
18 [backgrounds comments] Okay. I apologize,
19 Commissioner, and thank you for your testimony. It's
20 just out of respect because there's people in the
21 other room from this that want to speak her as well,
22 by the way. So it's not only the people standing in
23 the room.

24 MALE SPEAKER: [off mic] And they would
25 like to hear the testimony.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 CHAIRPERSON REYNOSO: And they would like
3 to hear the testimony, and they can't. They're
4 hearing something else. What is it? Who's in there?

5 MALE SPEAKER: [off mic] Housing and
6 Buildings.

7 CHAIRPERSON REYNOSO: They're listening
8 about housing and buildings, but they'd rather be
9 listening than hearing something regarding trash,
10 right.

11 [pause]

12 CHAIRPERSON REYNOSO: We're going to wait
13 one more minute. Sorry, guys. [laughs]

14 [pause]

15 CHAIRPERSON REYNOSO: Okay, we're good to
16 go. Thank you guys for transitioning quickly. I
17 truly appreciate it. And now we're going to move
18 forward, and have the testimony from the Commission
19 Kathryn Garcia.

20 COMMISSIONER GARCIA: Thank you. Good
21 morning Chair Reynoso and member of the Committee on
22 Sanitation and Solid Waste Management. I am Kathryn
23 Garcia, Commissioner for the New York City Department
24 of Sanitation. With me today is Bridget Anderson,
25 Deputy Commissioner for Recycling and Sustainability

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 for the department, and I am please to join my
3 colleague, Commissioner Dan Brownell of the New York
4 City Business Integrity Commission.

5 In appearing before you today to discuss
6 commercial waste practices in the City of New York, I
7 have some introductory comments I'd like to share
8 with you, and then I'll be happy to respond to your
9 questions. Every year, New Yorkers generate more
10 than three million tons of residential waste and
11 recyclables and another three million tons of
12 commercial waste and recyclables. While the
13 Department of Sanitation is primarily focused on the
14 collection and disposal of residential waste, a
15 number of our plans and policies address the
16 commercial waste system. New York City's
17 comprehensive solid waste management plan, adopted by
18 the New York City Council and approved by the New
19 York State Department of Environmental Conservation
20 in 2006, outlines the department's long-term plan to
21 achieve a more sustainable and equitable system for
22 recycling and disposing waste. Recognizing that the
23 systems for managing residential waste and commercial
24 waste are interdependent, the Solid Waste Management
25 Plan lays out an ambitious strategy of constructing a

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 network of sites both public and private across the
3 city to support both systems. Another critical
4 component of this SWMP is the continuing growth of a
5 robust and diverse recycling program for residential,
6 institutional and commercial generators in New York
7 City.

8 Since the passage of the Solid Waste
9 Management Plan, the City has taken a number of steps
10 to improve the sustainability of the city's
11 commercial waste sector. Over the coming years,
12 private carters will be required to replace or
13 retrofit all commercial collection trucks to meet
14 2007 EPA emissions requirements. Several carters
15 have already taken steps to comply with this law. In
16 January, Mayor de Blasio announced that the city
17 would carry out a ban on expanded polystyrene foam
18 food service project--products, and loose fill
19 packaging material. This material, though, a small
20 portion of the waste stream is a major source of
21 contamination in institutional and commercial
22 organics collections. And just last week, the Mayor
23 announced far reaching waste reduction goals for both
24 residential and commercial sectors as part of One New
25 York, which I'll discuss in a moment.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 As you know, pursuant to Local Law 32 of
3 2010, the Department completed a commercial solid
4 waste study and analysis focused on commercial waste
5 and recyclables generated in the city. The
6 department reviewed existing recycling practices
7 among businesses in the city by interviewing
8 businesses and carters and conducting field
9 observations. The Commercial Waste Study Report
10 presents information and data on the recycling
11 practices of businesses and haulers, and estimates--
12 and estimates of the commercial waste stream. That
13 study largely relied on employment based waste
14 generation models, and did not directly measure the
15 amount or composition of either the refuse or
16 recyclable streams. The department will seek to
17 improve its tools for measuring the volumes, origins,
18 destinations and customers within New York City's
19 commercial waste management system.

20 Just last week, Mayor de Blasio announced
21 One New York, the plan for a strong and just city.
22 In the plan, the Mayor laid out a set of sweeping
23 environmental and social initiatives to plan for the
24 city's continued growth including the bold and
25 ambitious goal of reducing the amount of waste we

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 dispose by 90% by 2030. This goal includes steps to
3 begin dramatically rethinking the way we handle our
4 commercial waste, including five initiatives that
5 will build on the Solid Waste Management Plan and
6 other recent successes. Through a combination of new
7 policies and programs, legislative reforms and
8 partnerships with the private sector, we will make
9 great progress over the next five years towards our
10 goal of a 90% reduction of commercial waste disposal
11 by 2030.

12 First, as Commissioner Brownell addressed
13 earlier in his testimony, the city will conduct a
14 comprehensive study of commercial waste collection
15 zones. Second, we will develop a voluntary program
16 to audit waste generation and recycling for large
17 commercial buildings and track commercial waste
18 trends. The efforts represent a crucial step in
19 determining the waste generation characteristics of
20 businesses, an area that has been historically short
21 of reliable data. Third, we will create a zero waste
22 challenge program for large commercial waste
23 generators. In 2013, the city launched the Food
24 Waste Challenge, a commercial food waste diversion
25 program with the support of more than 100 New York

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 City restaurants. The participants committed to a
3 50% food waste diversion goal together with ongoing
4 reporting of their progress. In the first six months
5 of this voluntary program, commercial organic waste
6 was reduce citywide by 2,500 tons. Building on this
7 success, we will crate a zero waste challenge program
8 to encourage businesses to reduce, reuse or recycle
9 all of their waste.

10 Fourth, the department will also revise
11 commercial recycling rules to make recycling easier
12 and more understandable for businesses to follow. As
13 you know, our current commercial recycling rules
14 designate recyclable materials for source separation
15 based on different business sectors of our city.
16 However, the current practice by businesses is not
17 entirely consistent with what we asked residents,
18 city agencies, and institutions to do. During the
19 rulemaking process, we will solicit the input of
20 elected officials, the industry, the public and other
21 interested organizations on the issues to be
22 addressed by our proposed rules.

23 Last, we will require food service
24 establishments to separate the food waste they
25 generate for separate collection. Local Law 146 of

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 2013 requires that select food waste generating
3 businesses separate out their organic material to
4 ensure its diversion from landfills. The law
5 provides a phased-in approach intended to foster the
6 expanse--expansion of organics processing capacity
7 needed to make organics diversion viable over the
8 long term.

9 This year the department will identify
10 the first category of food generating businesses that
11 will be required to source separate their organic
12 waste. As processing capacity in the region
13 continues to evolve and grow, we will expand this
14 requirement to more food service establishments.
15 Reducing the impact that the city's waste has on our
16 communities, and the environment is a critical part
17 of the department's mission to keep New York City
18 healthy, safe and clean. I am confident that the
19 initiatives and programs that I have discussed along
20 with the many others outlined in the Solid Waste
21 Management Plan and One New York will be a major step
22 forward to accomplishing that mission.

23 Thank you for the opportunity to appear
24 before this committee. The department looks forward

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 to working with you on this and other areas of mutual
3 interest, and I am happy to answer any questions.

4 CHAIRPERSON REYNOSO: Thank you. Thank
5 you for your testimony, both Commissioners. I have a
6 couple of questions. The first one, what does--what
7 does either agency, DSNY or BIC do to ensure that the
8 data reported to them by carters is accurate? I know
9 that you mentioned the study that we recently had.

10 In your words, I just want to repeat them very
11 quickly, Commissioner Garcia. You wrote, The study
12 largely relied on employment based waste generation
13 models and did not directly measure the amount of
14 composition or--of either the refuse or recyclable
15 streams. The department will seek to improve its
16 tools. So--but what tools does it have currently to
17 track--to track that?

18 COMMISSIONER GARCIA: Well, for one thing
19 the department does not regulate recycling
20 facilities. So there are over 30 paper recycling
21 facilities and other metal, glass and plastic
22 facilities in the city that we do not have
23 information from.

24 COMMISSIONER BROWNELL: And with regard
25 to what BIC does, as I indicated in my testimony, we

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 have twice a year obligation for carting companies to
3 supply us with information. In terms of how we can
4 sort of double check that information, and we can't
5 do it to a great extent, but to the extent we can,
6 it's when we conduct audits of particular carting
7 companies. And the other thing that often comes up
8 as part of our investigations whether criminal, and
9 usually they are criminal, or regulatory. A lot of
10 times as an example we may come up with a particular
11 carting company that has principals of that company,
12 which they haven't informed us of. And that's just
13 sort of two examples.

14 CHAIRPERSON REYNOSO: So if we are to get
15 to 90%, for example, do you guys think that we might
16 need a more nuanced system of tracking exactly
17 whether or not recycling is happening in the
18 commercial waste industry?

19 COMMISSIONER GARCIA: Well, I think that
20 both of us agree that we need a lot better
21 information, and we're working jointly to make sure
22 that it's easier for the businesses to supply us with
23 that information, and it's consistent across both
24 organizations. But there clearly are holes in what
25 we know. Because we also don't get a tremendous

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 amount of information if it goes directly outside of
3 the city. So there definitely are some pockets where
4 we know we are having challenges having a full
5 universal understanding.

6 [pause]

7 CHAIRPERSON REYNOSO: I'm sorry, I'm just
8 going through a million questions, and I want to make
9 sure I ask the right ones, and also allow for my
10 committee members to--to ask some questions. In the
11 NYC Plan--in the One NYC Plan, published a week ago,
12 the report states that the City plans to reduce
13 commercial waste, of course, by 90% by 2030. A new
14 study of commercial waste collection zones is
15 underway. To understand the feasibility of such a
16 system for New York City, can--can either agency
17 elaborate on the details of the study. A lot of
18 folks are really excited about the study, and would
19 like to know--

20 COMMISSIONER BROWNELL: So as I
21 indicated, this--the cost study--

22 CHAIRPERSON REYNOSO: [interposing]

23 Yeah.

24 COMMISSIONER BROWNELL: --is just getting
25 underway. As one of the additional bits of

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 information, which I think is going to be really
3 helpful is requiring the carters to send us more
4 specific information with regard to their exact truck
5 routes, which will be helpful. And, in fact, we have
6 a meeting--I don't know the exact date--set up with--
7 with Align in a couple weeks to get some data from
8 them. So, the--the initial aspect of the study is
9 to, as I said, get a clearer picture of sort of
10 what's going on right now. I know the phase wild
11 west has been used. I don't think it's exactly like
12 that, but certainly improvements can be made to make
13 things more organized, and that's what we want to
14 figure out first is kind of what do things look like
15 now. And then, because--and then the next step, and
16 I would think the more involved step is okay, so if
17 we are going to--to implement some sort of commercial
18 zone collection system, exactly, you know, what is
19 that structure going to look like? And that's the
20 part where I expect to be meeting with your people,
21 Chair Reynoso, and as I said, with Align. Obviously
22 with Sanitation and with the CUS people as we figure
23 all this stuff out. And then also with the--with the
24 private sector. I mean that's a key aspect of all

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 this, of course, because they're the ones actually
3 doing the collection.

4 CHAIRPERSON REYNOSO: Yeah, and--and I'm
5 excited that that recently MOF has had meetings with
6 some of the private haulers that want to be a part
7 of this movement, and part of figuring out how they
8 can be a part of--a partner in making sure we get to
9 the place where we think we need to be. I do want to
10 ask how long do you think that study is going to take
11 because that's a huge concern for folks because we
12 hear about two-year studies and we're hoping that we
13 can get this one in a bit sooner. [sic]

14 COMMISSIONER BROWNELL: I understand.
15 So, again, we're at the beginning. I'm hoping that
16 it's not going to take any more than six to nine
17 months. Do not hold me to that. And the other thing
18 that I want to emphasize is that the studies that
19 have been done before they're all useful. It isn't
20 like we're starting from the beginning, and
21 everything--

22 CHAIRPERSON REYNOSO: [interposing]
23 Right.

24
25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 COMMISSIONER BROWNELL: --that was done
3 before is a waste of time. It all becomes--it's all
4 very useful in this analysis.

5 CHAIRPERSON REYNOSO: Thank you. Organic
6 recycling. A lot of folks are concerned on whether
7 or not we have the capacity at this point to handle
8 an expansion of that program. Just so I know what--
9 what your--your thinking is.

10 COMMISSIONER GARCIA: So, we intend to--
11 if we're speaking specifically about the commercial
12 sector, on the residential side we have contracts in
13 place to do this for an expansion and to continue
14 moving forward. On the commercial side, we are still
15 looking at the entire regional industry, and trying
16 to match that up with what the food generating
17 establishments are. We have not completed that
18 analysis, but I anticipate that happening in the
19 summer.

20 CHAIRPERSON REYNOSO: I recently went on
21 a tour. I guess this is for--for both groups, and
22 I'm glad to hear about the organics, and that we feel
23 that we have the capacity. But I went a tour and I
24 actually walked into a couple of waste transfer
25 stations in my district in the South Bronx and in

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Sunset Park or in--Sunset Park, yes, in Carlos
3 Menchaca's district. And in doing that tour, it was
4 extremely concerning. It just really felt that it
5 was like a primitive--a primitive means to transport
6 trash. It was small trucks dump garbage. A claw
7 grabs the garbage and puts it in a bigger truck, and
8 then that truck goes out to wherever it needs to go.
9 While I was there, you know, the workers were--some
10 didn't even have hard hats on. Some didn't have any--
11 --like any glasses or any protective eyewear. Some
12 didn't have any reflectors on or--or any type of
13 protective jacket gear. There were chemicals coming
14 from the air, which I think is to reduce the smell I
15 guess of the garbage, literally falling on some of
16 these workers. As we can see, it's actually more
17 people are dying as sanitation workers than there are
18 for NYPD and FDNY, which is something that I found
19 recently which is--is interesting. What--what role
20 do you guys play in ensuring worker safety? And, do
21 you think that there's--and do you think that there's
22 a problem there?

23 COMMISSIONER GARCIA: So we really don't
24 direct oversight of worker safety, and that is an
25 OSHA question. I can't really speak to what you saw

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 or what the hazards were. I can talk a little bit
3 about how we operate our own facilities. In our own
4 facilities, if you are walking on the floor, you are
5 required to wear a hard hat. There are usually a
6 misting system that's not considered a hazard, or we
7 don't consider that a hazard for our employees. I
8 don't know what chemicals they're using at private
9 transfer stations. But it really should be addressed
10 by OSHA. We're actually regulated by PESH so--

11 CHAIRPERSON REYNOSO: So the state
12 regulates?

13 COMMISSIONER GARCIA: Yeah, the federal
14 government regulates, and we are regulated by the
15 State Department of Labor.

16 CHAIRPERSON REYNOSO: Do you know what a-
17 -so what if a worker let's say has a concern
18 regarding a safety issue.

19 COMMISSIONER GARCIA: There's--I think
20 that there's--there's a number that they can call. I
21 don't know what it is off the top of my head, but
22 I'll tell you that if one of my workers calls they're
23 usually really pretty quick to come and do an
24 investigation.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 CHAIRPERSON REYNOSO: Are these--can
3 these calls be made anonymously?

4 COMMISSIONER GARCIA: Yeah.

5 CHAIRPERSON REYNOSO: They can?

6 COMMISSIONER GARCIA: Yeah.

7 CHAIRPERSON REYNOSO: Okay, thank you. I
8 actually want to give an opportunity for some of my
9 colleagues to ask some questions and I can--I guess
10 it can come back to me. I want to give Council
11 Member Steven Matteo. We're going to also for
12 testimony from the group, we're going to do five
13 minute for council members for testimony. We're
14 going to increase it from two minutes to three
15 minutes to the general public as well just to make
16 sure everybody gets an opportunity to really say what
17 they want to say. So, Council Member Matteo.

18 COUNCIL MEMBER MATTEO: Thank you, Chair
19 Reynoso. I'd like to focus on the--on the recycling
20 part of the commercial waste industry. I think you
21 said that DSNY estimates 40% recycling done. In the
22 report it says there's a 2012 study that shows about
23 26% maybe less are recycling. So, for the private,
24 you know, office buildings and businesses, what--what
25 can we do to incentivize and get them on board to

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 start recycling within-- You know, before it gets to
3 a pickup instead of just emptying everything in one,
4 you know, bag or dumpster and it's not being
5 separate, you know, shouldn't we be going on the safe
6 education program that we're doing for homeowners,
7 you know, that we do in Staten Island? Can we expand
8 that? What kind of incentives can we get to start
9 working with--with, you know, the private industry
10 to--to get them--to get these numbers up, and be a
11 partner with them?

12 COMMISSIONER GARCIA: So I mean that
13 there--there's a couple of pieces to what you put
14 forward. One, we do--do a lot of education. You
15 know, recycling is--it's not a choice. It's the law.
16 But it is--depending on who you are, if you're an
17 office building, you are not required to source
18 separate out you metal, glass and plastic. You're
19 only required to do your--your paper, and your
20 cardboard.

21 COUNCIL MEMBER MATTEO: I'm sorry, I
22 missed that. Can you say that again?

23 COMMISSIONER GARCIA: So if you're a
24 large office building, you're only required to do
25 your cardboard and your paper. You're not actually

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 required under the current rules to do metal, glass
3 and plastic. So one of the things we want to do is
4 change the commercial rules to mirror what happens in
5 people's homes. Because I think that for the people
6 who are employed there that will make it easier so
7 that they're doing the right thing. So that their
8 employer can do the right thing. So their landlord
9 can do the right thing. So I think that there's a
10 lot to do on that front. And then we continuously do
11 education to businesses. If you're a food service
12 establishment, you do have to separate metal, glass
13 and plastic. So one of our biggest challenges is in
14 multi-use buildings, which makes it very hard to even
15 enforce against. Because if you see metal, glass and
16 plastic in with refuse, well maybe that wasn't from
17 the restaurant. Maybe that was actually from the
18 office portion of it and, therefore, they're not in
19 violation. So it's very challenging. The way the
20 roles are now, it's very challenging to even enforce.
21 So that's one of the things we want to change. So we
22 do a lot of education, but we think the commercial
23 rules are confusing.

24 COUNCIL MEMBER MATTEO: I mean, you know,
25 certainly in my district, you know, and we've done on

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 the residential side, I'm willing to work with you
3 on--on office buildings and others in my district.
4 But I want to have a conversation with the Chair
5 about what else we can do as a committee, as a
6 Council as a whole. Thank you.

7 CHAIRPERSON REYNOSO: Thank you, Council
8 Member Matteo. Council Member Brad Lander.

9 COUNCIL MEMBER LANDER: Thanks very much
10 to the Chair and to both commissioners for the
11 attention to this. And, I want to say to the
12 commissioners and more broadly to the Administration
13 how excited I was about the One NYC announcements
14 around the zero waste and 90% by 2030 reduction
15 goals, which I think are dynamite, ambitious,
16 concrete, and really thoughtful. So we look forward.
17 There's going to be a lot of real challenges in
18 there. As you know, just as one example, I'm a great
19 enthusiast of our compost system. But, you know, it
20 has had already in my community great impacts on
21 waste reduction. It's also easy to see once you're
22 in the midst of it. A lot of the challenges we're
23 going to have really improving it and making it work
24 better and rolling it out citywide and that's true
25 across the waste system. So we look forward to

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 working with you. Those are the right set of goals,
3 an important set of goals for waste reduction for
4 sustainability, and for confronting income inequality
5 and job equality. So it's great to be on board with
6 you, and credit to the Chair for having us have this
7 timely hearing so quickly right after to be able to
8 get started on the commercial waste side.

9 Commissioner Brownell, I thought these
10 nine goals that you set out were really great, and I
11 have already a picture and Tweeted them out. I had
12 to cut and past them to get them all on one page.
13 You implied that they sometimes conflict with each
14 other, and I think that's thoughtful. You know, we
15 want to maximize our ability to achieve as many of
16 these as we can. Can you just say a little more
17 about where you think the tensions and conflicts will
18 exist, and how we should be thinking about that as we
19 move forward to prioritize what we want?

20 COMMISSIONER BROWNELL: So, one of the
21 things that I want to make clear is that my--even
22 though I got a degree in environment studies about a
23 million years ago, my background in these last 30
24 years is a prosecutor. So I am very aware that
25 mostly I have to listen to other people who know and

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 learn from them. That having been said, in the short
3 time I've been at BIC, I have been talking to a lot
4 of people. And it--it seems to me just in the area
5 of the environmental concerns that the more--that one
6 of the things to work out is that the more recycling
7 we do, it may require more than one truck to be
8 involved. And obviously the more trucks involved, the
9 more truck miles there are. So just sort of weighing
10 out those things because maybe instead of one truck
11 coming to pick up let's say at a large office
12 building or a restaurant, so that you've got the
13 whole gamut of recyclables, you know, versus, you
14 know, separate trucks to come and do that is going to
15 require, you know, more trucks. And all of those
16 things have to be taken into consideration. That's a
17 bit subtle. Some of the ones that I think are a
18 little clearer is that with regard to more recycling
19 and the requirement that trucks, you know, have lower
20 emission rates. Obviously, that's expensive for the
21 carters, and to some extent, unless we're going to
22 drive those businesses out, which, of course would be
23 crazy, we're going to have to increase the--well,
24 allow for the natural and normal increase in the
25 rates that those carters are allowed to charge

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 businesses. And, of course, that's a bit of a
3 concern because small businesses don't have the sort
4 of margin to deal with that. Now, again, it doesn't
5 mean that we can't do those things. But we have to I
6 think enter this discussion first of all with an open
7 mind, prioritize the things that are most important,
8 and make sure we're including everything--everyone
9 involved in this--in the conversation. I have never
10 run a business. So, for--so, you know, so obviously
11 some things I know from the other things I've done in
12 the public sector. But I have to be able to--you
13 know, part of the conversation has to include the
14 action cartings, the ISIs, you know, the large
15 carting companies--

16 COUNCIL MEMBER LANDER: [interposing]

17 Absolutely.

18 COMMISSIONER BROWNELL: --because they're
19 the ones that actually do this.

20 COUNCIL MEMBER LANDER: So to make sure
21 that whatever we end up with is going to maximize the
22 good things that we want, and minimize sort of the
23 bad things.

24 COUNCIL MEMBER LANDER: And--and we'll be
25 hearing from them certainly and the stakeholder later

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 today. A couple of things. First, I want to just--
3 it's refreshing to have someone say, you know, I
4 don't have all the answers and we have to listen to
5 the other stakeholders. And I think in your case,
6 it's particularly useful to just have you acknowledge
7 and put the record BIC was set up for a very
8 particular purpose of, you know, confronting
9 organized crime. And, of course, we don't want
10 organized crime--

11 COMMISSIONER BROWNELL: [interposing]

12 Right.

13 COUNCIL MEMBER LANDER: --with--on
14 whatever system that we--that we set up, and that's
15 this thing we need to continue to pay attention to.
16 But that increasing sustainability and environmental
17 recycling goals is a different thing to do.

18 COMMISSIONER BROWNELL: [interposing]

19 Right.

20 COUNCIL MEMBER LANDER: And you're trying
21 to think about how to be a strong partner--

22 COMMISSIONER BROWNELL: [interposing]

23 Exactly.

24 COUNCIL MEMBER LANDER: --in doing that.

25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 COMMISSIONER BROWNELL: I mean that's why
3 Sanitation is such a critical--I mean it's not the
4 only partner, but Sanitation is obviously our key
5 partner in this.

6 COUNCIL MEMBER LANDER: Yeah. A couple
7 of things on the business side. So, the Commissioner
8 spoke to the lack of the same kinds of requirements
9 or at least the same level of requirements for
10 commercial businesses compared to residential in
11 terms of source separating. Do--those businesses for
12 the most part also don't really have incentives to--I
13 mean obviously, you know, to some extent they pay for
14 volume. S o they have some kind of volume incentive.
15 But they don't have incentives to maximize recycling
16 or to participate. So there may be some value that
17 is there to be captured in building into what the
18 carters have and the businesses have in reducing
19 waste and separating and helping make sure we're
20 reducing what gets dumped in landfills, and
21 maximizing what goes to places where it has value.

22 COMMISSIONER BROWNELL: Right.

23 COUNCIL MEMBER LANDER: Does that seem
24 right to you?

25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 COMMISSIONER BROWNELL: Right. I mean
3 cardboard obviously has value, although apparently
4 the price is really down right now. There are people
5 much more expert than I. They can talk about that
6 and cooking grease. So those are--you know, the fact
7 that they're now commodities sort of changes the game
8 there. So those--so that's an incentive. Obviously
9 that's--there's a lot more than just those two
10 particular kinds of things that need to be recycled.

11 COUNCIL MEMBER LANDER: And maybe that
12 should actually be listed as goal, or perhaps its a
13 subpoint of one of the existing nine. But aligning
14 the incentives so that the businesses themselves
15 share [bell] the goals of, you know, recycling and
16 waste reduction. I was just getting started, Mr.
17 Chairman. Should I--do I need to wait my turn in the
18 stack or can I keep going for another minute or two?

19 CHAIRPERSON REYNOSO: Yeah, please.
20 Let's--let's go around one time. Is--yeah, let's--
21 let's go around one time. The second round with the
22 same panel. I just wanted to follow up very quickly
23 with one thing that you did say, Brad, the
24 businesses. Do you think that having the exclusive
25 right to rezone, though, might almost ensure a

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 certain type of revenue stream that is more--is more
3 secure? And in doing so, allow for an understanding
4 of what they're going to be getting every single
5 year? It's theirs. There's going to be some type of
6 contract with DSNY or BIC that's a certain term, and
7 with that guarantee, that they know what investments
8 they can and can't make. They know how they can
9 sustain themselves and what prices they can be--
10 they're going to be charging for a significant amount
11 of time. Do you that that in anyway is helpful to--
12 to maybe dealing with the issue of pricing.

13 COMMISSIONER BROWNELL: Well, again,
14 never having run a business or worked in one, it
15 seems to me that at a minimum reducing risk and
16 volatility is--is really important to a business.
17 First of all, you're not going to get--especially the
18 larger companies are going to get people to invest in
19 them, if two years from now the landscape completely
20 changes and their investment is now gone down the
21 drain. So that's certainly one thing that needs--it
22 sort of in a big picture way needs to be built into
23 whatever we do. Is that we have to make sure that to
24 the extent that we can that the concern. We can't do
25 this without--obviously commercial trade waste is the

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 private industry--the private sector in this
3 particular case. But we can't--so we have to make
4 sure that their interests and concerns are met.
5 Otherwise, we're just shooting ourselves in the foot.

6 CHAIRPERSON REYNOSO: I agree, and I just
7 want to acknowledge that Council Member Costa
8 Constantinides is here, Council Member Andy King is
9 also here, and you're about to get some questions
10 from Council Member Ruben Wills.

11 COUNCIL MEMBER WILLS: Thank you, Mr.
12 Chair. Good morning, Commissioners. Thank you for
13 coming. Your honesty is refreshing. For you to say
14 that you don't have a business degree and things like
15 that, I am--it just takes me over. Commissioner, we
16 always love to have you. So, I just wanted to ask a
17 few questions. The subcontractor rules that are
18 under your jurisdiction, have--do you think that
19 denying subcontractors has something to do with us
20 not being able to mitigate how many truck miles that
21 we've done so far. Because if I'm a contractor or I
22 have a carting company in Brooklyn and I want to
23 subcontract to a business in the Bronx, that would
24 stop me from bringing so many truck miles from my new
25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 place of business to the Bronx. So wouldn't that
3 have helped bring down our truck miles also?

4 COMMISSIONER BROWNELL: Yes. So here's
5 the thing about subcontracting. First of all, less
6 than 10% of the companies do it in the city. Now,
7 that doesn't answer the whole question because
8 relevant to that answer is also the size of those
9 companies. And we are really re-looking at our
10 approach towards subcontracting. In the old cartel
11 system, subcontracting was really bad.

12 COUNCIL MEMBER WILLS: [interposing]
13 Right.

14 COMMISSIONER BROWNELL: Because it was--
15 it was really a way that the--the industry was
16 completely controlled by a couple of--by the various
17 associations that were doing that. The concern that
18 I have is that in many cases the markup, in other
19 words, the amount that I'll call the prime company,
20 the one that actually has the direct contract with
21 the business generator, the markup is quite high.
22 And, you know, anywhere from 20 to 100%, which seems
23 to me to be a little crazy. I understand that the
24 argument then is well isn't that for the business
25 generator to figure out and the decision that he or

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 she needs to make as to whether they're going to
3 enter into that agreement. So there are a lot of
4 things there. There are a lot of pieces there. The
5 thing that I want to say is that I think the way I'm-
6 -that--that BIC is moving. And I'm interested in
7 hearing from the private sector to some extent, is
8 that if there is more sort of transparency with the
9 business carters as to the business arrangement
10 between the prime and the company actually doing the
11 pickup. Then it really is the responsibility--and
12 I'm not saying we get out of it altogether--but more-
13 -it's more the responsibility of the business to make
14 those decisions and decide if they don't want to pay
15 a mark up of 30, 40, 50%. But they--simply there are
16 lots of different carters in the city, but they
17 simply get someone--some other carter to do that.

18 COUNCIL MEMBER WILLIS: But--so that's
19 interesting because you're then talking about actual
20 marketplace fixing itself with the subcontractors are
21 simply saying that they're not going to pay these
22 high prices. But if you move towards a franchise
23 system--

24 COMMISSIONER BROWNELL: [interposing]
25 Well, that changes everything.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 COUNCIL MEMBER WILLS: It changes
3 everything. So, how do--how do we not look at it on
4 one hand as that, but then have basically a
5 government takeover of the trashing industry.

6 COMMISSIONER BROWNELL: [interposing]
7 Well, that's the argument. The argument and I've
8 heard it from the private sector. So aren't we now
9 just replacing organized crime with the city in terms
10 of controlling the industry.

11 COUNCIL MEMBER WILLS: I didn't say that.

12 COMMISSIONER BROWNELL: I know you
13 didn't.

14 COUNCIL MEMBER WILLS: Okay. [laughs]

15 COMMISSIONER BROWNELL: I know you
16 didn't. I know you didn't, and I'm not saying that's
17 the greatest argument--

18 COUNCIL MEMBER WILLS: [interposing] But
19 that's the gist of it, right. [laughs]

20 COMMISSIONER BROWNELL: --but it's an
21 interesting--but it's--it's something to think about.
22 I mean it's always a tradeoff between--and again,
23 this is--it isn't--this isn't like, you know, the
24 milk industry let's say. Like I know anything about
25 the milk industry, but I, you know, obviously

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 commercial trade waste is a particular industry with
3 particular problems both current and historical. But
4 that's a tradeoff.

5 COUNCIL MEMBER WILLS: How many small
6 businesses or how many carting companies are active,
7 now licensed carting companies?

8 COMMISSIONER BROWNELL: You know, I think
9 it's about 250.

10 COUNCIL MEMBER WILLS: About 250. So if
11 we move to a franchised system, in the study that
12 you're doing are we looking at the negative impacts
13 on how many of those companies would have to shut
14 down--

15 COMMISSIONER BROWNELL: [interposing]
16 Yeah, that's--

17 COUNCIL MEMBER WILLS: --and how many
18 people would be out of work?

19 COMMISSIONER BROWNELL: Again, it seems
20 to me this is early on that a small company, there's
21 no way that a small company is going to be big
22 enough--

23 COUNCIL MEMBER WILLS: [interposing] To
24 win the franchise.

25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 COMMISSIONER BROWNELL: Well, they
3 probably--and again, I don't know that we're going to
4 have--whatever the districts are, whether they're zip
5 codes. I know Sanitation has districts. Whatever we
6 decide as an actual geographic district--

7 COUNCIL MEMBER WILLS: [interposing] Uh-
8 huh.

9 COMMISSIONER BROWNELL: --it's hard to
10 imagine even in a place like Staten Island where the
11 density isn't so great that a small company, even if
12 we had just three or four in a district, is going to
13 be large enough. Again, I don't know that. It's
14 early on, but it's certainly I think likely that
15 small companies are not going to be able to compete.

16 COUNCIL MEMBER WILLS: Okay, I'm sorry.
17 I know that you didn't mean to say it, but you just
18 said whatever we decide dealing with zip codes or the
19 geographic area.

20 COMMISSIONER BROWNELL: Right.

21 COUNCIL MEMBER WILLS: You mean after the
22 study if the study says--

23 COMMISSIONER BROWNELL: [interposing]
24 Exactly.

25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 COUNCIL MEMBER WILLS: --that's where to
3 go?

4 COMMISSIONER BROWNELL: Exactly.

5 COUNCIL MEMBER WILLS: Okay. I just
6 wanted to make sure that was--

7 COMMISSIONER BROWNELL: [interposing]
8 Oh, no, we don't--we're not at that stage. I don't
9 believe so. [sic]

10 COUNCIL MEMBER WILLS: Okay. Great.
11 Also, when we look at the nine points that you did
12 that Council Member Lander applauded, and I applaud
13 you also, some of these points actually are--[bell]--
14 I did. I hear my time. Thank you. I'll go in a
15 second. I can finish the question. Some of these
16 points are already being dealt with, with the SWMP
17 plan and different plans that Sanitation has, and
18 already in motion. So the only thing that I'm
19 looking at that would not be dealt with, or I can't
20 see it being dealt with is six and seven and the
21 diversity. How does that target the diversity of
22 businesses that we have that depend on the carters?
23 Because in any given block in my district you can
24 have a medical supply company, you can have a
25 doctor's office, you can have a restaurant. You

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 know, just a diversity of businesses. These
3 businesses need different times to be picked up, the
4 different types of garbage. So that would I think
5 hinder competition.

6 COMMISSIONER BROWNELL: Well, it
7 certainly makes coming up with a plan more
8 complicated. So medical waste obviously is a very
9 specific kind--

10 COUNCIL MEMBER WILLS: [interposing]
11 Right.

12 COMMISSIONER BROWNELL: --of waste to
13 pick up--

14 COUNCIL MEMBER WILLS: [interposing]
15 Right.

16 COMMISSIONER BROWNELL: --and my guess is
17 that there are probably not that many different
18 carting companies--

19 COUNCIL MEMBER WILLS: [interposing] That
20 are specialists.

21 COMMISSIONER BROWNELL: --that handle
22 that.

23 COUNCIL MEMBER WILLS: Right.
24
25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 COMMISSIONER BROWNELL: So these are all
3 of the things that are going to have to be taken into
4 consideration.

5 COUNCIL MEMBER WILLS: Thank you,
6 Commissioners. Thank you, Chair.

7 CHAIRPERSON REYNOSO: I just have another
8 question, and this might be I guess it didn't exist
9 back then because it was organized crime. Do we have
10 any data regarding how routes during that time prior
11 to BIC how--how they were done?

12 COMMISSIONER BROWNELL: You know, I
13 don't. My guess is that we don't because I don't
14 know who would have--I don't know--I don't know who
15 would have ever collected that data. I mean the only
16 thing I can think of is if for some reason Sanitation
17 did, I don't know why they would have. So my guess
18 is no.

19 CHAIRPERSON REYNOSO: All right. But
20 can--I just want you guys to see if there's any data
21 back then because we would also like to know how many
22 businesses existed back then before BIC as well.
23 Just because I had conversations as well with some
24 folks and it is they had-- That's exactly what it

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 was. They had a franchising system where, you know,
3 this is--this is my block.

4 COMMISSIONER BROWNELL: Right.

5 CHAIRPERSON REYNOSO: After this block,
6 you go to that block. So they organized themselves
7 for different objections than the City of New York--

8 COMMISSIONER BROWNELL: [interposing]

9 Yes.

10 CHAIRPERSON REYNOSO: --I just want to
11 say.

12 COMMISSIONER BROWNELL: And my guess is
13 environmental concerns wasn't a big deal back then.

14 CHAIRPERSON REYNOSO: Yeah, exactly,
15 exactly, but they did have some sort of system that
16 assured revenue and also allowed for there to be one
17 carter or maybe two. I don't know exactly how it
18 would work to do--to own--to--

19 COMMISSIONER BROWNELL: [off mic] To
20 minimize conflict.

21 CHAIRPERSON REYNOSO: --yeah, to minimize
22 conflict, exactly. Also, I know that, for example,
23 Wonder Bread does routes, right. For example,
24 they're a private bread company and everyone owns a
25 route, and they can--they do business on the streets

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 on the businesses within that street in selling the
3 bread. Selling bread and taking trash are two
4 different things, but they have a franchise type
5 system as well where people own routes. So, if
6 there's any statistics regarding how many businesses
7 and what type of routes were used, anything from the
8 past just to put it in perspective. But there was a
9 franchise system in the past. It's just the
10 objectives were different. So, I just would like to
11 know if we can--if that exists if we can find it.

12 COMMISSIONER BROWNELL: Yeah, we'll look
13 around and see what we come up with.

14 CHAIRPERSON REYNOSO: All right. Thank
15 you and I want to go back to Council Member Brad
16 Lander.

17 COUNCIL MEMBER LANDER: Thank you, Mr.
18 Chairman. And I did--I just want to say in
19 preparation for this hearing, you know, go see *The*
20 *Year of Living Dangerously*. And I did not see a lot
21 of attention to recycling and sustainability in the
22 movie as I'm--as I'm recalling. So on the--the--the
23 issue raised, Commissioner about the number of trucks
24 and truck trips. I mean, of course, it makes
25 intuitive sense that, you know, that if you're going

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 to send a couple of trucks to source separate, that's
3 more than one. I guess on the flip side, though,
4 isn't there reason to be somewhat hopeful that if the
5 businesses on that block already have a lot of trips
6 coming to them because they contract separately with
7 different operators, the tradeoff of a small, you
8 know, of somebody just going down that block and
9 picking up all of it, would mean we could still at
10 least in some cases increase recycling pickups. Have
11 a couple of trucks for separate materials, but still
12 reduce overall truck miles traveled--

13 COMMISSIONER BROWNELL: [interposing]

14 Sure.

15 COUNCIL MEMBER LANDER: --as a result of
16 a district system.

17 COMMISSIONER BROWNELL: Exactly. Yes,
18 absolutely. Absolutely.

19 COUNCIL MEMBER LANDER: Okay. Okay, so
20 that's just I see the tradeoff between a one
21 recycling pickup system, and a couple of. But
22 hopefully within the shift from the current system
23 that was sort of--that I think of as like a spaghetti
24 model to a district system that would be some way to
25 achieve those reductions.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 COMMISSIONER BROWNELL: Right.

3 COUNCIL MEMBER LANDER: Okay, that's
4 helpful. I guess I want to pick up briefly on the
5 small business question because on the one hand, you
6 know, I'm--I'm sympathetic to anyone who has done the
7 hard work to set up and create and invest their time
8 and money in a business and loathe to see that not
9 recognized. On the other hand, this is a big set of
10 public goals that we have. And if that system
11 doesn't help us achieve them, then, you know, we have
12 to think about that. So, it--it--I don't see an
13 intuitive reason why a small--small businesses would
14 be more able to increase recycling, reduce vehicle
15 miles of truck--you know, trips traveled. Create
16 good jobs compared to somebody with some more economy
17 of scale, capital, ability to trucks and truck
18 quality. Ability to be regulated to improve the job
19 quality. Ability to take a district for the reasons
20 that we're talking about. And negotiate more
21 effectively with, you know, the folks that are going
22 to then take the commodities at the back end. Can
23 you--are there--there's something I'm missing. Is
24 there some way that those small businesses are
25 bringing an efficiency or an ability to achieve any

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 of these nine goals you laid out inherently. That
3 would mean we would want to protect their ability
4 within the system?

5 COMMISSIONER BROWNELL: Sure. I mean I
6 think there's always an interest in protecting, you
7 know, all sizes of business? My sense is that that's
8 probably a good thing as a generality but, you know,
9 in--in some of the small carters that I've spoken to
10 in the short time I've been here, I mean just the
11 prospect of having to refit their trucks to bring
12 them up to emission standards just sort of the extra
13 costs that they're going to have to incur with more
14 recycling, these are all big concerns for them. And
15 again, it it's like I've taken a poll [bell] of, you
16 know, several hundred small businesses of which there
17 are. But it's just one of the sort of anecdotally
18 I've heard that their--their sort of margin,
19 financial margin is really tough.

20 COUNCIL MEMBER LANDER: No, I--I hear
21 that and without wanting to be unsympathetic, I just--
22 --the fact that I couldn't accept we--we want small
23 businesses to be able to compete here. So,
24 therefore, we would exempt them from the requirements
25 to have lower emissions trucks. You know, actually in

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 the--in the broader in the sort of port serving
3 field, there's this whole other effort to say, you
4 know, people are considering independent contractors.
5 They actually need to be able to be employees so we
6 can finance fleet upgrades. But, looking at
7 residential waste, we would never say we need to have
8 all kinds of businesses able to participate.

9 COMMISSIONER BROWNELL: Right.

10 COUNCIL MEMBER LANDER: You know, we have
11 one big government monopoly for very good reasons.
12 And we don't say gee we need to have all kinds of
13 sizes of private businesses involved. So I just--we
14 have them, and there's a--no one wants to have a
15 displacement effect. You know, at the same time if
16 that delivery system is not achieving the goals we
17 need to have--I mean I appreciate the honesty and the
18 conversation and listening and talking and seeing
19 that there's a role. But, I don't think we can--you
20 know, I guess I'd like to hear, and I'll maybe open
21 this invitation up to the small contractors that are
22 here today. I'm open to understanding better why
23 those small businesses have a role to play. But if
24 they can't deliver clean trucks, they're not in a
25 position to strengthen and improve recycling. And

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 they're not in a position to offer and deliver good
3 jobs, then it's hard to see how we could take it as
4 the right thing to do from the job of governing the
5 public sector to protect that of the--of the
6 marketplace.

7 COMMISSIONER GARCIA: Right. I mean, I
8 think in full honesty, I think that's absolutely
9 right.

10 COUNCIL MEMBER LANDER: On the trucks
11 where I know Sanitation has faced these issues as a
12 public issue of balancing costs against, you know,
13 improved truck quality, and meeting emission
14 standards. Can you just give us a little sense of
15 what you've done in your fleet that might be a good
16 model for what we would expect to see, want to see,
17 require to see if there was a more regulated system
18 from commercial trucks?

19 COMMISSIONER GARCIA: Well, there already
20 is a local law in place that will require all private
21 carters to meet the same emission standards as DSNY.
22 It is not cheap and it's not easy, and we do thanks
23 to all of you have a more robust replacement cycle of
24 our vehicles than the private sector does. And so,
25 our vehicle we aim to do it on a seven-year

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 replacement cycle. We're at about a nine-year
3 replacement cycle right now. So it means most of our
4 vehicles are post-2007, and those that weren't were
5 retrofitted. But the retrofits were expensive, and
6 they were thousands of dollars to do for every single
7 vehicle.

8 COUNCIL MEMBER LANDER: And do you have
9 any sense on the private side? I mean the Chair
10 shared some data that suggested a much higher percent
11 of trucks in the commercial field were more than 10
12 years old on the-- Do we--is that data that we
13 collect?

14 COMMISSIONER GARCIA: I think that BIC
15 may have more information on that, but I don't think
16 either of us have it with us. I do think that many
17 of the carters, from what I've heard, are waiting to
18 figure out what is going to happen. Whether or not
19 there's going to be a zone, because they're a little
20 reluctant to make a \$20,000 investment in every
21 vehicle--

22 COUNCIL MEMBER LANDER: [off mic] Fair
23 enough.

24 COMMISSIONER GARCIA: --if they're not
25 going to have a job in a few years.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 COUNCIL MEMBER LANDER: Fair enough.

3 COMMISSIONER GARCIA: But everyone who is
4 going to be working in the city must have this done
5 by December 31, 2019.

6 COUNCIL MEMBER LANDER: 20--sorry?

7 COMMISSIONER GARCIA: 2019.

8 COUNCIL MEMBER LANDER: 2019 is the
9 deadline--

10 COMMISSIONER GARCIA: [interposing]
11 That's the date in the log. [sic]

12 COUNCIL MEMBER LANDER: --to upgrading to
13 a--

14 COMMISSIONER GARCIA: [interposing] Yeah.

15 COUNCIL MEMBER LANDER: --to the
16 standard. To what--to what standard?

17 COMMISSIONER GARCIA: It's the 2007 UPA
18 Standard.

19 COUNCIL MEMBER LANDER: Okay.

20 COMMISSIONER GARCIA: We have worked with
21 the private carters to try and connect them with
22 grant funding, which is available from several
23 sources.

24 COUNCIL MEMBER LANDER: Okay, and then my
25 last question, and then I'll turn it back to the

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Chair, is just about job quality and we know there,
3 and what you can say comparing the job quality of a
4 DSNY Sanitation worker with the job quality of a
5 typical worker in the private carting industry?

6 COMMISSIONER GARCIA: Mine is much
7 better.

8 COUNCIL MEMBER LANDER: I'm sorry.

9 COMMISSIONER GARCIA: DSNY is much
10 better. [laughs] [background comments] Okay.

11 COUNCIL MEMBER LANDER: You have some
12 expensive--

13 COMMISSIONER GARCIA: [interposing] It's
14 a much more expensive model.

15 COUNCIL MEMBER LANDER: Huh?

16 COMMISSIONER GARCIA: It's much more
17 expensive. I mean our--our employees are paid very
18 well. They're committed to the jobs they do, and
19 they do have more than one job. I mean they collect
20 refuse and recycling, but they also probably worked
21 12-hour shifts for five or six weeks this winter.
22 So, it is a different model than would ever occur in
23 the private sector. But they are uniformed services.
24 They are--have very robust benefit packages as well
25 as being pretty well paid. Though as-- as I'm sure

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 an employee will Tweet or write on Facebook, they do
3 not currently have a contract. But we are working
4 really, really hard to get there.

5 COUNCIL MEMBER LANDER: And on the
6 private sector side, what do you--

7 COMMISSIONER BROWNELL: On our side,
8 that's not part of our regulation is--is the working
9 conditions. Obviously, with regard to the unions in
10 terms of what they can negotiate for in the
11 collective bargaining agreement. I mean that's the
12 best way to improve that. Obviously, not all of the
13 carting companies are union companies. But I
14 certainly would encourage people to--where there are
15 safety issues or things along those lines. I mean
16 we're happy to take all of that information, and if
17 it's not something that we do, as the Commissioner
18 indicated, OSHA at a minimum is one of the places
19 where that should get reported. And, you know, they
20 can always call us, and we can assist to the extent
21 that we can in that.

22 COUNCIL MEMBER LANDER: Well, we'll hear
23 more about that today obviously from other people who
24 will testify later. Thank you for your time again

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 for the One NYC commitment to move the city forward
3 and thank you, Mr. Chair, for organizing the hearing.

4 CHAIRPERSON REYNOSO: Thank you. Thank
5 you Council Member Lander. I wanted to ask in
6 regards to--to--worker safety seems to be a State
7 issue, which I'm extremely concerned about, and I--
8 from what I--from what I hear they've just completely
9 preempted that--that whole area. So I am going to
10 see if I can actually bring OSHA down soon. So we
11 can have a conversation about that given that it's
12 now within your--your purview.

13 COMMISSIONER BROWNELL: The other--
14 Chairman, the other entity you might want to look
15 into is the State Department of Labor. They also
16 have some participation here on that issue.

17 CHAIRPERSON REYNOSO: Okay, because
18 that's--that's extremely concerning that you guys
19 would be doing most of the--that you guys are
20 involved in all the regulations. And when it's comes
21 to the workers' safety portion, it's not something
22 that you guys grasp with or deal with. Which I can--
23 to be perfectly honest, I can see why maybe we--we
24 advance on some goals and not on others. And that
25 worker portion of it is--is of concern.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 COMMISSIONER BROWNELL: Right, and I
3 think to a large extent, you sort of have to remember
4 why, you know, BIC a little agency was created.

5 CHAIRPERSON REYNOSO: Yeah.

6 COMMISSIONER BROWNELL: I mane it doesn't
7 mean we don't want to evolve over time, and we're
8 always trying to do that effectively. And, of
9 course, the private sector shouts in our ear when we
10 need to amend something, or get up to date on
11 something so--

12 CHAIRPERSON REYNOSO: And when it comes
13 to these--I just believe if--and this discussion, by
14 the way, is not about franchising per se. But
15 whatever we do moving forward, I hope there's an
16 opportunity for us to put in contracts or put in
17 bids. You know, what are you paying your workers?
18 What type of safety measures do you have place, and
19 that that be considered as a part of it. I also had
20 a discussion--you know, talking to Council Member
21 Wills in regards to MWBEs right, and talking about if
22 that type of stuff happens. So, I guess what I'm
23 saying that it's--it's very complicated. It's not
24 something that you can just put together overnight.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Obviously, you have a six-month study, a study that
3 we hope--

4 COMMISSIONER BROWNELL: [interposing] It
5 will end in six months.

6 CHAIRPERSON REYNOSO: --we're hoping that
7 it comes out in six months. That would help us deal
8 with that. But I do want to say this is a
9 conversation where we want to make sure everyone
10 comes to the table because the MWBE issue is also
11 going to be something. Who are the heads of all these
12 groups or these businesses? Is it a diverse field?
13 And if not, what are we talking about in being able
14 to be helpful to a large population of folks. And
15 so, I guess what I'm saying is it's complicated.
16 It's going to take a lot of conversations, and this
17 is just the beginning, and we'll be--we'll be doing a
18 lot more. And I want to give it back to Council
19 Member Wills if he has any other questions.

20 COUNCIL MEMBER WILLS: Thank you, Mr.
21 Chair. The Chair just spoke about what I really
22 wanted to go into, and I'm sure if you have your
23 numbers with you today. But the minority
24 participation amongst the carters, the licensed
25 carters that are in the city whether it be ownership

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 or actually how many minorities are employed. It's
3 something that we would need to go into, and I know
4 Council Member Lander made some great points, but I
5 honestly have to while we're talking about this
6 reject the notion that we can--that we are not
7 going to be or we don't want to be architects of
8 displacement--you know the displacement effect.

9 Where I think that we have actually taken--we have
10 actually taken an active role in doing that by not
11 having an open, honest, and transparent way of
12 building a framework to help these companies build up
13 all of these years. I don't think that--I think that
14 lack of investment speaks to us, not actually wanting
15 to help more than it does. Saying that we're going
16 to put out a study or having talking points going
17 forward. I also am interested in the minority
18 composition of the advocacy groups that are pushing
19 on both sides. And just to the commissioner, I want
20 to tell you that DSNY does do a great job, and
21 Districts 9, 10 and 12 in Queens, in my district, are
22 some of the best districts. They do a phenomenal job
23 out there. And Commissioner, your agency is not a
24 small agency. It's something that is super
25 important. And I wanted to ask you when you were

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 talking about workers' safety in one of your points
3 dealing with worker safety, how would it change now
4 from the system that we have now? If we were going
5 to move to a different system, how would worker
6 safety--how would you deal with it? How would it be--
7 -how would it be brought up to the standards that
8 DSNY has versus what it is now?

9 COMMISSIONER BROWNELL: So I presume
10 you're talking about workers on the trucks and not--
11 because transfer stations I mean at least now--

12 COUNCIL MEMBER WILLS: [interposing] I'm
13 talking about four: Safety conditions and better pay
14 for trade waste workers including the truck drivers
15 and transfer station workers.

16 COMMISSIONER BROWNELL: Okay. So that's
17 a question. I mean I think that's a goal in terms of
18 something we want to keep in mind as we develop the
19 framework for the things that we're going to look at
20 when--assuming we put out RFPs for the bid. Exactly
21 how we accomplish that I mean to get the proper kind
22 of data from the companies that are bidding to try to
23 promote those things. So it's a question I have, and
24 so my point is that we need to have the right people
25 at the table as we sort of hammer these thing out in

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 terms of what we want to achieve. I don't have an
3 answer now as we do that. It's simply not my
4 background.

5 COUNCIL MEMBER WILLS: [interposing] But
6 it would--

7 COMMISSIONER BROWNELL: So I would want
8 to make sure that I have somebody there that--that is
9 able to sort of intelligently and responsibly put
10 that piece in so that to the extent that we can that
11 that concern is covered by the companies that are
12 bidding for these particular zones.

13 COUNCIL MEMBER WILLS: But in lieu of the
14 study and in lieu of us moving towards that, how do
15 we being to put that framework in place now for the
16 workers that are existing now? Like I mean do you
17 need more resources in your agency to be able to do
18 that? No. The Commissioner is shaking her head. No
19 you don't want to have more resources, Commissioner?

20 COMMISSIONER GARCIA: Well, I always like
21 more resources, but I don't--I think it's an
22 authority question--

23 COUNCIL MEMBER WILLS: [interposing]
24 Okay.

25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 COMMISSIONER GARCIA: Really rather than
3 a--than a resource question, but I also think there
4 are an enormous amount of resources out there on
5 employee safety, and a lot of enforcement oversight.
6 And I think that we can also do a better job at
7 making sure we're education the industry [bell]
8 around what the rights are for these employees.

9 COUNCIL MEMBER WILLIS: So, Mr. Chair, you
10 have the rest--well, I don't have any more time, but
11 I would ask that you really go into the MWBE
12 portions, and the safety portions. Thank you.

13 CHAIRPERSON REYNOSO: Will do, will do,
14 and I just want to--you know, equity also being an
15 issue on where these waste transfer stations are
16 located, and the, you know, the demographic breakdown
17 of the actual workers that are doing this. And I
18 just want to say a call from, let's say an
19 undocumented person for example to OSHA might
20 jeopardize their jobs, right, if OSHA is looking into
21 who the employer--employees are. Where is their
22 documentation? Where is their information, and from
23 what I hear a lot of the workers within these--this
24 industry are--some of them are undocumented. Also
25 their fear of losing that job, and also because of

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 it, they--how easy it is to exploit them, and take
3 advantage of them. So we really have to have a very
4 robust conversation about these type of issues so we
5 can address them appropriately through whatever means
6 we forward to in the future. So, I just want to
7 thank you guys for being here and for your testimony.
8 Now, we're moving onto the--the other portion of
9 this. So thank you.

10 I do want to say we're going to try to do
11 this as fast as possible. This is about intake right
12 now. We want to get as much information as possible
13 regarding the commercial waste industry from both
14 sides. So there's going to be a lot of listening
15 going on, but please be respectful to the timeline
16 that you guys are going to have in your testimony. I
17 said three minutes. We're getting kicked out at
18 1:00. That's the luxuries of having a larger site
19 now. So if you could keep it to two minutes. Just
20 make your statement, respect the time, and try not to
21 be redundant. If somebody is saying something you
22 already said, try to diversity what you're--what
23 you're going to say so that we can get a more
24 complete picture of what we're talking about. And
25 then there will be another hearing similar to this

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 talking about the commercial waste industry and its
3 future. Again, this is not the first and the only
4 one. Trust me. So thank you. Again, thank you
5 guys.

6 I'd like to call up Justin Wood, Ray
7 Barrero, Kate Ferranti, Eddie Baltista, and Mai Tai
8 Quinn.

9 [pause]

10 CHAIRPERSON REYNOSO: And just given that
11 we started baseball season, and the Mets are doing
12 amazing, by the way, on-- Yes. [laughs] And the
13 Yankees are doing extremely, and I just want to say
14 that. New York is doing good. Very ready for this
15 happen. On deck so that you guys know to be ready so
16 the transition happens quickly as well, Steve
17 Changaris, Laura Imperiale, Tom Toscano, Naomi
18 Cooper, Andy Moss, and Stewart Grewboise [sp?]
19 Grewball [sp?] . And you guys can just be ready.
20 You're on deck. So we're going to start from this
21 side moving down. Two minutes. Try not--try not to
22 go over. Don't say the same thing twice. [laughter]
23 Go.

24 JUSTIN WOOD. Thank you. I'm Justin
25 Wood. I'm the organizer in the Environmental Justice

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Program at New York Lawyers for the Public Interest,
3 and a member of the Transform Don't Trash Coalition.

4 I'm going to say one redundant thing, which is to
5 thank you for holding this very important and timely
6 hearing. Another redundant thing. We're extremely
7 pleased with the inclusion of ambitious waste
8 reduction and landfilling reduction goals in the
9 Mayor's One NYC Plan. And, we're really looking
10 forward to working with the Council and the
11 Administration and agencies on achieve those goals.

12 I want to set the stage a little bit for
13 what you're doing to hear from diverse members of the
14 Transform Don't Trash New York City Coalition. We
15 have been working for years collecting every bit of
16 data we could from various sources. And we just
17 released a comp--a first of a series of comprehensive
18 reports on the impacts of the commercial waste system
19 last week. We hope everyone gets a chance to take a
20 look. I want to start with two major problems of the
21 system that we think can be reformed and, in fact,
22 enable all of the various environmental and social
23 justice goals we need to be pursuing under One NYC.
24 First of all, the gross inefficiency of the system
25 has been cited several times. The numbers are pretty

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 staggering. I mean when we look at the numbers that
3 the hauling industry report itself in terms of
4 numbers of miles driven and number of trucks in the
5 fleet reported in the M.J. Bradley and other studies.
6 And even I found some online, self-reported by
7 haulers. It's about 50 million miles per year on our
8 streets. We estimate that's far more than DSNY
9 drives per ton. And through reducing that
10 inefficiency, it gives us a lot of room to save money
11 system wide and invest in the recycling and organics
12 diversion. And in the worker and community equity
13 that are so importantly.

14 Secondly, the amount of waste recycled is
15 really shockingly low when we compare where we're at
16 compared leading cities and even the national
17 average. So DSNY latest estimate was 25%. When we
18 look at DEC reports that the haulers and transfer
19 stations report to the state, the numbers actually
20 come out even lower. I mean we're talking about 9 to
21 13% of the huge number of tons recycled. Collected--
22 sorry--by major haulers and transfer stations are
23 reported as diverted. So, there is huge room for
24 improvement there. You will hear today from many
25 coalition members about things that have already been

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 touched on. The race to bottom as haulers are
3 scrambling for customers, scrambling to cut costs and
4 indeed many times cutting corners on safety, harms
5 workers in the private waste sector. All New
6 Yorkers, but particularly low-income communities and
7 communities of color bear the health and safety risks
8 of polluting diesel trucks descending on their
9 communities and driving redundant routes. And then
10 small and independent businesses, a number of whom
11 you'll hear from, really don't receive proper
12 incentives. Don't have real choice in the
13 marketplace about whether they can recycle. They
14 have no idea what's happening to their recyclables,
15 and don't have the market power to actually leverage
16 fair prices often from the hauling companies. So
17 we'll hear from some of them.

18 CHAIRPERSON REYNOSO: Okay, can you--so
19 we're going to go to the next person. I'm pretty
20 sure they're from the coalition. They're going to
21 get to points that you were probably going to make
22 thereafter. So we can--

23 JUSTIN WOOD: [interposing] Can I make
24 one quick point. I just want to urge--we should look
25 at Los Angeles. There's been a number of concerns

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 cited about small haulers having a role. If we look
3 carefully at Los Angeles, they've actually set aside
4 a couple of the most lucrative collection zones for
5 small haulers to cooperatively bid on. That's
6 something we'd urge you to take a look at. And then
7 secondly, they did an extensive EIS, and found that
8 even with triple source diversion, organics, dry
9 recyclables and landfilling, they could reduce the
10 number of vehicle miles traveled in the whole system
11 by reducing the inefficiency. Thank you.

12 CHAIRPERSON REYNOSO: Okay, thank you,
13 and thank you for that second part of it, and also
14 any additional testimony you have, please present it
15 to us. I mean it's something we're going to use when
16 we're discussing with DSNY and BIC on how we're going
17 to be moving forward. Thank you.

18 KATE FERRANTI: Good morning and thank
19 you all so much. My name is Kate Ferranti, and I'm
20 with a small business. I'm the Business Operations
21 Manager for the Cleaver Company. We've been around
22 for 35 years. We're a full service event planning
23 and catering company. We have a restaurant called
24 the Green Table in the Chelsea Market, and we operate
25 two kiosks down at Battery Park. For more than 35

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 years we've been committed to creating a healthy
3 sustainable local food and farm economy. And most
4 recently became a certified bee corporation, which
5 we're really happy about during a growing movement of
6 companies that believe in using the power of business
7 to solve social and environmental problems. Because
8 the business has been long built around
9 sustainability, we care a lot about where our food
10 comes from. And for many years we've been keeping
11 track of where our food goes. In fact, in 2014,
12 we've sent about 28,000 pounds to landfill; 21,000
13 pounds to recycling; and more than 80,000 pounds to
14 compost.

15 But I'll get to the problem with the
16 composting in a second. We've also been a large
17 advocate for handling commercial waste in a more
18 responsible manner. We were part of the Food Waste
19 Challenge in 2013, and we really were the business
20 that help push to begin commercial composting in the
21 Chelsea Market where there are a lot of food tenants.
22 Today we have a couple concerns about the
23 inefficiencies of the system. The first is that
24 there's a total lack of transparency. We've ask our
25 hauler where the compost goes. We don't know. Until

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 recently, we knew it was going to a facility in
3 Delaware. We now know that facility has been closed
4 because of environmental violations. But we've asked
5 time and again where the compost is going now, and
6 we've not been able to get a clear answer.

7 Considering we spend so much time in our kitchen
8 keeping the waste separate, it's unfortunate to not
9 know where it's all going. [coughs]

10 Second of all, the pricing system is
11 unfair. You often have many businesses on the same
12 block paying different rates for to same hauler, and
13 there are not many options for hauling compost if
14 you're a small business. There should certainly be a
15 better system for dividing the turf, and we've
16 already heard about. And finally, there's real lack
17 of infrastructure for compost. The fact that all of
18 our efforts have been jeopardized because of the shut
19 down of the Delaware facilities speaks volumes to
20 this issue. [bell] We would say that instead of
21 piecemeal changes, we really need a thoughtful and
22 organized change on a large scale. The city and
23 commercial haulers should work together to create
24 state-of-the-art infrastructure for robust trans--
25 transparent composting and recycling system. In

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 addition to helping lowering landfill waste, this
3 would create good green jobs at the local level,
4 which we feel really strong about.

5 We also think commercial haulers should
6 invest and maybe be incentivized themselves to invest
7 in energy-efficient fleets instead of using garbage
8 trucks for compost pickup, and a better pricing and
9 incentive structure so businesses are really
10 encouraged to do this as part of their day-to-day
11 work.

12 CHAIRPERSON REYNOSO: Thank you and then
13 the rest of your testimony we'll be sure to get.
14 Thank you. To hear from a business is extremely
15 important in regards to the transparency that they
16 have with their--the folks that are hauling their
17 trash. So thank you.

18 KATE FERRANTI: [off mic] Thank you,
19 Chair.

20 MAI TAI QUINN: Good morning. Thank you
21 for the opportunity to testify today. My name is Mai
22 Tai Quinn and I'm the Business Development and
23 Marketing Manager for Sims Municipal Recycling. In
24 1992, the New York City Council passed Local Law 87
25 requiring commercial establishments to recycle.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Office buildings are required to recycle paper and
3 cardboard, textiles, bulk metals and construction
4 waste, but not plastic and glass. Food and beverage
5 service establishments are required to recycle
6 cardboard, bulk metal, metal, glass, plastic and
7 construction waste. The regulation addresses what
8 must happen at the commercial establishment in terms
9 of source separation of designated recyclables. The
10 regulations also address the recyclable collection
11 and subsequent recycling. There appear to be
12 different interpretation as to what is allowed with
13 regard to collection of metal, glass and plastic with
14 the principal question being whether source separate
15 recyclables must be collected in a separate truck.
16 Or whether bags of recyclables can be collected in
17 the same truck of bags of refuse.

18 And then subsequently separated for
19 recycling at the transfer station. I am not aware of
20 any official report of the level of recycling
21 occurring among commercial establishments. However,
22 based on our experience, and what we know of the
23 recycling industry in New York City, we believe there
24 is a significant amount of recycling occurring in
25 office buildings through separation collection and

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 post-collection separation. These recycling efforts
3 focus on paper, which make up the majority of the
4 waste stream in office buildings. However, to our
5 knowledge, the metal, glass and plastic generated by
6 food and beverage establishments is rarely recycled.
7 Many food and beverage establishments have set up
8 recycling bin programs to keep recyclables separated
9 on site. But few, if any, establishments have
10 separate metal, glass and plastic collection. And to
11 our knowledge, where establishments have signed up
12 for post-collection separation, the post-collection
13 separation often does not occur. And metal, glass
14 and plastic that had been diligently separated at the
15 restaurants or bar by customers and staff is simply
16 landfilled for purpose of waste.

17 The idea of franchise or commercial zones
18 has been around for a long, and pilots have been
19 discussed in New York City for more than 15 years.
20 There are also examples in many other cities, large
21 and small that can be reviewed for their pros and
22 cons. [bell] We think the idea does have real
23 potential benefits, which could include reducing
24 truck traffic and providing the city with tools to
25 require new, cleaner trucks, cleaner fuel, and more

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 comprehensive recycling services. On the other hand,
3 there will be some waste haulers who suffer. It
4 could be--it could also increase collection fees for
5 businesses. And perhaps by reducing competition,
6 decrease the quality or service that some businesses
7 receive. Our company is not in the collection
8 business, and we have no direct stake in the issue.
9 However, as recyclers, we're aware--interested in
10 programs initiatives that increase recycling.

11 CHAIRPERSON REYNOSO: Thank you very
12 much. You know, we heard from the Commissioner of
13 Sanitation who is still here, by the way, listening
14 to your testimony, that they're trying to figure out
15 a way to streamline--

16 MAI TAI QUINN: [interposing] Right.

17 CHAIRPERSON REYNOSO: --the recycling
18 rules and regulations. But it seems like there's too
19 many different standards. To just have one across
20 the board might be the way to go. We don't know, but
21 they're working on that as well. So it's good to
22 hear from you as well. Thank you so much. Mr.
23 Baltista.

24 EDDIE BALTISTA: Thank you, Chair Reynoso
25 and Council Member Lander. I'm not going to

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 reiterate what's in my testimony. I'm going to try
3 to raise a couple additional points. First of all, I
4 want to thank obviously the leadership and this
5 committee and the Council for the role it's
6 continuing to play. We also want to congratulate the
7 Mayor for a really outstanding announcement last
8 week. The goal of a 98% diversion rate was just
9 exactly what the city needed to hear. The fact that
10 the announcement was made in the South Bronx, the
11 symbolism is not lost on us. The fact that it was in
12 an environmental justice community organization was
13 really special. I do want to highlight a couple
14 things I heard, though. When we talk about this
15 industry being wild west and kind of like the
16 pushback on that, I would--I would submit to you guys
17 that if we don't know exactly what--how much we're
18 recycling in terms of commercial waste, if we can't--
19 if we're not regulating paper recycles. If we're
20 not--if we have--if the city has to ask advocates for
21 data, it's one version of the wild west.

22 It may not be dead wood, but it's
23 tombstone at least, right. And by the way, speaking
24 of tomb stone, I want to--I also want to--I want to
25 remind everyone about the health imperatives that

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Council Member talked about. Just to give to give
3 folks--my--my colleagues from the South Bronx will be
4 talking about this, but let's not forget that
5 African-American and Latino children are twice as
6 likely to be hospitalized for asthma. That's
7 nationally. According to a 2009, NYU study, asthma
8 death rates in the Bronx, death rates, three times
9 higher than the national average. Asthma
10 hospitalization rates five times higher in the Bronx.
11 According to a New York State Controller's Study the
12 Bronx has the highest age asthma death rate adjusted
13 amongst New York State counties. 43.5 deaths per
14 million compared to 13.1 deaths per million in New
15 York State counties. The six to nine-month window
16 that was proffered, I would urge you to do hold them
17 to that. [bell] Justice delays is justice denied.
18 And if the Council can figure out a way whether it's
19 to put in a place, hold the bill, whether. But we
20 need to make sure that this moves quickly. Thank
21 you.

22 CHAIRPERSON REYNOSO: Thank you. Thank
23 you. Truly appreciate it. I think that it's
24 important that we hear--we're hearing from all types
25 of folks so with different issues. And that this is

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 not an issue that is addressing just one thing. It's
3 so complex and the current industry the way it's
4 working is--has its issues, and you guys are each
5 hitting on a different note. Which I think is
6 extremely important. So thank you for that.

7 RAY BORRERO: Good morning. I am Ray
8 Borrero and I here speaking on behalf of Teamsters
9 Local 813 and President Sean Campbell, which
10 represents workers in the New York City private
11 sanitation industry. Thank you Chair Reynoso and
12 Council members for holding this hearing on this
13 important issue. Sanitation is hard work, and it is
14 one of our city's most dangerous jobs. It also
15 epitomizes the tale of two cities that this City
16 Council and Mayor de Blasio have worked to end. One-
17 half of the sanitation system is the Department of
18 Sanitation, DSNY. Their work is hard and dangerous,
19 and they are compensated accordingly with fair wages
20 and benefits as well as rigorous safety protections.
21 They are known as New York's strongest and proud
22 fellow teamsters. We are the other half. Maybe you
23 could call us New York's forgotten. Private
24 sanitation operates at night, and we pick up trash at
25 New York City businesses. Low wages and substandard

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 benefits are all too common. New workers tell us of
3 being put to work with little to no safety training,
4 and with safety equipment only if they put it
5 themselves.

6 This is an industry that puts out press
7 releases to say it cares about Vision Zero then
8 refuses to fix faulty brakes and its workers to--pushes
9 its workers to drive faster and faster. There are
10 some good companies in this industry, but they are
11 sadly the exception, not the rule. And in an
12 environment with little oversight, the bad actors
13 have the upper hand over the good ones. The
14 Teamsters that are standing here shoulder to shoulder
15 are workers in this industry because they deserve
16 fair pay and a safe work place just like their
17 brothers and sisters at teamster companies and DSNY.
18 Workers have been beaten down, but they have not
19 given up. Several courageous private sanitation
20 workers are here today to tell the truth about their
21 jobs for the first time. We are all here as part of
22 the Transform Don't Trash New York City Coalition.
23 Sanitation workers don't just work in the city, we
24 live here, too. We want safe streets and clean air,
25 too. So we are proud to be in the coalition with

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Environmental Justice and community organizations.

3 Thank you for allowing me to speak today, and thank
4 you Chair Reynoso for your leadership to end the tale
5 of two cities in New York City Sanitation.

6 CHAIRPERSON REYNOSO: Thank you so much.

7 [cheers, applause] And I just want to say I went on
8 that trip, and they made me take a couple of bags,
9 and throw them in the back of the truck. I think I
10 got one over. The second one, I needed a little bit
11 of help, and I--that was just one day. I'm a small
12 guy, but just--I can't imagine that being a lifestyle
13 and that's something you do every single day. And
14 like how much work is put in, and the toll it takes
15 on your body. So, I really appreciate your
16 testimony, and we--

17 RAY BORRERO: [off mic]

18 CHAIRPERSON REYNOSO: We're going to--
19 it's going to continue to be. We're going to make it
20 the best job. We're going to make sure New York
21 City's strongest continue to do well, and that
22 they're not just in the public in this sector.
23 They're also in the private sector.

24 RAY BORRERO: Batters up.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 CHAIRPERSON REYNOSO: Batters up. I'm
3 going to call you by your--Actually no. Mr.
4 Changaris, Ms. Imperiale, Mr. Toscano, Ms. Cooper,
5 Mr. Moss and Mr. Gewalb. You're going to have to
6 help me with that one, Stewart.

7 MALE SPEAKER: He might have left
8 already.

9 CHAIRPERSON REYNOSO: And he might have
10 left already.

11 [background comment, pause]

12 CHAIRPERSON REYNOSO: I'd just like to
13 say with this panel coming up I just want to give a
14 shout out to Mr. Biederman who is no longer with us
15 because he's moved onto greener pastures I guess at
16 this point. But he always--always spoke up for what
17 he thought and he believed is right, and I had a good
18 relationship with him. So I just wanted to give him
19 a shout out today, and I hope he's doing well. And
20 now we're going to go from--let's start from this
21 side. Thank you, guys.

22 STEVE CHANGARIS: Council Member Reynoso,
23 thank you very much for that introduction. My name
24 is Steve Changaris I work with New York City members
25 of the National Waste and Recycling Association. I'm

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 David's replacement, and I've been with the trade for
3 23 years. We assembled a panel today to talk with
4 you. I'll introduce Tom Toscano, our local Chairman
5 from Mr. T Carting.

6 TOM TOSCANO: And we like that.

7 STEVE CHANGARIS: And we'll add the
8 comments as we go through the panel. Thank you very
9 much, Mr. Chairman.

10 CHAIRPERSON REYNOSO: Okay.

11 TOM TOSCANO: Good morning. My name is
12 Tom Toscano, and I am the Chief Financial Officer of
13 Mr. T Carting. It's a sanitation company. It's been
14 in business for 60 years. Plus, more than 60 years.
15 I'm also the Chairperson of the National Waste and
16 Recycling Association. I want to talk to day about
17 one thing I don't believe has come up yet, and that
18 is the customer. The system we have now is a result
19 of the needs of the customer and the wants of the
20 customer in a lot of cases. There's been a lot of
21 talk of truck miles. My trucks I know will have more
22 miles that a New York City DSNY truck. Many of our
23 restaurants require us to go back to areas twice. I
24 repeat that. In the same night, the truck has to go
25 back to the same block twice.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 The reason for that is these restaurants
3 in a lot of cases do not want to put their waste out
4 before 12:00, 1:00, 2:00 a.m. in the morning. And
5 when I'm there the first time at 10:00, I can't be in
6 every spot after 2:00 a.m. if I need to collect my
7 waste before traffic starts. Secondly, the situation
8 in Manhattan, which is mostly the borough that's
9 cited when you talk about the number of cars on a
10 block is due to extreme and robust competition. The
11 customer is being served. They're getting more
12 service, and they are getting it for cheaper costs.
13 Those factors are--will create a situation where you
14 have many, many carters in one area and that again
15 benefits the customer. A franchise system will
16 increase those costs, and reduce those options.

17 Lastly, I want to mention the cardboard
18 theft. I know this has been mentioned already, but
19 understand that my recycling can go up five to seven
20 percent tomorrow if the cardboard theft stops. And I
21 know that the BIC is addressing it, but I heard the
22 commissioner say to you that the prosecutors do not
23 want to prosecute these crimes. And I will tell you
24 the reasons as an attorney, the law does not have
25 enough teeth. If the Council tomorrow was able to

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 increase the penalties for cardboard and recycling
3 theft, you would increase the recycling rates, and
4 you would reduce truck miles instantaneously because
5 you have many thieves chasing around the same
6 cardboard. Thank you for the time.

7 CHAIRPERSON REYNOSO: Thank you for your
8 testimony. Thank you.

9 LAURA IMPERIALE: Thank you Council
10 Member. My name is Laura Imperiale. I'm the
11 Director of Government Affairs for Tully
12 Environmental. We have a waste transfer station in
13 a carting company in Queens. And I'd just like to
14 make a few comments. I don't want to get redundant
15 in terms of testimony, but just in looking at the
16 Mayor's--Bill de Blasio's One NYC, five initiatives
17 to reduce commercial waste. If you look at that, a
18 lot of that is sort of regulations, government
19 regulations that need to be improved. And also it's
20 on the waste produce to actually improve their
21 behavior. So, I just find it interesting that, you
22 know, it's not so much about how we can improve
23 everything. We can definitely help improve the
24 system. We work very closely with Sanitation and BIC
25 all the time on improving our system. We're the

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 industry--we're at the leading edge--cutting edge of
3 the innovation and technology. But it also has to
4 come from the waste producers. And I just want to
5 comment that I think it was in the Council Power
6 Point there was a figure of 2,000 hauling licenses in
7 New York City. And just to clarify there's 250
8 carters licensed by BIC, and of those 250 carters, 90
9 of those are active carters. So I think it's a
10 little misleading.

11 And then the last thing I'd like to
12 comment on is exactly what Commissioner Garcia
13 commented on in her Q&A, which is, you know, you're
14 creating uncertainty in a market that is actually a
15 rational market, right. So its customers have a lot
16 of choice, and they have a lot of choice in terms of
17 pricing because it's a free and open competitive
18 market. But when you're--so when you're talking
19 about introducing a franchising system, and we're
20 also required to do retrofits to our trucks and do
21 business planning, it makes--it creates uncertainty
22 market. And it's kind of--you know, I'm not sure
23 that I can and want to make that investment if I may
24 not be in business tomorrow.

25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 And lastly, I'd like to just comment that
3 on Local Law 145 our industry was a big supporter of
4 that legislation. That's the legislation to reduce
5 truck--waste trade truck emissions. And we have an
6 internal conversation going on here with the National
7 Waste and Recycling Association members that we would
8 like to hit that target before 2019 if possible. So,
9 you know--

10 CHAIRPERSON REYNOSO: [interposing]

11 Just thank you.

12 LAURA IMPERIALE: Uh-huh.

13 CHAIRPERSON REYNOSO: I just wanted to
14 ask what's the--for the MWRA--the M-W-R-A, how many--
15 how many members of the industry are in it as a
16 total? I just want to know.

17 STEVE CHANGARIS: We have 50 members
18 roughly in the New York City area. Some of them are
19 not carters, but the carters that we have generally
20 tend to be the larger. We represent approximately
21 50% of the actual trucks on the road. That's--that's
22 a good way of looking it, but not 50% of the number
23 of carters because we tend to have the larger ones.

24 CHAIRPERSON REYNOSO: Yeah, all right.
25 So, even though you might not seem like a lot of

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 businesses, it's most of the trucks, about 50%.

3 About half.

4 STEVE CHANGARIS: About half. Yeah.

5 CHAIRPERSON REYNOSO: All right, thank
6 you.

7 LAURA IMPERIALE: Okay, and just one last
8 thing. I invite the committee to come out and visit
9 our transfer station and--and see our transfer
10 operations and our carting operations.

11 CHAIRPERSON REYNOSO: I--I have, but I
12 still want to invite you to go on that ride that I
13 went on with Transform No Trash. I would love to--
14 for you guys to see what your partners are doing, and
15 understand why when I'm sitting here, it's a
16 different world than where you are sitting.

17 LAURA IMPERIALE: And I encourage and
18 invite the operators that you're visiting to come see
19 how a professional operation is run. Thank you very
20 much.

21 CHAIRPERSON REYNOSO: Absolutely. Thank
22 you so much. Ms. Cooper.

23 NAOMI COOPER: Thank you, Chairman. Is
24 this on? Thank you, Chairman Reynoso and Council
25 Members for the opportunity to testify today. My

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 name is Naomi Cooper and I work for Cooper Tank
3 Recycling. Cooper has been operating a C&D transfer
4 station in Brooklyn since 1984, and we look forward
5 to working with the City to accomplish Zero Waste by
6 2030. As New York City's population increases, the
7 amounts of MSW and C&D generated will rise.

8 Improving recycling will help ensure environmental
9 preservation and cost reductions for the city and its
10 residents. But to achieve Zero Waste by 2030,
11 focusing on commercial and residential rates is not
12 enough. The City should encourage and incentivize
13 increased recycling of C&D as well. 72% of MSW is
14 recyclable, but 90% of C&D is recyclable, and 42% of
15 C&D is currently recycled. Increasing C&D recycling
16 rates to 90% will improve overall citywide recycling
17 rates by 15%. The City should work together with
18 private businesses to achieve these goals? How?

19 Encourage private investment in modern equipment and
20 technology. Help develop markets that will enable
21 recycling rates to advance. Focus on the quality and
22 not quantity of transfer stations, and ensure a
23 stable regulatory environment to encourage private
24 investment.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 At Cooper we are committed to improving
3 our recycling rates from 75% to 90%. To that end, we
4 are prepared to invest in a new state-of-the-art
5 recycling line, and put that recycling line in an
6 enclosed facility in order to preserve neighborhood
7 air quality. We'll utilize rail and thereby reduce
8 truck trips. We'll cue truck on site relieving
9 street congestion. We'll locate deeper in the
10 industrial zone closer to major truck arteries to
11 minimize traffic and congestion as well. And we'll
12 create new jobs in the community, and develop a
13 recycling education center. Zero waste is an
14 attainable goal if the appropriate partnerships and
15 incentives are put in place. And at Cooper we look
16 forward to working with the City to achieve that
17 goal.

18 CHAIRPERSON REYNOSO: Thank you, and that
19 was amazing testimony, and I want to make sure that
20 you guys know that there is going to be a seat at the
21 time, of course, in everything we do with the
22 industry. Without you guys working with us, we will
23 never be able to solve this problem. So, I'm looking
24 forward to that, and I know the work that Cooper has
25 already done. They're in my district, and they moved

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 from a facility that had no cover, cuing on street,
3 to getting an enclosed facility, and being able to
4 cue in side as well. And they moved further away
5 from a housing development called Cooper--Cooper
6 House. Cooper Houses is not related to Cooper Tank.
7 But Cooper moved away from Cooper, and in doing so
8 has allowed for more like environmental justice that
9 we're looking for. So, you have made progress, and
10 really commend you for that as a Council Member of
11 the 34th District. Next, please.

12 ANDY MOSS: Thank you, Mr. Chairman and
13 fellow Council members. My name is Andy Moss. I'm
14 the Government Affairs Manager for Progressive Waste
15 Solutions also known as IESI. We're one of the good
16 companies that have been mentioned here. We want to
17 be part--I'm also here--I'm also a member and Vice
18 Chairman of the MWRA. So I'm here in a dual role.
19 As a company, we are supportive of responsible
20 solutions. We look forward to working with you and
21 your staff in developing standards for our industry,
22 equipment, safety and emissions. All the things that
23 we do as a company, we like to see across the board.
24 And I know the good members of our association are on

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 board and raising the standards for the industry. We
3 look forward to working with you in that regard.

4 CHAIRPERSON REYNOSO: Absolutely. Thank
5 you very much.

6 COUNCIL MEMBER LANDER: Mr. Chairman, I
7 just want to associate myself with your remarks of
8 looking forward to, you know, dialogue in working
9 with members of the industry as we move forward to
10 figure the reforms to achieve the goals we've been
11 articulating. So thank you.

12 CHAIRPERSON REYNOSO: I think on this
13 side of we're getting slightly better of being able
14 to identify exactly who the good players are and the
15 bad players are. I think that we've done a better
16 job by removing a lot of this gray area, and we know
17 who we're going to work with to make sure we get to
18 the right place. So thank you very much for your
19 time. That's it. We're done. Sorry guys. Thank
20 you and I'm sorry I didn't put these folks on deck,
21 Violeta Trinidad, Brigid Flaherty, Mike Hellstrom,
22 Carlton Darden, and Michael Bush. Who's the next one
23 after that. [pause] And on deck, we're going to
24 have Paul Steely-White, Eric Goldstein, Rebecca
25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Rosado, Joan Levine, Juan Feliz [pause] and [pause].

3 All right, welcome.

4 BRIGID FLAHERTY: Thank you. Thank you,
5 Chair Reynoso and the members of the Sanitation
6 Committee for convening this hearing. My name is
7 Brigid Flaherty and I'm the Organization Director at
8 ALIGN, the Alliance for a Greater New York, and a
9 member of Transform Don't Trash NYC Coalition.
10 Today, we are here talking about issues of
11 sustainability in the commercial waste system, and
12 we're hearing about the many ways in which an
13 outdated system harms our environment, workers and
14 the communities where waste transfer stations and
15 trucks are concentrated. But I also want to focus on
16 how cleaning up this industry not only helps New York
17 City tackle climate change, but also picks up the
18 economy. By implementing a bold recycling strategy,
19 we succeed in changing the commercial waste system
20 from a landfilling industry to a recycling industry.
21 In making this transition, we unlock the potential to
22 create thousands of good jobs right here in our city
23 and region.

24 The vast majority of job creation in
25 waste industries happens through recycling and reuse,

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 not disposable. I also want to take a look at our
3 report, The Dirty, Wasteful and Unsustainable just to
4 show how more recycling means more jobs. So just to
5 say, so landfilling and incineration right now you
6 create one job per 10,000 tons of waste per year.
7 Composting you go up to five jobs per 10,000 tons of
8 waste per year. If you're doing recycling and
9 sorting it goes up to 20. So you could see how in a
10 city like ours, jobs in facilities that sort and
11 process recyclables are likely to be located in a New
12 York City while the landfills and incinerators used
13 by the current system are often hundreds of miles
14 away. We already have local examples of this
15 affecting New York City where a residential waste
16 system is beginning to recycle more. The Sims
17 Municipal Recycling Plant employs about 90 staff to
18 operate high tech sorting equipment, and the plant
19 receives and exports much of this material to barges
20 and rail. This is a far better generator than many
21 of the truck based transfer stations [bell] that
22 simply are packing and export garbage to landfills.
23 So the takeaway is there is compelling evidence for
24 both jobs in the environment if we act quickly to
25 enhance recycling and reuse.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 CHAIRPERSON REYNOSO: Thank you so much.
3 Thank you. Mike.

4 MIKE HELLSTROM: Good afternoon or good
5 morning, good afternoon, Chairman. Thank you for
6 holding this hearing today. I'm Mike Hellstrom, the
7 Business Manager for Laborers Local Union 108. Our
8 union represents hundreds of driver, and helpers and
9 mechanics, and various employers in the city
10 including Action, IESI and Philco. Our members work
11 for some of the most responsible contractors in the
12 industry that play by an established set of rules;
13 pay workers good wages; provide quality benefits;
14 and ensure that their workforce is highly trained to
15 work safely. The current system of managing
16 commercial waste is broken and in need of
17 comprehensive reform. The fact that brokerage
18 companies in this marketplace control approximately
19 20% of the customers, and operate remote collection
20 vehicles, infrastructure or waste collection
21 employees, artificial drives--artificially drives
22 down pricing. And induces deteriorating conditions
23 for all involved. New York City generates more
24 commercial waste than any other city in the country.
25 And despite the market size or complexity, the

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 regulatory regime, the Business Integrity Commission
3 under which it operates is outdated and badly in need
4 of reform also. Our industry is subject to hard caps
5 in term of what companies can charge businesses for
6 their services. Thus, caps what workers can earn in
7 the industry, but there are no meaningful minimums in
8 terms as to what low road operators can charge their
9 customers in order to conduct their business. In
10 other words, low road employers can charge customers
11 virtually zero dollars per ton, pay workers less, and
12 have no stake in creating an atmosphere that improves
13 their environmental impact in the community. As you
14 will hear today, there is a growing sector of the
15 industry in which workers are being paid low wages,
16 have no access to meaningful health and--health
17 coverage, and are being subject to hazardous working
18 conditions. This is unsustainable and must be
19 stopped.

20 The achievements of the Laborers and the
21 Teamsters Union in creating good jobs is under
22 substantial attack by an industry race to the bottom.
23 What's more, the failure of the city and the
24 generators of commercial waste to promote educate and
25 adopt recycling--recycling as an industry norm

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 squanders a critical opportunity to create thousands
3 of good jobs in the recycling sector. Responsible
4 employers like IESI, Action, Philco and others are
5 increasingly undermined by a growing underbelly of
6 irresponsible players in the industry. Change can be
7 achieved, and implore [bell] this panel to work with
8 labor, the environmental community and the industry's
9 responsible contractors to develop a--to develop
10 sustainable solutions that protect workers, the
11 environment and the economic investment made by high
12 road players in our industry. Thank you.

13 CHAIRPERSON REYNOSO: I appreciate it. I
14 just have a quick question. Do you know what the
15 average pay is for someone that's under contract with
16 the laborers?

17 MIKE HELLSTROM: [coughs] Of a driver?

18 CHAIRPERSON REYNOSO: Yeah, a driver.
19 Yes.

20 MIKE HELLSTROM: About \$27 an hour. Plus
21 if you add benefits in it's probably closer to 39, 40
22 bucks an hour with benefits.

23 CHAIRPERSON REYNOSO: So a good job.

24 MIKE HELLSTROM: A very good job.

25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 CHAIRPERSON REYNOSO: What--do you know
3 what it would be--without--without the laborers,
4 let's say, do you know what it is?

5 MIKE HELLSTROM: So, from a non-union
6 perspective, the average rate of pay that's--for a
7 driver in this industry ranges between 18 bucks and
8 26 bucks an hour with no benefits. And for a helper
9 probably as low as \$8 an hour to 12, 11 bucks an
10 hour.

11 CHAIRPERSON REYNOSO: All right, for the
12 most, one of the most dangerous jobs in the City of
13 New York.

14 MIKE HELLSTROM: Yeah.

15 CHAIRPERSON REYNOSO: And I guess we're
16 going to--we're going to also hear from workers as
17 well, which I'm--I'm excited to hear from. So,
18 you're up. [sic]

19 CARLTON DARDEN: Good afternoon, good
20 people. My name is Carlton Darden, and I currently
21 work for Five Star Carting, and I've been there for
22 jut under two years. First of all, I want to thank
23 you all for this opportunity to share my thoughts on
24 this industry that's detrimental to the environment
25 as well as the economy. Garbage pickup is an

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 necessity. So are the employees of this field. Most
3 important to me is keeping this job in the hands of
4 those that need it, and can see themselves retiring
5 from this industry. All we ask for is fairness and
6 understanding to keep this industry as honest and as
7 loyal to the employees as the employees have to be to
8 their employer. There are many jobs all over the
9 world, and many of them are dangerous to some degree.
10 But not many are as dangerous as the sanitation
11 industry. Considering we have the fourth most
12 dangerous job in the country, and we work out in the
13 elements day in and day out. In the summer we have
14 extreme heat.

15 The inside of the truck can quickly rise
16 above 150 degrees with no air conditioning. But it's
17 the winter that sets with the apathetic disposition.
18 I've gone through four pair of boots in about as many
19 months due to the most extreme and sporadic weather.
20 We earn minimum wage, and we're work 60 hours in the
21 bitter cold, snow and ice. It feels like you're
22 being used and taken advantage of. A typical route
23 has about 300 stops with about 50 pound bags and as
24 little as 10 or 20 bags per stops--per stop. Even--
25 we even have many major office buildings that can

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 have anywhere from 500 to 1,000 bags every night.
3 Twelve to 14 hours, minimum wage and sometimes we
4 work as many as 16 hours straight despite DOT
5 regulations. Plus there's many days where there's no
6 time for a break, but we still get deducted an hour
7 for a break we can't take because there's too much
8 work. Most important, we have to buy everything that
9 need to be prepared for work.

10 The company doesn't provide any gear for
11 the workers. I'm talking gloves, boots, reflective
12 gear, rain gear, other seasonal gear that you many
13 need. If you add it up, you're looking a well over a
14 hundred--a thousand dollars a year. Now, you have a
15 demanding professional job, and you only make \$8.75
16 an hour. In the beginning, I was making \$8.25 and
17 this January I noticed I got a pay increase, and I
18 thought to myself okay Five Star is moving me up
19 little by little. Then I realized that was the new
20 minimum wage. And my point is this is a professional
21 job, and we should get paid and treated with respect
22 and as professionals. Sanitation is way more tense,
23 far more dangerous and extremely prone to injury. No
24 one should be working for \$8.75. It's not livable,
25 and I stand here now yelling at the world my

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 frustration in trying to raise a family on minimum
3 wage. Any position in this--in this type of hard
4 work should not--should be well above minimum wage
5 including benefits and training.

6 My--I have a five-year-old daughter.

7 She's just now understanding that I work from the
8 time she get into school all the way 'til she's back
9 in school. That's when I--when I lay down and go to
10 sleep. And the only time I get to spend with her is
11 on Sundays, and I got to even pace myself because I
12 have to remind myself that I got a long work week
13 ahead. So it's like--and me as a--as a father and
14 as a man, the hardest thing for me is to deal with
15 this. It breaks my heart to see my little girl
16 growing up with me by her side for all her ups and
17 downs. At times I feel like I will be at Five Star
18 for five years and I will only be at \$10 an hour.

19 I've been there sometimes and I feel like this is how
20 it is, and how it will always be unless we stand up
21 and fight. But, so as I wash up after only four our
22 five hours of sleep to prepare for another day of
23 work, I--I think and I tell myself that there is
24 going to be a brighter day. And if the opportunity
25 presents itself whereas I can help make things a

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 little better for all of us as a whole, I'm all in.

3 Thank you.

4 CHAIRPERSON REYNOSO: Thank you.

5 [applause, cheers] Thank you for your testimony. I
6 really do appreciate it. You're another worker as
7 well?

8 MICHAEL BURSON: Yes, I am.

9 CHAIRPERSON REYNOSO: I'd love to hear
10 from you.

11 MICHAEL BURSON: My name is--good evening
12 or good afternoon, everyone. Thank you for allowing
13 us to speak. My name is Michael Burson, a Five Star
14 employee. I've been--I've been at Five Star for two
15 year and six months. I've been in the sanitation
16 business for 4-1/2 years. I've seen a lot of ups and
17 downs and a lot of ins and outs. I've seen trucks
18 that have no--no lugs on them, meaning the wheels can
19 fall off completely at any time. It has happened on
20 one truck once before. It was leaning sideways with
21 a full load. Just three weeks ago this happened--
22 just took place. The trucks have no heat, and it's
23 10 degrees outside and you're riding on the back of a
24 truck, and it's just as cold inside as it is outside.
25 There's no opportunity to warm your hands or body

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 before you go out to continue work. I make \$12 an
3 hour. That's not enough. Absolutely no room in my
4 budget to take care of what I need to take care of.
5 I have to pay rent. Car, no insurance, bill--phone
6 bill, electricity. The same as everyone else. I'm
7 also responsible for taking care of an elderly uncle
8 who relies on me to survive. Sometimes I work 16
9 hours in a day. It's ridiculous. I don't feel
10 anyone in sanitation should work 16 hours. The law
11 says you can't drive past 14 hours, but driver and I
12 also do because we have too many stops and we are
13 expected to finish the route. The boss doesn't care
14 about the law. I feel as if I'm a slave to complete
15 a job that benefits the company, and I'm not getting
16 the benefits. I'm not getting compensated for what--
17 for what I'm worth. I'm too afraid to speak out in
18 fear of my job. Five Star doesn't seem to understand
19 as men how they-- Excuse me. I'm a little nervous.
20 I don't understand as men how thy run a business this
21 way and get away with murder. I have this terrible
22 stop has 200 heavy bags filled with food, sheetrock,
23 wood and brick. I have to lift them by hand. I do
24 this 80 times a night over 14 hours. I'm into--Oh, I
25 don't know. I'm in total--I'm in the end. I don't

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 know. I'm at the end of my shift, and my body is
3 tired. I'm in constant pain. [bell] I've strained
4 muscles before just as one stop make me take a break
5 because it hurts me so bad. I feel used and
6 degraded. I feel as I'm nobody, but this job is a
7 real responsibility to keep the streets of New York
8 clean. You do need skills and knowledge about how to
9 be safe in throwing bags in the back of a truck.
10 I've torn ligaments, which can be done if you turn
11 the wrong way with a heavy bag. Five Star doesn't
12 care--Five Star doesn't train anyone. They don't
13 care. We have to rely on each other to train for
14 safety on the job. I do this job because I have to
15 provide for two young sons 13 and 9 years of age, and
16 my elderly uncle. The job needs to be done, and I
17 feel I can do the job well. Are there other jobs out
18 there? Yes, but I try to do my best while I'm here.
19 All I'm asking is for the boss to better understand
20 what I go through. I deserve respect and
21 understanding, and I shouldn't have to be treated
22 like shit--excuse the French--just to be--just to get
23 ahead or to be heard. [applause, cheers]

24 CHAIRPERSON REYNOSO: Thank you guys. I
25 really appreciate your testimony. I know this is not

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 easy to do, by the way, to come up and have public
3 testimony at a City Council regarding your experience
4 in the industry, but it helps bring an important
5 perspective that a lot of folks fail to see. So I'm
6 extremely encouraged by your courage, and you coming
7 up here. And just know that this Council, this body
8 and at least myself I'll be there with you guys
9 through this whole process to make sure that you guys
10 get what you deserve. It's about--you're not asking
11 for more. You're asking for fairness, and that's
12 what I'm here for. So I'll--I'll make sure that I'm
13 always here for you guys, all right? Thank you.

14 MICHAEL BURSON: [off mic] Thank you.

15 CARLTON DARDEN: [off mic] Thank you.

16 [cheers, applause]

17 SERGEANT-A-ARMS: Quiet, please.

18 COUNCIL MEMBER LANDER: Mr. Chair, Mr.
19 Chairman.

20 SERGEANT-A-ARMS: Quiet down please.

21 CHAIRPERSON REYNOSO: Yes, Mr. Lander.
22 Yes, Council Member Lander.

23 COUNCIL MEMBER LANDER: Thank you. I
24 just want to kind of echo those remarks as well. I
25 know it takes courage to come out here and say that

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 without you taking risks. And this Council
3 appreciates the risks that workers take when they
4 stand up for themselves. We had--you can talk to the
5 Cablevision workers from CWA who we worked hard in
6 this body to make sure and protect. We got a
7 contract. We worked hard to protect car wash workers
8 who were being abused, and we appreciate the risk
9 that you're taking, and commit that, you know,
10 certainly we will work hard and try to have our
11 colleagues work hard to make sure they have your
12 backs as well. So, thank you.

13 MICHAEL BURSON: [off mic] Thank you.

14 CHAIRPERSON REYNOSO: So thank you guys
15 and the Housing and Buildings guys are telling us
16 we're being loud. So, if we could just do this when
17 we want to support someone. But again, thank you
18 guys for your testimony. I really appreciate it.
19 One more--one more panel.

20 VIOLETA TRINIDAD: Oh, yes, thank you.
21 Thank you. My name Violeta Trinidad [sic] is El
22 Puente, a CVO that advocates for peace, justice, and
23 human rights mainly in South Williamsburg. But I'm
24 also here as a community member of that--of
25 Williamsburg. I'm representing all the people in

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 North Brooklyn, which is very affected by this unfair
3 and poor system with Williamsburg, Bushwick and
4 Greenpoint mainly. I'm only here to say that we want
5 three points. We can't breathe the air that we
6 breathe because it's the worst air in the city. We
7 are tired of people throwing their trash in our own
8 back yard. And we can't handle any more of the
9 increased number of haulers and diesel trucks
10 polluting our air and congesting our--our roads.
11 Children, young adults we deserve to have--lead a
12 healthy life, and stop living with fear for the
13 present and future generations. We have the highest
14 asthma rate in the respiratory rates, as you may
15 know, and we're sort of--we're still figuring out new
16 diseases and health issues that comes due to the poor
17 air quality that we breathe. The consequences of a
18 poor commercial system--waste system has not only
19 affected our communities in the past 23 years, but if
20 we don't do anything the polluted air will--will
21 continue affecting future generations, and therefore,
22 the health system of the entire city.

23 In addition, our communities need to
24 fight for a better environment, a better recycling
25 system, a plan that actually improves the working

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 conditions for our workers, and our neighborhoods, of
3 course. And we urge the reduction of truck tricks--
4 of truck trips, and smarter truck routes, greater
5 trucks--and greener trucks. I'm sorry. And we urge
6 to limit the amount of waste that we handle, and the
7 deserved improved quality of life that Environmental
8 Just communities such as North Brooklyn deserves.
9 Thank you very much.

10 CHAIRPERSON REYNOSO: Thank you so much.
11 Thank you to this panel. [bell] We appreciate your
12 testimony. Thank you. Eric Goldstein, Rebecca
13 Rosado, Joan Levine, Juan Feliz, and Jenny Wilmer.

14 [background noise, pause]

15 CHAIRPERSON REYNOSO: All right. I
16 believe the next folks that are going to go after
17 this are Hannah Kamens [sp?], Wilber Rodriguez, Ana
18 Orozco, Stephan Smith, and Joan Levine. Those guys
19 are on deck. Thank you. So we could start from

20 ERIC GOLDSTEIN: Good--good afternoon,
21 Mr. Chairman. Thank you for holding this important
22 hearing. Eric Goldstein from the Natural Resources
23 Defense Council. As you've heard, the current system
24 for transporting and handling commercial trash is an
25 environmental mess. Part of the problem has been a

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 failure of government. We've had divided oversight
3 in the Department of Sanitation, Department of
4 Consumer Affairs, Trade Waste Commission, Business
5 Integrity Commission at least four agencies over the
6 past 25 years. We've had confusing rules. For
7 example, in the recycling area, rules have allowed
8 for post-collection and separation and comingling,
9 which has made it impossible to track the amount of
10 recyclables. We've had a lack of best--basic data.
11 The rules never required the race--the waste sector
12 to submit systematic information on recycling rates,
13 on truck routes. And the reporting requirements have
14 had significant gaps, and we've had inconsistent
15 enforcement.

16 The problems have festered for too long,
17 and in our written statement, we'll detail the 25-
18 year history of how the Council has looked into this
19 issue. But meanwhile, our one attractive solution
20 has been floating out there for over two decades.
21 Back in 1992, the Dinkins Administration advanced the
22 potential solution to so many of the problems that
23 we've heard about today, and that exist in the
24 current flawed commercial waste handling system.
25 That plan, which was advanced by the Consumer Affairs

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Commissioner, was for a new system of exclusive
3 licensing granting one company the legal authority to
4 collect trash in a particular part of the city. The
5 licensees would be selected through a bidding process
6 based on price efficiency, on prior performance with
7 the opportunity for the city to set tough. But,
8 reasonable requirements for recycling, for vehicle
9 emissions, for workers' safety, for living wages.

10 All this has been out there for 23 years
11 just awaiting and administration and city council
12 with the courage and vision to move the idea forward.
13 We're encouraged that Mayor de Blasio's new
14 Sustainability Plan establishes as one of its waste
15 goals reducing commercial waste by 90% by 2030.
16 We're delighted to hear Commissioner Garcia testify
17 earlier today that the department will be moving
18 forward this year with designating the first group of
19 businesses to start commercial composting
20 collections. But, we believe that legislation to
21 reinforce and revamp the commercial waste handling
22 system is needed. And we look forward to your
23 leadership, and that of Council Member Bret--Brad
24 Lander and the other members of this committee in
25 spurring this important initiative that's so

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 important to our neighborhoods, to our citizens and
3 to our environment. Thank you.

4 CHAIRPERSON REYNOSO: Thank you.

5 Appreciate your testimony. Thank you.

6 REBECCA ROSADO: Good morning or good
7 afternoon. My name is Rebecca Rosado, and this
8 statement is on behalf of The Point CDC, which has
9 advocated many years to assist and fight for the
10 equitable balance, and just development of our South
11 Bronx community, and our waterfronts. As members of
12 the New York City Environmental Justice Alliance, the
13 Organization for Waterfront Neighborhood and as lead
14 project partner of the South Bronx Greenway. Also,
15 the Mayor announced the One NYC Plan at The Point,
16 underscoring the South Bronx as a focal point of many
17 of the issues discussed around environmental justice.
18 As such, we feel compelled to explain the effective
19 commercial waste system in New York City has had on
20 our community, and what restructuring said system
21 will mean for all overburdened communities like ours.
22 New York City's open system for commercial waste is
23 bad for all New York City communities, which are
24 subject to air and noise pollution. [coughs] New
25 York City generates more commercial waste than any

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 other city, about 5.5 million tons per year, and
3 recycles only about 25% of that.

4 This means that every year millions of
5 tons of NY--of New York City waste that could be
6 recycled is unnecessarily landfilled and incinerated
7 where it creates significant greenhouse gas emissions
8 and other negative impacts. What does that mean for
9 neighborhoods like Hunts Point? What that means is
10 that it's particularly bad for us in the sense that
11 we are at a place where all the truck traffic that
12 the commercial carters and the Sanitation Department
13 uses their streets--our streets to take their garbage
14 through our streets to their waste transfer
15 facilities, which are also in our neighborhoods. So
16 what does that mean? Nine transfer stations in the
17 South Bronx that typically handles 6,000 tons of
18 garbage per day, and that adds about 1,400 diesel
19 truck trips everyday. So what does that mean for us
20 in terms of health? It means sky high asthma rates
21 about eight times the national average. So are the
22 rates of other diseases and illnesses tied to air
23 pollution.

24 So just very briefly, I'm just here to
25 say that we're not here to advocate about waste, but

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 for people. We support Transform Don't Trash because
3 it builds upon the success of the Solid Waste
4 Management Plan, and it also helps provide good jobs
5 for working class people such as the people that live
6 in our community, and as the workers that you just
7 saw here. So we look forward to working with you,
8 and thank you for holding this meeting today.
9 Thanks.

10 JOAN LEVINE: Good afternoon. My name is
11 Joan Levine and I'm Co-Chair of the Morningside
12 Heights West Harlem Sanitation Coalition, a Member of
13 NYC Environmental Justice Alliance. Many people
14 refer to New York City's commercial waste industry as
15 the wild west. This certainly seems to be true of
16 our neighborhood in the Morningside Heights West
17 Harlem area. In a survey conducted by the
18 Morningside Heights West Harlem Sanitation Coalition,
19 the commercial strip on the west side of Broadway
20 between La Salle and 125th Street has 11 or 12
21 different commercial corridors for 20 stores. All
22 these commercial trucks arrive late at night on just
23 one block needlessly spewing pollution wearing down
24 our streets, and most of all damaging our health and
25 quality of life. As inefficient and polluting as

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 this is for our immediate neighborhood, it cause
3 havoc in the areas of the South Bronx, Northern
4 Brooklyn and Southeast Queens where trucks coming
5 from our neighborhood arrive each night along with
6 those myriad other streets and businesses.

7 They are--the garbage is dumped often in
8 the open air and reloaded onto 18-wheelers for trips
9 to landfills in other states. This--these mostly
10 low-income communities of color are
11 disproportionately burdened by this solid waste. The
12 air is unfit to breathe and the unbearable noise of
13 the trucks arriving 24 hours a day as well as the
14 smells, makes the situation extremely hazardous to
15 residents' health and wellbeing and the degradation
16 of their communities. In addition to this costly and
17 redundant collection method, private waste workers
18 face low wages and poor working conditions. [bell]
19 Lastly, landfilling and incinerating this waste is
20 costly and polluting. Something must be done to fix
21 this unhealthy, unfair, inefficient way of doing
22 business. I trust your committee will arrive at some
23 good answers.

24 WILBER RODRIGUEZ: Good afternoon. My
25 name is Wilber Rodriguez. I'm a resident of the

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 beautiful Bronx, and community leader at the non-
3 profit organization, We Stay Nos Quedamos. I take
4 this opportunity to thank you and your colleagues for
5 your time in hearing our concerns today. As a long
6 life resident of the Bronx, I'm happy to say that I
7 have noticed during the last few years the Bronx has
8 made major improvements in its infrastructure,
9 quality of life throughout the borough. One thing I
10 have noticed that has not changed is the amount of
11 air pollution and truck traffic in our community.
12 Which ranks the highest in mortality rates from
13 respiratory diseases than anywhere else in the City
14 of New York. This is of great concern of us
15 especially to the most vulnerable, which are children
16 and the elderly. Many whom are suffering from the
17 consequences of the toxic gases and emissions caused
18 by truck traffic and improper trash processing.

19 For many years, the Bronx has been the
20 city's major dumping ground without concern for the
21 health and wellbeing of our citizens. As previously
22 said, there's a few facts. New York City produces
23 5.5 million tons of commercial waste per year, and
24 the Department of Sanitation says that commercial
25 waste is recycled. Their studies say only 25% is,

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 which is very low. Which means millions of tons of
3 the city's waste could be recycled. Unnecessary
4 landfill and incin--incinerator waste creates
5 significant greenhouse gases. And also, as the
6 garbage sitting there when it rains it seeps into the
7 waterways of the Bronx. It's time that the city
8 realizes that the borough has overturned its negative
9 image into a positive growing community that deserves
10 the same rights and quality of life as every other
11 neighborhood in the city. Together, we need to work
12 on solutions to this issue in order to create a
13 healthy environment. And in the long run, the whole
14 city will benefit. Thank you very much.

15 [background comments and noise]

16 TRANSLATOR: Oh. [bell] I'll interpret.

17 JUAN FELIZ: [Speaking Spanish]

18 TRANSLATOR: Good afternoon, my name is
19 Juan Feliz.

20 JUAN FELIZ: [Speaking Spanish]

21 TRANSLATOR: In 2015 and I will correct.
22 It's 2005 he says. I started working for Mr. T, which
23 Mr. Tacano--Toscano who participated earlier is the
24 president.

25 JUAN FELIZ: [Speaking Spanish]

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 TRANSLATOR: In 2013--in 2013, I was
3 diagnosed with cancer, which was very advanced.

4 JUAN FELIZ: [Speaking Spanish]

5 TRANSLATOR: I contracted cancer because
6 I was exposed constantly to the dust that--the
7 demolition that I had to pick up, expel.

8 JUAN FELIZ: [Speaking Spanish]

9 TRANSLATOR: The radiation from medical
10 waste, the dust that our commercial lamps
11 fluorescent lamps expel without the
12 proper covering or protection.

13 JUAN FELIZ: [Speaking Spanish]

14 TRANSLATOR: I knew that I was exposed to
15 contracting an illness, but even if I protested my
16 bosses will force me to do it.

17 JUAN FELIZ: [Speaking Spanish] [bell]

18 TRANSLATOR: Because of the cancer, I had
19 three surgeries and a tracheostomy and I still have
20 this tube that allows me to breathe.

21 JUAN FELIZ: [Speaking Spanish]

22 TRANSLATOR: On top of all of this, there
23 is no respect because when I went back to the company
24 I was treated worse than the garbage that I used to
25 pick up.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 JUAN FELIZ: [Speaking Spanish]

3 TRANSLATOR: In spite of all of that,
4 they paired me to work with someone that was extreme-
5 -a smoker, someone that smokes a lot. When I spoke
6 to my boss, Peter Toscano, Jr., he told me---I asked
7 him, Why would you put somebody that smokes next to
8 me when you know that I'm fighting with this cancer?

9 JUAN FELIZ: [Speaking Spanish]

10 TRANSLATOR: He told that I didn't have
11 another option. I went back to the hospital, and
12 back to get me a letter that said I couldn't be next
13 to somebody that smoked.

14 JUAN FELIZ: [Speaking Spanish]

15 TRANSLATOR: When I handed the letter he
16 told me that we had spoken about that already, and
17 that I had to work with whoever he told me to.

18 JUAN FELIZ: [Speaking Spanish]

19 TRANSLATOR: I thought that in this
20 country they would respect a doctor's letter, but
21 these people don't even respect that.

22 JUAN FELIZ: [Speaking Spanish]

23 TRANSLATOR: On top of all the
24 discrimination, the abuse and disrespect--the
25 irrespect or mistreatment--

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 JUAN FELIZ: [Speaking Spanish]

3 TRANSLATOR: It's incredible how
4 powerless, how helpless you feel because you don't
5 have anybody to go to for help.

6 JUAN FELIZ: [Speaking Spanish]

7 TRANSLATOR: Because the independent
8 union that they have in Mr. T, 339 talking to them is
9 the same as talking to the bosses.

10 JUAN FELIZ: [Speaking Spanish]

11 TRANSLATOR: It's important to know that
12 the same situation that I'm going through thousands
13 of people are going through the same situation in our
14 industry.

15 JUAN FELIZ: [Speaking Spanish]

16 TRANSLATOR: Our hope is that authorities
17 do something for us. Thank you.

18 [applause]

19 COUNCIL MEMBER LANDER: All right, Juan
20 Feliz, I want to say thank you and muchas gracias for
21 coming up to tell your story. We are obviously very
22 sorry for the, you know, the surgery and the pain and
23 the injuries that you talked about. So thank you for
24 coming out today. And I also want to say thank you.
25 It's good to have the larger environmental groups and

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 the environmental justice groups working together to
3 confront both the broad system and the community
4 impact. So we appreciate all of your time for the
5 testimony. Thank you.

6 [background noise and comments]

7 CHAIRPERSON REYNOSO: I want to thank
8 Council Member Brad Lander for coming in for relief.
9 I appreciate your help. Hannah Kamens, Wilber
10 Rodriguez, Ana Orozco, Stephen Smith, and Joan
11 Levine. [background comments] Thank you for that.
12 Brendan Sexton. Brendan Sexton? [pause] And Jenny
13 Romer.

14 [background comments and noise]

15 JENNY ROMER: Shall we start from here?

16 CHAIRPERSON REYNOSO: What is more--I
17 guess I'd like to go from your left to right so--
18 Jenny.

19 JENNY ROMER: Okay. Thank you, Council
20 Member Reynoso for--for holding this hearing and for
21 allowing me to speak. I'll try to keep it brief. My
22 name is Jenny Romer and the Environmental Community
23 Organizer for Neighbors Allied for Good Growth, NAG
24 formerly known as Neighbors Against Garbage. It's a
25 non-profit community organization that represents the

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 neighborhoods of Greenpoint and Williamsburg that
3 comprise Brooklyn's Community Board 1, a district
4 identified as being overburdened with solid waste
5 transfer stations. NAG is strong--strongly
6 supportive of several of the current efforts to
7 improve oversight regarding sustainability in the
8 commercial waste industry. NAG developed 20 years
9 ago out of our neighborhood's desire to recapture its
10 waterfront, reduce local environmental hazards and
11 advocate for public policies promotion healthy mixed-
12 use communities. A safer process for waste transfer
13 is particularly meaningful to our mission, and was
14 one of our founding issues.

15 The current system of commercial waste
16 hauling has tremendous negative impacts on everyday
17 life in North Brooklyn. Garbage trucks crisscross
18 our neighborhood not only to travel to the numerous
19 waste transfer stations in our district, but also due
20 to the inefficient commercial--commercial waste
21 hauling routes that result from the current
22 fragmented commercial hauling contact--contracting
23 process. These inefficiencies bring about a high
24 level of unnecessary truck traffic, and the
25 accompanying noise and air pollution. City Council

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Intro No. 495 aims to address communities
3 overburdened with the solid waste transfer stations,
4 and that's a very positive step--step for our
5 community. However, we need to--more needs to be
6 done to address the volume of commercial waste
7 hauling trucks in our neighborhood and to prevent
8 sustainability in the industry through transparency
9 including disclosure of what happens to commercial
10 waste after it leaves the curb. For these two
11 reasons, NAG has joined Transform Don't--Transfer
12 Don't Trash Coalition. [bell]

13 CHAIRPERSON REYNOSO: Thank you for your
14 testimony.

15 JANET BURAK: Good afternoon. I'll be
16 reading testimony for Hannah Kamens. My name is
17 Janet Burak and I'm a member of Congregation B'nai
18 Jeshurun on the Upper West Side of Manhattan, and we
19 are members of the Transform Don't Trash New York
20 City Coalition. Thank you, Chairperson Reynoso and
21 members of the Council for holding this important
22 hearing. B'nai Jeshurun, BJ, is one of the largest
23 and most active synagogues in New York City. Located
24 on Manhattan's Upper West Side, BJ serves more than
25 3,600 members. We provide vital services to the

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 community, and since 2003, we have undertaken
3 community organizing and advocacy campaigns, which we
4 call paniym, el paniym, face-to-face in Hebrew. As
5 a Jewish community our concern for nature and for
6 humanity are intertwined, and we understand our
7 actions have a direct impact on our environment. Our
8 Jewish tradition provides guidance on how we can be
9 stewards of the earth. Guided by these traditions
10 and teachings, as well as the voices of our members,
11 B'nai Jeshurun is proud to be a part of an effort to
12 meet the environmental challenges of New York City
13 head on. In a way that protects communities, workers
14 and their plant.

15 We are pleased that Mayor de Blasio's One
16 New York City Plan includes the goal to drastically
17 reduce the amount of commercial waste New York City
18 sends to landfills. We look forward to working with
19 the Council to pass legislation and make changes that
20 are necessary to achieve this goal. As well as the
21 goal to reduce greenhouse gas emissions by 80% by
22 2050. B'nai Jeshurun became involved in this
23 campaign after an exhaustive community process. What
24 we learned is that our members have deep fears about
25 the future of our environment, our climate, and our

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 city. We worry about the disaster we are leaving for
3 the next generation. BJ members want to support
4 tangible changes locally that can have an impact
5 globally. Transform Don't Trash New York City
6 provides such an opportunity. BJ members report
7 making an effort to recycle in their offices only to
8 watch their recyclable paper get dumped back into the
9 garbage and taken out to the curb in one bag. Many
10 members work hard to care for the environment in ways
11 at home. But acknowledge that without systemic
12 change, we can't stem the tide of climate change. We
13 know that as long as we can't find a recycling bin in
14 which to place a soda can after grabbing a slice of
15 pizza in our neighborhood, the individual steps we
16 take will fall short. Members like me are fearful of
17 dangers to pedestrians and neighborhoods and on
18 blocks inundated with excessive truck traffic. Our
19 members are horrified to hear about the poor safety
20 standards in the commercial waste industry, and poor
21 wages that the workers who haul our trash earn in one
22 of the most dangerous jobs in New York City. The
23 economic and social costs of shipping waste outside
24 of New York State is expected to continue to rise.
25 Reducing the amount of waste that ultimately goes to

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 a landfill is a long-term plan in the interest of all
3 New Yorkers and business. B'nai Jeshurun members can
4 only do so much individually. New York City has to
5 create a more efficient and equitable system that
6 allows New Yorkers to help save the environment,
7 protect the health of all communities, and provide
8 for workers who do an important job to keep our city
9 clean and businesses open.

10 CHAIRPERSON REYNOSO: [interposing] Thank
11 you.

12 JANET BURAK: Hundreds--

13 CHAIRPERSON REYNOSO: That's all right, I
14 think that--

15 JANET BURAK: I just have two more
16 sentences.

17 CHAIRPERSON REYNOSO: Okay. I think you
18 got like four minutes by mistake, but it's okay.

19 JANET BURAK: Okay. Okay--

20 CHAIRPERSON REYNOSO: [interposing] Go
21 ahead. Two--two sentences. You might as well go--

22 JANET BURAK: [interposing] All right.

23 CHAIRPERSON REYNOSO: --all the way.

24 JANET BURAK: Hundreds of BJ members of
25 all ages marched for climate action in September

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 because we believe that we can do better starting
3 right here in New York City. Transform Don't Trash
4 New York City is by far one of the most--most
5 powerful environmental campaigns we have joined with,
6 with the most potential to improve our environment
7 and the lives of New Yorkers. We look forward to
8 working all together.

9 CHAIRPERSON REYNOSO: Thank you for your
10 testimony. I appreciate it. Thank you.

11 ANNA OROZCO: Good afternoon, Chairman
12 Reynoso. I'm Ana Orozco. I'm the Climate Justice
13 Policy and Programs Coordinator at UPROSE. We are an
14 Environmental Justice organization based in Sunset
15 Park, Brooklyn. We have long advocated for
16 development and policies in our community that
17 address environmental justice and public health. We
18 all realize that the New York City system of handling
19 commercial waste is inefficient and in need of
20 reform. The current system fails the environment,
21 industry workers, residents and commercial
22 businesses. This system is particularly bad for the
23 working class communities and communities of color
24 are already severely overburdened by waste handling
25 facilities and the truck traffic they bring. The New

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Yorkers living in these communities suffer
3 detrimental health outcomes such as high rates of
4 asthma and lung cancer. Sunset Park is home to
5 private waste transfer and recycling facilities as
6 well as the Hamilton Avenue Marine Transfer Station.
7 These facilities as well as other environmental
8 burdens pose a threat to the public health and
9 quality of life in our neighborhood. I was
10 encouraged by last week's release of One NYC, which
11 puts the city on a path towards zero waste by 2030.
12 In order to meet this ambitious goal, the city will
13 need to increase its commercial recycling rate
14 dramatically. A Sanitation Department study in 2012
15 estimates that only 25% of commercial wastes is
16 recycled. By increasing this figure to 70%, the City
17 could help create thousands of good local jobs in
18 recycling related industries. This would
19 substantially reduce the millions of tons of New York
20 City waste that is unnecessarily landfilled and
21 incinerated leading to pollution--greenhouse gas
22 emissions and other negative impacts. It would be
23 good for the environment, workers and for
24 communities. A rational solid waste management
25 system is essential to the sustainability of our city

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 and communities. I urge this committee to consider
3 the points mentioned in the interest of environment,
4 workers and justice. And, I thank the committee for
5 taking up this crucial matter, and for the
6 opportunity to comment.

7 CHAIRPERSON REYNOSO: Thank you. Thank
8 you.

9 [pause, background noise]

10 STEPHAN SMITH: Good afternoon. My name
11 is Stephen Smith. I was born and raised in South
12 Bronx, but I've resided for all 22 years that I've
13 lived in the Morrisania area specifically. I would
14 consider my relationship with my community to be
15 rather intimate. From age six onward I've readily
16 served my community as a volunteer cleaning streets,
17 cleaning trees and various other services under the
18 arms of non-profits and whatnot sometimes of my own
19 recognizance. I'm a graduate of the Bronx
20 Environmental Stewardship Training Program, one of
21 SBS's [sic] primarily programs, which collects local-
22 -which connects local residents to training and
23 ultimately jobs in the green collar sector.

24 I want to begin by thanking Chairperson
25 Reynoso and the Council members for sitting before us

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 in this opportunity, and giving us the room to
3 testify. We applaud you for allowing us to share our
4 perspectives on the impact of commercial waste sector
5 in our communities. A lot of the main points have
6 already been stated so I'll try not restate pretty
7 much what we heard today. I'm a proud representative
8 of my community, and I consider myself a voice for
9 the fellow residents who choose not to speak or who
10 have simply lost the breath required to as asthma
11 deaths in the South Bronx are about thee times higher
12 than the national average. Which sort of brings us
13 to why most of us are here today. I strongly believe
14 that commercial waste operations overall contribute
15 to the destruction of air quality in my community.
16 At Hunts Point alone it is estimate that
17 approximately 1,500 trucks through local streets
18 daily. Each truck can produce the amount of nitrous
19 oxide and carbon monoxide equivalent to 150 cars.
20 These chemicals are directly linked to asthma and
21 whole entire host of lung and other respiratory
22 conditions. We are overburdened by high
23 concentrations of waste. There are 13 waste transfer
24 stations divided between three neighborhoods in the
25 South Bronx. Those numbers in comparison already

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 kind of sound ridiculous. Which collectively are
3 allowed to handle 1,200 tons of waste a day, which
4 happens to be about a third of the city's commercial
5 trash.

6 Commercial waste pickup trucks navigate
7 the Bronx streets with their routes and pickup zones
8 unregulated, which creates competition amongst
9 commercial waste treatment companies leading to a
10 high influx of trucks roaming the streets. [bell]
11 This results in more pollution, and they bypass
12 sensitive receptors such as schools, parks, and
13 senior centers. I'll just close here. Today, I
14 chose to focus on air quality because most of the
15 other issues that we face due to this problem will
16 never be addressed without the air for us to breathe.
17 This is literally a matter of life and death, and
18 should be viewed as such because the current system
19 is destruction and a burden on the Bronx residents
20 health and mental state of wellbeing. Thank you.

21 CHAIRPERSON REYNOSO: Thank you for your
22 testimony. Thank you.

23 BRENDAN SEXTON: Thank you very much
24 [coughs] Mr. Chairman and committee, and my name is
25 Brendan Sexton and I'm here as Chair of the Manhattan

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Solid Waste Advisory Board. And to try to edit my
3 remarks a bit, I will say the written remarks, the
4 largest section has to do with our support of
5 Transform. And you've already heard a good deal
6 about it, but we're proud signers of their
7 statements. And very proud supporters of their
8 goals, Environmental, Environmental Justice and the
9 goals of better working conditions for the folks in
10 this industry who work very hard, are paid poorly and
11 are treated worse. So with that being the largest
12 portion of my written, I would just like to say in my
13 remarks a couple of things that haven't come up that
14 our Council issues. One is we support very strongly
15 the--I think it's Intro 209 to put a fee on plastic
16 bags. This is one of the few true waste reduction
17 measure the city has had a chance to consider in
18 recent years. They are very noxious. They interfere
19 with recycling operations. We'd love to support you
20 in that. We'd like to see expanded access to
21 electronics recycling. The map was just published by
22 the Sanitation Department. It shows large areas of
23 the city including Lower Manhattan and Northern
24 Manhattan, which are without a place to bring it.
25 Oh, I should say, by the way, I'm just so proud to be

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 here as a representative of the Manhattan
3 organization next to the South Bronx, Brooklyn and
4 Queens folks in their seeking for environmental
5 justice, and we support it completely.

6 Finally, I would like to ask for a
7 cooperation among the Council and the department and
8 BIC on improved--improved enforcement of the
9 Recycling Regulations. We have a terrific problem in
10 New York, which is not much notice, but in both the
11 residential and commercial sections--sectors of the
12 field, the regulations make more sense than the
13 actualities. We are not seeing people complying with
14 what has been legislation, and I think that has to be
15 reversed. We need better enforcement of recycling
16 regulations. [bell] And I would just close by
17 saying that we really are pleased with the Mayor's
18 recent public of One NYC. I think everybody is, but
19 that also will require Council support and
20 enforcement. So we're very pleased to be here.
21 Thank you.

22 CHAIRPERSON REYNOSO: We all need to play
23 a role, and--and now that we have this One NYC, and
24 it seems like, you know, sustainability and
25 environmental justice is something that is definitely

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 a part of it, especially within the context of
3 sanitation. We need to get ready to roll up our
4 sleeves and be partners in making sure that we can
5 achieve that. And I know you mentioned 75%. Now
6 we're going for 90, right. Our communities are
7 prepared for 75% being something that is--that we
8 would have been satisfied with. But they even
9 surpassed that. They were--they're bolder than even
10 our goals were, which means that we've got to do our
11 part and make sure that we're supportive in achieving
12 those goals. And I think you so much for being here,
13 and thank you. Thank you for your testimony.

14 BRENDAN SEXTON: Thank you.

15 CHAIRPERSON REYNOSO: All right. The
16 second to last panel. Greg Todd, Tanya Blay, Vandra
17 Corbin, and Jerry Antonitti.

18 JERRY ANTONACCI: [off mic] Antonacci,
19 sir.

20 CHAIRPERSON REYNOSO: Antonacci, even
21 better. That looks like a--

22 [background comments, noise]

23 CHAIRPERSON REYNOSO: Sure We Can. Our
24 representative for Sure We Can. Lucy Anna's here?

25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Yes, yes. come up. And we have one more panel left
3 afterwards. So we'll bring you guys no deck.

4 FEMALE SPEAKER: You go first.

5 CHAIRPERSON REYNOSO: Lisa.

6 FEMALE SPEAKER: How many of these guys
7 are still here? Please raise your hands.

8 CHAIRPERSON REYNOSO: Is Lisa here?

9 Lisa. Okay.

10 FEMALE SPEAKER: Okay. Anita Ganelle.

11 CHAIRPERSON REYNOSO: Anita Ganelle is
12 still here. And Emily O'Brien. Emily O'Brien. So
13 she's not here. [background noise] Is there anybody
14 who didn't sign up that wanted to speak? So can we
15 get Anita and Lisa to come up to this panel. There's
16 space--space at the table.

17 [background comments and noise]

18 CHAIRPERSON REYNOSO: All right, you--
19 this is the last panel. I'm still going to--I'm
20 going to give you guys 2-1/2 minutes for your
21 patience even though they're asking us to go, but I'm
22 going to be a rebel and say 2-1/2 minutes for each of
23 you guys, and we want to start on our right. Thank
24 you guys. On your left.

25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 GREG TODD: Okay, good afternoon and
3 thank you, Chairman Antonio for allowing us to speak.
4 My name is Greg Todd and I'm speaking on behalf of
5 the Network Alliance of Local Composters, Recyclers
6 and Carters. I'd like to thank the committee for the
7 opportunity to speak today. We are a network
8 association of several small local grassroots non-
9 for-profit business organizations that have banded
10 together to speak with one unified voice. We have
11 met and are familiar with most of the current members
12 who have signed the statement. We are all
13 practitioners in the fields of recycling, composting,
14 and carting. And several have on various occasions
15 testified before the committee and met with Chair
16 Antonio. We have decided to gather a unified
17 statement here today so that the Council members and
18 the committee can more easily identify the common
19 suggestions asked and demands that all of our member
20 organizations have for you. Whereas, our member may
21 have several varying considerations and concerns they
22 may want to bring before you individually, we may
23 want to present to you the common denominators that
24 apply to all of us. And the recommendations that we
25 have to make to you in the following:

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 As so aptly reported in the recent report
3 by Transform Don't Trans New York, New York City's
4 sprawling commercial waste system performs
5 significantly worse in recycling inefficiency than
6 previously believed. Specifically, this industry,
7 which carts in 5.5 million tons of waste annually,
8 two million tons more than previously stated,
9 actually averts only 25% of material from landfills
10 according to the TN--TNYC, not of the 40% previously
11 reported by the Bloomberg Administration. In Fiscal
12 2016, the Department of Sanitation expects to spend
13 \$393 million to export residential waste to out-of-
14 state landfills. We suspect that the commercial
15 carting industry will spend a similar amount. To
16 reduce export expenditures in the commercial carting
17 industry, the TDTNYC recommends the city adopt a
18 franchise system similar to San Jose and Los Angeles
19 to improve the efficiency of our currently chaotic
20 commercial carting environment. The assessment of
21 the TDTNYC is it fails to consider the possible
22 contribution that community based carters and
23 composters can make through the recovery of materials
24 from our waste system. The large centralized
25 facilities favored by cities such as San Jose and Los

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 Angeles concentrate waste in a single community.

3 Whereas, local carters decentralize the waste.

4 I will drop now and just to conclude, I
5 would like to say to achieve the dream we are under--
6 we the undersigned the local composters, carters and
7 recyclers propose Sanitation and the Business
8 Integrity Commission during the commission of panel
9 experts and community activists to study the
10 feasibility of community based carting and processing
11 of both residential and commercially generated
12 resources. We challenge the de Blasio Administration
13 to walk the walk in a more community oriented New
14 York. We want to stand ready to speak with other
15 elected officials and city agencies to discuss how
16 this feasibility panel can be created. Thank you.

17 CHAIRPERSON REYNOSO: Thank you very
18 much. Very bold. Even bolder than his I guess in
19 that one. Maybe we start with composting and see how
20 communities do with that and see how we can expand
21 from there. But thank you for your testimony.

22 ANYA BLAY: Thank you. [coughs] Thank
23 you, Chairman Reynoso and to the committee. I'm
24 Tonya Blaine. I'm the Composting advocated, and I
25 wholeheartedly support Gregg Todd's statement. It

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 appears that the question before us today is how to
3 make the commercial waste industry more sustainable.
4 And all of the reports that have been recorded here
5 today are--seem to acknowledge the necessity for more
6 composting or digestion facilities. I would like to
7 make one specific suggestion, and it has to do with
8 the composting facilities siting taskforce that is in
9 the SWMP that the Mayor is committed to implementing.
10 My suggestion is to reconvene the compost facilities
11 siting task force and have them issue a report. Make
12 transparent who is on this task force and establish a
13 community advisory committee for this task force that
14 can provide advice, among other things, as to the
15 siting of decentralized small and medium scale
16 composting and anaerobic digestion facilities.

17 And I understand that there are forces in
18 the administration, and also perhaps in the City
19 Council that say let the private industry sort this
20 one out. But I say if you try and let the industry
21 sort this out, either nothing happens or anything
22 happens, then those facilities will be precisely
23 located where you and your constituents don't want
24 them. So I encourage you to get ahead of the curve
25 and design the process and create a process by which

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 the sites for such facilities will be found. Because
3 I believe that if you don't do it, it will be done
4 for you without your input. And realities will be
5 created for you that are difficult, if impossible, to
6 alter. And there is a case in point. The food based
7 pilot at Newtown Creek, the food based pilot is now
8 scaled up to process 50 tons of organic starting this
9 winter for three years, up from 1.5 tons a day for
10 the first phase. All of this material enters the
11 facility by truck.

12 And I say that factually, the
13 administration, DEP and DSNY have created a facility
14 at the site of the Newtown Creek Wastewater Treatment
15 Plant without your input. This may not matter so
16 much at that site. But if you let this method and
17 this principle take over, they slip you a pilot under
18 it, and before you know it, you have a whole new
19 facility. And that might lead to potentially very
20 unpleasant outcomes elsewhere. And you are hard at
21 work, and we really all appreciate that, but in order
22 to create more borough equity and more environmental
23 justice in this city with respect to transfer
24 stations and truck traffic. And I urge you to really
25 get ahead of the curve in regard to composting and

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 digestion facilities, and prevent an environmental
3 injustice from being created in the first place by
4 convening this compost facility siting task force.

5 [bell]

6 CHAIRPERSON REYNOSO: Thank you. The
7 next. At any hearing we have, I'm going to ask about
8 the task force to see where it's out. But we have
9 had conversations regarding, and the Newtown Creek
10 Situation is an unfortunate circumstance to the
11 amount of truck traffic that's coming. But, we have
12 to figure something out for the organic waste
13 connection and thank you for that. Thank you so
14 much.

15 VANDRA CORBIN: So thank you very my
16 much. My name is Vandra, and I am so glad to hear
17 that my little composting service is now going to be
18 accepted by BIC, and I can continue to collect your
19 buckets.

20 CHAIRPERSON REYNOSO: But guys haven't
21 received notice until today, right?

22 VANDRA CORBIN: That's right.

23 CHAIRPERSON REYNOSO: All right, so
24 they're going to--

25

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 VANDRA CORBIN: [interposing] But I got
3 it today.

4 CHAIRPERSON REYNOSO: --give you more
5 information, it's going to be--you guys are going to
6 like it. It's going to be--

7 VANDRA CORBIN: It's very nice and I
8 heard the right thing. There is no charge for
9 registration. Thank you. At any rate, I just want
10 to say that I'm following along with this, and I'm so
11 sorry that we have to be the last panel. Because
12 actually I think what we're saying is actually the
13 most innovative stuff to be heard today. Which is
14 namely the need for an association of small
15 composters and carters. And I want to just say that
16 we need to comingle the waste streams from both the
17 municipal and the commercial sector. I have long
18 advocated for the composting facilities. DASNY
19 supports seven sites at this moment. It could and
20 should be supporting more. And what I want to say is
21 where is the equity for local processing of
22 resources? The 2016 DASNY Budget line for waste
23 export is \$393 million. This budget is apparently
24 servicing 21 contracts with private carting companies
25 many with multi-year contracts. Where is the equity

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 for local companies that could be servicing
3 residential and commercial waste within the city
4 limits, particularly organics and other valuable
5 recyclables like bottles and cans and paper. We need
6 to, in fact, think small, a thousand points of light,
7 as they say. Imagine DASNY is spending millions of
8 dollars on the transfer station to handle putrescible
9 waste. Putrescible waste is organic waste. Imagine
10 that the 92nd Street project becomes a dedicated
11 compost facility with state-of-the-art anaerobic
12 digestions. Imagine the small fleet of organics
13 collections across the asphalt green. This would not
14 be an environmental nightmare, but a huge community
15 education. Similarly, for the carting industry.
16 Imagine if the carting industry were given tax
17 incentives to retrofit their transfer stations to
18 accommodate a variety of local recycling plants.
19 This be another One NYC Plan solution? So, I just
20 want to finally to say where are the 20 and 30-year
21 contracts for the local green infrastructure and
22 green jobs? Thank you.

23 CHAIRPERSON REYNOSO: Thank you so much
24 for your testimony. Thank you.

25 VANDRA CORBIN: Thank you.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 ANNA DELUCA: Good afternoon and thank you
3 very much for having us here and giving us even--help
4 me make more. I am Anna McGuinness De Luca from Sure
5 We Can. I represent a community, which some of you
6 know, of small people doing the small things bending
7 our back just to pick up a small can for five cents,
8 five cents that somebody has thrown away because it
9 was not worth to return to their store. And we have
10 done that. Only last year we pick up more than seven
11 million pieces, and around a half million dollars
12 have been distributed into 300 plus canners. Which
13 is a small amount among so many people, but for some
14 of them it's their only income they have. For others
15 it's a supplementary income. We are very concerned
16 also about the organic material. We don't recycle
17 cans and bottles. We return to the distributors for
18 them to recycle. But we realize that organic
19 materials is the easiest thing to recycle without
20 using any machines, anything that we don't have. So
21 we decided this year to start a compost station, and
22 we are very happy with the battle there because we
23 were able to sustain our operations, things like that
24 positions. But, now in the composting station we
25 really don't know how, although we hope Mr. Vance

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 [sic], that Mr. Vance in our area would cooperate.
3 But we--today I wanted to suggest the incentive part.
4 I think most of the small business around our area
5 will need some incentives to do something that they
6 are not yet obliged by law. And they feel like it's
7 hard to separate the organic from the non-organic,
8 those things. Incentives even for the districts or
9 community board having places for compost they have,
10 and which centers are less--would make a big impact
11 for the environment. I think you should create some
12 kind of incentives hand-in-hand with the legislation
13 that we have here, and it will be great. Thank you.

14 CHAIRPERSON REYNOSO: Thank you, Anna. I
15 appreciate it. I just want to acknowledge that we
16 were also joined earlier by our Council Member
17 Vanessa Gibson who's here from the Bronx. So thank
18 you, Vanessa. Next testimony, please.

19 [pause]

20 ANITA GANELLE: Good afternoon. My name
21 is Anita Ganelle [sp?]. I'm a cleaner in a
22 commercial building and proud member or 32 BJ. For
23 more than nine years, I have worked in a building, in
24 the Grace Building in Midtown Manhattan. My building
25 is green. While my co-workers and I we keep the

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 building clean and safe, our building is green. We
3 have environ--environmentally friendly cleaning
4 products and we separate trash and recycling. I am
5 glad to do my part to cut down on waste in the city.
6 As part of my job, I make sure that paper and plastic
7 are separated from the trash, and recycled. On many
8 days, I take those bags to the trash and recycling
9 down to the loading dock, and I see private--private
10 sanitation workers come in to pick them up. I was
11 shocked when I find out that private sector
12 sanitation workers are often paid lower--a lower wage
13 for the hard work and dangerous working conditions.
14 I also learned that my commercial building in the--
15 many commercial buildings in the city of New York
16 don't recycle. I am here today to show my solidarity
17 with the private sanitation workers like the ones
18 that I saw on my loading dock. They deserve good
19 jobs with good pay, safe conditions and a union so
20 that they have a voice on the job. 32 BJ is
21 supporting the fight for good green jobs in the
22 private sanitation sector. More recycling, cutting
23 down on waste and pollution and providing good jobs
24 like the--excuse me--are the right thing to do in our
25 city. Thank you.

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 CHAIRPERSON REYNOSO: Thank you again for
3 your testimony. Thank you.

4 MARIANA RIVERA: Chair Reynoso, thank you
5 so much for this hearing and for hanging in there. I
6 may be the best for last. I don't know. I'm hoping
7 so.

8 CHAIRPERSON REYNOSO: Mariana Rivera is
9 of the Sanitation Committee. So you're closing. Go
10 ahead.

11 LISA GIOVANELLI: So I'm from Bio High
12 Tech America. We're a company out in Chestnut Ridge,
13 New York. My name is Lisa Giovanelli. We believe
14 there's a misconception that the means in which we
15 dispose of our waste is our greatest problem. In
16 actuality the problem is not how we dispose of this
17 waste, but that we generate enormous volumes of waste
18 requiring transportation and disposal services
19 provided by trucks and landfills. We believe the
20 only solution to this issue is to reduce the amount
21 of waste that is created. Our company is an on-site
22 food waste disposal technology that eliminates plus
23 identifies and prevents the food waste at the source.
24 We believe our solution, which may seem disruptive to
25 the current disposal methods available to New York

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 City today is designed to solve the increasingly
3 relevant issues of food waste disposal: Diversion
4 from landfills; reductions of truck traffic; securing
5 labor and pedestrian health and safety; decreasing
6 noise and air pollution; and regulatory measurement
7 and compliance. All while offering disposal savings
8 to businesses and the means to a sustainable future
9 for the city. By utilizing on-site technology,
10 generators can measure their waste in real time at
11 its point of generation. And access to this data
12 points exactly to where the excess waste is
13 generated. So simple adjustments to procurement,
14 preparation or transportation of both these raw
15 materials and the waste bi-product can be reduced
16 significantly resulting in less waste created, less
17 waste sent to landfills, and fewer truck miles
18 traveled. We believe that New York City has a unique
19 opportunity in executing Mayor de Blasio's One York
20 goal of sending zero waste to landfills by 2030. But
21 the strategy is going to need a mix of tools to
22 accomplish that goal. While we recognize the
23 challenges and costs that will arise in building new
24 recycling facilities to handle capacity, we encourage
25 the city to start researching alternative solutions

1 COMMITTEE ON SANITATION
AND SOLID WASTE MANAGEMENT

2 including a combination of composting, anaerobic
3 digestion and on-site alternatives. We urge the City
4 of New York to consider partnering with all of these
5 solutions to work in conjunction with each other. To
6 divert our commercial food waste from landfills, and
7 suggest that the city joint the likes of governments
8 across North America by implementing a commercial
9 food waste ban effective July 1, 2015.

10 CHAIRPERSON REYNOSO: Thank you very much
11 for your testimony. Thank you.

12 LISA GIOVANELLI: The eco safe digester.

13 CHAIRPERSON REYNOSO: And that's going to
14 conclude our day today. You guys were the last
15 panel. Appreciate it, and I guess we're adjourning
16 our Sanitation Committee hearing. Thank you.

17 LISA GIOVANELLI: Thank you.

18 [gavel]

19

20

21

22

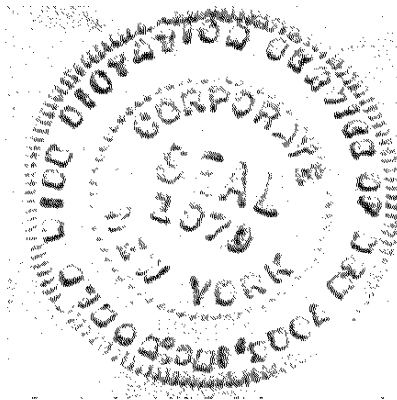
23

24

25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date May 9, 2015