

VOTE NO on Intro 157-C

Unnecessarily Reducing Capacity at Private Waste Management Facilities –
Raising Costs, Eliminating Working-Class Jobs, and Reducing City’s Resilience

COUNCIL MUST WAIT FOR PROPER ENVIRONMENTAL REVIEW

July 17, 2018

Honorable Councilmembers:

At the Stated Meeting on Wednesday, you will be asked to vote on **Intro 157-C** - a new version of a bill that failed to pass in December for many of the reasons explained below.

Intro 157-C is poorly understood by all who read it because it lacks transparency and full information about its intended and unintended consequences. It offers the potential for significant impacts to your constituents, to an essential City industry, and to the business community that relies on competitively-priced waste collection services.

Most important: Prior to a vote on any legislation, especially one of this magnitude, the Council should insist on receiving and reviewing the Department of Sanitation assessment of the bill’s environmental and economic impacts. Given what is at stake, the DSNY review should trigger a comprehensive environmental impact statement.

The fact that **the City’s environmental review still has not been released less than 24 hours before a vote is unacceptable**, and fails to allow all stakeholders to assess the impacts this bill will have on a major component of our City’s day-to-day operations.

No one wants to think about garbage, how much we generate, or how it gets managed every single day. **Waste doesn’t, however, magically disappear.** The City relies on a complex system to collect and manage our wastes, recycle what is possible, and dispose of the rest – each and every day - essential services to maintaining a clean and healthy city.

This legislation would reduce “permitted capacity” – as defined by engineering standards - at existing transfer stations that move collected waste to recycling markets and disposal sites.

However, the City has not disclosed the potential disadvantages of these reductions – such as increased truck traffic, increased disposal costs, or certain job losses. In the past two years, traffic to truck-based facilities has dramatically reduced – more than 750 DSNY trucks that previously delivered loads to the three areas are diverted each day to DSNY-operated waste transfer facilities, thereby achieving the primary goal of the SWMP and its fair-share objectives.

Ironically, a reduction in permitted capacity would likely lead to waste collection companies traveling longer distances to find an available transfer station – which runs counter to the city’s stated goal of reducing the distances traveled by commercial waste vehicles.

Intro 157 would arbitrarily and unilaterally reduce the *permitted capacity* (see definition) of privately-owned waste transfer stations that are truck-based, legal, permitted and properly located in industrial zones in the South Bronx, East Williamsburg (Brooklyn) and Jamaica (Queens). Fully regulated by both DSNY and the New York State DEC, these essential facilities previously handled nearly all of DSNY-collected residential waste since the closure of the Fresh Kills landfill in 2001. They now primarily service only commercial waste – more than 12,000 tons of which are generated every day – while trucks associated with their operations remain a fraction of total truck activity in those industrial areas.

To achieve the important “fair share” goals, the 2006 SWMP committed to development of four new marine-based and three rail-based transfer stations for shipping DSNY-collected residential solid waste out of the City. Hugely expensive to build and operate, five have opened, with the remaining two opening later this year – significantly reducing the role of private facilities that shouldered this burden since 2001.

Approving this legislation without factually assessing how the City’s waste management system will operate after the opening of all of the new transfer stations is misguided.

Intro 157 also will affect the operation of facilities accepting and processing construction and demolition (C&D) waste – leading to higher costs for the city’s builders.

This Message is Endorsed by:



If forced to close in certain areas, new waste facilities are unlikely to replace them, reducing necessary capacity for both daily operations and emergency situations. Consequences could include:

- **Increase costs** for managing commercial waste, recyclables, and organics – to be passed along to customers;
- **Shifting commercial waste transfer and processing** from current industrial zones to other areas of the City - leading to longer truck trips and new impacts;
- **Reducing processing capacity** for recyclables and organic waste – making it harder and more expensive to meet the city’s environmental goals;
- **Discouraging investment** in processing equipment and new jobs;
- **Eliminating hundreds of good working-class jobs – many of which are held by second-chance workers.**
- **Affecting the operations of accepting and processing construction & demolition (C&D waste) – leading to higher costs for the City’s builders.**

Thank you for your consideration, **your rejection of Intro 157**, your concern for proper legislative procedures, and your support for responsible long-term planning for the city’s solid waste management system.

*“Permitted capacity” is a technical matter that **should NOT be used for political purposes**. Transfer stations receive trucks from collection routes; their permitted capacity is an engineering-based assessment about a facility’s size, equipment for processing and compacting waste for export, on-site storage and other factors.*

*As regulated by both NYS/DEC and DSNY, **permitted capacity has never been used as a policy tool** to determine whether and how a waste management facility operates, or to undermine its economic viability. For example, a facility rated for 1,000 tons per day may or may not ever receive and process that amount, but the economics of the substantial investment in its operations could be severely affected IF that capacity was arbitrarily reduced to 500 tons per day.*
