

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT

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October 26, 2009  
Start: 1:16 pm  
Recess: 2:45 pm

HELD AT:                   Hearing Room  
                              250 Broadway, 16th Fl.

B E F O R E:                   SIMCHA FELDER  
                                  Chairperson

COUNCIL MEMBERS:  
    Simcha Felder  
    Maria del Carmen Arroyo  
    James F. Gennaro  
    Robert Jackson  
    Larry B. Seabrook  
    James Vacca  
    Jessica S. Lappin

## A P P E A R A N C E S

Robert Lange  
Director  
Bureau of Waste Prevention, Reuse and Recycling

Nora Nealis  
Executive Director  
National Cleaners Association

Wayne Edelman  
Owner  
Meurice Garment Care

Debra Kravet  
Owner  
Apthorp Cleaners

Victoria Aviles  
Owner  
Dry Cleaning business

David Mindich  
Owner  
Minda Supply

2 CHAIRPERSON FELDER: Good

3 afternoon. I apologize for being 20 minutes late.

4 I was chairing another hearing across the street

5 because the chair of that committee had to leave.

6 So I was a question of either leaving that hearing

7 or being here on time, and I couldn't make up my

8 mind. I apologize for being late. Good afternoon

9 and welcome to this hearing of the Committee on

10 Sanitation and Solid Waste Management. My name is

11 Simcha Felder, I'm the Chair of the committee and

12 I am joined by my esteemed colleague Councilman

13 Larry Seabrook. I just want to thank him for

14 waiting. I know he has another commitment and he

15 was here much earlier than me unfortunately. I

16 thank you for coming for as long as you can stay.

17 Before I begin, I'd like to acknowledge the staff

18 from the committee that prepared today's hearing.

19 To my right is Jarret Hova counsel to the

20 committee; Siobhan Watson who is not here who is

21 the policy analyst to the committee; and my

22 communications director Eric Kuo who is not here

23 either. We are here today to conduct a hearing on

24 two different bills designed to encourage

25 environmentally friendly practices to dry cleaning

2 establishments in New York City. The first bill,  
3 Intro 983, would require dry cleaners to accept  
4 clothing hangers from customers for purposes of  
5 reusing them. What else would they do with it? I  
6 have to take responsibility because presumably I  
7 wrote this. I will just say dry cleaners to  
8 accept clothing hangers from customers. Dry  
9 cleaners would only be required to take back  
10 hangers that are similar in composition to the  
11 type that they use for their customers. In  
12 addition, dry cleaners would have to post a sign  
13 to notify customers that they accept hangers for  
14 reuse. Council Member James Vacca is the primary  
15 sponsor of this bill. The second bill, Intro  
16 1019, would require dry cleaning establishments to  
17 use plastic garment bags made from recycled  
18 plastic materials. Council Member Jessica Lappin  
19 is the primary sponsor of this bill. Before we  
20 begin today's formal hearing, I would like to  
21 emphasize that it is my policy as the chair of  
22 this committee to ensure that the hearings begin  
23 on time and therefore the rule is that only those  
24 individuals who sign up to testify within the  
25 first 15 minutes of the start of this hearing

2 would be permitted to testify. Since we will  
3 begin this hearing at 1:25, you can sign up until  
4 1:40. Additionally, I ask witnesses to refrain  
5 from repeating points made by previous witnesses.  
6 If someone has adequately made the point that you  
7 wish to make, I'm sorry that they were able to  
8 testify before you, but it'll suffice for you to  
9 note that you agree with the comments made  
10 earlier. It's also my policy as chair of the  
11 committee during an oversight hearing, which this  
12 is not, to allow the public to testify before the  
13 administration. I think that's good public  
14 policy. Most of the time people come to testify  
15 and they have to wait around for the  
16 administration or the Council to talk and then  
17 they sometimes have to leave even though they've  
18 taken off time from a busy workday. So on  
19 oversight hearings, in this committee, we allow  
20 the public to testify first, which I think and I  
21 would recommend that other committees follow. But  
22 during a legislative hearing, which this is, we  
23 have to introduce the legislation, so it wouldn't  
24 make sense to allow the public to testify first.  
25 Before inviting members of the administration to

2 testify, I'd like to see if any of my colleagues  
3 have comments. So with that we begin the hearing  
4 and I'd ask you to testify. Identify yourself and  
5 begin please.

6 ROBERT LANGE: Thank you Mr.  
7 Chairman. Good afternoon Chairman Felder and  
8 members of the Committee on Sanitation and Solid  
9 Waste Management. I'm Robert Lange, the Director  
10 of the Bureau of Waste Prevention, Reuse and  
11 Recycling for the New York City Department of  
12 Sanitation. I welcome the opportunity to appear  
13 before you on behalf of Sanitation Commissioner  
14 John Doherty to discuss Intro 983 and Intro 1019,  
15 which I'll address separately. The department is  
16 also interested in hearing the comments of other  
17 persons here today, particularly those of the  
18 members of the dry cleaning industry as this  
19 committee explores the views of interested parties  
20 concerning the recycling, reuse and management of  
21 certain items utilized by dry cleaning  
22 establishments in their daily operations, as well  
23 as the concerns the authors of each Intro were  
24 intending to address by means of the draft  
25 legislation. As currently written, Intro 983,

1 would require dry cleaning establishments in New  
2 York City to accept consumer's used hangers  
3 similar to the type they distribute in their  
4 businesses for reuse or recycling. Intro 983 also  
5 requires dry cleaning establishments to post a  
6 conspicuous sign at or near the entry informing  
7 customers they may return their used hangers.  
8 Failure by such businesses to accept used hangers  
9 or post the required sign would subject the  
10 business to a civil penalty of \$500 for a first-  
11 time violation and \$1,000 for each subsequent  
12 violation within a 12-month period. The used  
13 hangers would have to be reused or recycled. It  
14 is the department's understanding based on  
15 feedback we have received from City Council staff  
16 that the Intro was developed partially to address  
17 the concerns of dry cleaners about the growing  
18 cost of dry cleaning garment hangers brought about  
19 by the quickly diminishing number of hanger  
20 manufacturers worldwide. Additionally, it is the  
21 department's understanding that many dry cleaning  
22 establishments throughout the city now accept and  
23 encourage customers to return used hangers. While  
24 the department generally supports measures that  
25

2 encourage waste prevention, reuse and recycling,  
3 in this instance we believe the Intro as presently  
4 drafted may either be unnecessary or require  
5 significant modification. As a waste prevention  
6 and reduction initiative, we applaud the sentiment  
7 behind the initiative but we find the goals and  
8 intent behind the draft legislation less than  
9 transparent. The department currently collects  
10 discarded metal clothing hangers weekly from all  
11 residential households in this city on its regular  
12 recycling collection routes. Therefore, the  
13 portion which requires dry cleaning establishments  
14 to set up for the recycling of returned hangers  
15 when hangers can currently be conveniently  
16 recycled by residents at curbside as part of the  
17 department's MGP program would be unnecessary and  
18 burdensome upon dry cleaners that would otherwise  
19 opt not to reuse such hangers, such as Laundromats  
20 that may outsource dry cleaning services for  
21 customers yet would be covered by the bill. The  
22 department is concerned that as drafted by  
23 requiring collection by dry cleaners that are  
24 unable or unwilling to reuse the hangers that it  
25 collects, the bill might have the unintended



1 consequence of redirecting some wire hangers from  
2 the recycling stream to the refuse stream. Given  
3 that as commercial establishments, dry cleaners  
4 are not serviced by the department's MGP  
5 collection. If the provision simply required the  
6 return of hangers for reuse, we could understand  
7 its intent and possible necessity, assuming any  
8 concerns about the sanitary reuse of hangers are  
9 properly addressed. Intro 1019 would require dry  
10 cleaning establishments in New York City to return  
11 clean garments to consumers solely in dry cleaning  
12 bags made of recycled film plastic material.  
13 Noncompliance with the law would subject the  
14 business to a civil penalty of \$500 for a first-  
15 time violation and \$1,000 for each subsequent  
16 violation within a 12-month period. Intro 1019  
17 therefore requires the future use of recycled  
18 content film plastic dry cleaning bags. Such  
19 bags, to the best of our knowledge, do not exist  
20 in the form of a clear or translucent film plastic  
21 garment bag unless the recycled content of the bag  
22 is miniscule at best. The department's concern is  
23 that legislatively mandating these low recycled  
24 content bags would have minimal consequence in  
25

2 reducing the use of virgin plastics which appears  
3 to be the intent of the draft legislation while  
4 potentially imposing a cost burden on the small  
5 businesses required to use these bags.

6 Additionally, in requiring the use of garment bags  
7 made from recycled content, the bill as currently  
8 drafted would preclude the potential use of

9 reusable garment bags, an alternative to film

10 plastic bags explored by the dry cleaning industry  
11 in the 1990s in consultation with the Department

12 of Sanitation then New York City Waste Prevention

13 Partnership. As a final comment on both Intro 983

14 and Intro 1019, it's the department's opinion that

15 the civil penalties proposed under these bills are

16 excessively high in relationship to the possible

17 impacts associated with noncompliance,

18 particularly if Intro 983 was initiated partially

19 to aid dry cleaning establishments in coping with

20 escalating supply costs. The imposition of a \$500

21 fine for the first-time offense is high compared

22 to the current recycling fine structure for

23 residents and could unintentionally impact the

24 fiscal stability of small business proprietors.

25 Therefore, we would encourage the committee to

2 reconsider the penalty amounts for first and  
3 subsequent offenders under this legislation.  
4 Additionally, we'd ask the committee to consider  
5 granting the mayor broader authority in assigning  
6 enforcement jurisdiction. Thank you for the  
7 opportunity to comment on each of these proposed  
8 bills. We're happy to answer any questions you  
9 have.

10 CHAIRPERSON FELDER: You mentioned  
11 earlier that many establishments do this on their  
12 own. Do you have any idea in percentages how many  
13 do this on their own without legislation?

14 ROBERT LANGE: Some of the dry  
15 cleaners here and their associations will be able  
16 to give you better numbers on that.

17 CHAIRPERSON FELDER: Are there any  
18 other localities anywhere that you know of that  
19 have such legislation?

20 ROBERT LANGE: None that I know of.

21 CHAIRPERSON FELDER: That's on the  
22 hanger issue. On the plastic issue, if this were  
23 to be enacted, what percentage of what we would  
24 call now the new type of plastic could actually be  
25 recycled?

2 ROBERT LANGE: The only dry  
3 cleaning bag like that that I'm aware of  
4 advertises itself as having 5% post consumer film  
5 plastic and 10% post industrial film plastic,  
6 meaning in the manufacturing process the scraps go  
7 back into manufacturing new bags, which is really  
8 a very small percentage. That's just the  
9 marketing material provided by that manufacturer.  
10 The fact is, whenever you produce any kind of  
11 clear film plastic it's very hard to have a high  
12 recycle content because the minute you include a  
13 high recycle content you have to have a color or  
14 you have to have some kind of pigment in it as a  
15 result of that.

16 CHAIRPERSON FELDER: I was  
17 fortunate enough with some of my colleagues to  
18 take a tour of one of the recycling plants with  
19 you. One of the issues you brought up is the  
20 problems posed by that type of material in the  
21 machinery itself. If I'm not mistaken, you  
22 literally had people standing near the machines  
23 pulling some of that stuff out, I guess to prevent  
24 the machines from breaking. Would that be less of  
25 a problem with this new material?

2 ROBERT LANGE: Presumably under  
3 this law if everyone behaves themselves and do  
4 everything they're supposed, they'll be bringing  
5 it back to the dry cleaners.

6 CHAIRPERSON FELDER: You would be  
7 bringing the plastic back to the dry cleaners as  
8 well?

9 ROBERT LANGE: I believe so. Isn't  
10 that the intent of this? Oh no, I'm mistaken.  
11 That was our own plastic bag law in the city which  
12 included film plastic and our law was trumped by  
13 the state law. The state law does not yet include  
14 the film plastic for New York City. The state has  
15 proposed to do an amendment to the state law that  
16 will allow in New York City for us to collect film  
17 at the same locations where we collect plastic  
18 bags which does not include dry cleaners.

19 CHAIRPERSON FELDER: So, again,  
20 right now when I throw out my garbage, what am I  
21 supposed to do with the plastic that I get from  
22 cleaning material?

23 ROBERT LANGE: You're not required  
24 by law to do anything with it at the moment other  
25 than to put it in your trash.

2 CHAIRPERSON FELDER: I'm not here  
3 to give you any aggravation, I think. Right now  
4 you want me to put it in the garbage because if I  
5 don't put it in the garbage, what some people do  
6 is they put it in the plastic, right?

7 ROBERT LANGE: It's not a  
8 designated recyclable. So if it goes in the  
9 recycle on the MGP side, metal, glass and plastic,  
10 it's a contaminant. You're correct, when it goes  
11 to a MRF what happens is because it's film it  
12 wraps around everything. It wraps around valuable  
13 material. If there is a piece of copper pipe or a  
14 piece of aluminum, it can wrap around that. And  
15 then in order to free the copper or the aluminum,  
16 you have to remove the plastic which is labor-  
17 intensive or mechanically-intensive.

18 CHAIRPERSON FELDER: I wouldn't say  
19 most, but I think many people think they're doing  
20 a good thing when they throw the plastic from the  
21 hangers into the recycling. Right now it's  
22 supposed to go in the garbage.

23 ROBERT LANGE: That's correct.

24 CHAIRPERSON FELDER: And you're  
25 saying that if we mandated that the cleaners

2 provide this material that can be recycled we  
3 don't know yet what we'd do with it because we  
4 don't know what the state law is, how it would  
5 encompass this. Is that what you said?

6 ROBERT LANGE: I don't want to try  
7 to make any assumptions but I think you indicated  
8 that this Intro was proposed a while ago. It may  
9 have been proposed at the same time that the  
10 city's plastic law was proposed. If that was the  
11 case, there was an assumption that the film  
12 plastic that was being recycled in the city could  
13 be used as raw material for the manufacture of  
14 these bags, basically creating a market for the  
15 raw material that was now being collected. That  
16 might have been the assumption. Council Member  
17 Arroyo has a question.

18 COUNCIL MEMBER ARROYO: Thank you,  
19 Mr. Chairman. I'm sorry I missed your opening,  
20 but you're Mr. Lange?

21 ROBERT LANGE: Yes.

22 COUNCIL MEMBER ARROYO: Currently,  
23 the metal hanger fits where in the recycling  
24 stream?

25 ROBERT LANGE: In the metal, glass

2 and plastic stream, or your blue can.

3 COUNCIL MEMBER ARROYO: My dry  
4 cleaners gladly takes back my used product. It  
5 certainly saves her a lot of money. I only take  
6 her the ones that are in really good condition,  
7 otherwise I rip the paper off and put the paper in  
8 the paper recycling and the put the wire in metal  
9 and I guess everybody's happy if everyone did it  
10 that way. What's the cost, or what's the benefit  
11 to the city if we reduced that product from our  
12 recycling stream?

13 ROBERT LANGE: It's not a simple  
14 question to answer. Metal hangers are probably a  
15 very small percentage overall of what we receive  
16 in the metal, glass and plastic stream. So they  
17 are metal, they have some value. What that value  
18 is I can't put a dollar value on it.

19 COUNCIL MEMBER ARROYO: I guess I  
20 cannot ask you why we use plastic on garments and  
21 not something else. Would you defer that to the  
22 industry?

23 ROBERT LANGE: I'm not sure I  
24 understand what you mean.

25 COUNCIL MEMBER ARROYO: Well, we



2 get the plastic film that protects the clothing.

3 Why plastic?

4 ROBERT LANGE: First of all, most  
5 people want it in a clear bag so they can see  
6 their dry cleaning within their closet. Even  
7 though the EPA and others recommend you take your  
8 dry cleaning out of the plastic bag when you bring  
9 it home, most people don't do that.

10 COUNCIL MEMBER ARROYO: So you can  
11 get rid of the toxic chemical that the cleaners  
12 use.

13 ROBERT LANGE: Yes. Whatever is  
14 there can be dispersed.

15 COUNCIL MEMBER ARROYO: The Bronx  
16 is composing, you know, the Sanitation Committee.

17 ROBERT LANGE: I think that's the  
18 primary reason.

19 COUNCIL MEMBER ARROYO: It's a  
20 function of convenience?

21 ROBERT LANGE: It's a function of  
22 convenience and being able to see your clothing  
23 within that bag.

24 COUNCIL MEMBER ARROYO: Well that's  
25 what I mean by the convenience part. That I can

2 tell it's a blue suit instead of a red one.

3 ROBERT LANGE: I did mention in my  
4 testimony, the Dry Cleaning Association in New  
5 York City had tried out in the mid 90s a reusable  
6 garment bag. It was a bag that the industry could  
7 advertise their services on or lease out that  
8 space and you brought the bag back with your clean  
9 clothing and your clothing could go back in that  
10 bag again, but it didn't catch on. I would leave  
11 it to the Dry Cleaning Association to explain why  
12 it didn't catch on.

13 COUNCIL MEMBER ARROYO: That sounds  
14 similar to what we're being encouraged to buy when  
15 we go into Rite Aid or Duane Reed or any other  
16 supermarket as a matter of fact, this funky  
17 material bag that you can reuse every time you  
18 come to the grocery store.

19 ROBERT LANGE: Yes, it's similar to  
20 bring your own bag.

21 COUNCIL MEMBER ARROYO: At the end  
22 of your testimony you indicate that it's the  
23 department's opinion that the civil penalties  
24 proposed under the bill are excessive. Does that  
25 imply that you're not opposed to the legislation?

2 I don't think you make that clear.

3 ROBERT LANGE: In the testimony I  
4 hope we made clear.

5 COUNCIL MEMBER ARROYO: You like it  
6 or you don't like it?

7 ROBERT LANGE: We don't fully  
8 understand the intent of the two pieces of  
9 legislation, what they were designed to address  
10 and therefore we think some clarification is  
11 needed. In terms of the fines, we address those  
12 specifically. We think they're too high.

13 COUNCIL MEMBER ARROYO: So you're  
14 not openly opposed to the idea?

15 ROBERT LANGE: We're not opposed or  
16 in favor. We need more information.

17 COUNCIL MEMBER ARROYO: Thank you  
18 Mr. Chair.

19 CHAIRPERSON FELDER: Councilman  
20 Vacca?

21 COUNCIL MEMBER VACCA: Yes, I'm  
22 here because I'm sponsoring one of the bills. I  
23 think basically today when people have hangers  
24 you're supposed to recycle them. Most people do  
25 not recycle them. There should be an opportunity

2 for people to return those hangers to dry cleaners  
3 and upon getting them back they can be used again  
4 through that vehicle. And we're preventing a lot  
5 of this from going to landfill. That was the  
6 purpose of my bill. I know that there are one or  
7 two issues I think that the Department of  
8 Sanitation has with the bill but I'm willing to  
9 work on it with you. This is certainly not a  
10 punitive bill, but it's something that seeks to  
11 increase recycling in our city. So it's in that  
12 vein that I hope that we can work out whatever  
13 concerns you may have. Do your concerns center on  
14 implementation?

15 ROBERT LANGE: Just what you  
16 address now, I mean I think it's a big assumption  
17 that people who will not take a metal hanger out  
18 to their metal, glass and plastic can will  
19 actually schlep it all the way back to the dry  
20 cleaners. It requires a much higher level of  
21 motivation to bring it all the way back to your  
22 dry cleaners.

23 COUNCIL MEMBER VACCA: I understand  
24 that. But I come back to the point that most  
25 people don't even think that they can recycle the

2 hangers to begin with.

3 ROBERT LANGE: People do bring  
4 their hangers back to their dry cleaners now.

5 COUNCIL MEMBER VACCA: I have not  
6 seen that. Do you see it? I have not seen it.

7 COUNCIL MEMBER ARROYO: I do it.

8 COUNCIL MEMBER VACCA: You do it?

9 COUNCIL MEMBER ARROYO: I do.

10 ROBERT LANGE: The Dry Cleaning  
11 Association I believe is here and they can tell  
12 you at least anecdotally what their experience is  
13 with people bringing back hangers. I mean my  
14 experience with dry cleaning is not all the  
15 hangers you bring back to your house can even be  
16 reused again because they're kind of frail and if  
17 you don't pull it out very gingerly you'll  
18 compromise the hanger and they don't want a  
19 compromised hanger back at the dry cleaners.

20 COUNCIL MEMBER VACCA: I think it's  
21 something that we can work on and see if we can  
22 make this successful.

23 CHAIRPERSON FELDER: We've been  
24 joined by Robert Jackson, Council Member from  
25 Manhattan. We have Councilwoman from Manhattan,

2 Jessica Lappin who will be asking her questions.

3 You've got time.

4 COUNCIL MEMBER LAPPIN: Let me come  
5 up to speed quickly. I'm sorry. I was chairing a  
6 hearing across the street on the new police  
7 academy.

8 CHAIRPERSON FELDER: Take your  
9 time.

10 COUNCIL MEMBER LAPPIN: I haven't  
11 even had a chance to review your testimony. I  
12 will say this and this would have been my opening  
13 statement if I had been able to be in two places  
14 at once. Obviously the goal of my legislation is  
15 to cut our consumption of plastic bags. We  
16 discard more than 45 million plastic dry cleaning  
17 bags a year in New York. We've been trying to  
18 find some creative ways to enact legislation that  
19 would do something about that and both reduce the  
20 pollution and try to improve our environment. I  
21 have met with some people who are in the industry  
22 and received their feedback on the bill. I'm not  
23 sure if the discussion today was about the amended  
24 legislation or not, but there certainly are some  
25 changes that I'm willing to make. You have some

2 concern that it would preclude the use of reusable  
3 garment bags as an alternative. Let me just ask  
4 you about this a little bit because one of the  
5 things that came up when I met with the industry  
6 was that there are recycled bags and there are  
7 bags that use a certain percentage of recycled  
8 material. There are biodegradable bags. There  
9 are different kinds of bags that can be better in  
10 terms of the environment. Can I ask you just to  
11 elaborate on the issue in terms of the content or  
12 that makeup of the bags themselves?

13 ROBERT LANGE: First, based on our  
14 experience, there's very little post consumer  
15 material in any of these garment bags that are  
16 being marketed. The highest we've seen is 5%.  
17 Again, this information is purely from the  
18 marketing materials provided by the manufacturers  
19 themselves. There is a 10% of post manufacturing  
20 material in there, so the scraps that are left  
21 over when they cut a bag for example, go back into  
22 the manufacturing process. But the post consumer  
23 content is only 5% which is a very small  
24 percentage. Again, it only comes from the  
25 marketing material from the industry. Our

2 experience is that in manufacturing any kind of  
3 clear or translucent product, you can have only a  
4 very small percentage of post consumer material  
5 because of all of the related contamination  
6 issues. And to produce a clear or translucent  
7 product, a film, you really have to have a pure  
8 stream of material. Where would this post  
9 consumer material be coming from that would be  
10 making these bags?

11 COUNCIL MEMBER LAPPIN: I think  
12 what I'm going to do, since I came in the middle,  
13 is have a chance to kind of review what your  
14 feedback was and discuss with the chair and the  
15 counsel to the committee how we can move forward  
16 on incorporating both some of the changes and  
17 concerns I've heard from the industry and some of  
18 your comments today. I don't want to take any  
19 more of the committee's time today.

20 ROBERT LANGE: We would also be  
21 happy to sit down with Council staff and go over  
22 the complexities of plastics, which plastics seem  
23 very simple but in fact they're very complex. For  
24 example, compostable bags, if you allow within the  
25 city compostable bags under one law, they may



2 compromise the integrity of plastics collected  
3 under another program. So you have to be very  
4 careful in developing legislation that one law  
5 doesn't actually impact adversely another law.

6 COUNCIL MEMBER JACKSON: Thank you  
7 very much. We're going to ask Mrs. Ashley Seever  
8 [phonetic] to come up next. She's going to be  
9 reading testimony and not questions because we  
10 have other panels from the industry that will be  
11 coming as well. Thank you very much.

12 [Pause]

13 COUNCIL MEMBER JACKSON: He's just  
14 going to make copies so the committee members will  
15 have copies.

16 [Pause]

17 COUNCIL MEMBER: Is she only going  
18 to read someone's testimony and not take  
19 questions? If that's the case then she can just  
20 submit the testimony.

21 COUNCIL MEMBER JACKSON: Yes, the  
22 Chairman has a rule about that.

23 COUNCIL MEMBER: If it's not her  
24 testimony and she's just going to read somebody  
25 else's testimony and not take questions, she can

2 just submit it.

3 COUNCIL MEMBER JACKSON: The  
4 Chairman has a rule about that.

5 CHAIRPERSON FELDER: Thank you very  
6 much. I don't know what happened but I surmise  
7 that someone is here to read someone else's  
8 testimony. The point with that is that although  
9 we would like to trust you, I have no reason not  
10 to, we have no idea whether that person really  
11 agree with what you're saying. You're coming in  
12 and read someone else's testimony. So we don't  
13 allow that. You can submit it and if you have  
14 anything you'd like to say on your own, you can  
15 say whatever you want for yourself, but you can't  
16 say anything for anybody else. That's one. Two,  
17 it's much less of a reason, but people send  
18 testimony in the mail and other ways, so I don't  
19 feel that it's fair to them. Their testimony  
20 doesn't get read into the record. We submit it  
21 into the record. So if you have anything you'd  
22 like to say you can do so. We're going to take  
23 your testimony and put it into the record. Thank  
24 you very much. I just want to mention for the  
25 record that I highly recommend that we do this in

2 all the committees. I don't want my committee to  
3 be special despite the fact that I'm the  
4 chairperson. But I think that that's the way we  
5 should go with all of the committees because  
6 they're long hearings and people sometimes wait,  
7 particularly the honorable chair of the Education  
8 Committee is sometimes here for hours and hours  
9 and hours and somebody who wants to speak, who is  
10 there to testimony personally on their own will  
11 wait for hours while other testimony is being read  
12 from people who are not sitting there. So I don't  
13 think it's fair.

14 [Pause]

15 CHAIRPERSON FELDER: We're going to  
16 have one panel. I'm going to ask the sergeant-at-  
17 arms if you can please add one chair. I think  
18 this way it will be efficient. David Mindich,  
19 Victoria Aviles [phonetic], Debra Kravet, Nora  
20 Nealis, and Wayne Edelman, if you can all please  
21 come up. Is there anyone here who has signed up  
22 to testify whose name I did not mention? We need  
23 five chairs.

24 [Pause]

25 CHAIRPERSON FELDER: As the

2 testimony goes forward, you are permitted to  
3 switch chairs so that they can get near the mike.  
4 Whoever wants to start should please start.  
5 Identify your name.

6 NORA NEALIS: Good afternoon, my  
7 name is Nora Nealis. I'm here representing the  
8 NCA, which is the National Cleaners Association,  
9 formerly known as the Neighborhood Cleaners  
10 Association and interestingly enough, we're the  
11 industry group referenced by the Department of  
12 Sanitation during their testimony. We're  
13 headquartered right here in New York City and we'd  
14 like to thank the City Council and this committee  
15 for the opportunity to comment on Intro 1019 and  
16 begin a dialogue with you explorer the ways that  
17 cleaner's use of plastic packaging can be handled  
18 in a more environmentally friendly manner. Let me  
19 begin by saying that as I prepared for this  
20 hearing I came to the realization that this is a  
21 very complex issue and that the ramifications go  
22 far beyond what even I would have believed. I  
23 would like to highlight for you some of the  
24 challenges that we're going to have to work  
25 through in order for any green goals to be

2 realized in a reasonable and equitable fashion.

3 First, I would like to call to your attention that  
4 the proposed legislation exempts shirt laundries  
5 from this measure, but not the dry cleaner that  
6 uses their services. Given the fact that men have  
7 their shirts laundered far more often than they  
8 have their suits dry cleaned, this will create a  
9 myriad of costly problems and undue burden for the  
10 neighborhood dry cleaner that is not operating his  
11 own shirt laundry. Now I'd like to enumerate the  
12 reasons a cleaner has come to rely on plastic  
13 packaging. Number one, it is clear and allows the  
14 consumer to easily identify the item as their  
15 property and see the condition of the item being  
16 returned. Experience has shown the cleaner that  
17 these are very important benefits to their  
18 customers. It's clear and therefore makes finding  
19 a lost item inside the plant on the conveyor much  
20 easier for both the cleaner and their staff. It's  
21 water-resistant and therefore protects the garment  
22 from the elements walking to and from. It can be  
23 easily tied at the bottom so that you eliminate  
24 the lost belt, the lost tie, the pants slipping  
25 off the strut. It's affordable, though it does

2 comprise one of the largest percentages of a dry  
3 cleaners' annual supply cost, probably second only  
4 to hangers. Therefore, if there is a way to  
5 reduce the cost in terms of recycling or reuse,  
6 this is not something that you would get industry  
7 opposition to, you would get industry support and  
8 cooperation. When compared to alternative  
9 packaging such as paper, fabric, non-wovens, it's  
10 lighter weight, which means there are lower  
11 transportation costs in, the product is easier for  
12 the consumer on delivery or the delivery man on  
13 running it around and it minimizes the bulk on the  
14 conveyor which is that carousel that you see going  
15 around in dry cleaning establishments. In  
16 considering any legislation regarding the  
17 cleaner's use of plastic bags, you should also be  
18 aware of the following. In an effort to control  
19 costs, cleaners will often place call-off or  
20 blanket orders with their suppliers. That might  
21 be for an inventory to cover them for as long as a  
22 year or maybe longer. Given the fact that the  
23 industry in New York City has experienced a  
24 downturn of anywhere from 20-30% depending on  
25 which cleaner you talk to, cleaners can find

2 themselves with an awfully big inventory on a  
3 early adopted piece of legislation that could  
4 prove to be not a fit with what you folks do here  
5 today. Plastic bags with a high content of  
6 recycled material do not have the clarity that  
7 cleaning customers demand. This goes back to what  
8 the Department of Sanitation as talking about.  
9 Bag producers report that 5% recycled material is  
10 about the ideal. Though some say they can push it  
11 higher, none of them will commit to a higher  
12 number. Bag producers also report that there's no  
13 way to tell by looking at a bag whether or not it  
14 in fact contains a particular amount of recycled  
15 materials. So the practical aspects of how any  
16 legislation the Council adopts is going to be  
17 enforced must be part of the equation if a level  
18 playing field is to be ensured. While  
19 biodegradable plastic bags have been recently  
20 introduced to the market, these bags reportedly  
21 cost anywhere from 25-30% more than the  
22 traditional bag. In addition, there is some  
23 concern among the cleaners, and this is an  
24 important component for cleaners, as to what the  
25 long-term position of that bag will be if it's

2 left in the closet on a garment for a year or two  
3 and what that biodegradation might mean to the  
4 garment. It may mean nothing or it may mean  
5 something. But it's a product that's new enough  
6 to the market that we don't know. So any  
7 legislation that's adopted has to address the fact  
8 that we don't want to find ourselves in a position  
9 of mandating something that proves to be  
10 detrimental to the garments. Reusable bags are  
11 also being marketed to the industry and this is  
12 something NCA was actively involved in 10 or 15  
13 years ago. While on the face of it, it looks like  
14 a great idea, in practice there are problems. The  
15 cost of acquisition for these bags is significant.  
16 Depending on the material that the bag is made  
17 from you're looking at anywhere from \$4-\$10 per  
18 bag. For most cleaners, given the tough economic  
19 times, the upfront investment is beyond their  
20 means. It's a cost that can't be absorbed by the  
21 cleaner and is either equally unaffordable to some  
22 consumers or unacceptable as a surcharge to  
23 others. While considering this, please keep in  
24 mind that the typical New York City dry cleaner  
25 has annual gross sales volume of about \$300,000 a



2 year. There is not much room for them to move and  
3 they are in survival mode. Reusable bag  
4 manufacturers will tell you that consumer  
5 participation in reuse will be higher than that  
6 for retailers like CVS and Duane Reed because the  
7 bag will serve a dual purpose, dirty clothes in,  
8 clean clothes back. However, the industry's  
9 experience has shown that this is not the case.  
10 The 80/20 rule in terms of customers is alive and  
11 well in the dry cleaning industry. You have to  
12 keep in mind that approximately 80% of the  
13 cleaner's loyal customers are only one, two or  
14 three times a year dry cleaning users. This is  
15 very hard for anybody who is a weekly customer to  
16 understand. On the other hand, the people who  
17 come once a year have a hard time understanding  
18 that there are people who go every week. It's the  
19 nature of the beast. It's reasonable to expect  
20 that most of that 80% of the client base is likely  
21 to lose track of the bags in the ensuing months or  
22 find a better use for the bag. So in practice,  
23 the cleaners who have tried them found that  
24 customer participation is not sufficient to  
25 justify the investment. In addition, to the

2 extent reusable bags are in play, it further  
3 increase a cleaner's cost because the bag must be  
4 cleaned or washed, depending on the material,  
5 prior to its being used as a protective covering  
6 for the cleaned clothes. No one wants their  
7 cleaned clothes returned in the bag that held the  
8 dirty clothes. Finally, I would like you to  
9 consider that over the years some cleaners have  
10 tried to implement plastic recycling in their  
11 operations. To the best of my knowledge these  
12 efforts failed, not because of the cleaners lack  
13 of trying, but because of lack of customer  
14 participation, the consumer treating the effort  
15 cavalierly and dumping all manner of non-plastic  
16 materials, hangers, staples, receipts in the  
17 recycle bins with the plastic which in turn  
18 required the cleaner to invest the time and the  
19 labor in trying to sort everything out, and the  
20 difficulty in coordinating with an affordable  
21 recycler in the market. I'm sure all of these  
22 obstacles are not insurmountable and that by  
23 working together we can come up with a plan that  
24 will work for everyone concerned, the city, the  
25 Council, the cleaner and the consumer. We look

2 forward to sharing the creative problem solving  
3 process with you. Thank you.

4 CHAIRPERSON FELDER: Thank you.

5 Before we go to the next witness, I just wanted to  
6 make sure to introduce Councilman Robert Jackson  
7 who was at another hearing and has joined us and  
8 Council Member James Gennaro. Is anyone else  
9 going to speak? You have an option to leave if  
10 you want. Do you want to testify? Do you want to  
11 decide whether you want to speak? We'll be  
12 delighted to hear you.

13 WAYNE EDELMAN: My name is Wayne  
14 Edelman. I'm a Manhattan resident, residing at  
15 1623 Third Avenue in Manhattan and a Manhattan  
16 business owner, owning Meurice Garment Care with  
17 two locations in Manhattan and one in the Bronx.  
18 The recycled hanger issue is a great step in the  
19 right direction, but as the gentleman from the  
20 Department Sanitation represented, there are a lot  
21 of issues that really need to be addressed before  
22 we can put it into play with sanitation and not  
23 general, but individual sanitation being the  
24 biggest issue. Hangers are comprised of  
25 cardboard, paper and could potentially be carrying

2 agents from apartments to apartments. So the same  
3 way that we were concerned with this reusable bag  
4 issue, if a designated bag was not designated for  
5 an individual customer, the potential to cross  
6 contaminate our customers' apartments and  
7 especially with the bed bug issue that is  
8 currently gaining epidemic proportions in New  
9 York, I think we really need to look at this.  
10 There are certain hangers that we can reuse and we  
11 can sterilize. Somebody else brought up another  
12 significant point that if the hangers are in their  
13 original condition it's fine, but a lot of  
14 cleaners are currently using automation that if  
15 the hangers are not in their same parameters in  
16 terms of dimensions it will foul the automation  
17 and cause damage to the equipment and potentially  
18 to other customer owned goods. Thank you.

19 CHAIRPERSON FELDER: Thank you very  
20 much. A question, Council Member Jackson, do you  
21 want the other witness to come back to the table?

22 COUNCIL MEMBER JACKSON: Just a  
23 question on the recycling of hangers. I recycle  
24 hangers at my local dry cleaners. I'm not the  
25 once or twice a year customer. I guess I'm a more

2 than weekly customers. In fact, my wife likes the  
3 dry cleaners directly across the street, so I go  
4 to two different dry cleaners. She doesn't like  
5 the one that I go to. But anyway, concerning the  
6 recycling of hangers, the ones that I use for my  
7 shirts are normally white and they're a little  
8 bigger than the ordinary hangers. And then there  
9 are other hangers which I guess comes with the  
10 clothes. Some of them have the paper with we love  
11 our customer or what have you. Why is that  
12 necessary to put the paper on there? Couldn't you  
13 just have the metal hanger? The situation as far  
14 as hangers and the cardboard ones carrying agents  
15 from people's homes, maybe roaches, bugs or other  
16 stuff like that, why is it necessary to have the  
17 paper around metal hangers where it says we love  
18 our customers? I assume it's not necessary.

19 WAYNE EDELMAN: Nothing is  
20 necessary. Why would some individual drive a car  
21 with leather seats versus one with fabric seats?  
22 I think it comes down to the way the cleaner and  
23 the level of the cleaner, the way they present  
24 their product. It's the equivalent of why when  
25 you go to Macys would they wrap your purchase in

2 tissue paper before they gently place it in a bag.  
3 Why the tissue paper, you know, as opposed to just  
4 throwing it in the bag? The paper does serve a  
5 purpose if a cleaner was going to put some tissue  
6 paper in a garment to help it maintain its shape  
7 and form as it makes its way back into your  
8 closet, it gives it a cleaner way to affix that  
9 tissue paper to the hanger. A plain wire hanger  
10 will work well for returning uniforms to a gas  
11 station but doesn't really do justice to a nice  
12 man's suit. It doesn't really allow it or help it  
13 to maintain its shape and form.

14 COUNCIL MEMBER JACKSON: I can  
15 understand that. I was mainly referring to the  
16 paper that's around the regular hanger that says  
17 we love our customers. Like you said, that's  
18 presentation and how it looks and how someone  
19 wants to present themselves more so than anything  
20 else.

21 WAYNE EDELMAN: Well it is  
22 presentation and it also adds to the integrity of  
23 the garment. A plain metal hanger with a garment  
24 on it has the propensity to flex whereas the  
25 paper, because it's sealed around the perimeter of

2 it, does maintain the shape of the garment and the  
3 hanger.

4 COUNCIL MEMBER JACKSON: But the  
5 paper that I'm referring to in my opinion has  
6 nothing to do with the ones that come when I take  
7 my suits there. That's a little different. The  
8 paper that I'm referring to is thinner than this  
9 and it's just basically sitting on the hanger. I  
10 don't think that has anything to do with the  
11 integrity of the garment.

12 CHAIRPERSON FELDER: Before you  
13 answer the question, I just want to know, are the  
14 other three going to testify or not? The other  
15 three who have not testified, do you plan on  
16 testifying? You are welcome to; I just want to  
17 know whether you're going to.

18 MALE VOICE: I'm the main supplier  
19 to the industry.

20 CHAIRPERSON FELDER: It's a yes or  
21 no.

22 MALE VOICE: Yes.

23 CHAIRPERSON FELDER: Okay.

24 NORA NEALIS: In answer to your  
25 question, in some cases it's kind of like makeup

2 on a woman's face in that if there's an  
3 imperfection in the coating on the hanger that  
4 leaves a rough edge or something, the paper can  
5 protect it from snagging a lining or a blouse or  
6 whatever. So the cheaper the hanger, oftentimes  
7 the paper is there to cover the sins so that  
8 there's not an issue with the garment when you  
9 place it on top of it. A lot of cleaners do not  
10 love their customers. Instead they brand their  
11 services, so you'll see not I heart my customers,  
12 but you'll see on a hanger Bridge Cleaners,  
13 Meurice Cleaners, you know as a branding mechanism  
14 and a business mechanism that helps keep their  
15 name in front of the customer.

16 COUNCIL MEMBER JACKSON: Thank you  
17 Mr. Chair.

18 CHAIRPERSON FELDER: Thank you.  
19 Council Member Arroyo has a question.

20 COUNCIL MEMBER ARROYO: Thank you  
21 Mr. Chair. There has been two testimonies on this  
22 panel and the city on testimony. There are  
23 issues. They are not insurmountable given that in  
24 the industry's experience customer participation  
25 has been one of the contributing factors to



2 failure of initiatives. So as an industry what  
3 are you planning to be greener?

4 NORA NEALIS: Cleaners are doing a  
5 lot of things, depending on where they're located  
6 and who their market is. Obviously depending on  
7 where you are you can get greater or lesser  
8 consumer buy-in. Some cleaners are making  
9 reusable bags available to their customers on a  
10 voluntary basis. If the customer wants to invest  
11 or share in it or take responsibility for  
12 consistent use of the bag, the cleaner is  
13 facilitating. Many cleaners encourage their  
14 customers the same as you to bring back your  
15 hangers to your cleaner. You start to get into  
16 trouble in terms of saying 100% of the cleaners  
17 have to take back 100% of the hangers because, as  
18 Councilman Jackson here, if I've got one cleaner  
19 I'm going to who loves their customer and another  
20 cleaner I'm going to who's name is Acme Cleaners  
21 and I'm now taking my hangers back to I love my  
22 customer cleaner, he's now getting also back the  
23 Acme Cleaner hangers and what is he supposed to do  
24 with them, use the Acme Cleaner hangers? Does  
25 everybody understand my point there? It's kind of

2 like CVS being asked to use a Duane Reed bag.

3 COUNCIL MEMBER ARROYO: I do. I  
4 guess your testimony said these are not  
5 insurmountable issues. The issue of a reusable  
6 bag, we're talking about plastic film, so how is  
7 that a bag? Is a bag the same as the film that  
8 gets draped over the garment when you package it  
9 ready for it to go back home? Is that what you  
10 mean by a bag?

11 NORA NEALIS: A reusable bag would  
12 be a replacement for the plastic bag which would  
13 eliminate its need.

14 COUNCIL MEMBER ARROYO: The bag is  
15 the film? I just want clarity on what you mean by  
16 bag. The film that gets draped, you know you put  
17 it on this little hook and you pull this thing  
18 down over it. Is that what you mean by bag?

19 NORA NEALIS: That's a plastic bag.  
20 Now, if the objective of the plastic bag is to  
21 protect the garment, either in transit or in the  
22 plant or in your closet, the option is to find  
23 other ways to accomplish that goal that don't use  
24 a plastic bag.

25 COUNCIL MEMBER ARROYO: And you're

2 saying that there are establishments out there  
3 that are offering their consumer or their  
4 customers the option of a reusable bag versus a  
5 traditional plastic bag. Yes?

6 NORA NEALIS: Yes. And when I talk  
7 about creative ways to solve the problems, it may  
8 be that as opposed to mandating one way the  
9 legislation winds up with a smorgasbord of things  
10 that a cleaner can do in order to reduce or  
11 facilitate what's going to the landfills.

12 COUNCIL MEMBER ARROYO: Thank you.  
13 Thank you, Mr. Chair.

14 CHAIRPERSON FELDER: We'll have the  
15 next witness, whoever that may be. I think we'll  
16 take all the remaining witnesses before we take  
17 any other questions.

18 DEBRA KRAVET: Thank you for  
19 letting me speak today. My name is Debra Kravet.  
20 I own Apthorp Cleaners on the Upper Westside of  
21 Manhattan and a dry cleaning processing plant in  
22 the Bronx. I currently do offer reusable not  
23 plastic garment bags to my customers so that they  
24 don't have to use the plastic. Getting my  
25 customers to bring back those bags is like pulling

2 hair. That's why my hair is so short. They don't  
3 bring it back. They just do not bring them back.  
4 I mean we offer pick up bags which are nylon bags  
5 that the customers put their dirty clothes into  
6 and when we tell them to please also insert the  
7 reusable garment bags, not plastic film, in with  
8 their order, it just doesn't happen. It really  
9 doesn't. So I think that although it's a good  
10 option, it's just not a practical one. The  
11 problem also with hangers is that I have no  
12 problem taking hangers back from my customers, but  
13 when you take customers back from anybody who is  
14 walking down the street that happens to see a sign  
15 in your window that says we recycle hangers or  
16 plastic and they're not your customers, it creates  
17 a burden to the business. I received a panic call  
18 from a customer one day saying you've got to do  
19 something about the hangers because I keep getting  
20 violations from the Sanitation Department. The  
21 hangers are metal with paper on them. She said  
22 it's just too much work for me to take the paper  
23 off, put the paper with the paper and put the  
24 metal with the metal. I said to her just return  
25 them to me and I'll take care of it. She said,

2 "Really" and I said yes. So now she regularly  
3 returns her hangers. We try to advise our  
4 customers that when they do return the hangers  
5 that they need to put them in a separate bag  
6 because if they throw them in with their clothes  
7 there's the potential for damage to the clothes  
8 which has happened on numerous occasions. So  
9 there are pros and cons to everything. I just  
10 think as a dry cleaning owner/operator and  
11 consumer that these are things that need to be  
12 dealt with. Thank you.

13 VICTORIA AVILES: My name is  
14 Victoria and I will be brief because Debra said  
15 most of the things that I was going to say. I  
16 just want to tell you that this past winter in  
17 January, February and March we gave away 1,000  
18 reusable bags. It is now October and we have 2  
19 customers out of 1,000 that are using that bag.  
20 What happened to the other 998? They're in the  
21 garbage or maybe at home. Customers are  
22 inconvenienced by that bag. I think the plastic  
23 is a good option and we can come up to a solution,  
24 but those reusable bags do not work. Also, on the  
25 return of the hangers, because I do recycle

2 hangers and plastic, we also send out with those  
3 bags the tag saying that we do reuse plastic and  
4 hangers and the things that you get back sometimes  
5 you would not even want to handle it. Some of the  
6 hangers have rust, dirty, filthy; I mean you  
7 couldn't use it. You can sanitize some of them  
8 and reuse them but the others will be very labor-  
9 intensive to use. Maybe this is something for the  
10 Sanitation Department to handle, just the way you  
11 reuse metal and plastic that there should be  
12 something for this because it's not just the  
13 cleaners but all the other industries. You go to  
14 the grocer and everyone issues in practice so I  
15 believe that this law has to be a citywide issue  
16 and not just for the cleaners. Thank you.

17 DAVID MINDICH: Hello, my name is  
18 David Mindich. I own a company called Minda  
19 Supply. We are the main supplier to the dry  
20 cleaning industry, all packaging products, but  
21 specifically hangers and poly for today's  
22 purposes. When I first heard this bill, the first  
23 thing I thought of is ten years ago we tried to put  
24 together a recycling program for the industry.  
25 What happens is the dry cleaners are great. The

2 dry cleaners want to do everything to become green  
3 and participate and make it work. It's the  
4 consumers, as you're hearing a little bit here  
5 today, they don't participate and they make it  
6 much more costly to do this, which in fact I  
7 think, would make the cost of dry cleaning go up.  
8 When we tried it ten years ago what happened was  
9 we would pick up the plastic bags from the dry  
10 cleaner then we would give them back to the  
11 manufacturer. The dry cleaner had taken them from  
12 the customers, as you're encouraging. Well, I  
13 think you heard a little bit about it, but we  
14 would get back pieces of tissue, and safety pins.  
15 Anything, I mean garbage cans, they were using the  
16 dry cleaner to throw out their garbage. By the  
17 time we got it and gave it back to the  
18 manufacturer they were sitting with garbage that  
19 could not be recycled. Today's plastic bags that  
20 we sell and we sell two different kinds. One is  
21 the regular clear plastic that you see that we're  
22 talking about. That bag is already made from 5%  
23 to 20% of post industrial recycle product. I  
24 spoke to my major source of manufacturing the  
25 other day. As far as making that a bigger number,

2 it's not really feasible but they would because it  
3 makes the cost go down. Post consumer recyclable  
4 material is a lot less expensive than not using  
5 it. So they want to get as much as possible and  
6 we want to get as much as possible but it's not  
7 really feasible. What is feasible today is  
8 biodegradable bags which is a fairly new product.  
9 It's about a year old. They're a little bit more  
10 expensive than regular bags by about \$3 a roll,  
11 which maybe is about 10%. What is does is it  
12 gives you the ability to throw it out. When  
13 biodegradable comes in contact with the soil in a  
14 landfill it will degrade over time. I spoke to  
15 Jarret the other day. I thought this would be the  
16 best opportunity for some type of compromise with  
17 this. As far as the hangers go, I really don't  
18 think everybody truly understands how unsanitary  
19 it would be to reuse hangers. Shirt hangers are  
20 the main source of hangers in the business. Most  
21 dry cleaners do not do their own shirt so to reuse  
22 shirt hangers is to send them back to the person  
23 that did the original laundering of the shirt is  
24 nearly impossible. Caped hangers which have the  
25 paper and strut hangers which are the pants



2 hangers, the cardboard that goes at the bottom,  
3 cannot be reused. You heard Wayne's testimony.  
4 It's just unsanitary. That only leaves a suit  
5 hanger. So really are we talking about just  
6 reusing suit hangers or are we talking recycling  
7 all hangers. I just don't think that that is a  
8 possibility. If you have any questions I'll be  
9 happy to go on further.

10 CHAIRPERSON FELDER: Thank you.

11 Council Member Lappin has a question.

12 COUNCIL MEMBER LAPPIN: Thank you,  
13 Mr. Chairman. It's nice to see you all, nice to  
14 see a couple of you again. There is a lot of  
15 discussion from this panel about reusable bags and  
16 I just wanted to make clear that's not what's in  
17 the legislation in terms of my colleagues who are  
18 here today. So while very interesting and I think  
19 it's unfortunate and surprising that more people  
20 didn't use those reusable bags, I just wanted to  
21 make note that that's not what we're discussing  
22 legislatively today. Your point about the  
23 percentage of recycled material I think is  
24 discussed in the committee's report and certainly  
25 we could discuss including in the bill a

2 percentage, a minimum, a maximum, both, whatever.

3 I'm open to that. It's sort of interesting

4 Sanitation's comment about the biodegradable bags

5 because I think it's an interesting option to give

6 cleaners the opportunity to say we're using some

7 recycled content in our plastic film or we're

8 using the biodegradable. I'm not sure why

9 Sanitation says why that matters as long as those

10 bags aren't thrown into the recycle bin, they're

11 being thrown away which my guess is most of them

12 are anyway. I wouldn't see why legislatively

13 there's a problem with giving you guys the option

14 to do one or the other. It doesn't sound like

15 adding reusable bags would make any sense

16 whatsoever because you don't find that to be

17 particular successful, although I would love that.

18 I think that'd be great. I mean those are sort of

19 my two comments that I wanted to make. I don't

20 really have a question for the panel.

21 CHAIRPERSON FELDER: Do any of my

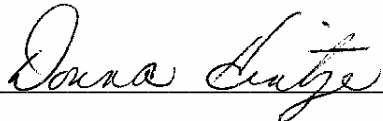
22 colleagues have any questions? Thank you very

23 much for your testimony. The hearing is hereby

24 closed.

C E R T I F I C A T E

I, Donna Hintze certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature 

Date November 6, 2009