

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SANITATION AND WASTE MANAGEMENT

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January 31, 2017
Start: 1:11 p.m.
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HELD AT: 250 Broadway - Committee Rm,
14th Fl.

B E F O R E:
ANTONIO REYNOSO
Chairperson

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

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

Kathryn Garcia
Commissioner
NYC Department of Sanitation

Bridget Anderson
Deputy Commissioner
Bureau of Recycling & Sustainability
NYC Department of Sanitation

Carl Trezza
Vice President
Carpet Cycle LLC

David Meberg
President and CEO
Consolidated Carpet
President
Greater New York Floor Coverers
Association

Jennifer Stowe
Vice President
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The Carpet and Rug Institute

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

Laurie Kerr
Architect/Director
Urban Green Council

Justin Pascone
Policy Director
New York Chapter of the
American Institute of Architects

Margot Becker
Member
Manhattan Solid Waste Advisory Board

Steve Changaris
Chapter Manager
National Waste and Recycling Association

Justin Green
Executive Director
Big Reuse

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2 [sound check]

3 [pause]

4 CHAIRPERSON REYNOSO: Welcome all; the
5 meeting will now begin. I'd like to acknowledge the
6 presence of Council Member Steven Matteo from Staten
7 Island, Council Member Peter Koo from Queens, and
8 myself, Council Member Antonio Reynoso, chairing
9 today's hearing. So good afternoon and welcome to
10 this hearing concerning Int. No. 201, which would
11 require that in certain cases discarded carpet from
12 commercial buildings be reused or recycled. We are
13 also considering whether New York City should enact
14 extended producer responsibility laws for products
15 that are hazardous or otherwise difficult to recycle.
16 Extended producer responsibility (EPR) is designed to
17 extend the "polluter pays" principle to certain
18 products in the waste stream by requiring that those
19 who manufacture or consume a product be responsible
20 for its disposal rather than society at large, or
21 typically the case, local governments.

22 There are many products that may be
23 suitable for EPR programs, including batteries,
24 carpets, electronics, fluorescent lighting,
25 mattresses, mercury thermostats, paint, and pesticide

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2 containers, to name a few. Some EPR laws have been
3 enacted at the state level, including New York's
4 bottle bill, which was enacted in 1982 and its e-
5 waste law, which was enacted in 2011. The issue we
6 are considering today is whether New York City should
7 consider enacting EPR laws or programs concerning
8 other products, to remove them from the waste stream
9 and ensure that they are recycled or otherwise
10 disposed of properly.

11 We are also considering Int. No. 201,
12 which would require that in stances where at least
13 10,000 square feet of carpet is being removed from a
14 commercial building it be reused or recycled.

15 According to the EPA, approximately five billion
16 pounds of carpeting ends up in landfills annually
17 which amounts to 1-2% of landfill waste. Carpet
18 recycling is often cited as the best way to reduce
19 this material from entering the waste stream.

20 However, given the volatile market for recycled
21 products, the City should carefully consider whether
22 a mandatory recycling program is appropriate for
23 discarded carpet at this time and whether there is
24 sufficient capacity to process this material if we
25 require that it be reused or recycled.

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2 We look forward to hearing from DSNY,
3 carpet recyclers and other present today about their
4 thoughts on EPR and Int. 201.

5 And with that I'd like to allow for our
6 Commissioner for the Department of Sanitation,
7 Kathryn Garcia, to read her statement. Thank you.

8 KATHRYN GARCIA: Thank you. Good
9 afternoon Chair Reynoso... [crosstalk]

10 CHAIRPERSON REYNOSO: Actually, I
11 apologize; I would like the sponsor of Int. 202 [sic]
12 to say a few words before... [crosstalk]

13 KATHRYN GARCIA: Okay, absolutely.

14 CHAIRPERSON REYNOSO: so I apologize,
15 Commissioner. Thank you. Council Member Peter Koo.

16 COUNCIL MEMBER KOO: Thank you Chair
17 Reynoso, and thank you Commissioner Garcia for coming
18 to testify for us.

19 The Mayor has laid out ambitious goals to
20 reduce greenhouse emissions by 80% by 2050; to
21 accomplish this goal we must come up with new and
22 innovative ways to reduce the man-made landfill
23 waste, such as carpeting. Each year five billion
24 pounds of carpet are sent to landfills throughout the
25

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2 country, making carpet 1% or 2% of all waste disposed
3 of in the United States.

4 Recycling and reusing carpet is cheaper
5 than collection and disposal, yet recycling rates for
6 carpeting remains under five percent even though
7 carpet recycling is widely considered the best
8 solution. Recycled carpet can be made into carpet
9 backing and backing components, carpet fiber, carpet
10 underlayment, plastics and engineered materials, and
11 erosion control products.

12 Requiring carpet recycling for the entire
13 city will be difficult, but given the tremendous
14 impact on our landfills, we should be obligated to
15 create a plan for bulk disposal, which is why I have
16 introduced this bill to address commercial recycling
17 of buildings of 10,000 square feet or more. Thank
18 you.

19 CHAIRPERSON REYNOSO: Thank you Council
20 Member. And now Commissioner Kathryn Garcia; I also
21 want to acknowledge Bridget Anderson, Deputy
22 Commissioner, as well.

23 KATHRYN GARCIA: Good afternoon Chair
24 Reynoso and members of the Committee on Sanitation
25 and Solid Waste Management. I am Kathryn Garcia,

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2 Commissioner for the Department of Sanitation and I
3 am here with Bridget Anderson, Deputy Commissioner
4 for the Bureau of Recycling and Sustainability.

5 Thank you for this opportunity to discuss extended
6 producer responsibility and to comment on the
7 proposed management of discarded carpeting from large
8 commercial building projects in New York City, as
9 contemplated in Int. 201. I have some opening
10 remarks I'd like to share with you, after which I'm
11 happy to answer your questions.

12 Each year New Yorkers generate more than
13 3 million tons of residential waste and recyclables
14 and another 3 million tons of commercial waste and
15 recyclables; while the Department of Sanitation is
16 primarily tasked with the collection and disposal of
17 residential waste, we use our regulatory authority to
18 address plans and policies that help reduce waste in
19 the commercial waste system.

20 The Administration's comprehensive
21 sustainability plan, OneNY: The Plan for a Strong and
22 Just City lays out our ambitious goals of sending
23 zero waste to landfills by 2030. To achieve this,
24 the Department seeks to promote and support a system
25 of sustainable solid waste management that builds on

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2 our sweeping environmental initiatives to reduce the
3 amount of waste we dispose of and maximize recycling.

4 Extended producer responsibility is a
5 critical component of achieving our zero waste goals.
6 The concept of extended producer responsibility makes
7 manufacturers responsible for the disposal of their
8 products at the end of useful life. EPR programs
9 encourage manufacturers to design and produce
10 products to be more durable, more easily repairable
11 and more easily recycled. Placing the responsibility
12 for end of life management on the manufacturer
13 ensures that they are incentivized to design and
14 manufacture sustainable products.

15 Many items are now disposed of under
16 extended producer responsibility laws in the State of
17 New York. These laws cover electronic waste, such as
18 computers and televisions, rechargeable batteries and
19 mercury thermostats. New York City, which saw its
20 own electronic waste law preempted by New York State,
21 has learned much about extended producer
22 responsibility laws from its experience with e-waste.
23 The program has been successful in that much
24 electronic waste has been diverted from landfills,

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2 however, a large portion of the collection burden, as
3 you know, still falls on New York City.

4 The most important component of a
5 successful EPR program is ensuring that the entire
6 responsibility for managing a product at the end of
7 its lifecycle, from collection to disposal, falls
8 upon the manufacturer of that product. Many other
9 products are ripe [sic] for stewardship programs; in
10 particular, paint and carpet. Carpet is a product
11 well-suited to product stewardship system due to a
12 number of factors, including the difficulty of
13 managing this bulky product within the traditional
14 municipal solid waste infrastructure, the opportunity
15 to recycle post-consumer carpet into a variety of
16 value-added applications where local and regional
17 markets exist, and the development of carpet
18 recycling technology.

19 Though carpet is only a small fraction of
20 the Department-managed waste stream, as you've said,
21 according to the U.S. EPA, our 4 billion pounds of
22 carpet enter the solid waste system in the United
23 States every year and accounts for more than 1% by
24 weight and about 2% by volume of all municipal solid
25 waste. Despite voluntary industry recycling programs

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2 established by the carpet manufacturing industry,
3 only about 7.5% of carpet discarded annually is
4 recycled, according to the Product Stewardship
5 Institute. Recycling carpet can significantly reduce
6 greenhouse gas emissions and decrease energy use, but
7 much of this bulky, cumbersome material ends up in
8 landfills and imposes significant cost on local
9 governments for its management.

10 The Department is generally supportive of
11 extended producer responsibility programs; we have
12 supported legislation at the state level creating a
13 carpet stewardship program for several years. As we
14 noted, the most important component of EPR
15 legislation is ensuring that the responsibility for
16 handling the material is placed squarely on the
17 manufacturer.

18 As written, Int. 201 does not create a
19 traditional EPR program for carpet because the
20 responsible party for disposal can be any one of a
21 number of parties associated with the project, with
22 no requirement that a manufacturer accepts such
23 discarded carpet. In addition, the bill solely
24 addresses discarded carpeting being removed from
25 large construction demolition and alteration projects

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2 exceeding 10,000 square feet in commercial buildings
3 across the city, but it does not address removal of
4 carpet waste from the Department-managed residential
5 waste stream or smaller commercial projects.

6 Lastly, the bill requires responsible
7 parties to comply with certification requirements
8 that will create a new administrative burden on the
9 Department that traditionally should be alleviated by
10 EPR programs.

11 We look forward to working with the
12 Council to rethink the way commercial waste is
13 managed in the city and to create stewardship
14 programs for hard to dispose of items in both the
15 commercial and residential waste streams. We also
16 seek to better understand the issues associated with
17 managing carpeting at the end of its lifecycle and
18 its potential to be recycled. Therefore, we are
19 eager to hear from the industry and other interested
20 parties on this issue and look forward to further
21 engaging with the Council in a productive and
22 valuable dialogue to develop a reasonable and
23 commonsense solution to end of life management for
24 carpets in New York City.

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2 Thank you again for inviting the
3 Department to share our thoughts with you this
4 afternoon and I now gladly answer any questions you
5 may have.

6 CHAIRPERSON REYNOSO: Thank you
7 Commissioner. In your testimony you stated that the
8 best EPR legislation is the one where manufacturers
9 are held solely responsible; can you just give us an
10 example of where that is currently happening, where
11 the manufacturer is solely responsible for the
12 recycling or the diverting of their product?

13 KATHRYN GARCIA: So in the carpeting
14 industry, though it's not completely that holistic,
15 California is probably the furthest ahead and there
16 they actually have a charge, a per yard charge for
17 carpeting that I think just went from 20-25 cents,
18 which is used to fund a stewardship organization that
19 is supposed to incentivize the market. They have
20 very much been struggling of late and have not seen
21 their recycling rates increase as steadily as had
22 been hoped and the CalRecycle, which is their
23 regulatory authority, is threatening to impose fines
24 on them at this point in time.

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2 CHAIRPERSON REYNOSO: Okay. Do we have
3 anything in this city that we currently process,
4 outside of e-waste, that's managed by the City when
5 it comes to EPR?

6 KATHRYN GARCIA: Right, so we do
7 refrigerants, which was not initially really focused
8 as an EPR program; it was mainly compliance with the
9 Clean Air Act, but for air conditioners and
10 refrigerators we are collecting and then being paid
11 by those manufacturers.

12 CHAIRPERSON REYNOSO: So in cases where
13 it makes sense, where recycling makes sense, EPR can
14 be... I'm sorry... yes, EPR can be a good way to handle
15 these hazardous products or products that are
16 traditionally difficult to recycle?

17 KATHRYN GARCIA: No, I mean I actually
18 thing that EPR overall is something that we really
19 should be looking at broadly, because even if you
20 think of something; say, for example, a washing
21 machine, back in the day, long, long ago, it was
22 repairable; it now usually will cost you less just to
23 buy a new one, and that's because the incentive
24 structure is to make something disposable rather than
25 to make something repairable; that's on larger

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2 appliances. I think that there is an opportunity to
3 do carpet, as well as paint, that I think could
4 really work well and I think we can work with the
5 Council to think through how that could occur, but as
6 currently crafted, I would be concerned that the
7 market is not well developed enough for people to
8 effectively comply with the law.

9 CHAIRPERSON REYNOSO: Speaking of
10 markets, I guess 7.5% is what you have; we have some
11 statistics that also say 5%, so the number varies,
12 but it's well below, let's say 7.5 and below, so is
13 there a market at all for this?

14 KATHRYN GARCIA: There is the ability to
15 use this material; obviously it's primarily nylon 6
16 and PET plastics that carpeting is currently made up
17 of, but there is not a very robust market at this
18 time for those materials, from what we have gathered,
19 and we wish to learn more from the carpet industry.
20 I mean clearly the manufacturers would need to help
21 create the market for product and be willing to take
22 back the recycled material; that's part of the
23 incentive structure is to have them be willing to
24 take back the material into their processes to create

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2 new carpet or carpet padding or anything along those
3 lines.

4 CHAIRPERSON REYNOSO: So I hear that
5 there's different types of carpeting and one...
6 [crosstalk]

7 KATHRYN GARCIA: There are different
8 types.

9 CHAIRPERSON REYNOSO: yes, yes and that
10 one is... there are several options that are more
11 recyclable than others or reusable; would an EPR
12 legislation, done the right way, incentivize
13 companies to move away from nonrecyclable to more
14 recyclable and reusable types of carpeting?

15 KATHRYN GARCIA: You would hope so, but
16 it would depend on how we structured a program like
17 that.

18 CHAIRPERSON REYNOSO: Regarding Int. 201,
19 I want to go to Council Member Peter Koo to ask some
20 questions... [crosstalk]

21 KATHRYN GARCIA: Uhm-hm.

22 CHAIRPERSON REYNOSO: and we've also been
23 joined by Council Member Costa Constantinides from
24 Queens as well. But I want to have him ask some more
25 questions, but when it comes to this hearing, more so

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2 than anything, is just really being able to take
3 advantage of EPR opportunities and legislation to do
4 things that make sense for the City that is doable;
5 that there's a market for it, just making sure we do
6 it the right way, but really opening up this
7 conversation that till now just wasn't being had and
8 I want to thank Council Member Peter Koo for starting
9 that conversation and carpet being the guinea pig, I
10 guess in this, and I'm really excited to hear from
11 the industry as well as to how that would work and
12 whether or not it makes sense. But again, what I
13 have is that there are square carpets; we have them
14 in City hall... [crosstalk]

15 KATHRYN GARCIA: Yeah, carpet tile.

16 CHAIRPERSON REYNOSO: Carpet tiles,
17 **[inaudible]**... [crosstalk]

18 KATHRYN GARCIA: Carpet tile.

19 CHAIRPERSON REYNOSO: carpet tiles; we
20 have them actually in City Hall, in the municipal
21 building; I don't know if we have it here, but
22 [background comments]... [crosstalk]

23 KATHRYN GARCIA: You do.

24

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2 CHAIRPERSON REYNOSO: I hear that they're
3 very, they're very good and they're recyclable, so
4 I've learned a lot... [crosstalk]

5 KATHRYN GARCIA: They are, but they're
6 also twice as heavy is a problem [sic], so you...

7 CHAIRPERSON REYNOSO: Twice as heavy.

8 KATHRYN GARCIA: you need to balance.

9 CHAIRPERSON REYNOSO: So speaking of
10 heavy, we had on in... when it came to the electronic
11 waste...

12 KATHRYN GARCIA: Uhm-hm.

13 CHAIRPERSON REYNOSO: we were having some
14 manu... not manufacturers, but some folks that recycle
15 the e-waste say that the EPR standards for e-waste
16 didn't make sense for the new world -- computers
17 backing the day, which is like 10 years ago, when it
18 comes to electronics or computers, had monitors, for
19 example, that were very large and account for three
20 times the weight of a monitor that we currently use,
21 which are mostly flat screen, like the one behind
22 you, and that the EPR legislation kind of doesn't
23 speak to that new transition and that even though
24 they're recycling, the weight that they're supposed
25 to recycle, they're not necessarily recycling a

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2 comparable amount of electronics and that the e-waste
3 itself was an issue. Do you hear that as well or do
4 you feel that that is something that was a concern
5 and that we're not recycling e-waste as we would
6 like, I guess?

7 KATHRYN GARCIA: Well there are a lot... I
8 have a lot of concerns with the State e-waste bill.
9 I think despite people's best hopes, there are still
10 a lot of large-screen televisions that are made out
11 of leaded glass as well as computer monitors that
12 people in New York City have in their homes. The way
13 that the State law was crafted, and while the State
14 has clarified this on numerous occasions, there is a
15 threshold that manufacturers are required to spend in
16 the State of New York to meet their obligations, and
17 the view that as a ceiling, whereas I would view that
18 as a floor. What we have done in New York City,
19 because another piece of it was that if you mail back
20 your giant TV; that met the customer service standard
21 within the bill. We knew that wasn't happening; we
22 were seeing increased dumping within the City of New
23 York, so we have been piloting on Staten Island the
24 collection of electronic waste via appointment that
25 has been very successful. We also have increased the

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2 number of safe disposal events that we have across
3 the city and we have opened up our household
4 hazardous waste sites to collect electronic waste
5 that can be dropped off across the city, so it's in
6 all five boroughs at this point in time. But it is a
7 burden, it is costing the City of New York money to
8 do those collections and our ability to expand that
9 is a little bit stymied, in part because there is not
10 a lot of outlets for screens in the State of New York
11 or even regionally, and we have reached out to our
12 state partners to better understand both the market
13 and what they're doing to help incentivize recycling
14 of this material. So we've been doing very well;
15 people are doing the right thing, but we are
16 overwhelming the infrastructure on the other side.

17 CHAIRPERSON REYNOSO: So Council Member
18 Peter Koo with questions.

19 COUNCIL MEMBER KOO: Thank you Chair.
20 Commissioner, thank you for coming. My first
21 question is; how does the City currently handle
22 carpet disposal or recycling, how do we do it now?

23 KATHRYN GARCIA: So for the residential
24 waste, should it end up at the curb, it is
25 landfilled. It's not a very large proportion of our

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2 waste stream; it's about 1.2%, and usually one of the
3 things that happens in the residential sector is
4 often your carpet installer takes the carpet with
5 them when they leave, but I do not assume that much
6 of that is getting recycled; I assume most of that
7 would be landfilled as well.

8 COUNCIL MEMBER KOO: Uhm, 'kay. So are
9 there any companies equipped to deal with this
10 mandated recycling if this **[inaudible]**?

11 CHAIRPERSON REYNOSO: So the only company
12 that we're aware of is -- there's a company in New
13 Jersey; I really don't know what their capacity is,
14 but there isn't one in New York City or New York
15 State that I'm aware of.

16 COUNCIL MEMBER KOO: So how much
17 carpeting does New York City dispose on an annual
18 basis?

19 KATHRYN GARCIA: It's about 30... little
20 under 38,000 tons.

21 COUNCIL MEMBER KOO: 38,000 tons.

22 KATHRYN GARCIA: Uhm-hm.

23 COUNCIL MEMBER KOO: Wow. As compared
24 with the other regular garbage, how many tons?

25 KATHRYN GARCIA: 3 million tons.

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2 COUNCIL MEMBER KOO: Oh, that's a lot of
3 garbage. [laughter]

4 KATHRYN GARCIA: So that's... that's about...
5 that's a little bit less than four days' worth. So
6 yeah, we're busy every day.

7 COUNCIL MEMBER KOO: So **[inaudible]**
8 scenarios, would a company deliberately choose to
9 recycle or offer to send into the landfill?

10 KATHRYN GARCIA: It's right... the way that
11 the market currently... our understanding of where the
12 market is, it would actually be very difficult if you
13 actually even wanted to recycle carpet, because the
14 infrastructure really isn't there at the moment.

15 COUNCIL MEMBER KOO: So we are going to
16 invent or create infrastructure.

17 KATHRYN GARCIA: We're going to have to
18 create an infrastructure... [crosstalk]

19 COUNCIL MEMBER KOO: Yeah.

20 KATHRYN GARCIA: and a market in order to
21 do this right.

22 COUNCIL MEMBER KOO: Yeah. Thank you.

23 CHAIRPERSON REYNOSO: Thank you Council
24 Member Koo. Commissioner, do you have any other

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2 products that you think should be considered for EPR
3 laws?

4 KATHRYN GARCIA: Paint.

5 CHAIRPERSON REYNOSO: Paint.

6 KATHRYN GARCIA: There's actually decent
7 legislation at the state level that we've been
8 supporting.

9 CHAIRPERSON REYNOSO: Okay. And you
10 don't believe that EPR laws are, I guess, best
11 addressed at the state level or..

12 KATHRYN GARCIA: I mean, you know, I am
13 happy to do it in either place; I mean obviously when
14 the State takes the lead on this it's easier from a
15 market capacity point of view; you're able to get
16 even more economies of scale. So I would love to
17 work with the State to get this done, but I think
18 that what's been true in the past is often the City's
19 taken a leadership role in some of these areas of
20 waste management.

21 CHAIRPERSON REYNOSO: So we wouldn't be
22 preempted is the word I was looking for [sic]...

23 [crosstalk]

24 KATHRYN GARCIA: It might be preempted,
25 yes, it's very possible.

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2 CHAIRPERSON REYNOSO: Might be. Well
3 we'll take our chances with things like paint and
4 carpet and see what the State believes. But paint is
5 the only one that you believe is something we should
6 be looking into?

7 KATHRYN GARCIA: I mean I think that we
8 can continue to think about other products, but that
9 is one that I would like to see, 'cause it's very
10 difficult to handle. I mean when we have safe
11 events, that is what people bring; they really have
12 no idea how to get rid of it.

13 [pause]

14 CHAIRPERSON REYNOSO: Yeah, regarding the
15 objections to the bill, and we definitely have one
16 portion of it, which is, again, the manufacturer
17 being responsible... [interpose]

18 KATHRYN GARCIA: Uhm-hm.

19 CHAIRPERSON REYNOSO: Can you expand on
20 exactly -- if there's anything else that you're
21 concerned about the bill?

22 KATHRYN GARCIA: Well I mean I think that
23 our biggest concern really is around where the market
24 is right now; I think that we'd like to work with you
25 to think through how to make it something that steps

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2 into place over time, and just to give people time to
3 prepare. I think that we really want to see this
4 type of material be under extended producer
5 responsibility; I think that that is a phenomenal
6 goal; I'm just concerned that we'll write legislation
7 that at this point in time; even people who wanted to
8 do the right thing, probably can't comply.

9 CHAIRPERSON REYNOSO: And outside of
10 that, those are the two concerns, the manufacturers
11 and timing... [crosstalk]

12 KATHRYN GARCIA: Those are my two
13 concerns. And timing.

14 CHAIRPERSON REYNOSO: and to make sure
15 that we test the market, I guess, to make sure we
16 know that there is a market... [crosstalk]

17 KATHRYN GARCIA: Or like build the market
18 over time... [crosstalk]

19 CHAIRPERSON REYNOSO: I see. I see.

20 KATHRYN GARCIA: like you know, give
21 folks the understanding of like this is going to come
22 into play, so you need to be prepared to take back
23 this carpeting; you need to be prepared to show that
24 you're using it in the manufacturing process again,
25 'cause otherwise there's no point in collecting it

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2 and shredding it and having it sit, and if the
3 manufacturers aren't going to take back the nylon 6
4 and the PET plastic that most of this... and use it for
5 another product; it's not going to actually ever be a
6 well-developed market.

7 CHAIRPERSON REYNOSO: And I guess we're
8 on the same page; we might need to hear from the
9 industry to see **[inaudible]**... [crosstalk]

10 KATHRYN GARCIA: We do need to hear...
11 Yeah, I'm sure they're going to tell you why... a very
12 simplistic view of this, but... We are happy work with
13 them as well to think about what makes the most sense
14 in this particular area and be creative about it.

15 CHAIRPERSON REYNOSO: I'm pretty sure
16 Council Member Koo would love to sit down with all
17 parties that are interested to make sure that this
18 bill is the best bill, should it come out of
19 committee and eventually get voted on by the City
20 Council. But I guess, given the limited amount of
21 information we have regarding carpeting, I think we
22 need new members on the panel I guess, so thank you
23 so much... [crosstalk]

24 KATHRYN GARCIA: Yes.

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2 CHAIRPERSON REYNOSO: thank you so much..

3 [crosstalk]

4 KATHRYN GARCIA: I can only help so much.

5 Thank you very much... [crosstalk]

6 CHAIRPERSON REYNOSO: Right, exactly.

7 Thank you so much for being here and hope that one of
8 you guys can stick around for..

9 KATHRYN GARCIA: Yeah.

10 CHAIRPERSON REYNOSO: for testimony from
11 the industry as well. Thank you. Thank you very
12 much.

13 KATHRYN GARCIA: Thank you.

14 [pause]

15 CHAIRPERSON REYNOSO: Now we'll be
16 hearing from the all-powerful carpet lobby -- Carl
17 Trezza, come on up, Robert Phillips, David Morberg,
18 Meberg, sorry; and Jennifer Stole or Arthur
19 Goldstein. And the all-powerful carpet lobby was a
20 joke, just in case some people didn't know; it was a
21 joke.

22 [pause]

23 CHAIRPERSON REYNOSO: Okay, so does the
24 entire panel know each other, for the most part?

25 [background comments] Good. Good. So I would say I

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2 would like for you guys to decide how you think the
3 speaking should go -- we're not... we really want to
4 hear from you; we don't know all the information; we
5 want to hear from experts, so we want to give you as
6 much time as you believe you need to be able to make
7 your case and have a testimony, so please, whoever
8 wants to begin. Alright, so we'll go from my left to
9 right. Okay.

10 CARL TREZZA: Hello, my name is Carl
11 Trezza; I'm Vice President of Carpet Cycle LLC; a
12 company who's dedicated, since 1992, finding uses for
13 carpet, recycling carpet.

14 Carpet Cycle LLC has been collecting
15 post-consumer carpet for recycling purposes since
16 1999, from Philadelphia to Boston our collections
17 have averaged over 400 tons on a monthly basis for 18
18 years. Carpet Cycle has been awarded number one
19 collector of carpet tiles and acoustic ceiling tiles
20 for several years in a row. Our President, Sean
21 Ragiell, has also been recognized as Carpet America
22 Recovery Effort Recycler of the Year and Person of
23 the Year in the past.

24 Carpets are not all created equally,
25 broadloom or wall-to-wall carpet typically consists

2 of a polymer face yarn tufted through a polypropylene
3 sheath, with latex adhesive and calcium carbonate
4 binding the plastic sandwich together. While each
5 component is recyclable in its virgin form,
6 extracting the same from this intimate mixture in
7 spent carpet is very challenging, both technically
8 and economically.

9 Whether through mechanical or chemical
10 recycling processes, the economics involved in carpet
11 recycling are difficult. Furthermore, broadloom
12 carpet is built in any commercial environment is
13 typically glued down on concrete floors, further
14 complicating recycling of this product. Recycling
15 markets for broadloom carpets are minimal and have
16 been shrinking for the past few years. The principal
17 outlet for spent broadloom has been shredding the
18 carpets for use of alternative fuels in cement kilns
19 in Pennsylvania, which displaces coal use. There is
20 an expense to use this outlet when you cannot sell
21 the covered polymer face fiber.

22 Carpet tiles or squares have generally
23 been designed for recycling. Manufacturers of carpet
24 tiles take them back for recycling purposes in closed
25 loop fashion. New York City commercial office

2 interiors are now estimated to be about 70% carpet
3 tiles. Carpet Cycle packages spent carpet tiles on
4 wooden pallets for removal from commercial buildings
5 and the trip back to the manufacturer for recycling.
6 The same is done with acoustical ceiling tiles. We
7 stack on skids and return to Armstrong Ceiling in
8 Marietta, Pennsylvania for recycling. Both products
9 need to be removed in a relatively clean fashion
10 rather than compacted together with construction and
11 demolition debris resulting from interior renovation.

12 Expansion of carpet tile and ceiling tile
13 reclamation would definitely help to reduce the
14 millions of tons of C&D waste generated in New York
15 City that ends up in landfills annually.

16 Procurement of recycled content products
17 made from recyclable carpet components will help
18 recycling succeed. PVC-backed carpet tiles have
19 significant recycled content. Synthetic carpet fiber
20 padding underlayment is typically made from recycled
21 carpet fibers.

22 Last year Carpet Cycle introduced Quiet-
23 Tech Acoustical Insulation for commercial and
24 residential interiors, made of 90% recycled post-
25 consumer carpet and cotton fibers from used clothing.

2 Quiet-Tech has a Class A fire rating and earned
3 GREENGUARD Gold status for ultra low emissions --
4 this is our sample of acoustical insulation. Quiet-
5 Tech is healthy to touch and breathe as opposed to
6 fiberglass products. We installed this product in
7 several commercial buildings in the past six months;
8 wider adoption of Quiet-Tech will enable greater
9 collection and recycling of broadloom carpets from
10 the New York City area as well as create and maintain
11 green jobs. This is a prime example of the circular
12 economy in action; further widespread adoption of
13 recycled content products described will increase
14 carpet recycling. CARE, the Carpet America Recovery
15 Effort, has a catalog of such products on its website
16 (carpetrecovery.org).

17 Thank you for your time and
18 consideration.

19 CHAIRPERSON REYNOSO: Thank you.

20 DAVID MEBERG: Good afternoon

21 Mr. Chairman; members of the City Council. My name
22 is David Meberg and I'm President and CEO of
23 Consolidated Carpet and President of the Greater New
24 York Floor Coverers Association and I appreciate the
25

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2 time to speak with you today regarding our concerns
3 that we collectively share about Int. 201.

4 Consolidated Carpet is a third generation
5 family-owned floor covering contractor that has
6 serviced the five boroughs of New York City for 73
7 years. We employ 165 associates and service the
8 commercial marketplace, from hotels to hospitals, to
9 commercial tenants in the legal, banking, marketing,
10 and technology industries. Throughout the course of
11 our history we've been privileged to work on some of
12 the most prominent and notable New York City real
13 estate development and refurbishment projects inside
14 some of the most notable pieces of real estate in the
15 city.

16 The Greater New York Floor Coverers

17 Association is a trade association whose members are
18 the largest commercial and unionized floor covering
19 contractors in the marketplace. We have
20 approximately 20 members and the main purpose of our
21 existence is to negotiate collective bargaining
22 agreements with the New York District Council of
23 Carpenters. The Carpenters Union claims trade
24 jurisdiction over floor covering removals and
25 installations. Our 20 members employ over 500

2 unionized carpenters, at least another 500 in support
3 staff and we comprise 75% of the unionized hours
4 worked in the floor-covering trade.

5 My testimony here today will be about my
6 firsthand experiences with Consolidated Carpet, but
7 members of my trade association have similar
8 experiences and share my personal concerns over this
9 bill. Collectively, we oppose elements of the intro
10 because the requirements contained within have the
11 potential to dramatically increase cost, which when
12 passed on to our customers could deter them from
13 choosing to replace their existing floor coverings
14 and ultimately have a negative economic impact on our
15 businesses.

16 Our entire industry is sensitive to the
17 environmental concerns this bill addresses; we have
18 and will continue to work diligently to find
19 practical and sustainable solutions to the issues
20 surrounding the disposal of old used carpet products.

21 The carpet industry as a whole has been
22 on the forefront of developing products for a healthy
23 and sustainable indoor environment for over 30 years.
24 When I entered the business in the mid 80s, the
25 industry was examining itself and the raw material

2 components of its products to ensure healthy indoor
3 air quality as commercial building environments
4 started being more encapsulated. The days of opening
5 windows for fresh air were going away and indoor air
6 flow was becoming fully self-contained. This inward
7 focus continued as the concepts of recycling and
8 office sustainability developed. I recall in the
9 late 80s and early 90s housing trailers at our
10 warehouses in Brooklyn provided to us by DuPont, the
11 a prominent carpet fiber manufacturer; we would load
12 those trailers with old and used carpet materials and
13 ship them off so research and development teams could
14 study the deconstruction process for carpet and find
15 alternative uses for its raw materials.

16 As time went on, recycling of carpet
17 became a cottage industry; two recyclers for some
18 time had serviced the New York City marketplace; one
19 was located on Long Island and another in Newark, New
20 Jersey. However, deconstructing carpet, as you've
21 just heard, is not an easy process and as new carpet
22 products have developed that utilize better, cheaper
23 and more ecologically sound fiber and backing
24 systems, the downstream demand for the raw material
25 components of old carpet have dried up. Two years

2 ago the carpet recycler on Long Island closed their
3 doors; the recycler here in New Jersey, sitting to my
4 right, Carpet Cycle, has remained our go-to recycler;
5 however, just two months ago the principal owner of
6 Carpet Cycle informed me that they would no longer be
7 able to collect and recycle broadloom products.
8 Broadloom products, as you've heard, is carpet that's
9 produced in rolls.

10 Alternatively, carpet produced as tiles,
11 carpet tiles, are still accepted by Carpet Cycle.

12 Over the past years the commercial marketplace has
13 seen a sharp increase in market share for carpet
14 tiles; conversely, the broadloom market share is
15 sinking, but is still used in hotels, theaters and
16 office environments trying to project a more upscale
17 or residential flare. Most of today's carpet tile
18 products are made with recycling in mind; many
19 manufactured with the deconstruction and
20 reutilization processes already contemplated; they
21 remain easily recyclable. However, we must find
22 cost-effective solutions to efficiently dispose of
23 broadloom products that still exist in the
24 marketplace. Simply stated, as newer, more
25 environmentally engineered products continue to enter

2 the market and gain market share, recycling issues in
3 years to come should become less burdensome on our
4 landfills and less costly; the market is reacting.

5 The carpet industry, as I have stated and
6 as The Carpet and Rug Institute will demonstrate for
7 you shortly, has a long history of voluntary
8 participation and solution-finding when it comes to
9 the development, usage and end-of-life cycle for its
10 products. Most, if not all, carpet manufacturers
11 today still have stated and published goals of
12 lessening and even eliminating entirely their
13 environmental footprint from this earth.

14 As a lifelong New Yorker, I appreciate
15 the City Council's concern for our environment and
16 the interest and time you have shown by this hearing
17 today; my hope is that my testimony has shown you a
18 cohesive industry that works proactively towards
19 problem-solving and working together to ensure a
20 healthy and sustainable environment. My fear is that
21 through legislation our industry will be forced to
22 quickly adapt to mandates that will dramatically
23 raise costs, perhaps stifle proposed renovation
24 projects and possibly cost jobs; it is for these
25

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2 reasons that we are voicing our concern here today
3 for this intro. Thank you.

4 CHAIRPERSON REYNOSO: Thank you. And
5 we've also been joined by Council Member Vanessa
6 Gibson from the Bronx.

7 JENNIFER STOWE: Good afternoon. My name
8 is Jennifer Stowe; I'm the Vice President of
9 Government Relations at The Carpet and Rug Institute
10 (CRI). Members of the City Council, I appreciate the
11 opportunity to come before you and express our
12 concerns regarding Int. No. 201.

13 CRI is the not-for-profit trade
14 association that represents the manufacturers who
15 produce over 90% of the carpet in the United States.
16 About 90% of the soft floor covering that you walk on
17 is produced in the United States and we're very
18 pleased with that statistic and we're trying to keep
19 it that way.

20 The carpet industry, as David mentioned,
21 has been a leader in forging product sustainability,
22 first with its Green Label Plus program, which dealt
23 with indoor air quality, as well as its work with the
24 American National Standards Institute in the

25

2 development of a sustainable carpet assessment
3 standard, the ANSI; it's referred to as NSF 140.

4 More relevant to today's discussion is
5 CRI's participation in the formation of CARE, the
6 Carpet America Recovery Effort. CARE is a separate
7 voluntary, not-for-profit organization dedicated to
8 increasing the landfill diversion, reuse and
9 recycling of waste carpet through market-based
10 solutions that benefit the economy as well as the
11 environment. Reduction in the amount of carpet going
12 to landfills each year is already happening; in fact,
13 since CARE's inception in 2002, more than 4.5 billion
14 pounds of used carpet has been diverted from
15 landfills. CARE's members include independent carpet
16 recyclers, carpet manufacturers, dealers, retailers,
17 and suppliers, and nongovernmental organizations as
18 well. CARE's members are committed to finding
19 solutions to recycling and reuse of post-consumer
20 carpet.

21 The Carpet and Rug Institute and its
22 members have not only worked diligently to ensure
23 that our products are completely safe to the
24 consumer, but they've taken great effort towards
25 producing more sustainable products. The CRI Green

2 Label program was the first product certification
3 program recognized by the U.S. Green Building
4 Council. CRI, as an ANSI-accredited product
5 certification body, certifies carpet products and is
6 the first to be accredited by ANSI to certify green
7 products.

8 CRI commends the bill sponsors for their
9 keen interest in improving the environmental profile
10 of products and feels CRI and our members have a long
11 history of doing just that. While we commend these
12 efforts, we feel there are some major fundamental
13 concerns with the focus of 201 in establishing a
14 mandatory collection and recycling program and it
15 will create a large bureaucratic burden in New York
16 City.

17 Carpet is not hazardous, carpet is a safe
18 and healthy product in the home, office or school;
19 it's designed to add comfort and warmth for the
20 consumer as a soft floor covering. Even more
21 importantly, it's safe; it's durable and has been
22 tested to ensure it is by far the safest product it
23 can be. Quite frankly, carpet is such a nonissue
24 from a product performance and safety standpoint;
25 we're not aware of any federal or state requirements

2 covering its sale or use. As such, carpet, because
3 of its long track record toward improvement and
4 sustainability, does not now or will it warrant the
5 type of mandatory collection and recycling program
6 envisioned by 201.

7 We will be the first to admit that carpet
8 is not the easiest product to deal with in the
9 landfill; it doesn't biodegrade or compress well;
10 it's for that very reason that we formed CARE to
11 address these issues. This type of legislation would
12 be a step backward from volunteer proactive industry
13 programs and the measures it establishes won't
14 improve the process of recycling carpet; it will only
15 make it more expensive to industry and the state and
16 may in fact lead to alternatives such as incineration
17 to meet some arbitrary goals.

18 Int. 201 would not result in efficient
19 environmental improvement; recycling carpet is
20 difficult, as you've heard from Carpet Cycle. The
21 industry and others have been working decades to find
22 solutions and progress is being made, but we're not
23 quite there yet. Most fiber types have limited
24 economically viable markets; some types of recycled
25 carpet fiber have no economically viable market.

2 Additionally, macroeconomics has to be taken into
3 consideration. Low-petrol chemical prices and other
4 material costs create barriers to the use of products
5 from recycled carpet. In this economic climate,
6 virgin materials can actually be more affordable than
7 post-consumer content. The cost to recycle all types
8 of carpet, including face fiber and backing, would be
9 extremely expensive and cost prohibitive. In fact,
10 due to the issues referenced above, there are few and
11 becoming fewer -- as David referenced -- recyclers in
12 the New York City area who handle all types of
13 carpet.

14 Manufacturers are already constantly
15 working to find ways to produce more environmentally
16 preferable products and using the most recyclable and
17 environmentally friendly components and packaging
18 available and feasible. This activity on the part of
19 producers is not only in the best interest of the
20 environment, but it is also necessary to be cost-
21 effective, with limited resources and responsive to
22 consumer demand. The absence of a mandate to collect
23 products at the end of their lifecycles is not
24 hindering efforts to reduce waste; in fact, a study
25 from Rockefeller University and the University of

2 Texas concluded that assessment of consumption per
3 unit of economic activity shows a dematerialization
4 in physical materials of about one-third since 1970.
5 This means the companies are using fewer resources
6 and creating products that use one-third less
7 material than previous products. However, mandates
8 to collect and recycle products have not increased
9 this activity within companies and can in fact hinder
10 these efforts.

11 Mandates for collection and recycling can
12 also actually harm the environment in unforeseen
13 ways. These programs can force companies to switch
14 from materials that might be more energy efficient to
15 produce, lighter to transport and safer, such as
16 plastic, to heavier materials that are more
17 recyclable but require more energy to produce and use
18 and could pose greater safety concerns. Market
19 processes encourage innovation and the use of limited
20 resources throughout a product's lifecycle, while
21 these types of programs override this natural
22 research and development process and only drive
23 manufacturers toward different materials.

24 The costs associated with 201 would be
25 cost to the City, cost to the consumers and we think

2 there should be a cost-benefit analysis. The cost of
3 the program envisioned by 201 would be cost
4 prohibitive to both product manufacturers and to the
5 City; in fact, to the focus on the commercial sector,
6 could seriously impact the cost of projects within
7 the City, including hotels and tourist attractions,
8 thus causing developers to hesitate or even
9 reconsider projects, resulting in a severe economic
10 impact.

11 The proposed funding for the program is
12 through product fees or taxes which would be levied
13 on companies that are attempting to comply, in
14 addition to the cost of developing collection and
15 recycling programs -- the nonexistent infrastructure
16 currently. Consumers would see this increased cost
17 on a daily basis, as firms would be forced to shift
18 some cost onto consumers to account for this
19 burdensome mandate. These programs also cost the
20 consumer to collect and transport them to a
21 collection location. In the case of carpet, this is
22 not an easy process for the consumer; unlike paper
23 and bottles, carpet can't just be put in a little
24 trashcan by your desk.

2 So in these times of extreme fiscal
3 pressures, we're concerned that 201 puts a burden
4 onto contractors, subcontractors, retailers;
5 installers which could effectively put them out of
6 business. City resources would be drained to
7 administer the program and it would seem only prudent
8 to include a requirement for a study to address the
9 above-mentioned concerns. Int. 201 currently has no
10 such requirement and there really must be an analysis
11 component to prioritize limited resources and prevent
12 fiscally irresponsible mandates. This legislation
13 would likely put a halt to many, if not most, major
14 building refurbishments in the City of New York
15 metropolitan area.

16 So in conclusion, it's our assumption
17 that 201 would create an immense regulatory
18 infrastructure of onerous requirements without
19 appropriate oversight. Mandatory collection and
20 recycling as proposed by this ordinance would result
21 in extensive requirements and would not achieve the
22 benefits that would make it worth the cost; rather,
23 201 proposes a heavy-handed mandate that would burden
24 contractors, subcontractors, retailers, and
25 installers.

2 In contrast to the burdensome mandate
3 currently included in 201, CRI supports continued
4 efforts to engage in voluntary efforts to find cost-
5 effective solutions. We feel a much more prudent and
6 effective approach would be to use the power of
7 government to drive the use of recycled products; why
8 not encourage the City to find products containing
9 post-consumer content and mandate the purchase of
10 such products? This approach would drive the market
11 to develop products that meet these requirements,
12 thus reducing the materials going to landfills. From
13 the carpet industry perspective, that would include
14 such products as fiber pad, underlay made from nearly
15 100% post-consumer carpet content, sediment control
16 products made from post-consumer carpet, highway and
17 sound barriers made from post-consumer carpet, and
18 post-consumer plastics in a myriad of products,
19 including carpet tiles and the product that was
20 referenced by Carpet Cycle, the insulation.

21 This is a proactive, positive approach
22 that would do much more to incentivize recycling than
23 a collection and recycling mandate. So on behalf of
24 the members of The Carpet and Rug Institute, we thank
25

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2 you for your consideration of our concerns and I'm
3 happy to answer any questions.

4 CHAIRPERSON REYNOSO: Thank you for your
5 testimony. So just to get some clarification,
6 because I was hearing the testimony; I believe that
7 The Carpet and Rug, or CRI and... oh here it is... and
8 Consolidated Carpet are concerned about the bill or
9 against it, but Carpet Cycle not necessarily.

10 CARL TREZZA: No, that's not correct.
11 We're for a mandate of carpet tile recycling and also
12 mentioned ceiling tile recycling, see that's very
13 easy to accomplish. Broadloom as well, you know, we
14 have... I think are on the cutting edge of carpet
15 recycling technology; we expanded into a 50,000-
16 square-foot recycling facility in Newark, New Jersey,
17 and some of the macroeconomic factors behind it have
18 caused us over the past six months to a year to slow
19 down the amount of carpet we process, because we can
20 process a lot more than the markets can purchase,
21 than that our products can move [sic]. So until we
22 see more adoption of stuff like this Quiet-Tech, it's
23 very hard to keep continually collecting products of
24 broadloom carpet, but this is not a problem when it
25 comes to carpet tile; that's to clarify.

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2 CHAIRPERSON REYNOSO: So... right, so I'm...
3 the broadloom seems to be the big problem here, and
4 from what I hear from you, 70% of buildings in the
5 City of New York already have carpet tiles, so we
6 have 30% of carpet is still this broadloom in the
7 City of New York; right?

8 CARL TREZZA: I believe that was... that's
9 typically for commercial buildings; maybe not
10 residential much... [crosstalk]

11 CHAIRPERSON REYNOSO: Commercial, I'm
12 sorry. So let's... let's... yeah.

13 CARL TREZZA: Yeah.

14 CHAIRPERSON REYNOSO: You're right, I
15 apologize. So commercial buildings, 70% are already
16 carpet tiles, give or take, and 30% are this
17 broadloom. Would it make more sense to... and this is
18 just... to ban the use of broadloom carpets in the City
19 of New York, and that should you put carpet in any
20 building or anywhere in the City of New York, or in
21 the commercial buildings at least, that they have to
22 be this more sustainable, more recyclable, better
23 product -- I could read the ending of your testimony
24 regarding how much better certain products are -- so
25 not necessarily mandating that you use a better

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2 product, but definitely mandating that you don't use
3 the broadloom, which seems to be our problem here?

4 [background comments]

5 DAVID MEBERG: Well I'll speak first as a
6 contractor who actually performs the work in these
7 buildings, and I would perhaps somewhat question that
8 statistic, because I don't know what is being
9 classified as a commercial office building. For
10 instance, hotels and theaters are almost exclusively
11 all broadloom; many commercial buildings have a blend
12 of carpet and broadloom products; it's very rare
13 where we'll see a project that is just exclusively
14 carpet tiles. I think a further study would be
15 warranted, but you would have a large amount of users
16 who rely on broadloom for a number of different
17 reasons who would be affected by that.

18 CHAIRPERSON REYNOSO: So can you help us
19 through that? (1) is broadloom more affordable than
20 carpet tiles; and (2) what reasons would a landlord
21 or a commercial building owner have to choose one
22 over the other, outside of cost?

23 [background comment]

24 DAVID MEBERG: It's largely an aesthetic
25 issue; there are certain manufacturing capabilities,

2 design capabilities that can be achieved through
3 broadloom that can't be achieved through tiles.
4 Carpet tiles are a -- I would hesitate to call them
5 relatively new, 'cause I'll be aging myself here --
6 but you know, carpet tiles were developed in the mid
7 80s, late 80s and became prominent in the commercial
8 marketplace at that time; they were developed
9 primarily when raised floor technology was presented
10 as a way to more economically and aesthetically
11 channel wires and such. When raised access flooring
12 was developed, you needed a way to be able to get
13 into the floor and rather than have large sheets of
14 carpet, carpet tiles were developed, and over time
15 they have gained significant amount of market share
16 in the commercial environment, but a lot of the
17 choices made for the utilization of carpet tile are
18 based on more aesthetic than functional issues.

19 From a cost perspective, just very
20 quickly, to address your question, traditionally
21 carpet tiles were always more expensive than
22 broadloom when they were first introduced, but as the
23 manufacturing capabilities have improved with carpet
24 tile, they have come down and in some places -- you
25 know still are priced higher than very lower-end

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2 brooms, but there are very high-end brooms as
3 well that are more expensive than economic carpet
4 tile.

5 JENNIFER STOWE: I would also add that
6 brooms can be recycled; carpet can be recycled
7 into a number of different products, both broom
8 and tile; it's a matter of separating the face fiber
9 from the backing and it can be turned into everything
10 from -- I'm not sure how many people here drive a
11 Ford F-150, but our headquarters is in Dalton,
12 Georgia; there's a lot of trucks down there -- and
13 the resin parts under the hood of a Ford F-150 are
14 made from post-consumer carpet. You can make hay
15 bales for sediment control, you can make this Quiet-
16 Tech; what... [interpose]

17 CHAIRPERSON REYNOSO: Right, but... just
18 very quickly -- but the lone carpet recycler doesn't
19 want broom anymore, so even though it is
20 recyclable, you need a market for that and should
21 that person or that company not want to take that on,
22 then whether or not it's recyclable is a moot point,
23 right?

24 JENNIFER STOWE: Well I wouldn't say the
25 -- it's the lone carpet recycler here, but our mills

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2 take it back and are turning it in, and other places
3 are turning it into products. There's a product
4 called GeoHay that is artificial hay bales used for
5 sediment control... [interpose]

6 CHAIRPERSON REYNOSO: Can you repeat
7 that? Who's taking it back, outside of... 'cause we
8 have to... the market is very important here.

9 JENNIFER STOWE: The mills are also
10 taking back, the carpet mills, the manufacturers.

11 CHAIRPERSON REYNOSO: So the folks that
12 actually do this work are... [crosstalk]

13 JENNIFER STOWE: The folks that are...

14 CHAIRPERSON REYNOSO: So we have here
15 7.5%, which is the high end of recycling statistics
16 that are given to us by the Department of Sanitation,
17 so when we hear 7.5%, we don't think recycling is
18 happening, right; that we're doing the bare-minimum
19 here when it comes to carpet recycling. So I guess I
20 want you to help us with a solution-oriented process
21 by which we get to a point where we seen recycling
22 actually happening so that it's not going to
23 landfill, because as of now we're not seeing that,
24 and given the progress, which I think you guys
25 explained very well, the progress that you're making

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2 as an industry and being able to modernize and just
3 the technology and just do a better job doesn't
4 necessarily speak to recycling though, uh so...

5 [crosstalk]

6 JENNIFER STOWE: Well... oh I'm sorry; I
7 don't mean to interrupt [sic]... [crosstalk]

8 CHAIRPERSON REYNOSO: No, no, that's it;
9 that's it.

10 JENNIFER STOWE: The Commissioner
11 referenced the lack of infrastructure and there
12 really is a lack of infrastructure -- the recyclers
13 are few and far between -- and she also referenced
14 the legislation in California, which is not having
15 the effect that they thought it would have; they
16 thought it would drive recycling up. But you can put
17 a fee onto something or you can put a ban onto
18 something, but if you don't have a plan, it's not
19 going to change anything. And so what's happening is
20 the fee keeps going up in California; the recycling
21 is going up slightly, but the macroeconomics of
22 today's society is really killing the recycling
23 industry. In the state of California, they've closed
24 600 plastic bottle recycling facilities, 600
25 collection facilities, because it's cheaper to buy

2 virgin products. Some of the PET carpet is made from
3 those plastic bottles, and so just because you
4 increase the fee on the product at the beginning of
5 the life does not mean that the infrastructure is
6 going to instantly be created.

7 CHAIRPERSON REYNOSO: Okay.

8 ROBERT PHILLIPS: So I just wanted to say
9 -- Robert Phillips from Carpet Cycle -- it's not so
10 much that we're against broadloom recycling; it's
11 just that we have a surplus of broadloom coming in
12 and not enough outlets to distribute what the
13 recycled product is. So with carpet tile we can
14 literally just sell it directly after we collect it,
15 where broadloom is -- we don't have any more outlets,
16 so mandating recycled products be used in the future
17 is definitely positive for us.

18 JENNIFER STOWE: And that's part of what
19 CARE, the Carpet America Recovery Effort is working
20 towards; they're trying to find voluntary solutions;
21 they're trying to find outlets and what happens is;
22 these products are made with post-consumer carpet,
23 whether it's broadloom or tile, and there's no outlet
24 for those products, and so if people aren't
25 purchasing the products that are made with post-

2 consumer carpet; they're not making money, and so
3 it's not economically feasible for the carpet to be
4 recycled into something else or even into carpet,
5 because oftentimes it becomes cost prohibitive to
6 turn carpet back into carpet. But as an example, the
7 state of Florida procures only a product called
8 GeoHay for their road construction projects; it's an
9 artificial hay bale that can be washed out and
10 reused; it's made from post-consumer carpet, from
11 broadloom and tile, and it doesn't introduce any new
12 seed matter into their community and that sort of
13 thing, and their Department of Transportation
14 procures only GeoHay. So those types of procurement
15 policies by cities and states would be very helpful
16 because there has to be an end market. Even if you
17 divert it from the landfill and turn it into
18 something else, if that something else isn't selling,
19 then those markets are not going to stay around and
20 you're going to end up with the problem of -- we have
21 all this carpet; nobody wants it because nobody's
22 buying what it can be turned into.

23 CHAIRPERSON REYNOSO: Unless it's carpet,
24 right? So I guess for -- and I'm going to try my
25 best here; I'm going to just try to keep it as simple

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2 as possible -- you obviously know the process better
3 than I do, but if you get a recycled product and it
4 gets converted into the exact same product, it's just
5 recycled now; is it more affordable as a recycled
6 product than it was as originally constructed?

7 JENNIFER STOWE: It depends what the
8 product is... [crosstalk]

9 CHAIRPERSON REYNOSO: So I'm tur...

10 JENNIFER STOWE: Sometimes it's... if you
11 are turning carpet into carpet; that can be a very
12 expensive prospect, even if it's carpet tiles and...
13 [interpose]

14 CHAIRPERSON REYNOSO: So can you guys let
15 me... so what is the process... so a recycled carpet is...
16 could be more expensive than just buying the carpet
17 brand new?

18 CARL TREZZA: Well we're not installers,
19 so I would defer to Dave on that, but you know, so...
20 [crosstalk]

21 CHAIRPERSON REYNOSO: Okay.

22 CARL TREZZA: **[inaudible]**... [crosstalk]

23 CHAIRPERSON REYNOSO: So Da...

24 CARL TREZZA: recycle the old stuff; not
25 **[inaudible]**.

2 CHAIRPERSON REYNOSO: I see.

3 DAVID MEBERG: The cost of carpet
4 construction, and I am not a manufacturer; I am a
5 contractor and installer, but it is a component of
6 all its raw materials and is greatly affected by a
7 number of economic indicators; when the price of, you
8 know, crude oils was down below \$100 a barrel and
9 carpet manufacturers could procure or extrude their
10 own nylon products at very low costs, I would say
11 that perhaps the new virgin material, as has been
12 referred to, could be cheaper than the recycling.
13 The recycled product involves a collection, a
14 demolition, if you will, of the existing product, and
15 then another shipment of that product and then
16 there's a conversion process whereby this product has
17 to be re-extruded into usable nylon and backing
18 fabrics and then remanufactured. So I don't know
19 that there's a blanket answer for your question; it
20 depends on a lot of economic indicators.

21 And there's just one other statistic
22 though I wanted to bring up or make you aware of that
23 I think is relevant to the comment about carpet tile
24 and broadloom. This intro and our discussion here is
25 focused on the commercial marketplace and the

2 commercial marketplace only makes up about 30% of the
3 manufacturing capacity of the carpet manufacturers in
4 the United States; 70% of their manufacturing
5 capacity is into the residential marketplace, and
6 that residential marketplace is overwhelmingly still
7 using broadloom products; carpet tile is a very small
8 percentage, and that usage there I think will forever
9 glut recycling companies like Carpet Cycle with an
10 abundance of broadloom product and not much to do
11 with it.

12 CHAIRPERSON REYNOSO: And for me the last
13 question would be; 7.5%, like that can't be a number
14 that as the Department of Sanitation chair, that I am
15 sitting here and the Commissioner finds acceptable
16 and something needs to be done, and I guess I don't
17 come from a place where we don't like the
18 legislation, so let's just leave it alone; it's more
19 of what can we do to improve our numbers so that
20 we're not sending... 1-2% of our landfill is carpets,
21 and we need... and it's something that we could
22 definitely address and I want to get to a place where
23 we're starting to have that conversation, and that's
24 very important to me, 'cause I can't just let this go
25 away.

2 ARTHUR GOLDSTEIN: Mr. Chairman, if I
3 may. Arthur Goldstein, Davidoff Hutcher & Citron;
4 representing CRI. Besides the testimony that
5 Jennifer gave, and with some thoughts in there that
6 somewhat addresses your question, we are willing to
7 work with your staff and the Department of Sanitation
8 to continue a strong dialogue that started today and
9 work towards solutions, but we ask you to certainly
10 keep in mind the economics of all the businesses out
11 there and in this conversation look to find a
12 balance. And just for the record, I was on the phone
13 with the Brooklyn Chamber of Commerce and they're
14 sending in a letter on Int. 201; the same I
15 understand is true for the Queens Chamber of
16 Commerce. So there's a lot of decisions that are
17 made in terms of purchases and how businesses
18 function in this town and attempt to attract people
19 involving the aesthetics all around -- the chairs,
20 the tables, everything in an establishment, including
21 the carpet choices. So we're willing to come in and
22 meet with you; your staff and have some strong
23 dialogue on this entire issue.

24 CHAIRPERSON REYNOSO: Okay.

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2 JENNIFER STOWE: I would add to that that
3 it could be a stakeholder discussion; not just
4 industry and the Committee, but stakeholders that are
5 involved -- the recyclers, the installers; the
6 collectors -- the stakeholder discussion would..
7 [crosstalk]

8 CHAIRPERSON REYNOSO: Right. I just want
9 to -- I guess my final statement. There's always a
10 cost benefit analysis that one must do, but different
11 people see cost benefit differently and I could
12 imagine if we were, you know, 20 years ago imposing,
13 you know, new regulations on car manufacturers
14 regarding emissions; that they would also be here
15 saying we have to think about the workers; we have to
16 think about the cost benefit analysis, and different
17 people take on what that means in a different way. I
18 guess what I'm saying here is that something needs to
19 be done because 7.5% is an unacceptable number for
20 the City of New York; we want to be the model; we
21 want to set the standard and that is not a standard
22 we can hold up, that 7.5%. So I guess the
23 conversation can be had, but know that I think that
24 some type of legislation or conversation about
25 legislation needs to be had and Council Member Peter

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2 Koo, who's the sponsor of the bill, I think you guys
3 should meet with him and really have that
4 conversation and see how you can tackle that issue,
5 because you know we can't stand for 7.5%. But I
6 really appreciate your time here; we've learned a
7 lot; that's what this hearing was about, and I
8 appreciate your time. Thank you.

9 [collective thank you]

10 CHAIRPERSON REYNOSO: The next panel is
11 Laurie Kerr, Justin Pascone, Steven Chanaris..
12 Changaris -- sorry -- Margot Becker, and Justin
13 Green; that's five seats. [background comments]

14 So as the last panel, I think... I don't
15 know if we want to go from my left to right, but you
16 guys can decide exactly how we should speak, in what
17 order, so. [background comment] Alright, there you
18 go.

19 [pause]

20 LAURIE KERR: Good afternoon Chair
21 Reynoso and members of the Committee. I'm Laurie
22 Kerr, an architect and the Director of Policy for the
23 Urban Green Council, which works to transform New
24 York City's buildings for a sustainable future.

25

2 In 2009, the New York City Green Codes
3 Task Force, which was managed by Urban Green,
4 recommended that there be a mandate to recycle carpet
5 and also ceiling tile. Consequently, we are
6 delighted to see this bill on carpet recycling be
7 revived and we applaud its aim.

8 Carpeting represents a large part of the
9 City's waste stream because commercial carpets are
10 replaced every six to nine years. We figure that if
11 projects over 10,000 square feet were all recycled,
12 it would be enough carpet to cover Central Park twice
13 every year.

14 Most carpet is highly recyclable,
15 generally, into new carpet, but this is not happening
16 because it's currently not required and also because
17 waste from New York City's tight construction sites
18 tends to become mingled such that carpeting becomes
19 too contaminated to recycle. To comply with this
20 law, carpeting would need to be removed at the
21 beginning of demolition or renovation, a modest
22 change in process, which would pay for itself as the
23 industry becomes use to the practice and because of
24 reduced tipping fee.

2 In the conversation about the cost of
3 this bill, I think the reduction in cost in the
4 demolition cycle from not having to pay to discard
5 the carpet also needs to be considered.

6 So while this bill represent a fantastic
7 step in the right direction, we think that a number
8 of issues need to be refined in order to develop a
9 law that is as fair and effective as possible.

10 We propose that an industry group work
11 with the City Council to hammer out these issues. A
12 task force that has been convened by the New York
13 chapter of the American Institute of Architects to
14 look at construction and demolition waste in general
15 might be the perfect venue for this. We would be
16 delighted to work with them or any other convening
17 entity to help refine this bill.

18 We also generally support the concept of
19 extended producer responsibility whereby
20 manufacturers are held responsible for the costs of
21 managing products at the end of life and we recommend
22 that the task force consider how that framework could
23 work for our carpet recycling and whether or not it
24 could be incorporated into this bill.

2 Some of the issues we've highlighted
3 include whether these requirements should live in the
4 Building Code as well as the sanitation sections of
5 the Administrative Code and who should be the party
6 held accountable for compliance; whether the bill
7 should be expanded to cover the carpeting in the
8 common areas of multi-family buildings; whether the
9 threshold should step down from 10,000 square feet of
10 carpet to 5,000 square feet once the industry has
11 matured; whether all types of commercial carpet,
12 i.e., broadloom and/or carpet tile, should be
13 included in the requirement.

14 Thank you for the opportunity to comment
15 before this Committee and we look forward to
16 ultimately seeing this idea move forward, with New
17 York City having tackled another major portion of its
18 waste stream.

19 CHAIRPERSON REYNOSO: Thank you.

20 JUSTIN PASCONE: Thank you Chair and City
21 Council. My name is Justin Pascone; I'm the Policy
22 Director at the New York Chapter of the American
23 Institute of Architects. We represent over 5,500
24 registered architects, associated design and
25 construction professionals here in the City. We

2 recognize these sort of programs and we exemplify
3 green buildings, current technologies and product
4 research for sustainable design and construction.

5 Our organization is currently partaking
6 in a sustained effort to promote initiatives that
7 reduce waste in the built environment and create
8 healthy spaces for all New Yorkers to live and work.
9 In order to achieve the City's zero waste goals, AIA
10 supports Int. 201 and its effort to reduce recycling
11 of discarded carpet for commercial buildings.

12 While 201 represents a significant step
13 in the right direction, I will echo some of the
14 points my colleague made and some fine-tuning we
15 think the bill could use. That include carpet
16 recycling requirements may need to live in both the
17 sanitation section and the Building Code section of
18 the Administrative Code and to clearly designate who
19 the responsible party is in order to be fully
20 enforceable. In addition, the bill only targets
21 commercial properties; we think there is
22 availability, particularly in common areas of large
23 multi-family properties, where carpet and tiled
24 carpet could be recycled. And then, I think as we
25 talked about today, as the industry matures, there's

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2 opportunity to step down the requirement from 10,000
3 to something smaller, to 5,000 square feet. And then
4 again, we talked today a lot about the difference
5 between the types of carpets as far as broadloom and
6 tile; I think the bill can include some language
7 specifying that.

8 Finally, the AIA and our members are
9 available to work with relevant stakeholders and
10 address these issues and your effort moving forward,
11 including an existing working group we have to
12 address the construction and demolition waste in the
13 city. We recommend, in general, the concept of
14 extended producer responsibility and recommend that
15 the Committee consider in the future how those
16 concepts could work with carpet recycling.

17 We're excited New York City is taking the
18 lead on these efforts and we hope to holistically
19 work with you on these next steps.

20 CHAIRPERSON REYNOSO: Thank you.

21 MARGOT BECKER: Good morning [sic] Chair
22 Reynoso and members of the Committee on Sanitation
23 and Solid Waste Management. My name is Margot Becker
24 and I serve on the Manhattan Solid Waste Advisory
25 Board or Manhattan SWAB, a voluntary citizens'

2 committee appointed by the Manhattan Borough
3 President.

4 The universal hierarchy in waste
5 management is reduce, reuse and recycle (in that
6 order); most current waste policy focuses on
7 recycling, which manages the disposal of discarded
8 product rather than on how to prevent product from
9 being discarded at all. In contrast to recycling,
10 EPR (extended producer responsibility) is a proactive
11 waste reduction strategy; EPR shifts the costs and
12 responsibilities of discarded product to producers,
13 thus creating an incentive to eliminate waste. EPR
14 can play a critical role in achieving the City's goal
15 of sending zero waste to landfills by 2030.

16 My testimony in favor of expanded EPR
17 programming focuses on four types of materials:
18 packaging, carpet, paint, and mattresses, although
19 there are also others.

20 So first, package: 13% of the waste
21 stream consists of plastics; packaging and containers
22 account for 35% of curbside waste in New York City.
23 Plastic trade groups are financially motivated to
24 challenge any ban, tax or fee on plastics and have
25 proven that they will do so. EPR would pass the cost

2 of disposing of plastics and other packaging to
3 producers, thus incentivizing reduced packaging.

4 In terms of carpeting, carpet accounts
5 for 1.5% of municipal solid waste in New York City.
6 Okay, there are different numbers; about 7.5% of
7 discarded carpet is recycled.

8 Council Member Koo's bill, Int. 201, is a
9 positive step in preventing carpet waste and we
10 support it, but it focuses on recycling rather than
11 waste prevention, so we think EPR is a good way also
12 to reduce carpet waste and might go hand-in-hand.

13 Third, paint: leftover paint is one of
14 the biggest contributors to the City's household
15 hazardous waste and has been increasing.

16 Approximately 3.1 million gallons of paint go unused
17 in New York; the price of managing leftover consumer
18 paint is over \$8.00 per liquid gallon. EPR is a good
19 strategy for reducing paint waste and there is a
20 mature movement to move in that direction already.

21 Fourth, mattresses: less than 5% of
22 mattresses are recycled annually, despite the fact
23 that up to 90% of mattress components are recyclable.
24 Again, EPR offers a good solution.

2 Other products worth considering for EPR
3 include medical sharps, pharmaceuticals and
4 pesticides.

5 DSNY should set target recycling rates by
6 material type rather than an aggregate rate diverted
7 from landfill; this will help to evaluate the
8 benefits of material-specific EPR programs.

9 Speaking for the SWAB, we both support
10 201 and we support the City in establishing, amending
11 and extending EPR legislation; we offer our help as
12 experts to help you do so. Thank you so much for
13 your time today.

14 STEVE CHANGARIS: Chairman Reynoso,
15 members of the Committee; sponsor Koo, my name is
16 Steve Changaris; I'm the Chapter Manager for the
17 National Waste and Recycling Association and the
18 language we're going to run with this afternoon is we
19 support 201 in theory, but not as currently drafted
20 and not without significant refinement. The
21 testimony is submitted, so I'll just try to highlight
22 the key points.

23 We see 201 essentially as a disposal ban
24 and we've had a historical mantra -- no ban without a
25 plan -- and there's no -- after the testimony today,

2 there's no plan, so we can't support a ban at this
3 time.

4 The other thing is, you know I really
5 think most people -- carters, facility operators and
6 the businesses that are involved, as you've heard,
7 you know they really want to work to divert as much
8 of this material from disposal; there are just some
9 challenges that we have to face daily in doing that.

10 And the other point that was mentioned
11 throughout the testimony that's a key point of our
12 testimony is that none of this happens without
13 markets. You know less... and again, this is the great
14 chicken and the egg, what came first kind of a thing,
15 but we really need robust markets; people don't take
16 gold jewelry and throw it down the sewer; there's an
17 outlet, there's a market for that with a high value;
18 if we can change that dynamic where the recovery of
19 these material fibers have value, then we're going to
20 see more diversion. So that's the second element of
21 our testimony.

22 The third element is, and to be helpful,
23 it fits in with everyone else, what they've said; is
24 that, we really need to have a study and the elements
25 of the study that we talk about, you know how, after

2 useful life carpeting is currently managed, there's
3 been a wide discrepancy of what's the number; what's
4 the generation; we have no clue exactly what's going
5 on out there right now. Two, what are the likely
6 impacts of the disposal ban on the City, and then
7 three; what are the likely impacts on the customers,
8 you know, we consider these guys our customers, you
9 know the services, the businesses, the entities that
10 generate such carpeting, and what will they have to
11 do to produce an after useful life carpeting supply
12 that will be suitably used in that market we identify
13 and develop, because there are impacts on them -- the
14 change and trade practices that were mentioned and
15 the like -- those are serious issues and have to be
16 explored. And the fourth element of the study is
17 that you know for any after useful life carpeting
18 that cannot be reused or recycled and banned from
19 disposal; what are we going to do with it? So there
20 has to be that sort of exception about this is not a
21 recyclable or recoverable element, and there are
22 elements of that; say there's a sewage leak and
23 there's carpeting that's destroyed and pulled up;
24 maybe it's not recoverable, maybe Hurricane Sandy,
25 there are some things that create exceptional

2 circumstances and as an industry -- and been down
3 this path many times -- we would really like to see
4 the law get out in front of that as opposed to follow
5 -- hey, we need relief here, you know that kind of
6 thing. And last, you know any time there's a study
7 that's done, it's usually, as we see, it's done under
8 auspices of the DSNY, so you now we don't want to
9 make more work for the Department; we've already
10 mentioned that little pitch in here, but a
11 stakeholder group needs to be impaneled of all
12 various interests and that has to report back... we
13 would think it should report back to you so that you
14 can act on those recommendations in a very finely
15 crafted piece of legislation that's going to really
16 move the needle and get this stuff used in a better
17 way than simply disposing of it. Thank you very
18 much.

19 JUSTIN GREEN: Hi, I'm Justin Green; I'm
20 the Executive Director of Big Reuse; we're a
21 nonprofit building material reuse center; we're at
22 two centers, one on Brooklyn; one in Queens. We take
23 in donations of unwanted building materials and
24 resell them to create green jobs and keep materials

2 out of landfill. Thank you for introducing the
3 legislation; having this hearing.

4 We're in support of waste reduction, I
5 mean it's an important thing; I don't think there
6 will be any.. you know, the voluntary waste reduction
7 is going to be limited, so we need mandates, we need
8 the legislation. And to get to zero waste we need it
9 across the construction demolition spectrum, so this
10 is a great start. I'm also in support of all the EPR
11 suggestions. And a broader sort of effort on
12 construction demolition waste is needed too, so we're
13 talking about this on part of the AIA group.

14 But waste management plans for large
15 demolitions, where they have to.. you know, the
16 demolition company has to talk about where the waste
17 is going to go; you know, potentially deposits. In
18 Los Angeles and San Jose, they have deposits for each
19 demolition permit where you get back a certain amount
20 of your deposit based on how much you can demonstrate
21 that you recycle, and encouraging reuse. So one of
22 the cheapest ways you asked about, you know cost of
23 recycled carpeting versus, you know virgin carpeting,
24 reused carpeting is much cheaper. You know when we
25 get it, we often work with Carpet Cycle or have in

2 the past, they bring us a truckload of carpet tile
3 they've pulled up and we can resell it. I mean a lot
4 of this stuff gets turned over, as Laurie said,
5 really quickly, so you know, it's not worn out and
6 the stuff that's under people's desks is barely
7 touched. So there's a huge savings for New Yorkers,
8 it also creates jobs, in terms of pulling the
9 material out and deconstructing it. So I'm in
10 support. I know the market might not be there, but
11 legislation helps start to create the infrastructure,
12 you know so that's like if... it's the chicken or the
13 egg thing, but until people are required to recycle
14 it or, you know, or at least for having a mandate on
15 purchasing it, the infrastructure won't just
16 magically pop up, so we do need leadership from the
17 City Council on making that happen, so we appreciate
18 your work on that. Thank you.

19 CHAIRPERSON REYNOSO: Thank you. And I
20 guess my... the largest question is this issue of
21 market; that seems to be the biggest issue here; that
22 should we do it, who's going to take it; who's going
23 to... and unfortunately, in the Tri-State area we have
24 one recycler, so just really want to speak to the
25

2 practicality of having happen and exactly how we're
3 going to build a market for it.

4 LAURIE KERR: I think two ways come to
5 mind right off the bat and I'm sure as we work on
6 this other ideas will come forward, but I think one
7 is that we can start with a much higher size
8 threshold, once we understand the capacity, so we
9 need to, again, do the study to understand the
10 capacity, the number of projects turning over that
11 might be larger than 20,000 square feet, so maybe we
12 start there; maybe it is a little bit more than
13 Carpet Cycle can do, so some other players start to
14 be there and you know, two; three years later you can
15 step down to 10,000 and then sometime later down to
16 5,000. So I think one can step this thing, so I
17 think that's one way, is understanding capacity and
18 either having date-certain when it steps down or some
19 other trigger that references capacity. So that's
20 where maybe the Commissioner of the Department of
21 Sanitation could make that determination, that this
22 is the time to step down. So that's one end of it is
23 on the capacity end of the recycling community.

24 The other end is, of course, requiring
25 that the purchases contain the recycled content,

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2 which again drives the market from the other
3 direction. So I think those are both two ways that
4 come to mind right off the bat.

5 STEVE CHANGARIS: Councilman, if I might,
6 this is more of a generic than a specific on the
7 recycling. I've been with the trade group for 24
8 years; it's going to be 25 in August, and I've been
9 in carpeting for a long time; we've seen a lot of
10 different MOU concepts, you know between the industry
11 and between the states and between generators and the
12 CARE project and these other kind of things; they're
13 all great programs and we want to divert as much from
14 disposal and into reuse. You know in my role, you
15 know I give a plug for disposal because we still live
16 in a world where there has to be something, you know
17 when something cannot be reused we need a secure home
18 for that, whether it's a landfill or a waste energy
19 plant with all the environmental controls. But as a
20 generic with the markets, we've put a lot of
21 recycling laws on the books and pushed it off; we've
22 passed some advance deposit legislation, some
23 fledgling EPR bills and the like and what it does is,
24 it sort of just puts it out there and says it's going
25 to take care of itself, but the lead issue with the

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2 CTR issue is huge in the world of electronic EPRs,
3 the Commissioner said, you know we in the recycling
4 industry have a devil of a time managing glass, post-
5 consumer glass; these are items that are key parts of
6 our recycling programs and we want to divert that
7 material, we're committed to diverting that material;
8 it's in the law that we divert that material, but
9 that said, when we can't move it or that it costs us
10 so much to move, then we have some issues. So you
11 know we just really -- and in the testimony I didn't
12 use the word robust, redundant and competitive, but
13 you know, long since my discussions with
14 environmental regulators over the years, one outlet's
15 not a market. You know you usually really have to
16 get up into that half-dozen or more before you can
17 really be comfortable that you have a robust and
18 redundant market. And in addition, who sees the
19 change? You know I have an Android here, but how
20 many people have iPhones? Who saw it coming? The
21 publishing industry sure didn't, because look what it
22 did to the newspaper industry and how that's molted
23 and changed to an e-based commerce. So you know, we
24 could be putting all this money into carpeting or
25 into some other recycling program and then there's a

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2 marketplace scene that fundamentally changes how that
3 product is managed, and that's... you know again, we
4 can put it off, you know write the law, set it off on
5 the river and sail down nicely, but we're out there
6 in the field every day working with it and sometimes
7 it becomes highly problematic and you know we really...
8 I like to think... the people I've worked with in my
9 tenure in this group, we strive hard to divert the
10 material and to husband them with as best
11 environmental concerns as possible.

12 JUSTIN GREEN: I think there's been a lot
13 of success, I mean from the CARE website itself it
14 said 94 million pounds were recycled in 2003; now
15 there are 520 million pounds just in 2015, so that's
16 a massive increase over the last 10 years, so there's
17 progress being made and so I think we can keep going;
18 we showed the demonstrated success and I think we can
19 keep building on that success. So it seems to be
20 infrastructure is developing, starting to happen and
21 I think maybe this is the.. you know now is the time
22 to start legislating around it.

23 CHAIRPERSON REYNOSO: Council Member Koo.

24 COUNCIL MEMBER KOO: Thank you all for
25 coming; this is only the beginning, so we are very

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2 happy for your advice and your expertise. I guess we
3 will modify this bill a little bit, step by step, to
4 accommodate the final goal is to reduce solid waste,
5 you know we have too much waste in our landfills, you
6 know we cannot handle it. So like I said, we'll do
7 it step by step. Thank you.

8 [background comment]

9 CHAIRPERSON REYNOSO: Thank you guys, I
10 appreciate your time. And as of now the hearing is
11 adjourned. Thank you for your time.

12 [gavel]

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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 February 8, 2017