

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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April 26, 2010
Start: 01:18 pm
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HELD AT: Council Chambers
City Hall

B E F O R E:
LETITIA JAMES
Chairperson

COUNCIL MEMBERS:
Letitia James
Maria del Carmen Arroyo
James F. Gennaro
Robert Jackson
Michael C. Nelson
Jessica S. Lappin
Lewis A. Fidler
Julissa Ferreras
Karen Koslowitz

A P P E A R A N C E S

John J. Doherty
Commissioner
New York City Department of Sanitation

Larry Cipollina
Deputy Commissioner for Financial Management
And Administration
New York City Department of Sanitation

Robert Lange
Director of Bureau of Waste Prevention
And Recycling
New York City Department of Sanitation

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Eric A. Goldstein
Senior Attorney
Natural Resources Defense Council

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

Kendall Christiansen
Gaia Strategies

Thomas Outerbridge
General Manager
Sims Municipal Recycling

Keith Christman
Managing Director of Plastic Markets
American Chemistry Council

Steve Alexander
Association of Post Consumer Plastic Recyclers

Frieda K. Bradlow
Executive Committee
Village Independent Democrats

Jack Walsdorf
VP for Waste Management
Converged Organics, Inc.

Maggie Clarke
Co-Chair
New York City Waste Prevention Coalition

Arden Down
Women's City Club of New York

Christina Giorgio
Compost Activist

2 CHAIRPERSON JAMES: There are a
3 number of people who would like to testify and I
4 wanted to start in a timely fashion. So let us
5 begin.

6 My name is Letitia James. I'm the
7 chair of the Committee on Sanitation and Solid
8 Waste Management. We've been joined by Council
9 Member Lew Fidler, Council Member Julissa
10 Ferreras, Council Member Maria Carmen del Arroyo,
11 who left early, and Council Member Karen
12 Koslowitz.

13 In 1989, in response to a well
14 documented garbage crisis, the City of New York
15 passed a comprehensive residential recycling law,
16 commonly referred to as Local Law 19. Local Law
17 19 was one of the first comprehensive residential
18 recycling laws in the world and it remains the
19 single largest municipal recycling program in the
20 United States.

21 Chief among its functions, Local
22 Law 19 required residents in every household to
23 separate certain metal, glass, plastic and paper
24 for recycling, and through the City's Department
25 of Sanitation, provided curbside collection of

2 those materials from every residence in New York.

3 At the time of its passage, the law
4 represented an ambitious and promising step
5 forward for addressing the city's garbage problem.
6 At that time, then Council Speaker Peter Vallone,
7 Sr. called the law one of the most significant
8 pieces of legislation in the history of the city.

9 The years following the enactment
10 of Local Law 19 represented both great progress
11 and challenges with respect to recycling. The
12 city's recycling rates improved dramatically, but
13 at the same time, many believed that the city was
14 not doing enough based on the law.

15 Today, almost exactly 21 years
16 since Local Law 19 first passed this Council, it
17 is clear that Local Law 19 has done a commendable
18 job of establishing and preserving New York City's
19 recycling program. But there is much more that
20 can be done and should be done.

21 We are here this afternoon to
22 consider 11 different bills aimed at revising the
23 city's recycling law. These 11 bills outline
24 reforms that will bring out recycling laws into
25 the 21st century. We will recycle a wider array

2 of plastics and provide opportunities to recycle
3 many of the materials that should be removed from
4 our waste stream including clothing and textiles
5 and household hazardous waste. Our schools will
6 have recycling bins in each and every classroom.
7 City agencies and offices will be required to
8 recycle more, and more public space recycling bins
9 will be located in city parks and commercial hubs.

10 We will compost more of our leaf
11 and yard waste and we'll study ways to expand the
12 city's capacity to compost food waste. We will
13 have consistent and reliable data for counting the
14 materials to recycle and provide meaningful goal-
15 oriented recourse if we do not live up to our
16 recycling expectations. We will use outreach and
17 education more effectively so that instead of
18 simply writing more tickets, we offer residents a
19 way to learn how to recycle properly.

20 I am proud to note that we have a
21 wide array of advocates and stakeholders here with
22 us today, many of whom were instrumental in
23 passing the law back in 1989 and look the same, or
24 who are carrying it forward through today. We
25 look forward to hearing from all of you today. If

2 anyone else from the public wishes to testify at
3 today's hearing, please sign with the sergeant-at-
4 arms at the front of the chambers.

5 We are also joined by our partners
6 in this process, the Mayor's Office, and
7 specifically the Department of Sanitation. We
8 thank you for your hard work and partnership in
9 developing these bills. We look forward to
10 working together to pass this legislation.

11 Before we invite the administration
12 to testify, I would like to recognize my
13 colleagues, who I've already done and who have
14 joined us today, many of whom are sponsors of
15 these 11 bills. I know that Council Member Karen
16 Koslowitz wanted to say a few words. Council
17 Member?

18 COUNCIL MEMBER KOSLOWITZ: Thank
19 you, Chair James. This piece of legislation
20 addresses the need for a comprehensive system of
21 recycling for leaf and yard waste. Every spring
22 and fall, homes and apartment buildings all over
23 our great city make improvements to their lots by
24 either trimming weeds, cutting grass, or bagging
25 leaves.

2 During the holiday seasons, many
3 dispose of their Christmas trees through the
4 city's curbside program. While the city has done
5 a good job in the recent years of collecting and
6 disposing, too much of this recyclable material
7 has eventually ended up in landfills.

8 In order to become a leader in
9 recycling, New York City needs to vastly improve
10 its leaf and yard waste collection and disposal
11 process. The key points that this bill aims to
12 accomplish will extend the duration of time when
13 the Department of Sanitation will conduct its
14 collection program.

15 It will require the city to
16 establish a new leaf and yard waste composting
17 facility, eliminating the collection of grass
18 clippings, require to Department to collect leaf
19 and yard waste from NYCHA facilities. It will
20 require all city agencies that generate a
21 significant amount of leaf and yard waste to
22 source separate and improved and strengthen
23 Christmas tree composting.

24 The true meaning of the old slogan,
25 "think globally, act locally" finds itself in

2 every part of this legislation. Every amount of
3 leaf and yard waste that is brought to a
4 composting facility will be able to find its way
5 back into our natural environment, allowing for a
6 much greater level of sustainability. Despite the
7 tough budget problems that we face, we need to
8 find smart and creative ways to improve our
9 environment.

10 I am proud to sponsor this
11 legislation and thank Speaker Quinn for her
12 steadfast leadership in pushing the boundaries to
13 make New York City the leader in this important
14 movement.

15 CHAIRPERSON JAMES: Thank you.

16 COUNCIL MEMBER KOSLOWITZ: Thank
17 you.

18 CHAIRPERSON JAMES: Council Member
19 Lew Fidler?

20 COUNCIL MEMBER FIDLER: Thank you,
21 Chairwoman James. I want to thank you for your
22 leadership on this. And I particularly want to
23 thank Speaker Quinn for taking such a forward
24 looking and broad approach to a difficult but
25 important issue. I am the lead sponsor of two of

2 these pieces of legislation, most notably the
3 plastics recycling. Just very briefly I want to
4 say that in my view this will make life simpler
5 for New Yorkers, save money for taxpayers and be
6 environmentally sound and positive. That's the
7 triple crown of a recycling bill for any Council
8 Member.

9 So I hope the testimony today will
10 bear out that those three thoughts are in fact
11 accurate. Quite frankly, if it does all of those
12 three things, I would think it's a no-brainer and
13 something that we ought to be doing on behalf of
14 the environment, on behalf of the taxpayers and on
15 behalf of the citizens. So thank you very much.

16 CHAIRPERSON JAMES: We've been
17 joined by Council Member Michael Nelson from the
18 great borough of Brooklyn. Now we will hear from
19 the commissioner of the Department of Sanitation
20 in New York, John Doherty; Larry Cipollina, deputy
21 commissioner of finance and administration; and
22 Robert Lange, the director of bureau waste
23 prevention, reuse and recycling, also from the
24 Department of Sanitation.

25 Before you begin, let me wish a

2 happy birthday to Commissioner Doherty. It's my
3 understanding that you just turned 40. Happy
4 birthday.

5 JOHN J. DOHERTY: Good afternoon,
6 Chairwoman James and members of the Committee on
7 Sanitation and Solid Waste. I am John Doherty,
8 Commissioner of the New York City Department of
9 Sanitation.

10 As commissioner of the agency
11 responsible for creating, designing and managing
12 the most ambitious, comprehensive and largest
13 recycling program of any city in our nation, I
14 welcome this opportunity to speak before you today
15 about the future direction of recycling, and how
16 we can, and will, collaboratively work together
17 and expand it in this 21st century.

18 With me here today to answer any
19 questions you may have is Robert Lange, Director
20 of the Bureau of Waste Prevention, Reuse and
21 Recycling for the Department, and Larry Cipollina,
22 the Deputy Commissioner for Financial Management
23 and Administration, also sitting in the first row
24 is John Shea of the Department of Education who
25 will be available to answer any questions you may

2 have on that bill that pertains to the Department
3 of Education.

4 Having just celebrated the 40th
5 anniversary of Earth Day last week and the Mayor's
6 announcement of the process to update PlanNYC,
7 which will include a comprehensive examination of
8 the issue of solid waste, it is also fitting to
9 acknowledge another important milestone in the
10 City's green history and leadership, that is, the
11 21st anniversary of when recycling became the law
12 in New York City on April 14, 1989 by the passage
13 of Local Law 19. It was the first such mandatory
14 recycling law of any city in the nation.

15 Among cities across the nation
16 having populations of over one million residents,
17 New York City operates the most dynamic and
18 complex residential program in the nation. We are
19 the only city that collects recyclables at the
20 curbside from all residents. We serve more than
21 3.2 million households and over 8 million
22 residents across the City, most of who live in
23 large-scale, multi-residential buildings and
24 complexes.

25 New York City's residential

2 recycling program continues to be larger in scope
3 and magnitude than any other program of any large
4 city in the United States. Our capture rate for
5 recyclables from apartment buildings, which is the
6 bulk of our City's housing inventory, exceeds that
7 of even the smallest and less densely-populated
8 cities that are frequently heralded as being
9 recycling leaders.

10 In case there is any doubt
11 regarding the City's recycling efforts, its
12 commitment and future vision, I am here to assure
13 you that recycling can and does work in New York
14 City, and that the Department is committed to
15 improving, expanding and maximizing recycling.
16 And so today, the Council and the Administration
17 are charged with the task of working together to
18 make recycling work better for the public and
19 constituents we serve.

20 We all agree that recycling is a
21 major component of the City's integrated solid
22 waste management system and critical to our long-
23 term solid waste management policy and planning
24 strategies. The 11 bills under consideration
25 today provide a plausible framework of initiatives

2 to transform our current recycling program.

3 In fact, the programmatic changes
4 embodied in today's legislation have been the
5 subject of ongoing discussions, meetings,
6 negotiations and bill drafting between Department,
7 Administration, and Council staff for over two
8 years, and therefore, we support the general range
9 of the initiatives proposed by these bills.

10 Since our time with you is limited
11 today given the numerous other witnesses present
12 who will speak after me, I will only briefly
13 address each bill by sharing with you our initial
14 thoughts on the initiatives that I believe will
15 ensure sustained expansion of our recycling
16 program, and contain certain issues that require
17 further consideration

18 Intro 164, following a decade of
19 legislation and changing waste composition and
20 generation data, we can all agree that the current
21 tonnage mandates under Local Law 19 are obsolete
22 and don't reflect current reality.

23 Intro 164 creates two sets of
24 recycling percentage goals, one pertaining
25 exclusively to material the Department collects at

2 curbside, and the second pertaining to all
3 residential and institutional material that is
4 either recycled or diverted through other programs
5 in the City regardless of department collection.

6 We believe that the second set of
7 goals, which would include department-collected
8 material, provides the public with a more
9 meaningful and comprehensive picture of recycling
10 and re-use efforts in New York City that can
11 measure the success and growth rate of the City's
12 recycling program.

13 By contrast, the creation of two
14 separate goals would confuse this picture,
15 particularly when residential household recycling
16 is only one aspect of the City's overall recycling
17 program. The focus of our efforts should be to
18 encourage recycling, no matter if the recycling
19 takes place at the curb or at manufacturers and
20 retailers across the city.

21 The Council and Administration
22 reached a prior agreement and understanding with
23 respect to the broader set of goals set forth in
24 Section 305(a) of this bill. We believe that the
25 additional set of goals recently added to Section

2 305(b) of the bill is unnecessary.

3 Additionally, we oppose language in
4 Section 305(i) that appears to turn the recycling
5 goals in this bill into actual mandates. We also
6 believe that, in the event that the City fails to
7 meet two consecutive recycling goals, an outside
8 consultant, not a special master, should be
9 appointed to suggest additional steps that could
10 be taken to enhance the City's recycling program.

11 Intro 148, we support the expansion
12 of frigid plastics, also referred to as plastics 3
13 through 7, to our curbside recycling program
14 provided that economic markets exist to support
15 such expansion.

16 The legislation codifies some
17 provisions of the City's 20-year processing
18 contract with the Sims Group, which includes
19 provisions for the expansion of the recycling
20 program to allow for the incorporation of some
21 plastics, and provides the necessary flexibility
22 to the program by allowing it to expand as the
23 technologies and markets develop and are able to
24 support such expansion by guaranteeing a steady
25 stream of plastic recyclables.

2 Intro 158, the Department already
3 has in place over 250 public space recycling
4 containers across the City, and favors expansion
5 of the program in future years. However, we
6 believe that the provision of the bill requiring
7 the City to spend additional money to purchase 100
8 custom litter baskets to facilitate easy access
9 and retrieval of the discarded nickel deposit
10 containers is unwise.

11 Intro 156 and Intro 165, we support
12 improved recycling in the New York City's schools
13 and in city agencies. Over the last two decades,
14 the Department has furnished the Department of
15 Education and other agencies with an unprecedented
16 level of hands-on assistance in implementing
17 recycling in the City's public schools and in city
18 agencies. We will continue to work with the
19 Department of Education and individual schools,
20 and with city agencies to ensure our continuing
21 outreach assistance and service translates into
22 successful recycling in all of the city's schools
23 and agency work facilities.

24 Intros 141, 164 and 171, we look
25 forward to further discussions with the Council on

2 the studies and reports proposed by these bills,
3 and the potential benefits they could yield in
4 shaping and enhancing the City's recycling
5 efforts. As I mentioned earlier, the City will be
6 conducting a comprehensive review of solid waste,
7 including all of the subjects of the studies and
8 reports mentioned in these bills.

9 Rather than legislate a handful of
10 issues to study and pilot programs to undertake,
11 which would come with a cost, we believe that the
12 best path forward is through the careful
13 consideration of the entire solid waste picture
14 via PlaNYC, culminating with the release of a
15 comprehensive plan in April 2011.

16 Intro 157, the Department supports
17 a "Leave it on the Lawn" grass clippings program
18 created by this bill, and looks forward to further
19 discussions with the Council regarding the
20 expansion of leaf and yard waste pick-ups.

21 Intros 142, 158 and 162, the
22 Department supports the inclusion of these
23 programs designed to divert used paint, household
24 hazardous waste, and textiles from the
25 department's curbside collection. As of July 1,

2 2011, the Department will provide one household
3 hazardous waste collection in each borough.

4 Also beginning in the next fiscal
5 year, the Department will initiate, in partnership
6 with a City not-for-profit charitable
7 organization, a citywide textile recovery program
8 that will target used clothing and other textiles
9 via drop-off locations citywide.

10 It is our mutual task to ensure
11 that every New Yorker recycles at home, work and
12 school. This means reasonable initiatives and
13 sensible programs to make sure New York City
14 government delivers good on its intentions. The
15 initiatives should modernize recycling and sustain
16 it in the years ahead for the next generation of
17 City leaders.

18 We've joined together in a
19 collaborative partnership to work constructively
20 at solving our previous recycling challenges, and
21 I believe additional discussions will yield both
22 consensus and compromise toward a common and
23 important civic purpose.

24 I will conclude my testimony now in
25 order for us to answer your questions and engage

2 in a dialogue on any one or all of the bills, or
3 specific issues as you so choose. In closing, I
4 would make two final points. First, a primary
5 goal of our solid waste efforts should be to
6 reduce the amount of city waste residents and
7 businesses generate.

8 Waste reduction strategies will
9 provide the greatest environmental and financial
10 benefits to our city and our planet. Developing
11 innovative waste reduction strategies will be a
12 primary focus of PlaNYC. We look forward to
13 working with you on such efforts in the future.

14 Second, I urge that as we move
15 forward with our discussions to modify Local Law
16 19, we do so in a manner that re-affirms our
17 mutual policies and objectives, while affording
18 the department the necessary flexibility to re-
19 structure the program in a way that is practical,
20 achievable and cost-effective and which encourages
21 and facilitates the expansion of a successful
22 recycling program.

23 Thank you very much for this
24 opportunity to speak and now we would like to
25 answer any questions you may have.

2 CHAIRPERSON JAMES: Thank you,
3 Commissioner. So it appears that we are all of
4 one accord, except for some minor disagreements,
5 which I believe we can discuss and negotiate. But
6 for the most part, it would be fair to say that
7 the administration is in support of the 11 bills?
8 Thank you. Do you anticipate any costs associated
9 with administering these bills?

10 JOHN J. DOHERTY: Well, as we move
11 forward, we really have to look at what changes we
12 may make in these bills first of all. But there
13 will be a cost. I don't think that when we look
14 at all the bills and we look at the city' budget
15 in general, that it won't be that costly. But
16 there will be a cost to it.

17 I mean, the costs are some of the
18 operating expenses for sure, particularly when we
19 look at the yard waste program running from March
20 through the end of November. We have to look at
21 that and what the cost will be there. That's
22 probably our greatest cost.

23 The other cost, of course, is the
24 unknown on how much should we, or are we willing
25 to spend on education, how much money will be

2 available for that. Because as you look through
3 all of the bills, there's a common theme in there,
4 a common thread about education, which we agree is
5 important. That can be costly depending on how we
6 do it and how often we do it. So we have to look
7 at that and there will be some cost.

8 But overall I would say it's not
9 that expensive at this point. We'll have to see
10 where we end up at the end of the day.

11 CHAIRPERSON JAMES: We've been
12 joined by Council Member Robert Jackson from
13 Manhattan as well as Council Member Jessica Lappin
14 from the same borough. Do you anticipate an
15 increase in your budget with respect to
16 administering these bills?

17 JOHN J. DOHERTY: Well there will
18 be a cost. I mean that's something that the city
19 and the administration and the Council has to work
20 out when we look at the 2011 budget. I mean
21 that's something that's going to be in the budget,
22 it's going to be part of the budget, along with
23 many other budget and needs that the city has to
24 meet. So it has to be a balanced approach to
25 addressing the budget that we'll all be facing in

2 the next year.

3 CHAIRPERSON JAMES: Do you
4 anticipate increased routes by the Department of
5 Sanitation for recycling?

6 JOHN J. DOHERTY: Not really. I
7 mean, the increase in the routes is going to be
8 for the yard waste. Other than that, I mean as we
9 go into collecting plastics in the long run and we
10 have to see how and when we'll do that. That's
11 going to be collected with the current trucks to
12 pick up the metal, glass and plastic. The big
13 thing is the yard waste and how often we'll do it
14 and how we'll be required to do it over the course
15 of the period from March to the end of November.

16 CHAIRPERSON JAMES: Can you speak a
17 little bit about methods of outreach and education
18 which have been successful in the past, particular
19 in respect to larger residential buildings?

20 JOHN J. DOHERTY: When we look at
21 that, we found that the best method has been the
22 mailings. That when you mail people information
23 and they read it you get what seems to be better
24 results. Can I show that in any given year that
25 we did a lot of mailings and we had a major jump

2 or an increase in the diversion rate? No, I
3 can't. But from what we've learned so far, that
4 seems to be in many ways the most cost effective
5 approach.

6 When we talk about individual
7 buildings, we've done programs in Sanitation with
8 Bob Lange's office and the Office of Recycling has
9 also done programs in apartment buildings. A lot
10 of the success that you get in something like that
11 is if the people that live in the building become
12 part of the team to do it and if the staff of the
13 building cooperates with it. That's a very
14 tedious and long term program. But it does show
15 an improvement. But the people that live there
16 have to be part of the team and agree to get it
17 done. It's the only way it's going to work.

18 CHAIRPERSON JAMES: These bills
19 would also apply to residents of New York City
20 Housing Authority. Is that true?

21 JOHN J. DOHERTY: We've all been
22 working with the Housing Authority for many, many
23 years. That's been an ongoing program. I know
24 OROE has been involved with them recently. In
25 fairness to the Housing Authority, many of those

2 facilities were not built or designed to handle
3 recycling. They don't have the ability to store
4 the recycling on the floors for the most part.
5 Those buildings were designed and used
6 incinerators to get rid of their waste. It all
7 goes down the chute. They're very difficult. But
8 we do have some successes there. Not major, but I
9 think that's going to be an ongoing program and
10 one would hope that over time that'll improve.

11 Here again, it's getting to the
12 people that live in the buildings that want to
13 recycle and that are willing to go an extra step.
14 Because you're going to have to go a little
15 further. It's not like a one-family home on
16 Staten Island where maybe they can go out the back
17 door and put their recyclables in a container.
18 They have to go down the elevator and maybe go
19 outside.

20 So it's difficult. So people are
21 going to have to do the best they can and they
22 city's going to have to do the best they can to
23 try and see if they can make the storage areas
24 more accessible. It's tough in these buildings,
25 no question about it.

2 CHAIRPERSON JAMES: What will be
3 the anticipated impact of the new state bottle
4 bill?

5 JOHN J. DOHERTY: The impact, of
6 course, is that we have less material to pick up
7 at the curb. The cans and the bottles that are
8 plastic bottles have the five cents on them. But
9 there's an economic loss too in that depending on
10 the marketplace if we don't collect the aluminum
11 cans and we don't collect the plastic bottles and
12 jugs, that our ability to do better in our price
13 with Sims just doesn't work.

14 I mean in a good market, we will be
15 able to adjust the price that we get from Sims
16 because the commodities are of a higher value. If
17 we can't get those commodities, it limits what we
18 can do with Sims on making slight adjustments in
19 the price. So there's an economic issue to it.

20 CHAIRPERSON JAMES: Overall, does
21 the city make or lose money on its contract with
22 Sims.

23 JOHN J. DOHERTY: Well, we pay. I
24 mean we're paying right now \$67 a ton for tipping
25 fee.

2 CHAIRPERSON JAMES: And obviously
3 if we recycle more in the city of New York there
4 would be some savings to New Yorkers. Is that
5 true?

6 JOHN J. DOHERTY: A savings to New
7 Yorkers?

8 CHAIRPERSON JAMES: Savings
9 ultimately?

10 JOHN J. DOHERTY: Savings versus
11 what? I'm not sure what you mean. There are many
12 costs to recycling. One could look at the cost;
13 the tipping fee as I just said is \$67. And what's
14 the tipping fee for waste. That's on average \$95.
15 So on the surface it sounds like it's cheaper.

16 CHAIRPERSON JAMES: Right.

17 JOHN J. DOHERTY: But you have to
18 look at the whole picture. What is the cost of
19 picking it up? What is the cost of trying to get
20 people to recycle through education? So there are
21 a lot of pieces that go into it. If one breaks
22 out, any small piece of it, one can say it's
23 cheaper or it's more expensive. There are
24 different ways of looking at it.

25 CHAIRPERSON JAMES: In respect to

2 the Department of Education, will you provide
3 waste collection bins to charter schools and
4 private schools in the City of New York or just
5 public schools?

6 JOHN J. DOHERTY: I will let John
7 Shea answer that. Do you want to answer that
8 John? John Shea from the Department of Education.

9 CHAIRPERSON JAMES: Thank you.

10 JOHN SHEA: Thank you. If I could
11 just understand the question, you're talking about
12 classroom bins?

13 CHAIRPERSON JAMES: Yes.

14 JOHN SHEA: Yes. In the Department
15 of Education, regardless of charter school,
16 regular DOE school, we feel that we're already
17 well positioned to have recycling containers in
18 every classroom. The overwhelming majority of
19 waste that comes out of a classroom is recyclable.

20 Working with Sanitation, we want to
21 make sure that we're all on the same page with
22 what constitutes a recycling bin. We feel that it
23 doesn't have to be a blue plastic Rubbermaid
24 container that constitutes a recycling bin. One
25 of our favorite initiatives is to work

2 particularly with the elementary schools and have
3 something that's as simple as a cardboard box
4 that's decorated that says recycling. It engages
5 the students in the whole process. As long as
6 it's got a clear plastic bag in it and they know
7 what to use it for, then that should be
8 sufficient.

9 CHAIRPERSON JAMES: Just to recap,
10 it'll be charters, public and private schools?

11 JOHN SHEA: Private schools we do
12 not get involved with. But charters schools
13 certainly. If we provide the custodial services,
14 and many charter schools we do. Some charter
15 schools we do not. But the ones where we provide
16 custodial services, the ones that are co-located,
17 we would provide the recycling bin.

18 CHAIRPERSON JAMES: Do we have an
19 opportunity to engage private schools with respect
20 to the recycling efforts in the City of New York?

21 JOHN SHEA: I'm not sure that's
22 within our mandate. I would have to get back to
23 you on that.

24 JOHN J. DOHERTY: Just to cut in,
25 Sanitation will work with any private schools. We

2 monitor the waste that are coming out of
3 facilities, whether it's a private school or an
4 apartment house or even the Department of
5 Education schools to see whether we see
6 recyclables coming out. If we were to see that at
7 a private school all we were picking up is
8 garbage, we'd be knocking on the door saying
9 what's going on. I can't say we've ran across
10 that. I think they're all very cooperative. But
11 we do monitor them and we do work with them.

12 CHAIRPERSON JAMES: And the textile
13 collections, could you speak a little bit about
14 how we plan on distributing bins to recycle
15 textiles and ink for that matter?

16 JOHN J. DOHERTY: I'm going to let
17 Bob Lange answer that question only because he's
18 been working on this for a long, long time and I
19 think he deserves a little credit for where he's
20 gotten so far. So I'll let him phrase himself for
21 all the work he's done.

22 CHAIRPERSON JAMES: Mr. Lange, can
23 you specifically talk about architectural schools?
24 I represent Pratt Institute. Can we had a
25 discussion with Pratt, which is an architectural

2 school which has a lot of pain onsite?

3 ROBERT LANGE: We haven't had any
4 discussions with Pratt about their paint. First
5 the textiles, the bins will be a mutual design
6 between the vendor and the department and there
7 will be different bins depending on where they're
8 placed. Some of the outdoor bins will be typical
9 bins like you've seen before except these will be
10 painted white and they'll be nicely decorated with
11 all the information about the program on it.

12 CHAIRPERSON JAMES: I hope these
13 bins are not an opportunity for elected officials
14 to put their names on.

15 ROBERT LANGE: I think you're in
16 control of that, not us. The other kinds of bins
17 will be more like plastic rolling bins that will
18 be in the basement of apartment buildings.
19 Basically the vendors will service both types of
20 locations. We used to have a lot of one-day
21 events for textiles. There were cut in part
22 because of the budget. We will reinstitute those
23 drop-off events with whoever the winning vendor is
24 periodically throughout the city.

25 CHAIRPERSON JAMES: How many

2 textile collection bins do you anticipate by the
3 end of this year?

4 ROBERT LANGE: We hope to have at
5 least 50 in the first year and we can expand it as
6 much as we want. This is a program that's not
7 funded by the City of New York. This is set up
8 that any revenue generated from this program is
9 reinvested into the infrastructure. So it's a
10 program that can't be cut in a way because it
11 requires no city funding.

12 CHAIRPERSON JAMES: Have you
13 identified the locations?

14 ROBERT LANGE: We haven't
15 identified a vendor yet. Once we have a vendor we
16 will identify locations.

17 CHAIRPERSON JAMES: My last
18 question before I call on my colleagues,
19 Commissioner, in your testimony you talked a
20 little bit about a city not-for-profit charitable
21 organization that the city would partner with. Do
22 you have a particular organization in mind?

23 ROBERT LANGE: We don't have a
24 particular organization in mind but there are a
25 whole host of organizations that fit the bill:

2 Good Will, Salvation Army, St. Vincent DePaul, and
3 organizations like that have a long history of
4 doing charitable work in this city and working
5 with textiles. They're able to take in a large
6 volume of textiles, sort them, sell some for
7 higher value and some merely sell for rags.

8 CHAIRPERSON JAMES: How will that
9 organization be selected?

10 ROBERT LANGE: It's part of a bid
11 process?

12 CHAIRPERSON JAMES: An RFP?

13 ROBERT LANGE: No, it's a bid.

14 CHAIRPERSON JAMES: Council Member
15 Lew Fidler.

16 COUNCIL MEMBER FIDLER: Thank you,
17 Madame Chair and good afternoon Commissioner and
18 gentlemen.

19 JOHN J. DOHERTY: Good afternoon.

20 COUNCIL MEMBER FIDLER: I
21 appreciate your expressed support for the plastics
22 recycling bill. I'm sure it's refreshing to both
23 the administration and to my colleagues to know
24 that for once I'm on the same page with the
25 Bloomberg Administration. So it's a good start.

2 I am a little perplexed by your
3 answers on some of the cost issues. I recognize
4 you're saying that you don't want to take any one
5 aspect of this program out of the whole. But I
6 want to be sure I'm not selling a pig in a poke
7 here. To begin with, the recycling trucks right
8 now are not coming in with full loads. Am I
9 correct?

10 JOHN J. DOHERTY: They could put
11 more material on them. Most trucks have a little
12 bit more space.

13 COUNCIL MEMBER FIDLER: So the
14 addition of the plastics recycling at the time
15 when Sims is online for it should not result in
16 additional truck runs.

17 JOHN J. DOHERTY: Correct.

18 COUNCIL MEMBER FIDLER: So there's
19 no cost there. So explain to me then why it's not
20 automatically a savings even though Sims may seek
21 to renegotiate its price a bit if the tipping fee
22 on recycling is \$67 but the cost of hauling
23 garbage is \$100.

24 JOHN J. DOHERTY: If you're going
25 to look at the larger costs and one can discuss

2 how the department arrives at that cost. It's
3 based on the cost per ton. To look at the cost
4 per ton to collect recyclables, based on last
5 year's numbers is \$376 per ton, the cost of
6 collection and disposal. The cost of collecting
7 and disposing of a ton of garbage is \$228.

8 Now, just to try and make it a
9 little simpler, we're looking at a cost per ton.
10 The average collection truck today picking up
11 refuse with two workers on it picks up 10.1 tons
12 per day. The average recycling truck with two
13 workers on it only picks up 5.6 tons per day. So
14 if you want to look at just on the cost of
15 operating that truck to collect it, the personnel
16 cost, you're picking up 10 tons with two people
17 and 5.6 tons with two people. So your costs are
18 the same. So there are little different things
19 that go into it.

20 If you want to just say will it
21 cost you more to collect plastic recycles, as I
22 said earlier, no, it will not because they're on
23 the route. It's going to go in a can and it's
24 going to go into the truck. So we're not going to
25 run any extra trucks. It may make the figures

2 look a little bit better because we're able to
3 collect. This is something we have to work on
4 what plastics we collect because what is the
5 market for them. Maybe the tonnage of that 5.6
6 will go up a little bit better and the numbers
7 will change slightly. The big thing with it is
8 going to be what the market is. We have to work
9 with Sims and we will work on that.

10 But in principle, I think we all
11 agree we want to collect more plastics and recycle
12 them because it's better to do that.

13 COUNCIL MEMBER FIDLER: Your first
14 numbers scared me there for a second. But when
15 you really get down to it, unless we're cancelling
16 the recycling program, those trucks are still
17 going to go out there.

18 JOHN J. DOHERTY: Absolutely.

19 COUNCIL MEMBER FIDLER: So that
20 first 5.6 analogy is kind of irrelevant on the
21 tonnage issue because the truck is still going
22 out. The cost is exactly the same. So you have
23 to factor that piece out. The marginal cost of
24 adding the additional plastics which are going to
25 cost you \$67 in a tipping fee as opposed to

2 whatever the cost would be to haul it to a
3 landfill is in fact a savings. It may be a
4 minimal one but it a savings.

5 JOHN J. DOHERTY: Yes.

6 COUNCIL MEMBER FIDLER: So unless
7 we're talking about throwing out the baby with the
8 bathwater and getting rid of recycling altogether,
9 plastic recycling will actually save the taxpayers
10 money. You could say anytime now.

11 I'm just kind of doing the math. I
12 mean, again, if the original cost that drives up
13 the cost of recycling is fixed, it's not going to
14 cost us any extra trucks. There is capacity in
15 the trucks. We're not going to have to put
16 additional sanitation workers out on the street to
17 collect it. The trucks are already there. You
18 factor that cost out because it's a constant.

19 JOHN J. DOHERTY: It's true.

20 COUNCIL MEMBER FIDLER: The cost of
21 the plastics will at least minimally save the
22 taxpayers money.

23 JOHN J. DOHERTY: Yes, we will save
24 money on the tipping fee costs for garbage
25 disposal.

2 COUNCIL MEMBER FIDLER: That's just
3 what I wanted to hear, Commissioner.

4 JOHN J. DOHERTY: That's why I said
5 it, sir.

6 COUNCIL MEMBER FIDLER: It's not
7 often I get to hear just what I wanted to hear
8 from someone sitting over there from the
9 Administration. Thank you. That's all I have.

10 CHAIRPERSON JAMES: Commissioner,
11 it would also save money in litigation costs, yes?

12 JOHN J. DOHERTY: Excuse me?

13 CHAIRPERSON JAMES: It will save
14 money related to less litigation.

15 JOHN J. DOHERTY: Less litigation?

16 CHAIRPERSON JAMES: Less lawsuits.

17 JOHN J. DOHERTY: I'm not sure.

18 CHAIRPERSON JAMES: We will save
19 money if we implement these 11 bills because we
20 will stop lawsuits or reduce them at least.

21 JOHN J. DOHERTY: I would let the
22 lawyers talk to that. I don't know. I don't have
23 a figure on that.

24 CHAIRPERSON JAMES: Council Member
25 Lappin?

2 COUNCIL MEMBER LAPPIN: Thank you,
3 Madame Chair. Nice to see you.

4 JOHN J. DOHERTY: Good afternoon.

5 COUNCIL MEMBER LAPPIN: So we've
6 been working on public recycling for a long time.

7 JOHN J. DOHERTY: Yes.

8 COUNCIL MEMBER LAPPIN: I'm very
9 happy to hear, and in fact it was just in the last
10 couple of months that the original list we had put
11 together of 30 some odd locations across the city
12 has now been expanded to 250. So how did you
13 decide where to place those bins? I guess that
14 means that the 30 that we selected were very
15 successful.

16 JOHN J. DOHERTY: Our biggest
17 concern with them is the storage of waste in
18 between collections. The areas that we've had the
19 biggest success have been working with the Parks
20 Department. They had the ability to store the
21 metal, glass and plastic or the paper if we can't
22 get there and the bin is full. They'll service
23 it, put it in a bag and hold it on the side and
24 put another liner in there until we get there.
25 That's been the biggest success.

2 COUNCIL MEMBER LAPPIN: So you did
3 expand into Parks?

4 JOHN J. DOHERTY: Yes.

5 COUNCIL MEMBER LAPPIN: Because
6 when I originally introduced my bill we said Parks
7 and you guys said Parks couldn't do it, so then we
8 did bids. But I guess Parks did find a way to do
9 it in the end.

10 JOHN J. DOHERTY: Many of the
11 baskets are on the perimeter of parks. So one
12 could say it's a Park basket, it's not a Park
13 basket. But they helped us in many areas with the
14 storage because the container is adjacent to the
15 park. So it's been a cooperative effort.

16 COUNCIL MEMBER LAPPIN: Are they
17 full? Are they being emptied once a week or twice
18 a week?

19 JOHN J. DOHERTY: It varies. The
20 Parks Department will empty them on an as-needed
21 basis. Generally on baskets like this and here
22 again it can be seasonal, depending on how many
23 people are out. In winter you're not going to get
24 as much and in the summer and spring you're going
25 to get more.

2 In some areas they will fill up in
3 a day, particularly. In other areas, they can go
4 a whole week and never be touched. On the metals,
5 glass and plastic, a lot of what's in there will
6 depend on the scavengers going to that container
7 and taking out the recyclables. In many areas
8 they are doing that right now and they continue to
9 do it. Some of those bins don't fill up as
10 quickly.

11 COUNCIL MEMBER LAPPIN: Are they
12 contaminated or are they pretty good?

13 JOHN J. DOHERTY: We have had a
14 couple of sites that were seriously contaminated
15 and we removed the baskets because it was just a
16 waste of everybody's effort. But there have been
17 very few of that I must mention.

18 COUNCIL MEMBER LAPPIN: I'm very
19 happy to hear that despite your initial misgivings
20 that it has been a big success.

21 JOHN J. DOHERTY: Sometimes we need
22 to be prodded a little bit and you had the right
23 prod and I listened.

24 COUNCIL MEMBER LAPPIN: Thank you
25 for that.

2 JOHN J. DOHERTY: You're quite
3 welcome.

4 COUNCIL MEMBER LAPPIN: I want to
5 talk to you about textiles. Council Member Fidler
6 brought up a little bit with the cost, and I
7 apologize if I missed some discussion of this.
8 There's a very profitable market for the textiles.
9 So in your bidding process, how are you accounting
10 for that? What are you anticipating that you
11 would be paid per pound for what the city
12 provides?

13 JOHN J. DOHERTY: I'll let Bob
14 answer that question.

15 ROBERT LANGE: We're not
16 anticipating and that's why we're bidding it out.
17 Whoever the highest bidder is will be the one.

18 COUNCIL MEMBER LAPPIN: There are
19 people that know what they get paid per pound.
20 You must have some sense and experience of what
21 the market is.

22 ROBERT LANGE: I'd rather not talk
23 about that publicly when we're issuing a bid.

24 COUNCIL MEMBER LAPPIN: But you're
25 going to actively seek somebody who will pay. I

2 mean, what are your criteria for the bid? You
3 said it's not an RFP. I'd like to know a little
4 bit more of how you're going to select who will be
5 running the program and how the city would
6 potentially make money.

7 ROBERT LANGE: It has to be an
8 organization that's done this for a decade. It
9 has to be an organization that has the ability to
10 process 500 tons of textiles. It has to be an
11 organization that has a long history of doing
12 this.

13 COUNCIL MEMBER LAPPIN: Why ten
14 years, just out of curiosity?

15 ROBERT LANGE: That's a good period
16 of time to demonstrate that that's a not-for-
17 profit charitable organization that is here to
18 stay.

19 COUNCIL MEMBER LAPPIN: What
20 percentage would they use for charitable purposes
21 versus sell? I mean, how are you looking to
22 structure this?

23 ROBERT LANGE: We can send your
24 office a copy of the bid. Basically there is a
25 minimum bid that people will have to give and that

2 bid based on unsorted material and that amount
3 will basically go back into the program to support
4 the program. There will be money in addition to
5 that, depending on their marketing ability and
6 they'll get to keep that for their charitable
7 work.

8 COUNCIL MEMBER LAPPIN: But we're
9 definitely going to make money?

10 ROBERT LANGE: The point of this is
11 not to make money, it's to capture textiles.

12 COUNCIL MEMBER LAPPIN: I get that,
13 but there's a market here. We can make money.
14 There's nothing wrong with doing both. We want to
15 support other parts of the program.

16 ROBERT LANGE: This is a program
17 that's being set up that requires no taxpayer
18 dollars to run which is quite unusual. I think
19 you would be happy about that.

20 COUNCIL MEMBER LAPPIN: I am happy
21 about that. I would hope that beyond just being
22 able to set up the program, if there's a profit to
23 be made that we would be able to capitalize on
24 that.

25 ROBERT LANGE: We are trying to

2 capitalize on that, but the major goal is not to
3 make money. The major goal is a long-term
4 program. This will be up to 25 years. We have an
5 arrangement with this organization. So we're
6 building a relationship over a long period of
7 time, similar to the one that we built with Sims.
8 If your major goal is to maximize revenue, you
9 sacrifice lots of other things.

10 COUNCIL MEMBER LAPPIN: What
11 happens if after five or ten years this
12 partnership is not working?

13 ROBERT LANGE: We always have the
14 ability to get out of contracts.

15 COUNCIL MEMBER LAPPIN: How are you
16 going to set it up to make it successful? If
17 that's the ultimate goal, can you speak to that in
18 a little bit more detail?

19 ROBERT LANGE: What do you mean by
20 that? Do you mean where bins are going to be
21 placed and things like that? I thought I already
22 went over that. There will be outdoor bins that
23 will be the metal type which will be basically
24 painted white and labeled as to the program. Then
25 there will be bins that are located with the

2 cooperation of the apartment building. Then there
3 will also be drop-off locations throughout the
4 city. Those will be the kind of temporary events.

5 COUNCIL MEMBER LAPPIN: In terms of
6 the outdoor bins, since obviously where they're
7 placed will have a very big part in whether or not
8 it will be successful, how are you going to
9 determine where you will place them and will they
10 be equally distributed across the boroughs? Will
11 they be concentrated in certain places?

12 ROBERT LANGE: With anything like
13 this, it's where you can put them. It's not that
14 easy to place anything in New York City. So we
15 will look first with those people who are in
16 particular areas willing to support the location
17 on public property. On private property there
18 will be an agreement between the vendor and the
19 private property, having to do with placing it
20 there, and the same thing in an apartment
21 building. I mean we will ask people like yourself
22 to help us in your district.

23 COUNCIL MEMBER LAPPIN: I would
24 love that. I would enjoy that. I would enjoy
25 working with you to try and find places that we

2 thought it would be successful.

3 JOHN J. DOHERTY: I think the big
4 thing on this program is we hope to have the
5 success. Here again, as Bob says, the ability to
6 find a storage space in an apartment building so
7 that when people do find out that in their
8 building there's a storage container somewhere
9 you're making it a lot easier. They don't have to
10 wait for somebody to collect it. They don't have
11 to walk to or drive to a drop-off point.

12 So that's where I'm hoping we'll
13 have the major success in this program, as well as
14 the drop-off centers and everything else. So
15 that's going to be a big change and we're really
16 going to have to watch that and see how well we do
17 in it.

18 COUNCIL MEMBER LAPPIN: Could any
19 building who wanted to start to collect it?

20 JOHN J. DOHERTY: Yes. Hopefully
21 it'll be a drop off, that the staff would put out
22 information in the building, and we'd help them.
23 And they'd say if you want to get rid of stuff,
24 put it in a bag and bring down here where the
25 container is. Just like having your recycling

2 containers in a building. Here's a blue one, a
3 green one and here's one for clothes. That's
4 where I think we're going to do the best because
5 it stays dry, it's not going outside and it's
6 convenient for people to do it.

7 COUNCIL MEMBER LAPPIN: Right. But
8 we're not finding people who don't do it.

9 JOHN J. DOHERTY: No.

10 COUNCIL MEMBER LAPPIN: Thank you
11 very much.

12 JOHN J. DOHERTY: But it would be
13 helpful.

14 CHAIRPERSON JAMES: Mr. Lange, you
15 will be working with Council Members with respect
16 to the siting of bins, composting sites and things
17 like that? We will be at the table.

18 ROBERT LANGE: We would be more
19 than happy to have the Council volunteer locations
20 where these kinds of things happen as well as
21 household hazardous waste drop-off days that we're
22 proposing to do.

23 CHAIRPERSON JAMES: Excellent. EDC
24 will also be at the table to identify possible
25 jobs related to recycling?

2 ROBERT LANGE: EDC's participation.

3 CHAIRPERSON JAMES: Okay. Or SBS
4 perhaps?

5 ROBERT LANGE: Perhaps.

6 CHAIRPERSON JAMES: Council Member
7 Jackson?

8 COUNCIL MEMBER JACKSON: Thank you,
9 Chair. Good afternoon everyone.

10 JOHN J. DOHERTY: Good afternoon.

11 COUNCIL MEMBER JACKSON: Sorry, I
12 was running a little late. I missed most of your
13 statement but I have it here. Commissioner, let
14 me just say that I'm pleased that these bills are
15 coming forward because it's going to save our
16 Mother Earth more so than anything else that we
17 have been doing. It will also help the people of
18 New York City to focus in on recycling and maybe
19 not purchasing all of the plastic and stuff that
20 we do.

21 The question was asked about NYCHA
22 housing. Obviously you and your staff are aware
23 of the great job that the Morningside West Harlem
24 Center Coalition is doing as far as the pilot
25 project to recycle papers and plastics in Grant

2 Houses.

3 ROBERT LANGE: Right.

4 COUNCIL MEMBER JACKSON: There was
5 a big write up in the "New York Times". I applaud
6 them for the job that they're doing and support
7 them as far as the little discretionary dollars
8 that I give them in order to help them improve our
9 environment overall. Your staff has been involved
10 in that and they've been doing a great job.

11 JOHN J. DOHERTY: Thank you.

12 COUNCIL MEMBER JACKSON: I would
13 love to see that happen in every NYCHA development
14 in the city of New York. That's really what
15 should happen. But also, you have the
16 representative from the Department of Education.
17 It should not even be a question; it should be
18 mandated in every school that we recycle.

19 As much paper as we handle in
20 schools as far as writing and what have you, we
21 should definitely make sure it happens at every
22 school, whether it's public, private, parochial,
23 it doesn't matter. It should be every school. I
24 didn't know I was going to get applause for that.
25 I'm serious, because it doesn't really matter. As

2 you know, educational institutions use a lot of
3 paper.

4 Commissioner, I wanted to ask you,
5 I know that some of this implementation will cost
6 money. I guess I'm concerned about the fact that
7 the state budget the way it is and the city's
8 budget the way it is. My concern is the cost
9 factor to implement this stuff, knowing that
10 several years ago we back off of recycling and
11 then we went back again. I don't want to send a
12 mixed message to the public. Do you know what I
13 mean?

14 JOHN J. DOHERTY: Correct.

15 COUNCIL MEMBER JACKSON: I do
16 think, though, regardless of the fact that in the
17 long run it's better for us to move forward. So
18 I'm curious as to the cost factor. I know that
19 you don't have a price tag on it as of now. But
20 obviously that's a factor. Also, I'm curious as
21 to what impact, if at all, from a positive point
22 of view and/or a negative point of view as far as
23 staffing is concerned, with the sanitation workers
24 that will be involved with this. Maybe if you can
25 expand on those two areas.

2 The next thought I have, are any
3 private contractors going to be involved in this
4 or is it going to be solely the city sanitation
5 workforce? If you could, just address those
6 couple of questions and thoughts that I had.

7 JOHN J. DOHERTY: I think the
8 overall cost of recycling in next year's budget,
9 as I said earlier, has to be worked out between
10 the administration and the council as part of the
11 overall budget and where money needs to be spent
12 and the exercise they go through.

13 But looking at the cost for the
14 programs in here, and looking at it generally, the
15 largest costs that I see right now is the yard
16 waste from going from March all the way to
17 November and how often we do that and the leaf
18 collection and everything else that's involved
19 with that. That's probably the largest cost.

20 The education probably is
21 potentially the next largest cost. That always
22 depends on how much education we can do and that's
23 based on how much money is available for us to do
24 that. We all want to do as much as we can. It
25 doesn't necessarily mean, or we haven't seen a

2 close correlation between a lot of education and a
3 diversion of recycling. But having said that we
4 all I think intuitively agree that education is
5 always going to be a help.

6 As far as who is going to collect
7 it, any collection that is done by the city for
8 residential buildings will always be done by
9 sanitation workers. Hopefully I answered all the
10 questions.

11 COUNCIL MEMBER JACKSON: Do you see
12 that as a result of the implementation of these
13 bills that subsequently appears as though it will
14 be voted into law, do you see an increase in the
15 number of workers or a decrease in the number of
16 workers?

17 JOHN J. DOHERTY: I don't see a
18 decrease. We all have to decide as part of the
19 budget. At this point we would probably have to
20 hire to meet the yard waste recycling because it's
21 going to go for nine months. That's a long period
22 of time. It probably doesn't make much sense to
23 do it on overtime. We'll have to figure out what
24 the base number of people is to hire to ensure
25 that we can do that program.

2 COUNCIL MEMBER JACKSON:

3 Commissioner, I guess this is a question that I
4 should be asking, but I'm going to ask anyway. I
5 know right now it's not mandated for NYCHA
6 developments to recycle.

7 JOHN J. DOHERTY: Yes, it is.

8 COUNCIL MEMBER JACKSON: Why don't
9 they do it then?

10 JOHN J. DOHERTY: Well, as I said,
11 they do try and do it. I think the problem there
12 is the inability to have the containers for the
13 recyclables being as close to the apartment as
14 possible. That's probably the biggest problem.

15 COUNCIL MEMBER JACKSON: Because
16 right now in the pilot, they have to bring them
17 downstairs.

18 JOHN J. DOHERTY: Right.

19 COUNCIL MEMBER JACKSON: We have
20 the metal things outside that they can put them
21 in.

22 JOHN J. DOHERTY: And when you
23 talked earlier about the Grant Housing, that's
24 been an example where people said we're going to
25 work at it and we're going to make it work.

2 COUNCIL MEMBER JACKSON: Right.

3 JOHN J. DOHERTY: That's what the
4 key is. The people have to want to do it for it
5 to work.

6 COUNCIL MEMBER JACKSON: That's it
7 for now, Madame Chair. Thank you.

8 CHAIRPERSON JAMES: Thank you. I
9 just have one question before I go to Council
10 Member Julissa Ferreras. There was a study I
11 believe that you did some time ago with respect to
12 residential food waste composting. I believe it
13 was in the mid 1990s. What did that study
14 indicate at that time? What is your position with
15 respect to collecting food waste now?

16 JOHN J. DOHERTY: The issue with
17 collecting food waste is basically apartments and
18 multiple dwellings and how frequently you're going
19 to collect it. The frequency of the collection
20 will drive the cost for a small amount of waste to
21 be picked up and recycled. You have to have the
22 ability to store it.

23 If we look at a one family home,
24 for example, could they potentially store the food
25 waste in a container with a liner in it? Yes.

2 But what is the ability to store it in apartment
3 houses, particularly apartment buildings that
4 don't have a good maintenance staff? You're going
5 to end up with a major problem, potentially a rat
6 problem.

7 Having said that, if one was to say
8 New York City was all one family homes, what is
9 the cost of collecting it? A limited number of
10 places have tried to do that and they reduce the
11 amount of waste collection. They rely on
12 recycling collection. They rely on leave it on
13 the lawn. They rely on basically reuse of
14 material. Toronto is only collecting the garbage
15 once a month now. But they collect their food
16 waste once a week.

17 So there is cost to doing that.
18 When one goes to reducing the collection of waste
19 and people continue to put it out on the day, it
20 has to stay there and the council has to say
21 you're right, Sanitation, leave it there, don't
22 pick it up. Let them look at it until it's time
23 to pick it up.

24 But I think we're not going there.
25 That's not something we're going to do because we

2 really have to address the bulk of the population
3 in this city and that's in apartment houses. The
4 biggest problem is storage of that until we can
5 collect it. The cost of collecting it even once a
6 week for that small amount is very difficult.

7 Plus you've got to get a lot of
8 people to be involved and decide they want to do
9 it. That's the other part.

10 CHAIRPERSON JAMES: But there are
11 organizations such as the Lower East Side Ecology
12 Center that collect compostable material from
13 residents.

14 JOHN J. DOHERTY: I'm not familiar
15 with that. Bob, are you?

16 ROBERT LANGE: Yes, that's true.
17 But that's more the small is beautiful model of
18 doing programs. Sanitation is very big and
19 massive. We collect the whole city. Because the
20 Lower East Side Ecology Center can take in food
21 waste that accumulates to maybe two or three tons
22 a month and feed it to worms, you know the whole
23 entire Fresh Kills Landfill would have to be a
24 vermicomposting facility to take all the food
25 waste from the city.

2 CHAIRPERSON JAMES: Is it also fair
3 that that pilot program apparently addresses the
4 issue of rodents that number of people have with
5 collecting compostable material?

6 ROBERT LANGE: I think the director
7 of that program has been very successful at
8 dealing with the perception of vector problem.

9 CHAIRPERSON JAMES: I believe we'll
10 hear from that director shortly. Council Member
11 Ferreras?

12 COUNCIL MEMBER FERRERAS: Good
13 afternoon.

14 JOHN J. DOHERTY: Good afternoon.

15 COUNCIL MEMBER FERRERAS: I wanted
16 to thank Chairperson James and the other members
17 of the committee. I'm proud to introduce Intro
18 142 which will initiate a pilot recycling program
19 in New York City, a pilot paint recycling program.

20 Unused architectural paint is a
21 major toxic waste item in our city, making up
22 about 30% of the hazard waste, often finding
23 itself through illegal dumping into sewers and
24 waterways.

25 This bill will provide contractors

2 and house holders with new ways to safely dispose
3 of their unused paint. I am hopeful that Intro
4 142 will lead us towards a safer and cleaner New
5 York City in the years to come.

6 My question is how does the city
7 currently handle the disposal of paint?

8 JOHN J. DOHERTY: One thing is that
9 once a month at our self-help facilities, our
10 special waste facilities, one in each borough,
11 people can come and drop off their excess paint.
12 That's the one process we have right now.

13 As far as the bill goes, we will
14 enter into a program with the manufacturers, with
15 the distributors, say Home Depot, where right now
16 they take rechargeable batteries. I think we'll
17 have to work with them in entering a stewardship
18 program with them to help us.

19 We also do the household hazardous
20 waste once a year and that will also be an
21 opportunity for people to take paint. Because
22 quite often, they hold it for a long time after
23 they paint their rooms thinking they may make a
24 mark on the walls and decide to save it. By the
25 time you save it, if it's too long, the color

2 doesn't match up, but people have that tendency to
3 save it.

4 So right now it's once a year on
5 the hazardous waste. Once every month you can
6 drop it off. And in the long run we'll enter into
7 programs with manufacturers and distributors of
8 paint hopefully, so it'll give people an easier
9 opportunity to get rid of it in a rather quick
10 manner.

11 COUNCIL MEMBER FERRERAS: Thank you
12 for addressing that because I think we've all seen
13 the rusty paint cans in our lives, especially in
14 the attics or the basements. You kind of
15 addressed my second question which is the
16 stewardship programs and who would we be reaching
17 out to. I'm looking forward to working with you
18 and the administration on this one. Thank you.

19 JOHN J. DOHERTY: We appreciate
20 that. Thank you very much.

21 COUNCIL MEMBER FERRERAS: And happy
22 birthday.

23 JOHN J. DOHERTY: Thank you.

24 CHAIRPERSON JAMES: The Sims
25 Recycling Center, is that on schedule for

2 construction by 2012?

3 JOHN J. DOHERTY: Yes, we hope to
4 have it online. That's one of their programs and
5 to the best of my knowledge they're on schedule to
6 be ready in 2012, probably the end of 2012.

7 CHAIRPERSON JAMES: Excellent. By
8 2011, the beginning of 2012?

9 JOHN J. DOHERTY: No.

10 ROBERT LANGE: It's a year from
11 December basically.

12 CHAIRPERSON JAMES: Thank you
13 panel. Thank you for your attention and thank you
14 for your answers. I look forward to working with
15 you. The next person to testify is Resa Dimino
16 from the New York State Department of
17 Environmental and Conservation. We were joined
18 briefly by Council Member Jim Gennaro. You may
19 begin.

20 RESA DIMINO: Thank you. Good
21 afternoon, Council Member James and members of the
22 committee. My name is Resa Dimino. I'm a Special
23 Assistant in the Commissioner's Policy Office at
24 the New York State Department of Environmental
25 Conservation. Thank you for inviting us to

2 testify at today's hearing. Commissioner Grannis
3 regrets that he is unable to attend.

4 DEC is pleased to see that New York
5 City taking up this package of legislation that,
6 taken together, will update the City's legal
7 framework to support the implementation of its
8 Local Solid Waste Management Plan.

9 The package also begins to move the
10 City toward the goals articulated in DEC's draft
11 solid waste management plan, Beyond Waste: A
12 Sustainable Materials Management Strategy for New
13 York, which is now out for public comment.

14 New York State's plan sets forth a
15 new approach for the state. It's a shift from
16 focusing on "end-of-the-pipe" waste management
17 techniques to looking upstream and more
18 comprehensively at how the materials that would
19 otherwise become waste can be more sustainably
20 managed through the state's economy. This shift
21 is central to our ability to adapt in an age of
22 growing pressure to reduce demand for energy,
23 reduce dependence on disposal, minimize greenhouse
24 gas emissions and create green jobs.

25 The materials management system we

2 envision in the plan would capture the economic
3 value of our materials, conserve their imbedded
4 energy, and minimize the generation of greenhouse
5 gases and pollution. We project that implementing
6 the state's plan could reduce nearly 23 million
7 metric tons of CO2 equivalent greenhouse gas
8 emissions annually, save more than 250 trillion
9 BTUs each year and create 74,000 jobs and economic
10 opportunity in the process.

11 To determine how we will get there,
12 we have to first take stock of where we are. So a
13 critical part of our planning process was to look
14 back at what has transpired over the past two
15 decades and learn from that as we map out our path
16 forward.

17 Back in 1987, DEC issued the first
18 Solid Waste Management Plan which was aggressive
19 for its time. It set a goal of reducing, reusing
20 or recycling 50% of the state's waste stream in
21 ten years and then set forth a hierarchy, adopted
22 into law in 1988, that placed a priority on waste
23 prevention, reuse and recycling, followed by
24 municipal, waste combustion with energy recovery
25 and, finally, landfilling as the lowest priority.

2 Unfortunately, 23 years later,
3 the majority of the materials generated in New
4 York are still managed by the lowest priority
5 strategy, and the state is still striving to
6 achieve its recycling goals.

7 Twenty years after recycling became
8 mandatory for all New York communities through the
9 Solid Waste Management Act we're still wasting 65-
10 80% of the materials that flow through our
11 economy. That is, we're only recycling about 20%
12 of municipal solid waste, or 35% of the total
13 waste stream.

14 While many communities have
15 implemented exemplary integrated materials
16 management systems that have recycling rates well
17 beyond the statewide average, recycling programs
18 have generally been inconsistent not only from one
19 community to the next, but also in the different
20 settings such as schools, businesses, and public
21 spaces.

22 We are pleased to see that several
23 of the bills you are considering today expand
24 recycling in these critical areas. That is,
25 schools, the commercial sector and public spaces.

2 Land disposal should be the
3 management method of last resort, however
4 landfills, either in-state or out-of-state, handle
5 the largest proportion of New York's discarded
6 materials. The continuing reliance on waste
7 disposal and on landfills in particular, comes at
8 a significant environmental and economic cost.

9 Materials management can play a
10 significant role in combating climate change.
11 While landfill gas is about 4% of the state's
12 greenhouse gas inventory, if you take a lifecycle
13 perspective, the impact of our wasting is much
14 greater. The U.S. EPA estimates that 42% of the
15 national greenhouse gas emissions are influenced
16 by the lifecycle impacts of the products and
17 packaging that become waste.

18 Using recycled materials instead of
19 extracting and fabricating new ones not only helps
20 in the fight against climate change; it also
21 conserves energy, and curbs air and water
22 pollution. And composting food scraps instead of
23 sending them to the landfill avoids the generation
24 of methane, a potent greenhouse gas, and sends our
25 food back to nurture the land it came from. To

2 that end, DEC supports the Council's efforts to
3 promote food waste composting.

4 The state plan's recommendations
5 include broad new policy concepts as well as
6 detailed recommendations for how planning units
7 like the city of New York can better plan for
8 recovery and it offers strategies for developing
9 and improving New York State's recycling
10 infrastructure.

11 Recognizing that the path Beyond
12 Waste will require significant investment in new
13 programs and infrastructure, one of the Plan's key
14 recommendations is to identify a new funding
15 stream dedicated in large part to municipal aid in
16 this endeavor. As a package, these
17 recommendations in the plan will lead New York
18 State on a path Beyond Waste.

19 Our state plan sets a goal of
20 progressively reducing the amount of materials
21 that go to disposal over the ten-year planning
22 period. Currently, New Yorkers throw away about
23 4.1 pounds of MSW per day. The plan seeks to
24 reduce the amount of MSW going to disposal by 15%
25 every two years.

2 To achieve these reductions, our
3 recommendations focus on three key points. First
4 is improving waste prevention, reuse and
5 recycling. Second, increasing composting and
6 other organics reduction and recycling programs.
7 And third, implementing product and packaging
8 stewardship.

9 The package of introductions you
10 are considering today address all of these key
11 areas and moves the city toward the vision
12 articulated in the state plan. Establishing new
13 and progressively increasing goals and creating a
14 consistent reporting mechanism are key to
15 monitoring progress as we move forward. Improving
16 school and agency recycling is essential; the
17 public and the private sector look to government
18 to lead by example, and students are really
19 effective educators of their families.

20 Improving access to recycling in
21 multi-family buildings and public spaces,
22 enhancing education and outreach, and expanding
23 recycling programs to include all rigid plastic
24 containers and textiles will help to maximize
25 participation in the current program and get the

2 best value out of the city's investment in
3 recycling.

4 Focusing attention on commercial
5 recycling is also critical to moving Beyond Waste,
6 since the commercial sector makes up such a
7 significant percentage of the materials generated
8 in the city.

9 In the introductions on leaf and
10 yard trimmings composting and on food waste
11 composting study and pilot project will help move
12 the city towards the important goal of increasing
13 diversion of organic materials.

14 The paint stewardship pilot program
15 introduction would build on the city's leadership
16 role in driving product stewardship in the state
17 and build on programs done in other parts of the
18 country. And, the introduction on household
19 hazardous waste would require more convenient
20 collection of these problematic materials and
21 could create the core collection program that
22 could transition to product stewardship in the
23 future.

24 In closing, DEC commends the City
25 Council's leadership on recycling and solid waste

2 issues. By enacting the valuable local laws on
3 electronic waste recycling, plastic bag recycling
4 and rechargeable batteries, you have played a
5 really important role in driving legislative
6 action on the state level. For that, we thank
7 you.

8 We look forward to continuing to
9 work with the Council, the Bloomberg
10 Administration and the Department of Sanitation to
11 move the state Beyond Waste. I'd be happy to take
12 any questions you might have.

13 CHAIRPERSON JAMES: Thank you for
14 your testimony. Is it true that all of the
15 residential waste collected in the Borough of
16 Manhattan is incinerated in Essex County, New
17 Jersey?

18 RESA DIMINO: That would be a
19 question for the Department of Sanitation. I
20 believe that's true. They're saying no. So I'm
21 not sure. Two-thirds they say, quoting the
22 Department of Sanitation.

23 CHAIRPERSON JAMES: Based on your
24 preliminary findings of these bills, do you
25 anticipate any modification in the swamp proposal

2 plan that was enacted in 2006? Would it be
3 necessary to make any changes if these bills were
4 passed?

5 RESA DIMINO: We don't see that as
6 necessary at this point. They all appear to be
7 consistent with the existing local solid waste
8 management plan and working to implement that
9 plan, which is what we like to see.

10 CHAIRPERSON JAMES: That's what I
11 like to hear. Are there any other questions from
12 my colleagues? We thank you for your testimony.
13 The next witness is Harry Nespoli, representing
14 the Uniformed Sanitation Association and Robert
15 Bishop. You may begin.

16 HARRY NESPOLI: No written
17 statements. I'll make this very brief. I'd like
18 to thank the Speaker, the Chair and this
19 committee. This union has also supported
20 recycling from the very beginning. I wasn't the
21 president of the union at the time, but I was on
22 the board as a trustee.

23 I thought it was a disaster in 2001
24 when this city stopped recycling, because what it
25 did was it totally confused the public. What I

2 hear today is a whole new ballgame. I'm very
3 proud to be a sanitation president and listen to
4 what this committee is moving forward with.

5 Just one point that I would like to
6 touch on, which is that yes, the city should look
7 at making money out of this. There's a magazine
8 out there, "Waste Management". It comes out once
9 a month. In the back it has cities throughout the
10 country that are making money off of recycling. I
11 understand this is new, a lot of the bills that
12 are here today, but they're good bills.

13 Maybe in the beginning start off a
14 little slow, but don't turn around and think the
15 city cannot make money off of this. There is
16 money out there for this, and especially if we get
17 the help from the Board of Education, Housing and
18 anybody else, the public that actually brings the
19 waste to some of these locations throughout the
20 city now.

21 I'm glad to hear they're talking
22 about increasing to 700 locations. That's great.
23 There's only one thing I'm concerned about and why
24 I'm here today. If you want it done right, use
25 municipal workers. As far as privates are

2 concerned, I know you have to reach out for
3 certain things. Our job is to do it and to do it
4 right. We pick it up. We'll go and get it.

5 This workforce since 1980 has
6 generated \$2.5 billion back in productivity to the
7 City of New York. We have since gotten involved
8 in three other programs, which is generating money
9 back to the city, not strictly to the Department
10 of Sanitation. It's being used to hire police,
11 firemen, teachers and I'm very proud of that. I
12 was involved in that when I first got elected into
13 the union.

14 Just don't blow over this thing as
15 far as generating money. There is money there to
16 be made. We have, as a union, already set with
17 the manufacturers of the e-waste bill, we have sat
18 down and we're trying to negotiate. I know the
19 city is trying to negotiate a price that we will
20 go out as municipal workers, pick up that e-waste
21 and deliver it to the manufacturers or where they
22 designate them to go. So there is money there.

23 I've been up since 3:30 and I've
24 been in the office since 5:00, so for me it's the
25 nighttime. But these are all good signs and I'm

2 very, very happy to turn around and to be here.

3 We are in full support of all the bills and
4 definitely looking forward to working with the
5 Department to try to make this the best recycling
6 program throughout the country.

7 CHAIRPERSON JAMES: Thank you. Mr.
8 Bishop, any testimony? Mr. Nespoli, how can we
9 make money? How have other municipalities made
10 money off of recycling?

11 HARRY NESPOLI: One is that they're
12 selling this material. There is a world out there
13 that's looking for this. We just have to go out
14 and look forward to it. I don't know how serious
15 the city of New York was in the beginning with
16 recycling. I mean, what my workforce does,
17 they're told they have a route and they pick it
18 up.

19 Just for them to stop it at that
20 time totally confused me. The public was totally
21 confused. And then they brought it back and they
22 turned around and they kept it going for another
23 three months and then they eliminated parts of the
24 recycling. The public just threw their hands up
25 in the air. They're not going to store this stuff

2 in their kitchens for more than two weeks. We
3 have to be serious about this recycling. I really
4 honestly feel this committee is showing signs of
5 being serious. I think that what we have to do is
6 also look at other cities and find out how they
7 are generating money off the material that they're
8 picking up.

9 CHAIRPERSON JAMES: It was
10 indicated earlier that some of your truck loads
11 are not operating at full capacity and so that you
12 can currently implement these bills with your
13 existing workforce. Do you agree with that
14 statement?

15 HARRY NESPOLI: We get paid for
16 eight hours a day. That's what we do. If it's
17 out there and we're required to go there and get
18 it, this workforce goes, men and women in this
19 workforce.

20 CHAIRPERSON JAMES: You expressed
21 concerns earlier with regards to that the
22 municipal workforce should be in a position to
23 collect all of the recycling materials. Are you
24 speaking of the fact that manufacturers are now
25 going to be collecting paint and textiles?

2 HARRY NESPOLI: These drop-off
3 points, somebody has to pick it up. Somebody is
4 going to have to come pick it up and take it to
5 the manufacturer.

6 CHAIRPERSON JAMES: So all of the
7 bins?

8 HARRY NESPOLI: All of the
9 recycling. This should be sanitation work. This
10 is what we do. This is where the city of New York
11 and the department has to sit down with the
12 manufacturer and make a deal. How many more
13 people want different trucks out in the streets?
14 There are enough trucks out there. All this is
15 going to do is add more confusion in the streets.

16 CHAIRPERSON JAMES: I see. And
17 these negotiations, is this going to be the
18 subject of collective bargaining, or will you
19 leave those negotiations up to the City Council
20 and the Administration?

21 HARRY NESPOLI: I wish I could get
22 involved. I think that if labor management got
23 together a lot better, and which we are on this
24 job, I don't think there's an agency that's
25 generated what we've generated since 1980, \$2.5

2 billion. I'll challenge that throughout the
3 country for anything between labor and management.
4 You have a very friendly union here.

5 CHAIRPERSON JAMES: Yes.

6 HARRY NESPOLI: It's our job.
7 That's what we do and we do it very well. Why do
8 you want to change it?

9 CHAIRPERSON JAMES: Are you
10 anticipating any layoffs in this year's budget?

11 HARRY NESPOLI: Look, I don't go to
12 the budget meetings either. I don't know.
13 According to everybody and according to the mayor
14 it's determined by the state and how much money
15 they're going to take from us.

16 CHAIRPERSON JAMES: So there's a
17 possibility?

18 HARRY NESPOLI: There is always the
19 possibility. In 1975, they told me I was going to
20 be laid off. I got laid off three days later.
21 There is always the possibility. It's called the
22 ability to pay.

23 CHAIRPERSON JAMES: Any other
24 questions or comments from my colleagues? Council
25 Member Fidler.

2 COUNCIL MEMBER FIDLER: Just
3 briefly, I want to thank Mr. Nespoli and the union
4 for your support on this legislation. The plastic
5 recycling is going to be picked up by sanitation
6 workers as part of the regular recycling program.
7 I want to thank you for your leadership in being
8 sensitive to the budget needs of the city of New
9 York and to saving that money. We are really
10 coming into a horrible year and every penny
11 counts.

12 We look forward at some point to
13 having an offline conversation with you about a
14 bill I introduced in the last session that has to
15 be reworked regarding energy efficient light bulbs
16 and the recycling of those, as we continue to
17 encourage people to use energy efficient light
18 bulbs, what we're going to do and how we're going
19 to handle those bulbs that have some toxic
20 substances inside that right now are being throw
21 into the regular trash and handled at some risk by
22 your workers. So I look forward to that
23 discussion at some point.

24 HARRY NESPOLI: So do I.

25 CHAIRPERSON JAMES: Mr. Nespoli, we

2 need you at the meetings. We need you to assist
3 in negotiating these bills. I do believe that
4 municipal workers should be responsible for this
5 collection. If any of your men and women are laid
6 off, this program will not be effective. We join
7 you with your concerns. We, again, thank you for
8 your leadership.

9 HARRY NESPOLI: Thank you very
10 much. If any of my workers will be laid off, this
11 city isn't ready for what's going to happen as far
12 as the garbage out there. One thing that we've
13 done, we have a smaller workforce now.
14 Productivity creates a smaller workforce. We are
15 right now cut to the bone. If the mayor has any
16 ideas about cutting services, that stuff is going
17 to just be out there. We just don't have the
18 manpower anymore. We're looking for more
19 manpower.

20 CHAIRPERSON JAMES: We would hope
21 that the administration would look to ways to make
22 money off of recycling. We thank you for your
23 suggestions. Let me also give a shout out to
24 Anthony Rodriguez for looking out for all of the
25 needs of your men and women and for addressing the

2 issues in the great Borough of Brooklyn.

3 HARRY NESPOLI: Anthony is a
4 trustee on my board. Thank you very much.

5 CHAIRPERSON JAMES: You're welcome.
6 Thank you. The next panel is Isabelle Silverman
7 from the Environmental Defense Fund, Eric
8 Goldstein from the Natural Resources Defense
9 Council and Kendall Christiansen from Gaia
10 Strategies. You may begin.

11 ERIC A. GOLDSTEIN: Good afternoon,
12 Chairwoman James, Council Member Fidler and
13 members of the committee and your august staff.
14 My name is Eric Goldstein. I'm an attorney with
15 the Natural Resources Defense Council. We want to
16 congratulate you Madame Chairwoman on your
17 assuming this important position. We look forward
18 to working with you on this set of bills, on solid
19 waste management plan implementation, on issues of
20 importance to your community and to all New
21 Yorkers.

22 In general I'm going to summarize
23 quickly our testimony today. We know you have
24 many speakers yet to come and we're submitting
25 more detailed comments on each of the 11 specific

2 bills.

3 In short, NRDC strongly supports
4 the proposed package of bills today. On the whole
5 this is a sensible and much needed series of
6 reforms to one of the city's more important
7 environmental laws.

8 I have three quick points just to
9 remind us all why this makes sense to advance this
10 package of bills and why we're doing recycling. Of
11 course, the best thing for New Yorkers to do
12 regarding solid waste is to make careful
13 purchasing decisions to buy more durable products
14 and to acquire less junk. But for that amount of
15 trash that we do generate, recycling is the far
16 preferable alternative from an environmental
17 perspective.

18 As the U.S. Environmental
19 Protection Agency has documented and as you've
20 heard from the State Department of Environmental
21 Conservation today, recycling metals, glass,
22 paper, textiles, household hazardous wastes, and
23 many other materials produces less air pollution,
24 uses less water, produces less water pollution,
25 saves natural resources, enhances biodiversity and

2 reduces global warming emissions in comparison to
3 producing these materials from virgin materials.

4 Recycling has far fewer
5 environmental impacts in comparison to landfilling
6 or incineration. So from strictly an
7 environmental standpoint, the kind of planet we're
8 leaving for our children, recycling is the way to
9 go in terms of disposing of the waste that we
10 can't reduce.

11 Second, this legislative package is
12 coming just in the nick of time and we can't
13 afford to wait. New York City's residential
14 recycling program is on the ropes. As cities
15 around the nation have boosted their recycling
16 over the last decade or so, New York City's
17 program has actually gone down. Our residential
18 recycling rate was 22% in the year 2000. Today
19 it's about 16%. The pragmatic set of proposals
20 that you have before you is needed to help reverse
21 this disturbing decline before things get any
22 worse.

23 We're pleased to learn that the
24 Bloomberg administration is making solid waste the
25 topic of its PlaNYC agenda for 2010, 2011 and we

2 look forward to working with them. Of course,
3 these 11 bills don't represent the entire universe
4 of everything that can be done to enhance
5 recycling and solid waste, but we urge the Council
6 not to wait, to move this legislative package
7 swiftly after hearing comments from others. That
8 will not take away from whatever the
9 administration may choose to do in the coming
10 year.

11 Finally, with respect to economics,
12 and this is an important point because of what we
13 heard from the commissioner today. Recycling
14 makes economic sense for New Yorkers. From an
15 economic standpoint, recycling is now cost
16 competitive with landfilling and incineration.

17 The most comprehensive study on
18 this topic was completed by DSM Environmental
19 Consultants in 2008. What they concluded is the
20 costs to the city of recycling, the total costs of
21 recycling in comparison to landfilling or export
22 were essentially the same, within 6% of one
23 another. So the figures that we got from
24 Commissioner Doherty today, I'm sorry to say are
25 off the mark. They're old news.

2 It's very simple. These folks who
3 do this consulting from around the nation looked
4 at the city's calculation of the costs of
5 recycling versus the cost of waste. What they
6 concluded was that the costs of recycling were
7 inflated in the city's own calculations.

8 The reason for that was simple,
9 they were adding in to their calculations for
10 recycling. They weren't just looking at the costs
11 of curbside collection of recyclables and
12 comparing it to the cost of curbside collection of
13 trash.

14 They were adding into the costs
15 waste prevention programs and what that costs the
16 city for whatever it is they're doing on waste
17 prevention which isn't very much or it's certainly
18 not enough. They added in the costs of the Rikers
19 Island composting program which is a great
20 initiative but more expensive than residential
21 curbside.

22 Most important, they allocated
23 overtime costs for things like snow and ice
24 removal to the recycling program. So when you add
25 in things like that, no wonder the costs of

2 recycling are sent sky high. In other words, if
3 recycling costs 10% of the collection program as a
4 whole, they said let's give them 10% of the cost
5 of snow and ice removal instead of giving that all
6 to either where it belongs or separately.

7 So when DSM Consultants examined
8 with the Sanitation Department's cooperation, the
9 intricacies of their budget, what they concluded
10 is that the budget for recycling was in the exact
11 range of the budget for landfilling and
12 incineration, within 6% of each other. In 2005
13 numbers, the data was \$267 a ton for landfilling
14 and incineration and \$284 a ton for recycling.

15 Significantly, they predicted that
16 as the cost of landfilling continue to go up and
17 they've gone up nationwide over the last two
18 decades as the industry has consolidated and as
19 landfill requirements have toughened.

20 As the cost of landfilling and
21 export go up and more people participate in the
22 recycling, as these bills will accomplish, those
23 lines are going to cross within five years. The
24 costs of recycling will be less to the city per
25 ton than the cost of landfilling or export.

2 So not only will we be doing the
3 right thing for the planet but we will save money
4 with every ton we recycle if we could just add a
5 little more to the recycling program. But the
6 costs that were presented today by Commissioner
7 Doherty, I'm sorry to say were old figures way off
8 the mark.

9 Finally, they don't take into
10 account one last thing on the economics which is
11 that recycling per ton produces more jobs than
12 landfilling or incineration. We now have a
13 facility on Staten Island, the Pratt Industry
14 Plant that's taking all of our paper. Not only do
15 they actually pay the city for the paper per ton,
16 but they've got 400 or 500 jobs there. Now Sims
17 is building a new facility in Sunset Park on the
18 Brooklyn waterfront. They're going to have 100
19 new blue color jobs for New Yorkers.

20 Then you look at what's happening
21 at other little startup businesses like IceStone
22 at the Brooklyn Navy Yard. They're taking
23 recycled glass and concrete and turning it into
24 marble like countertops. We could be doing much
25 more of that. An NYU study over a decade ago said

2 there were 2,500 potential jobs for recycling
3 industries right here in New York City if the city
4 would advance that. We've still gone slowly in
5 that. So this package of bills makes a lot of
6 sense and will help us economically as well as
7 environmentally.

8 Finally, one last word about the
9 tonnage mandates. It was disheartening to hear
10 what the commissioner said about the tonnage
11 mandate bill. NRDC and our environmental
12 colleagues are willing to go along with the
13 Council's substitution of recycling goals for
14 enforceable tonnage mandates, but we do so
15 reluctantly.

16 Had there been no enforceable
17 tonnage mandates, the city's entire program would
18 have been scuttled by the Giuliani administration
19 and perhaps others who were reluctant to change
20 the Sanitation Department's 100 year approach of
21 burn and bury trash.

22 So this bill, Local Law 19 of 1989,
23 which Speaker Vallone correctly called one of the
24 most important bills the Council advanced, was
25 essential. The council's work in passing a weekly

2 recycling bill in the late 1990s was essential.
3 Speaker Quinn's work and those of others who
4 worked in the early 2000s to restore recycling in
5 plastics played an essential role. The Council
6 has been the dominant force in making sound solid
7 waste policy in New York City for over 20 years.

8 So we agree with the Council that
9 entering into a 20-year contract as the city has
10 done provides some added assurance that the
11 recycling program won't simply be abandoned.
12 We've been reassured also by Speaker Quinn
13 recycling will remain a very high priority in the
14 city's solid waste arsenal if she has anything to
15 do about it.

16 But we're unwilling to support
17 changes that go from tonnage mandates to
18 unenforceable percentage goals if the goals
19 themselves are difficult to measure or subject to
20 unambiguous accounting. The Council staff and the
21 Council Speaker recognized that. That's why in
22 the bill you now have two requirements. The old
23 bill had two requirements in terms of tonnage
24 mandates.

25 This bill has two requirements in

2 terms of tonnage goals. One is the goal of the
3 residential curbside program. That's now at 16%.
4 The Council bill would gradually move that up to
5 25%. We have consistent and clear data on that
6 going back 20 years. The Sanitation Department
7 measures that every month, as Mayor Bloomberg
8 himself has said, what gets measured gets done.
9 There is no reason for us to abandon that.

10 We need to know that the
11 residential recycling program is continuing to
12 march in the right direction and boost recycling.
13 Because ultimately, if we get it up to 33% or
14 something, we could begin then to substitute
15 trucks for recycling for others. We may want to
16 do some experimenting on that before. Then we can
17 really save money. There is no reason why we
18 can't be saving money with recycling if it costs
19 us less to get rid of a ton of recyclables than to
20 get rid of a ton of trash.

21 So it makes sense for that piece of
22 legislation to move forward as is, with both the
23 goal for the residential curbside and the goal for
24 the overall city's recycling program. Both are
25 essential to this program. We thank you for your

2 support. We look forward to working with you on
3 the individual bills. You're coming right at the
4 right time as chairwoman of this committee.

5 CHAIRPERSON JAMES: Thank you. Ms.
6 Silverman?

7 ISABELLE SILVERMAN: Thank you.
8 Good afternoon. My name is Isabelle Silverman and
9 I'm an attorney with Environmental Defense Fund, a
10 national non-profit organization based in New York
11 and representing over 500,000 members.

12 I am here today to express EDF's
13 support for the 11 recycling bills that help
14 increase recycling rates and that help expand the
15 city's recycling program.

16 The 11 bills are a comprehensive
17 packet of bills that target most of the major
18 issues around recycling. The bills deal with
19 program targets, composting and yard waste,
20 commercial recycling, recycling business
21 development, school recycling, city agencies,
22 public space recycling bins, enforcement and
23 public education, household hazardous waste, et
24 cetera. The bills also call for a number of
25 detailed studies that are all important.

2 EDF strongly supports these 11
3 bills. These bills constitute the first
4 comprehensive look at recycling and expansion of
5 recycling in New York City since Local Law 19 was
6 passed in 1989. EDF is particularly supportive of
7 the expansion of rigid plastic recycling,
8 recycling in public spaces and hazardous material
9 recycling.

10 EDF recommends that the bills be
11 strengthened as follows. First, in parks, a
12 clearly marked recycling bin should be placed next
13 to each waste bin. This will make it easier for
14 New Yorkers to recycle when they are in a park.
15 If park goers first have to track down a recycling
16 bin, they are much less likely to recycle.

17 Having a recycling bin next to each
18 waste bin also adds an educational component
19 because it reminds New Yorkers that recyclables
20 should be sorted out. The recycling bins should
21 clearly list the recyclable materials that should
22 be placed into the bin.

23 Second, we strongly support the
24 composting pilots listed in the bills and
25 recommend that these pilots include the commercial

2 and residential sector.

3 Third, we believe that a successful
4 recycling program also depends on periodic
5 detailed waste composition studies to have a
6 reasonable idea of waste material trends. It is
7 probably the case that the amount of newspaper,
8 office paper and perhaps other paper products may
9 be down. The recession may accentuate this. In
10 any event, to evaluate effectively recycling rates
11 and tonnage volumes we have to know what is in the
12 waste stream.

13 Fourth, we also need to keep in
14 mind the markets for recycled materials. Since
15 recyclables are commodities their value goes up
16 and down depending on supply and demand. Thus,
17 the program should have more of a five or ten-year
18 cycle, not just annual, and revenues from sale of
19 recyclable paper and other materials should be
20 adjusted accordingly.

21 Fifth, we support school recycling
22 but are unclear if the bills provide enough of a
23 structure for successful implementation. Our
24 question is how it will work and if there be a
25 reporting requirement to ensure the success of

2 Chairperson James and members of the committee.

3 My name is Kendall Christiansen. I've been
4 honored to be a part of the working group with the
5 Council staff and the administration over the last
6 18 months to 2 years in developing this package of
7 proposals.

8 I was part of the group based on my
9 having served as the chair of the Citywide
10 Recycling Advisory Board for many years, which is
11 a required element of the law that I hope will be
12 reconstituted and revitalized under your
13 leadership.

14 At present, I spend most of my time
15 on food waste issues and get to cross North
16 America working with municipalities and a variety
17 of other organizations on those issues and I look
18 forward to working with the committee and staff
19 around their discussion on that topic.

20 But I was asked recently about
21 first principles with respect to why we recycle
22 and how we do it. I have eight that are outlined
23 in my testimony and I'll just touch on them
24 briefly.

25 The first is that words matter. I

2 think this discussion today and this package takes
3 us finally to the point where we can stop talking
4 about the recycling program which makes it sound
5 discretionary and start talking about it as an
6 integrated part of a comprehensive system.
7 Councilman Fidler's remarks were to that point.

8 The second is that economics
9 matter. What's missing from this package of bills
10 is the kind of economic incentives that will make
11 a difference to people choosing to participate
12 that are working in other communities to boost
13 recycling rates. One of those concepts is known
14 as pay as you throw. It's a metering system
15 that's complicated to work out in multi-family but
16 might work in parts of the city.

17 The second is an incentive based
18 program created by a New York based startup called
19 Recycle Bank that offers manufacturer coupons from
20 retailers to encourage recycling. That program is
21 taking off rapidly in many cities around the U.S.

22 The third is that diversion
23 matters. We talked a lot in our group about the
24 goals that are now outlined in Intro 164. But
25 another thing for your consideration is that many

2 cities are now shifting to a simple let's divert
3 more from disposal on an annual basis as a way of
4 tracking progress. Already we're experiencing a
5 decline in solid waste generation overall
6 including recycling. Our recycling efforts have
7 taken us, as Eric said, to the 15% mark already.
8 Our goal, in part, should be to send less to
9 landfills and incinerators every year. That's an
10 easy way for us to track progress.

11 The fourth principle is collection
12 matters. It has been 40 years now since the
13 city's system has been reassessed. This is a step
14 that many other cities are taking to find
15 economies with their overall system and more fully
16 integrate recycling into how they collect waste.
17 There may be an opportunity here to take a look at
18 that issue as well.

19 The fifth is that markets matter.
20 Two things that the recycling advisory board has
21 been helpful with over the years, after the
22 adoption of the '92 solid waste plan. We
23 compelled the mayor to create a recycling works
24 task force that helped lay the groundwork for the
25 development of the paper mill on Staten Island.

2 And in 2002, after Mayor Bloomberg
3 suspended plastic and glass collection, we
4 convened a nationally attended recycling
5 roundtable that also laid the groundwork for the
6 new 20 year arrangement that will give us the
7 opportunity to use the materials that we collect
8 to help attract businesses to the city.

9 The sixth is that organics matter.
10 You've heard that 15-18% of what we dispose of is
11 food waste. Because food waste is 70% water, that
12 means we're paying \$100 a ton to ship water to
13 distant landfills. In looking at this in the
14 context of the state's plan, there are some
15 opportunities here to make a difference and reduce
16 that as well.

17 The seventh is that manufacturers
18 matter. There's a lot of talk here today about
19 product stewardship and extended producer
20 responsibility initiatives that are occurring.
21 This package takes another step forward by looking
22 at paint. The Council should consider asking the
23 department for a report on such initiatives and
24 framework legislation for product stewardship as
25 it's being considered in other states and cities.

2 The last is that design makes a
3 difference and waste equals food. I recently
4 heard one of the great visionaries in the field of
5 sustainability, Bill McDonough, at RPA's regional
6 assembly. He reminded us of two things. One is
7 how we design something does make a difference.
8 How we design this system does make a difference.
9 It says enormous things about how we choose to
10 deal with not just raw materials that are really
11 not waste but are products that are available for
12 reuse in the manufacturing scheme. So the
13 conversation of this package of bills about how we
14 design our system is important.

15 The last is that in his terminology
16 we need to think about waste equals food and in
17 two ways. Food for biological systems, like for
18 fertilizer production and renewable energy from
19 organics. And then, food for technological
20 processes like those that return plastics, glass,
21 waste paper or carpets to be re-manufactured into
22 new products. That's what our system should be
23 designed to do and this package helps take this
24 forward.

25 Thank you very much and I look

2 forward to working with the committee and staff as
3 we take this package forward.

4 CHAIRPERSON JAMES: Some of those
5 suggestions are very innovative. I particularly
6 am interested in the economics matter, pay as you
7 throw and tracking, the total diversion from
8 disposal program, as well as, again, looking at
9 waste for the purposes of renewable energy. I'd
10 like to have a further conversation with you with
11 regard to those recommendations.

12 Mr. Goldstein, what's the
13 difference between a mandate and a goal?

14 ERIC A. GOLDSTEIN: A mandate is
15 shall, a goal is we hope. So the original Local
16 Law 19 of 1989 included enforceable mandates as
17 shall. The City Council sued nine times to
18 protect that statute and to keep recycling going
19 when throughout the 1990s prior administrations
20 were reluctant to advance it.

21 The goals are aspirational. So in
22 some way are unenforceable. However, I think the
23 Council has recognized that we've come at least
24 some distance from 1989. There is a recycling
25 operation in the city. The Speaker strongly

2 supports it. We now have a 20 year contract that
3 is going to be economically profitable for the
4 city, at least in terms of export.

5 So the program is in a slightly
6 different place. And even those of us who are
7 strong supporters of recycling would be willing
8 to, in this instance, accept as a cost of moving
9 forward with the entire program, having goals
10 rather than the mandates. However, we still want
11 to measure our progress and we still want those
12 goals to be clear.

13 The benefit of the proposed bill
14 dealing with this issue now is that it would
15 clarify both the additional progress we make on
16 new issues or issues directly outside of the
17 Sanitation Department's control and it would
18 continue to track our progress in recycling. We
19 have a strong public interest in advancing both of
20 those.

21 Again, to restate, because we need
22 not only to get recycling in our parks and public
23 spaces, not only recycling of electronics, not
24 only recycling of compostables and other
25 materials, and paint and hazardous waste, all of

2 which the city should get credit for in a large
3 sense. But we want to ensure that there's a
4 continuing increase in our recyclables that we
5 place out at curbside for collection.

6 As we place additional materials at
7 curbside for collection, we fill up those trucks
8 that are now half empty. There is no cost to
9 that. As those trucks fill up completely, the
10 program becomes even more efficient and that's how
11 we get to what the DSM study indicated would
12 happen, which is every ton that New Yorkers would
13 recycle would be less expensive to the city in
14 comparison to every ton we export.

15 CHAIRPERSON JAMES: Mr. Goldstein,
16 in your testimony you talked about New Yorkers
17 making careful purchasing decisions, buying more
18 durable products and acquiring less junk. That
19 requires education. How has the city been doing
20 with respect to education and outreach?

21 ERIC A. GOLDSTEIN: Let's say there
22 is room for improvement. Several years ago, the
23 Council funded an operation in the CENYC which is
24 now Grow New York City, called OROE, Office of
25 Recycling Outreach and Education. They have begun

2 efforts to enhance the recycling program in terms
3 of getting the public more familiar.

4 The program has historically been
5 hurt because there have been so many stops and
6 starts and changes. What the public needs, poll
7 after poll shows, is people want to participate in
8 recycling. They want to do the environmentally
9 sensible thing. The rules need to be clear. They
10 need to be simple. There needs to be a repetition
11 of the rules so that people understand.

12 As people move in and move out, we
13 have a lot of people moving to the city that
14 weren't around in 1989 or even 1999. They should
15 be given additional information on what the
16 recycling program is. One of your bills would
17 help accomplish that objective.

18 But there's a reason why companies
19 like Coca Cola and Ford and General Motors all
20 spend tens of millions of dollars a year on
21 advertising. It's to keep reminding the public of
22 the importance in their view of their product.

23 Now we don't need to spend tens and
24 tens of millions of dollars. But we do need to
25 have a continuing public education program that

2 reminds New Yorkers of how to participate and why
3 participation is necessary. At least as important
4 is making sure that the kids in all of our schools
5 participate in recycling and understand it.

6 Because experience has shown that if they get it
7 in the schools, they'll take it home and
8 incorporate it into their lifestyles.

9 CHAIRPERSON JAMES: Consistent to
10 what you testified, there was also a report issued
11 by the New York City Independent Budget Office
12 which indicated that the actual cost to the city
13 to run a collection truck for recycling and waste
14 is basically identical. The commissioner, you
15 stated, was off his mark. What's the basis for
16 that?

17 ERIC A. GOLDSTEIN: My hope is that
18 he was just using the old numbers that were
19 utilized previously before the DSM and the
20 Independent Budget Office came in and took a look
21 at it. It's mildly discouraging but the
22 commissioner also said some optimistic things
23 today. So maybe for the moment we could hope that
24 his optimism is what we can take.

25 CHAIRPERSON JAMES: It's his

2 birthday.

3 ERIC A. GOLDSTEIN: But the numbers
4 are wrong.

5 CHAIRPERSON JAMES: You heard my
6 questions with respect to composting. What are
7 other jurisdictions doing with respect to
8 composting?

9 ERIC A. GOLDSTEIN: At the cutting
10 edge, there are cities like Seattle and San
11 Francisco and Vancouver that are collecting
12 compost as part of the household collections. In
13 New York City, that would be complicated in some
14 areas, particularly as the commissioner indicated,
15 in multi-family buildings. But we certainly have
16 a lot of private homes here in Staten Island, in
17 Queens and parts of Brooklyn.

18 CHAIRPERSON JAMES: In brownstone
19 Brooklyn.

20 ERIC A. GOLDSTEIN: The idea is
21 experimenting with some of these programs could
22 well have environmental benefits and reduce our
23 costs. So we need to really bring the city's
24 recycling program into the 21st century. The
25 city's solid waste has for 100 years focused on

2 burn and bury. That's now environmentally unsound
3 and increasingly recognized it's economically
4 troublesome. That's why our budget in the
5 Sanitation Department since the closure of Fresh
6 Kills has gone through the roof.

7 CHAIRPERSON JAMES: We could do a
8 pilot program in Brownstone Brooklyn which is my
9 district as well as in Council Member Fidler's
10 district who has a lot of one and two-family
11 homes.

12 ERIC A. GOLDSTEIN: I think you'd
13 get a lot of support for that.

14 CHAIRPERSON JAMES: Thank you. We
15 thank you for your testimony. The next panel is
16 Tom Outerbridge representing the Sims Municipal
17 Recycling, Keith Christman representing the
18 American Chemistry Council of Plastics, Patty
19 Moore, the Moore Recycling Associates and Steve
20 Alexander, the Association of Post Consumer
21 Plastic Recyclers. Patty Moore is not testifying.
22 She's submitting her testimony into the record.

23 THOMAS OUTERBRIDGE: Good
24 afternoon, Madame Chair and members of the City
25 Council. Thank you for the opportunity to testify

2 today. My name is Thomas Outerbridge and I am
3 General Manager of Sims Municipal Recycling.

4 As you may know, our company has a
5 contract with the New York City Department of
6 Sanitation to receive, process and market all of
7 the metal, glass and plastic that is collected
8 through the city's curbside recycling program. We
9 have done this since 2002, and in 2009 we executed
10 a contract with the department to continue in this
11 role for the next 20 years.

12 We also signed a lease with the New
13 York City Economic Development Corporation for the
14 30th Street Pier in Sunset Park, Brooklyn, where
15 we are building a major new recycling facility to
16 service the recycling program. We have a strong
17 and abiding interest in the success of recycling
18 in New York City.

19 I would like to acknowledge the
20 City Council's consistent and longstanding support
21 for the recycling program. New York may not have
22 yet achieved the recycling rates that everyone
23 would like to see, but I think recycling has
24 finally become an integral part of how we manage
25 the waste stream here in New York.

2 Regarding the bills being discussed
3 today, my principal comments pertain to Intro 148
4 and the expansion of the types of plastics
5 included in the curbside program. Additionally, I
6 would like to comment on some of the other
7 measures under consideration.

8 There are a number of measures to
9 improve recycling incentives and education for
10 schools, city agencies, building managers and the
11 public. Generally speaking, we are in complete
12 support of efforts to improve participation. We
13 do not want to see any recyclable material
14 disposed of as trash, just as we would prefer to
15 keep the non-recyclable materials that we receive
16 to a minimum.

17 We are building an education center
18 at the new Sunset Park facility, and we look
19 forward to working with the Council, with the
20 Department of Sanitation, the Office of Recycling
21 Outreach and Education and in particular the
22 Department of Education, in using this facility to
23 its best effect, especially with the City's
24 youngest and future recyclers.

25 With all that said, we are

2 sensitive to the potential for some of the
3 proposed measures to increase the level of
4 contamination, or non-recyclables in the material
5 that we receive. One such measure is the
6 extensive new Public Space Recycling called for in
7 Intro 158.

8 We fully support expanding
9 opportunities for people to recycle when they are
10 away from home or the work place. Nevertheless,
11 we would like to ensure such efforts are
12 accompanied by adequate education, planning,
13 monitoring and adjustment as needed so that the
14 materials we receive through this program do not
15 contain elevated levels of non-recyclables or
16 trash.

17 There is also a provision in Intro
18 147 that is of potential concern. This is the
19 incentive to place trash out for collection in
20 clear bags. I understand that this will allow for
21 easier inspection to determine if residents are
22 properly sorting their recyclables. The concern
23 is that to the untrained eye and even to the
24 trained eye sometimes, MGP or the metal, glass and
25 plastic that we receive may not appear especially

2 distinct from trash. This distinction will become
3 even less apparent as the range of materials
4 included in the MGP stream, as envisioned by Intro
5 148 expands.

6 Recyclables are typically collected
7 on the same day as trash. City sidewalks, as you
8 know, can be congested. Many people place their
9 material at the curb and multiple buildings all
10 share the curb. Combine this with the limited
11 time and opportunity that collection crews have to
12 determine which bags go in which trucks and there
13 is the possibility that without the current
14 distinction between black and clear bags, we will
15 see increased cross contamination between MGP and
16 trash.

17 So we certainly appreciate the
18 motivation behind this, however the actual impact
19 of this provision is something we would like to
20 monitor with the City Council and the Department
21 of Sanitation.

22 Very much related to this is the
23 fact that it is especially difficult to
24 distinguish the MGP or the metal, glass, plastic
25 from trash when materials are placed inside of

2 bags inside of bags and frequently inside of bags
3 of that. It becomes literally impossible to
4 distinguish the contents of these bags, even if
5 the exterior bag is clear.

6 So not only does this make it more
7 difficult to identify the MGP, particularly for
8 the sanitation collection crews, but it also makes
9 it more costly to process because all these bags
10 must be opened, and it increases the amount of
11 material that must be sent to landfill.

12 When plastic bags, or what we
13 commonly refer to as film plastic are collected
14 through source separation programs such as the
15 retail take-back requirements that the City
16 recently enacted, the film plastic is actually a
17 desirable product in a lot of recycling markets.
18 When film plastic is collected with MGP, it
19 becomes contaminated and it typically ends up as
20 residue which must be landfilled.

21 Thus, we would encourage the City
22 as it examines the new rule or changes or updates
23 its regulations regarding set out to looking into
24 possible restrictions on the use of bags inside of
25 bags.

2 Before commenting on Intro 148, I
3 would like to note that our parent company, Sims
4 Metal Management is involved in plastics recycling
5 on a substantial scale globally. We are the
6 largest recycler of scrap metal and electronic
7 scrap in the world. We recover tens of millions
8 of pounds of plastics used in computer housing,
9 printers, cell phones and appliances such as
10 refrigerators.

11 We have significant investments in
12 processing facilities. We monitor new
13 technologies constantly, we and market large
14 volumes of a wide range of resins to customers
15 around the world. Our business involves
16 fluctuations in commodity markets and changes in
17 consumer products.

18 However, there is no precedent for
19 a curbside recycling program the size of New
20 York's to expand to include the types and
21 quantities of plastics called for in Intro 148.
22 As a result, while Intro 148 can be seen as a
23 progressive and bold move, it does raise a number
24 of questions for us.

25 When we look at the types and

2 quantities of plastics we might receive through
3 this expansion, we have concerns about the cost
4 and viability of processing this material, and
5 about the breadth and soundness of some of the
6 markets after processing. These concerns apply
7 not just to the new materials that we will
8 receive, but to the impact those new materials
9 will have on the plastics that we currently
10 receive.

11 If you'll forgive me, I'll drag you
12 a little bit into the weeds of what we deal with
13 regarding plastic separation and marketing and
14 give you a couple of examples.

15 You would think if you would look
16 at the three arrow system that is on the bottom of
17 plastic containers that there are just seven
18 different type of plastic out there. There are
19 actually several hundred types of plastic.

20 And within the number one PET
21 plastic for example, there is I call sheet PET,
22 also known as thermoform PET. These are your
23 clamshells, cups, lids, and things like that and
24 then there's bottle PET. Sheet PET and bottle PET
25 are actually different formulations of PET.

2 Actually I think some of the other speakers here
3 could probably speak more about the chemistry of
4 this, but in terms of how it affect us, they melt
5 at different temperatures. That causes problems
6 with the people that we sell our PET bottles to
7 down the stream that turn that into carpeting or
8 new bottles or other products.

9 If we start getting this material,
10 we have to separate the sheet PET or the
11 thermoform PET or the clamshells, if you will,
12 from the bottles. The problem is sort of
13 aggravated by the fact that the best sorting
14 technology today, at least what we have access to
15 cannot distinguish between the two.

16 So we make a significant investment
17 in optical sorting technology which can separate
18 PET from other resins but then I simply have to
19 put manual sorters back on there to pull all the
20 clamshells out so that I have a marketable bottle
21 product. And even at the end of the day there,
22 it's not certain that we have a reliable market
23 for the sheet PET. I do have other examples in
24 the testimony.

2 The number two yogurt cup is
3 different in terms of the markets than a number
4 two milk jug or a number two milk crate or a
5 number two laundry hamper. There are many, many
6 additives that are used in plastic to make the
7 plastic suitable for microwaving or freezing.

8 I think to some extent we will.
9 You're right, you can sum it up briefly that there
10 are processing questions and uncertainties that we
11 have. Then there is also limited experience out
12 there I would say in terms of the quality of the
13 markets or the stability of the markets that we
14 have to sell this material to.

15 But I would add one more final
16 point that we have to take into consideration. At
17 the same time as Intro 148 looks to expand the
18 number of materials or plastics that we receive,
19 and these are materials with uncertain processing
20 costs and markets, we are also experiencing
21 increased diversion in the materials that we do
22 know have markets and for which we do have
23 processing equipment.

24 You talked about earlier the bottle
25 bill diverts more PET bottles and aluminum from

2 the curbside stream. We have seen a measurable
3 reduction in the amount of metal that comes in
4 through the curbside recycling program. The
5 latter may be due in part to the slower economy,
6 but it is also very easy to see the extensive
7 scavenging of metal that is occurring at the curb.

8 For us as a company, certainly a
9 large part of what we do is to provide the
10 Department of Sanitation a place to dump the
11 recyclables that it collects from city residents.
12 But first and foremost we are really in the
13 recycled commodity business and so the composition
14 of what we get and the quantity that we get is of
15 utmost importance to us and the way we operate.

16 So broadly speaking, these are some
17 of the concerns I have as the City looks to expand
18 the array of plastics that included in the
19 recycling program. My remarks have not been
20 discouraging. I just thought it was important to
21 make people realize that it is a multi-faceted and
22 complex undertaking. But we do look forward to
23 working with the Council and with the Department
24 of Sanitation in expanding the array of plastics
25 that can be recycled here in the city.

2 CHAIRPERSON JAMES: On a positive
3 note, there is potential growth, economic
4 opportunities and employment opportunities.

5 THOMAS OUTERBRIDGE: Absolutely. I
6 think it's interesting if you look at the waste
7 composition data that the city has, you look at
8 what is out there and what potentially could be
9 included and there are some very promising
10 materials I think that we could see being added to
11 the recycling program.

12 New York's recycling program gets a
13 certain amount of criticism from people, who
14 compare it, I guess unfavorably, to other cities.
15 But from my experience, actually a lot of New
16 Yorkers tend to be very, very enthusiastic
17 recyclers.

18 So we also expect to have a number
19 of people who will take a broad definition of
20 rigid plastic containers and we'll see more vacuum
21 cleaners and suitcases and things like that which
22 present certain challenges for us.

23 CHAIRPERSON JAMES: When will the
24 facility be operable?

25 THOMAS OUTERBRIDGE: The new

2 facility in Brooklyn?

3 CHAIRPERSON JAMES: Yes.

4 THOMAS OUTERBRIDGE: Right now
5 there are obviously a certain number of permits
6 and so forth that are out of our control. But we
7 are still trying to stick to a timeframe at the
8 end of 2011, early 2012.

9 CHAIRPERSON JAMES: Thank you.

10 STEVE ALEXANDER: Thank you, Madame
11 Chairman, members of the committee, my name is
12 Steve Alexander. I run a trade association called
13 the Association of Post Consumer Plastic
14 Recyclers. We worked with Mr. Outerbridge in the
15 past.

16 We are the people who represent 94%
17 of the processing capacity for post consumer
18 plastics that are captured in North America. What
19 we like to say is without our members there are no
20 plastics recycling. Without us there is no
21 recycling of plastics.

22 We have two major issues as plastic
23 reclaimers in North America. One is the supply
24 and material available to us and two is the
25 contamination of the supply and material that is

2 available to us. Historically, we have been
3 focused on recycling and reclaiming PET and high
4 density bottles such as your soda bottles and your
5 milk jugs. But the market demand for consumer
6 product companies for material beyond those
7 material availabilities has pushed us into the
8 rigid plastics recycling arena which this bill
9 addresses.

10 We have created a rigid plastics
11 recycling program primarily to address and to try
12 and create the market for rigid plastic material
13 that is available out there in the marketplace.
14 What Mr. Outerbridge has outlined for you is
15 really where the rubber meets the road in terms of
16 the issues. We would all like to recycle more
17 plastics. The fact of the matter is that we are a
18 little ahead of technology today.

19 But we've always been faced with
20 that situation in regards to plastics recycling.
21 If you remember, 20 years ago when we talked about
22 recycling PET containers and then we talked about
23 recycling high density containers. There was this
24 cry of how we were going to do it. Obviously,
25 we've been successful in doing that today.

2 At some level it becomes the
3 chicken or the egg, which means either we don't
4 have enough supply of material or that we don't
5 have the processing capacity and what comes first.
6 What you're trying to do here is you're trying to
7 identify and target one side of that equation.
8 You're trying to develop additional material that
9 is out there.

10 What this I think recognizes is the
11 fact that technology that exists to us today to
12 sort through the different types of material that
13 Mr. Outerbridge is faced with may not be here
14 today. But when we recognize that there is going
15 to be a significant and substantial volume of raw
16 material available to make it worthwhile the
17 investment to create, develop and then implement
18 separation technologies that would be able to then
19 separate out some of the 3 through 7s that Mr.
20 Outerbridge probably gets today.

21 So what this is attempting to do is
22 essentially push the envelope a little bit.
23 You're looking to freeze the rope a little bit.
24 But I have to be honest with you, this is not a
25 panacea. Simply by saying this happens isn't

2 going to make us the ability for him to separate
3 out a number six polystyrene container or a number
4 five polypropylene container tomorrow just like
5 that.

6 It's going to take a while for the
7 market to respond to that, for the technology to
8 respond to that and frankly, for the geographic
9 footprint of your recovery facilities that you
10 have, not just here but across the United States,
11 because they've been built upon their ability to
12 collect and separate a certain amount of material.

13 What we're talking about here is
14 second recycling and reclamation streams. Correct
15 me if I'm wrong here, you would separate out your
16 PET containers, you might separate out your high
17 density containers and then all others tends to go
18 into one bale that's being marketed to China or
19 elsewhere. What we're talking about doing here is
20 collecting more of that material and then having
21 to separate that material out. So you're talking
22 about a bigger footprint, a bigger building, and
23 more employees to separate that material out.

24 We applaud what you're trying to
25 do. We would love to work with you on it. We

2 need more material to get this doing it. We're
3 working on the technological innovation to try and
4 help folks like Mr. Outerbridge be able to achieve
5 those results. And frankly, what you're doing is
6 you're pushing the envelope a little bit here and
7 you're pulling industry to the table. We'd like
8 to work with you on that and we applaud you for
9 doing that.

10 CHAIRPERSON JAMES: But we don't
11 have the technology. We also have to educate the
12 public. So it's going to take a while for us to
13 even get there. So hopefully by the time the
14 technology arrives, hopefully we will increase the
15 amount of recycling, the number of high density
16 and the number of PET materials.

17 STEVE ALEXANDER: Something that
18 Mr. Outerbridge pointed out is that what we've
19 found in doing our analysis, even across the
20 United States, is that the definition of a rigid
21 plastic container in New York City is different in
22 Nashville, Tennessee and it's different in
23 Columbus, Ohio.

24 Frankly, what we're trying to do is
25 work with the affiliated industry groups to try

2 and make sure that we understand what we're
3 talking about when we say rigid container. Is it
4 a five-gallon paint bucket or is it a big wheel
5 toy bicycle and things of that nature.

6 CHAIRPERSON JAMES: So there are no
7 national standards?

8 STEVE ALEXANDER: There are no
9 national standards at this juncture in terms of
10 what a rigid plastic container is at this point.
11 We refer to it, for our purposes, as a container
12 that is six ounces to six gallons. That's how we
13 look at it. So that way you don't have picnic
14 tables being thrown into the recycling stream.

15 CHAIRPERSON JAMES: So it's
16 jurisdiction by jurisdiction?

17 STEVE ALEXANDER: Pretty much at
18 this point.

19 CHAIRPERSON JAMES: I would imagine
20 it makes it more difficult on the industry.

21 STEVE ALEXANDER: It makes it very
22 difficult on the industry and it makes it very
23 difficult on Mr. Outerbridge in terms of what he
24 can collect and what he can market as well.

25 CHAIRPERSON JAMES: But the

2 countries that you are marketing to, obviously
3 their standards are one standard? No?

4 STEVE ALEXANDER: No.

5 THOMAS OUTERBRIDGE: I think to the
6 extent that mixed plastics are being exported to
7 say China for example, to a large extent the value
8 of that material and whether or not you have
9 multiple buyers for that is entirely dependent on
10 the content of HTP and PET bottles in there. From
11 both marketing and a processing standpoint,
12 actually the three through seven or the one
13 through seven terminology is not particularly
14 useful.

15 STEVE ALEXANDER: Let me just say
16 one other thing if I can. You can't look at three
17 through seven as one product, as Mr. Outerbridge
18 pointed out. For instance, if we had an ability
19 to separate out just number five, polypropylene
20 bottles, there is a tremendous demand for that
21 reclaimed product, the reclaimed polypropylene by
22 consumer product companies to utilize.

23 We as reclaimers don't have a
24 problem necessarily on the demand side for the
25 output of our product, for reclaimed plastic, be

2 it in pellet form, be it solid state form,
3 whatever. There is a tremendous demand for that
4 that we can't satisfy right now. That's why we'd
5 love to see more material coming in to our
6 marketplace.

7 The difficulty for someone like Mr.
8 Outerbridge and all reclaimers is folks that think
9 three through seven, we're going to bail it up and
10 they're going to be able to separate it. It just
11 doesn't work that way. But it will.

12 CHAIRPERSON JAMES: It will. Thank
13 you for ending on a positive note.

14 KEITH CHRISTMAN: Good afternoon,
15 Chairperson James and committee members. My name
16 is Keith Christman and I am the Managing Director
17 of Plastic Markets for the American Chemistry
18 Council. The American Chemistry Council is a
19 national trade association representing plastics
20 manufacturers in New York and around the country.

21 ACC strongly supports this effort
22 to expand recycling to rigid containers and I
23 think builds on the successful effort for retailer
24 bag expansion that demonstrated leadership in New
25 York City as well.

2 We welcome the leadership role New
3 York City is taking in expanding this recycling
4 effort and appreciate the opportunity to appear
5 before the Committee.

6 ACC strongly supports the inclusion
7 of rigid plastic containers in New York City's
8 recycling program because it will help provide
9 important environmental benefits. A recent study
10 we commission on recycling of plastics nationwide,
11 working with APR and other organizations, shows
12 that plastics recycling in the United States saves
13 enough energy to service 750,000 homes in the U.S.
14 and reduces carbon dioxide emissions equivalent of
15 taking 360,000 cars off the roads in the United
16 States every year. So recycling provides
17 important environmental benefits for plastics.

18 It also provides green jobs. One
19 study shows that 93 jobs are created for every 20
20 tons or 20 million pounds of plastics that are
21 recycled. So this has an opportunity to create
22 jobs in New York and around the country as more
23 plastics are collected and recycled.

24 This will also dramatically
25 increase really what's happening in terms of a

2 national trend in recycling rigids. Around the
3 country, for example in California today, about
4 63% of communities or households have access to
5 rigid collection of plastics. We see the rigid
6 plastic recycling growing very dramatically
7 nationwide. It increased by about 11% in 2008 and
8 it's now at around 361 million pounds nationwide.

9 Through efforts like this, those
10 numbers are going to go up dramatically. Right
11 now, about a third of the largest communities in
12 the United States collect rigid containers,
13 including Los Angeles, Seattle, Dallas and Boston.
14 So there are important models for this kind of
15 effort. But clearly, New York City will be
16 demonstrating leadership by expanding this
17 collection program. We expect through that
18 expansion there will be some growing pains, as
19 others have mentioned.

20 Adding this to the program will
21 have some growing pains as people figure out what
22 exactly we want in these programs. This
23 leadership I think is important. I think we saw
24 in New York City the expansion of retail bag
25 collection as an opportunity for leadership and

2 recycling within retail stores. We've seen that
3 grow around the country as well. That's now
4 reached 832 million pounds nationwide. The
5 recycling rate for plastic bags has doubled since
6 2005. So that leadership that New York City has
7 demonstrated on retail bag collection is something
8 that can be built on with an effort like this.

9 We also support education for
10 recycling. ACC does do quite a bit of education
11 on recycling. We have websites for plastic bags
12 and we're happy to work with Sanitation and New
13 York City on plastic bag recycling and provide
14 signage for the expansion of that recycling and
15 welcome the opportunity to do similar things with
16 rigid collection.

17 In terms of looking at this program
18 and the cost effectiveness going forward, the
19 legislation gives the commissioner the ability to
20 determine the cost to the city of recycling one or
21 more types of rigid containers is not reasonable
22 in comparison with the cost of collecting existing
23 designated materials. Of course, cost
24 effectiveness is something that's very important.
25 We do expect, however, there will be growing

2 pains. I think somebody mentioned the idea of
3 doing five years and looking at more of a program
4 like that.

5 Also, I think it would be important
6 to have an opportunity for public input and an
7 opportunity to work with the city to look for
8 additional markets for this material. We know
9 that looking at a five year average, this kind of
10 material, mixed plastics, has commanded a higher
11 price than corrugate, so there are good markets
12 for this material. We expect those to grow and
13 continue to expand as infrastructure is put in
14 place to get higher margins for this kind of
15 material.

16 We strongly support Intro 148 and
17 ask you to support it.

18 CHAIRPERSON JAMES: Thank you, Mr.
19 Christman. Mr. Christman, you strongly support
20 it. Mr. Outerbridge and Mr. Alexander, you
21 support it but with some reservations and
22 hopefully the technology will catch up with this
23 progressive legislative agenda. Fair to say?

24 THOMAS OUTERBRIDGE: Yes.

25 CHAIRPERSON JAMES: Thank you. I'm

2 sorry?

3 STEVE ALEXANDER: That both the
4 technology and the market.

5 CHAIRPERSON JAMES: And the market.
6 Thank you. Council Member Fidler?

7 COUNCIL MEMBER FIDLER: At the risk
8 of destroying the kumbaya spirit between the
9 council, the mayor and the advocates.

10 Mr. Outerbridge, in approving the
11 final version of this bill I was certainly advised
12 that Sims as the sole source at the end of the
13 pipeline here might be looking to negotiate their
14 price. I just wonder how much of what we heard
15 today is the beginning of that negotiation.

16 And would point out to the others
17 who called for and some of the submitted testimony
18 as well, greater public input in the
19 commissioner's decision as to cost, and the reason
20 the commissioner is being given this discretion is
21 probably with an eye towards this negotiation of
22 price. But accepting goodwill here amongst
23 advocates, I'm going to just ask all of you just
24 two essential questions.

25 You were concerned about

2 contamination and market. You just touched on
3 market a little bit. So the obvious market
4 question is given the megasize of the New York
5 City contribution to pushing this envelope, might
6 we not be driving the market by doing that?

7 In terms of contamination, you talk
8 about people being overzealous and putting vacuum
9 cleaners and whatnot into the system. Isn't one
10 of the big problems with plastic recycling the
11 idea that people still don't get the difference
12 between the yogurt container and the milk jug and
13 the Coke bottle?

14 So don't you already face a
15 contamination problem? Aren't we kind of
16 simplifying in on the consumer end, obviously
17 you're going to have more diverse material and
18 you're going to have to sort it, but aren't we
19 reducing the contamination problem? I ask that of
20 all of you.

21 THOMAS OUTERBRIDGE: I'll go first.
22 I think what I really wanted to point out today is
23 we consider ourselves a very progressive recycling
24 company and we're very pleased to be a partner
25 with the city. So when we are hesitant about

2 something that everybody thinks is a great step
3 forward with recycling, I want it to be clear why
4 we're hesitant. For us there are some sort of
5 legitimate concerns and issues that we address.

6 You're absolutely right, about 50%
7 of the plastics we get today are plastics that are
8 not designated recyclables. So we already deal
9 with this issue on a regular basis. But if you
10 look at what is out there, I would say one of the
11 biggest issues would be to make sure that we don't
12 see a dramatic increase in the quantity of film
13 plastic or plastic bags that we get.

14 If you look at sort of the waste
15 composition data and what is remaining in the
16 waste stream out there in terms of plastics, the
17 two biggest categories, one of which is film
18 plastic, plastic bags.

19 So if somehow people get the
20 message that this is all plastics now go in the
21 recycling program, we can be literally swamped and
22 inundated with plastics, which are probably the
23 most problematic from a processing standpoint for
24 us as well as from a marketing standpoint.

25 There are two other very large

2 categories in the waste composition data which are
3 basically other plastics, not identified. As you
4 know, the waste composition study has about 96
5 categories to it and some materials are broken
6 down in great detail. It has a percentage of
7 polypropylene tubs or polystyrene, non-expanded
8 polystyrene containers, but there are also some
9 large categories where they simply lumped other
10 unidentified plastics. Those are very large in
11 terms of percentage and potential tonnage for us.

12 If you look at the proportion of
13 what we get, there are more non-bottle plastics
14 remaining out there proportionally than bottle
15 plastics. Hopefully one impact of this
16 legislation will be that it simplifies the message
17 for people and we get all of the bottles that
18 we're meant to get.

19 But we would also expect to see
20 proportionally a larger increase in these plastics
21 for which frankly the markets are not fully
22 established. They're a little bit questionable
23 and we have significant questions about how we're
24 going to process it.

25 COUNCIL MEMBER FIDLER: Let me just

2 add that I hope you didn't take my comment as an
3 aspersion against Sims. That wasn't my intention.
4 I'm a capitalist. Sims is a profit making company
5 and I'm okay with that. That was kind of apropos
6 of why the commissioner is being given the power
7 that the commissioner is being given so that there
8 is a balance of power in that negotiation. I
9 accept that Sims is a progressive force.

10 It just seems to me that when the
11 process becomes simpler on the consumer end, and
12 assuming, again, the education component is
13 appropriate, I think you're probably going to get
14 a greater compliance level. You just said that
15 50% of what you get is already recyclable but
16 contamination based upon what you're supposed to
17 be getting.

18 I would hope that when we expand
19 the definition of what you're supposed to be
20 getting and make that definition clearer to the
21 people who are being asked to comply that you will
22 not be getting this large additional sum of stuff
23 that doesn't qualify as a container that is not
24 supposed to be in the stream. If we do it from
25 the beginning and we do it right, I would hope

2 that you're contamination level would be down.

3 As to the question about the
4 marketplace and the size of the city being able to
5 drive the marketplace for some of these things?

6 THOMAS OUTERBRIDGE: Well just on
7 the former, I think you're absolutely right. I
8 think if it's done right we do have the potential
9 to actually have a simpler message for the public.
10 And if it means less bags, that's a nice tradeoff
11 for us also. Clearly draw a distinction between
12 what we call film plastic or bags and rigid
13 plastics.

14 In terms of New York driving the
15 market, I don't think New York is going to drive
16 the market in terms of manufacturers. I think
17 where the potential that you're talking about is
18 driving processing capacity. So you drive perhaps
19 the tonnage that comes in through this, either we
20 as a company or someone downstream from us puts up
21 the sorting plant to further process this mix of
22 plastics into marketable commodities. I'm just
23 drawing a distinction between that and a
24 manufacturer deciding it's going to make something
25 out of the mix that comes through this program.

2 COUNCIL MEMBER FIDLER: I realize I
3 have a New Yorker's view of the world that we
4 drive everything. But don't you think that the
5 increased availability of the recycled plastic
6 might promote manufacturers and I imagine an
7 increased availability drives down the price,
8 increased availability makes it more likely that
9 it'll be used in a mass marketing way. You don't
10 think that will happen?

11 STEVE ALEXANDER: When you say
12 manufacturers, I guess you're talking about
13 reclaimers.

14 COUNCIL MEMBER FIDLER: End users.

15 STEVE ALEXANDER: End users? The
16 end users will take the product, as I indicated.
17 There is no problem on the demand side. I mean an
18 end user, and I assume you're talking about a
19 consumer product company that's looking to put
20 recycled material in their product. That's
21 typically not the problem, dependent on price. I
22 mean there's a price point there at which they
23 will not go over.

24 I would address your question by
25 pointing out frankly the most iconic recyclable

2 plastic container I think we have is the 16-20
3 ounce water bottles, consumer soft drink
4 containers. Fifty-two percent of that material
5 that was collected in the United States last year
6 was exported to China. Now, it wasn't because of
7 lack of markets in this country. As a matter of
8 fact, we have about 1.6 to 2 billion pound
9 capacity to process those materials in this
10 country.

11 Last year, we were only able to get
12 our hands on 800 million pounds in this country of
13 that material. Communities who are not as
14 progressive as New York City, those folks who are
15 collecting the material were just marketing it to
16 get rid of it. They were not interested in
17 necessarily separating out the ones and the twos,
18 the most iconic value that is there in the
19 plastics recycling marketplace. They were just
20 bundling it up, using brokers and it was going
21 overseas to China primarily for price.

22 So what we have to do a much better
23 job of doing is keeping that material on this
24 shore to help sustain the embedded industry that
25 we have today, the reclamation industry that we

2 have today. It's not just necessarily whether or
3 not the material is available and whether or not
4 we can drive the market. The volume is there in
5 these other materials. We still can't keep that
6 material here.

7 I think it's symptomatic of in
8 terms of driving the market, in this country,
9 material isn't only exported, reclaimers go
10 outside the country to import material because we
11 just can't keep what we have here in this country.
12 So it is a dual situation. We import from Brazil,
13 Chile, Israel, Portugal, Mexico, Canada and what
14 have you. It's truly a global marketplace for
15 these commodities.

16 COUNCIL MEMBER FIDLER: Thank you
17 both for your answers. Just the last suggestion
18 is working on national standards I would imagine
19 is on your agenda. It sounds like it's something
20 that would really be helpful to your industry and
21 to municipal governments like ours in trying to
22 craft solutions. So go for it.

23 KEITH CHRISTMAN: I think in APR I
24 think there's a committee that is developing a
25 bale standard for rigid specification. So that is

2 something that as more communities have expanded
3 this kind of program, the rigid committee that we
4 work with has seen the need to develop a bale
5 specification that could be used nationwide and
6 folks could communicate to their residents what's
7 wanted in these rigid collection programs. So
8 that is something that's being developed.

9 STEVE ALEXANDER: Essential what
10 happens is that reclaimers buy bales of material
11 from the people who collect the material. If your
12 bale has a certain percentage of contamination in
13 it, it gets a certain price. If it's got 15 to 20
14 and 30% and so on, it gets a lesser price.

15 A lot of these communities, a lot
16 of these folks who have this material, they don't
17 even want to deal with us. They don't want to
18 think about contamination. They just say look,
19 I'll sell it to China. China will take it and
20 they'll give me a price point for it and I don't
21 have to go through it because they can hand sort.
22 We don't hand sort in this country. We try and
23 automate. I'm sorry about getting into the ins
24 and outs of the problems that we face as an
25 industry; I'm just trying to lay it out for you in

2 terms of reality, Mr. Outerbridge's reality. He
3 has to deal with it every single day.

4 CHAIRPERSON JAMES: It impacts Mr.
5 Outerbridge's bottom line at the end of the day
6 because of the contamination.

7 THOMAS OUTERBRIDGE: Yes.

8 CHAIRPERSON JAMES: So hopefully I
9 guess that will come into play as you negotiate
10 with the city of New York. Thank you for your
11 time. The last panel is Frieda Bradlow from the
12 Village Independent Democrats, Matt Molina, Jack
13 Walsdorf, Maggie Clarke from the Maggie Clarke
14 Environmental, Arden Down from the Women's City
15 Club of New York. If anyone else seeks to
16 testify, please sign up. This is our last panel.

17 ARDEN DOWN: Happy to be here to
18 represent the Women's City Club of New York, an
19 organization that's been around since 1915,
20 nonpartisan, nonpolitical and dedicated to
21 enhancing sustainable development for New York.
22 Well there was a Men's City Club of New York and
23 so we had to found our own.

24 We're very happy to support your
25 proposals. I'm not going to read this because so

2 much of what has been said we concur with.

3 Certainly the things that can have
4 immediate impact are the expansion of the plastic
5 recycling, the increased education, outreach and
6 enforcement.

7 The confusion and lack of knowledge
8 on the part of the general population is rampant.
9 I find it all the time. I've been trying to
10 educate my building. I've offered to take things
11 to the waste management places, et cetera, and
12 people say well that's already done. That's
13 already being taken care. They're not aware of
14 what's being taken care of and what is not being
15 take care of. So I do think the education is very
16 important.

17 Also, the increasing number of the
18 public recycling bins I think is a very good idea,
19 and having them in the schools as well. I think
20 we need to educate our children that this is part
21 of life. This is not optional; this is something
22 we need to do.

23 While we applaud everything that
24 you have proposed, we do have an additional
25 request. We urge the enactment of a law requiring

2 that all takeout food containers be recyclable.
3 In this city where everyone is on the go and in a
4 rush, takeout containers abound. They are most
5 often made of plastic or Styrofoam. Requiring
6 that takeout containers be recyclable would
7 directly increase the volume of trash diverted
8 from landfills.

9 From an environmental point of
10 view, Styrofoam, polystyrene, presents particular
11 problems when discarded as trash. Styrofoam is
12 manufactured from petroleum and is highly
13 flammable. Benzene, a known human carcinogen, is
14 used in its production. Styrofoam does not
15 biodegrade readily and when ingested by animals
16 and birds can block their digestive systems
17 thereby killing them.

18 The WCC therefore proposes that the
19 City Council enact an immediate ban on the use of
20 Styrofoam in all food service materials.

21 I was really glad when Councilman
22 Fidler talked about these new light bulbs that are
23 being promoted so heavily. They do include
24 mercury. So if someone breaks one of these bulbs
25 in their own household or if any of the Sanitation

2 workers are exposed to breakage of these bulbs,
3 this mercury is out there. So it's widely
4 promoted as energy efficient, et cetera, but it's
5 got its hazards. So I want to thank you for
6 mentioning that.

7 CHAIRPERSON JAMES: Thank you, Ms.
8 Down. The panel will be joined by Christina
9 Giorgio. Ms. Down, do you recycle food waste in
10 your building?

11 ARDEN DOWN: Food waste?

12 CHAIRPERSON JAMES: Yes.

13 ARDEN DOWN: No. I've offered to
14 take Styrofoam to FedEx and UPS for the whole
15 building. It's very lightweight and only FedEx
16 and UPS recycle Styrofoam.

17 CHAIRPERSON JAMES: We're looking
18 into Styrofoam and I've asked staff to answer the
19 question as to why we cannot recycle all takeout
20 food containers. Thank you.

21 ARDEN DOWN: Thank you.

22 FRIEDA K. BRADLOW: I am Frieda
23 Bradlow. I have said that I represent the Village
24 Independent Democrats. But I also have been a
25 public member of the Environment Public Health and

2 Safety Committee of Community Board 2 since the
3 late 60s. But I will tell you this that the
4 schedule of this hearing does not fit with the
5 schedule of community boards for them to have
6 taken up of approving the support.

7 CHAIRPERSON JAMES: We are going to
8 be contacting the community boards seeking
9 resolutions from all of the community boards in
10 the City of New York.

11 FRIEDA K. BRADLOW: I got a c-stat
12 from Speaker Quinn who happens to be my
13 councilwoman. But that was not timely enough to
14 take it before the community board. However, the
15 environmental committee is certainly supportive,
16 as I am of these additions.

17 I was a member for 19.5 years,
18 appointed to the Manhattan Citizens Solid Waste
19 Advisory Board and also to the Citywide Recycling
20 Advisory Board. So I have testified many times
21 before this council. I have promoted recycling.
22 We in Community Board 2 volunteered and suggested
23 recycling to begin with and became the first pilot
24 of any recycling. Before Local Law 19 we recycled
25 newspapers, magazines and cardboard as a pilot.

2 So Community Board 2 is certainly very supportive
3 of expansion.

4 Several points, because I don't
5 have to repeat what was in my written testimony
6 that came to mind as I listened today. There have
7 been studies, for example, by the National
8 Environmental Protection Agency, which support the
9 fact that increased items for recycling increases
10 participation.

11 Participation was not talked about
12 here today, but it certainly would increase the
13 percentage of people who participate in recycling
14 in the city as we increase the number of items
15 that we recycle. That has been found to be true
16 in studies that have been done.

17 Something else came to mind. The
18 last panel which talked about plastics and
19 manufacturing and markets and remanufacturing
20 didn't talk too much about the difficulties of
21 establishing that right here in New York City
22 rather than looking for markets elsewhere.

23 I remember some years back in the
24 citywide recycling board we had a representative
25 from DuPont came and talked about carpet

2 recycling, they were looking to develop plants to
3 recycle any of their own carpet. The question
4 that I asked this person was why they were
5 building in Tennessee and not in New York City
6 where we probably have the largest market for this
7 with our hotels and public spaces, et cetera.

8 He said the complications of
9 establishing permits and building in New York
10 prevents them from considering this. It's
11 something that the Council should work with the
12 EDC and other agencies in terms of making it
13 easier for these companies to come into New York
14 which would create markets and would benefit us in
15 terms of trucking and everything else. We would
16 stand to profit from our waste.

17 The other thing that I didn't hear
18 discussed at all was the planning by Sanitation
19 and other agencies of the city in terms of the
20 capital budget. For example, my own district is
21 going to get a marine transfer station that will
22 serve all of Manhattan within the foreseeable
23 future.

24 At the same time there is a
25 projected brand new three district sanitation

2 garage going in less than a mile from that marine
3 transfer station. Now, the effect of whatever
4 goes into the marine transfer station on the
5 sanitation depot and vice versa is obvious but
6 there is no projection as to what happens in the
7 capital budget. We talked about operating budget
8 a little here today, but what happens in the
9 capital budget that takes into account the shift
10 from disposal waste to recycling and what effect
11 it will have on a new facility being planned to
12 handle the increased volume that these laws will
13 bring in.

14 The final thing, I've always had a
15 pet peeve that the figures we're given by the
16 Department of Sanitation liberally flip back and
17 forth between tonnage and volume. If you think
18 about it, there is a huge difference. I remember
19 one of the commissioners saying you fill a truck
20 with Styrofoam and it'll weigh a half a pound. Or
21 you put that popcorn that's used as packaging
22 everywhere into a truck and it'll amount to a half
23 a pound.

24 So when you talk about a recycling
25 truck, the plastic that goes into a recycling

2 truck weighs very little. But in volume, it takes
3 up a lot. So a truck that carries only 5 plus or
4 6 plus tons may actually be filled to capacity by
5 volume. So it's been a pet peeve of mine for many
6 years that we have to sort of decide if we're
7 talking tonnage or volume or what are we
8 describing.

9 I think one last thing I have to
10 tell you is that many of us in my age category, a
11 child of the great depression, a pre-World War II
12 recycler, and we do this automatically because we
13 were poor. And what we did was thought of other
14 uses.

15 I can remember in my household
16 there were times when we used old newspapers that
17 we cut into strips as toilet paper. We cleaned
18 our windows with old newspapers. I mean it was
19 automatic that we used everything that we had.
20 Little slivers of soap, rather than going into the
21 trash because the bar was no longer useful, went
22 into a jar of water to create liquid detergent.

23 This was the way that we
24 automatically grew up, which brings me to the
25 point that I have always said. The way to

2 increase recycling is to teach the children. God
3 protect any parent who doesn't do these things if
4 a kid learns about them. So that is, in
5 conclusion my thing. I will continue to applaud
6 the efforts of the Council and the Administration
7 to expand recycling.

8 CHAIRPERSON JAMES: Thank you.

9 JACK WALSDORF: Thank you very
10 much. I'm Jack Walsdorf from a company called
11 Converted Organics. I'm here to encourage the
12 Council to approve Intro 171 and that's the
13 specific interest that we have here. I speak as a
14 company and as an individual about food waste
15 recycling. It's a very critical issue. We're
16 enthusiastic because that is our business.

17 We currently recycle food waste,
18 great quantities of which are now generated within
19 New York City. But again, the reason why it is
20 important for the city to examine this and
21 hopefully complete and follow through on food
22 waste recycling are the reasons that our company
23 was formed.

24 Again, I think it's imperative that
25 you consider the fact that food waste when it goes

2 into a landfill, as it decomposes it produces
3 methane. Methane is 20 times more potent than
4 CO2, the material that comes out of your
5 automobile. So clearly material that's generated
6 in New York City that ends up in a landfill right
7 now is a detriment to the environment, even if
8 that landfill where it is destined to has a
9 methane collection system. As I understand it,
10 the best methane collection system is perhaps at
11 around 50% efficiency.

12 So clearly I think you want to keep
13 your food waste out of the landfills for methane.
14 If you keep it out of the landfill I think you
15 also then make space available for other items
16 that are properly destined for the landfill. If
17 you reduce, reuse and recycle as you should, the
18 smallest bucket in that line, if you will, is the
19 material that goes to the landfill. So glass,
20 metal, plastic, certainly food waste, clearly, as
21 some people call it the next frontier, food waste
22 should be recycled. Lastly, the smallest bucket
23 should be that material that goes to the landfill.

24 So we're very encouraged by the
25 hearings and by the activities within New York

2 City again as citizens and as a company that is
3 currently in the business in metro New York. We
4 are 21 miles from where we are right now and
5 operate a facility that is permitted for 500 tons
6 of food waste per day. We currently receive from
7 many restaurants, and this is all on the
8 commercial side, educational institutions, and
9 sport stadiums, again the recycling that we do is
10 we convert this into an organic or natural
11 fertilizer.

12 There are certainly other uses for
13 this food, energy being one. But again, our
14 particular activity is to convert this material
15 into an organic all natural fertilizer which we
16 currently do in Woodbridge, New Jersey. That also
17 then, from an environmental point of view,
18 replaces synthetic fertilizers.

19 Again, I think that is certainly
20 something that needs to be considered. That does
21 not necessarily deal specifically with the
22 question of recycling but rather the products that
23 you can produce. What we choose to produce is
24 fertilizer and that takes the place of synthetics.
25 Synthetics in the water, I mean we're all aware of

2 dead zones in Chesapeake Bay. A lot of that is
3 due to chemical synthetic runoff.

4 So again, from an environmental
5 point of view, speaking specifically to Intro 171,
6 recycling of food waste is really something that
7 should be considered and it should be acted upon.
8 Keep the methane down. It's a greenhouse gas
9 that's 20 times more dangerous, and use the
10 recycled food waste for a beneficial product. We
11 like fertilizer, but again there are other things
12 that can be done with it as well.

13 So again, we encourage this. Thank
14 you.

15 CHAIRPERSON JAMES: Have you ever
16 heard of bokashi?

17 JACK WALSDORF: I'm sorry?

18 CHAIRPERSON JAMES: Bokashi? It
19 has to do with food waste. Someone gave me this
20 flier and it was really interesting.

21 JACK WALSDORF: There are a lot of
22 technologies that deal with food waste. There is
23 a question of scale. Again, New York City is not
24 a very small town. The amount of food waste
25 that's generated here is enormous. So you need to

2 have a solution that can handle the scope of the
3 generation. That generation here is substantial.
4 Again, as I mentioned, we're permitted to handle
5 500 tons a day and we do not operate at that
6 capacity. But we're permitted to handle 500 tons
7 a day. That is a drop in the bucket. So again,
8 my point is to encourage the city to do all that
9 it can to divert food waste.

10 CHAIRPERSON JAMES: Thank you.

11 MAGGIE CLARKE: I'm Maggie Clarke.
12 I'm currently a zero waste consultant and co-chair
13 of the New York City Waste Prevention Coalition
14 which was a outgrowth originally of the Manhattan
15 SWAB Waste Prevention Committee which Frieda
16 Bradlow and I were vice chair and chair of for ten
17 years prior to 2000 when we started the Waste
18 Prevention Coalition. I was previously chair of
19 the Manhattan SWAB and vice chair of that body and
20 vice chair of the Citywide Recycling Advisory
21 Board over the last 20 years.

22 My PhD dissertation was on
23 recycling and waste prevention behaviors and
24 educational programs in New York City. That's why
25 I want to reiterate what Frieda was just saying

2 about the lack of discussion about participation.
3 It's an incredibly important piece of zero, if you
4 will, for trying to get towards zero waste, which
5 just means waste prevention, reuse, recycling and
6 composting and nothing else as a goal. You really
7 need to focus on participation. That needs to be
8 a big part of things.

9 I'd like to also respond to one of
10 the things that was said. It's very important in
11 waste composition studies to understand what the
12 waste stream is made of. I think that it's maybe
13 a common misperception that after one has finished
14 doing recycling, composting and so forth that
15 there's still a lot of waste left.

16 I know just in my own household
17 where I have about 12 recycling bins, recycling
18 and reuse bins and composting, I've got a bin for
19 that as well. The only thing that's left is a
20 very small amount of crinkly plastic wrap because
21 the bags are going to the supermarket for
22 recycling, and some chicken bones. That's about
23 it.

24 Textiles are taken care of.
25 Fluorescent bulbs are taken care of. Plastic

2 number five goes to Whole Foods. Just about
3 everything that we deal with can be taken
4 somewhere right now. So it's a great thing that
5 you're adding all of these things and I support in
6 general all of the bills.

7 Since I don't want to go into just
8 saying that I support this and I support that,
9 I'll concentrate on some of the things I'd like to
10 suggest to improve them.

11 One of the general points is that
12 the Sanitation Department has been known in the
13 past to fight City Council law, to take it to
14 court and so forth, not to follow it and so forth.

15 Over and over again in looking
16 through these various bills, I see where in one
17 case the Sanitation Department can just not do a
18 study. I think that's the commercial recycling
19 study, if they think that it's too hard or
20 something like that. That's a big invitation in my
21 opinion. I think that that needs to be
22 restructured. That they should not be allowed to
23 just not do things because then they won't do them
24 in my opinion.

25 Before I go into some more of the

2 description, I do hope that once this is done and
3 all of these bills are passed that the committee
4 continues to work to address some of the still
5 neglected issues at the top of hierarchy in waste
6 prevention and reuse.

7 Some things that we've testified
8 for 20 years and I've given in my testimony here
9 some links that you can follow to read a lot of
10 the testimony that we've presented over the last
11 20 years and some of the major reports that we've
12 written, which will give you a lot of background
13 on this.

14 But the availability of reuse
15 programs, such as materials for the arts, which
16 has been a pilot for going on 20 years. It's
17 still a tiny pilot and it really should be
18 expanded to be citywide so that everyone can take
19 advantage of it and be able to deposit reuse items
20 there and take reuse items away. There are many
21 such programs like that. That's just an example.

22 The city should also plan to
23 implement pay as you throw. Back in the 90s, the
24 Manhattan SWAB put together a six point program
25 for how one would implement that here in the city

2 because we recognized that with apartment
3 buildings it wouldn't be a slam dunk. We went
4 into great detail. You can find that on my
5 website. First dealing with pilot programs, the
6 outer boroughs first.

7 Making sure that as you start to
8 implement that if there are problems that you
9 address the problems and maybe you roll out
10 another pilot and that sort of thing rather than
11 throwing up your hands and saying it's impossible
12 in New York City because we have apartment
13 buildings. That's something that we hear far too
14 often.

15 They could have said that for
16 recycling in apartment buildings, but thankfully
17 the way that that went was in the 1980s there was
18 a private group, the Environmental Action
19 Coalition, which went into apartment buildings and
20 showed the city how to do it. That's what we need
21 to be doing for some of these other seemingly
22 difficult things. We need to be just working at
23 them. If you fail, tweak the program, try it
24 again, and eventually you'll succeed.

25 I'd like to suggest that in terms

2 of pay as you throw, in case you are not familiar
3 with it, it's one of the best ways. It's been
4 documented for 20 years. It reduces waste
5 generation. It increases reuse, recycling and
6 composting. It's been shown in 7,000 United
7 States cities and towns.

8 Also, I'd like to point out that
9 the SWABs, the CRAB, the Citywide Recycling
10 Advisory Board, and some other environmental
11 groups who already testified here got together
12 about five years ago and co-authored a
13 comprehensive zero waste plan for the city of New
14 York. It was timed to come out at about the same
15 time as the last city solid waste management plan.

16 It's over 200 pages. It has
17 chapters on every aspect of zero waste as well as
18 how to implement it. There's a chapter on
19 legislation. I hope that your staff can look at
20 it and glean some useful suggestions for future
21 legislation and programs. I've given you the link
22 for that.

23 Now, for Intro 141, this is where
24 the Sanitation Commissioner can just choose not to
25 do the studies just by providing an explanation

2 and I recommend that there be stronger language to
3 ensure good quality studies are actually done in a
4 timely manner.

5 For Intro 142, I support this but
6 because it's voluntary, the result is highly
7 variable. It depends entirely on who volunteers
8 to join the program and it could be very good or
9 it could not be very good. So I'm nervous about
10 this one. I hope that everyone will join this
11 program and that you'll have a lot of paint
12 stewards with the manufacturers, but voluntary is
13 always a problematic term.

14 Intro 147, recycling outreach and
15 education, I have a lot of background in this,
16 having done my doctoral dissertation on this and
17 subsequent research in New York City about
18 outreach. Because of our diversion rate being
19 only a little over 15% and decreasing every year,
20 this is only part of the situation. We have a
21 huge range across the 59 community boards. In
22 some parts of the city the diversion rate is only
23 5-8%, for example in the South Bronx. Then in
24 parts of Manhattan and wealthier places typically
25 you find 30% participation. It's a huge

2 disparity.

3 The capture rate is also just
4 across the board not good. It's less than half of
5 what is targeted for recycling is actually being
6 captured. So this is the participation thing that
7 I was talking about before. You need to delve
8 into this to understand why this is the case.

9 I've been doing research on this
10 for over ten years. I've given you some studies
11 to look at that I've done that I've published and
12 presented over the last ten years with 3,000
13 respondents in New York City asking them
14 questions.

15 Among other things, my research
16 showed that New Yorkers were confused and in error
17 about what was recyclable. The most frequent
18 reason, that is 41% of respondents, gave a reason
19 for not recycling all the time was that they
20 forgot to recycle. And 21% said that they were
21 confused. I gave them other choices such as no
22 time, inconvenient and things like that. I gave
23 them really good choices and they chose those two.
24 This is across the board.

25 So this is a failure in education

2 and outreach and must be studied in depth and
3 addressed. It hasn't been studied enough. It's a
4 wonderful thing to add recyclable and compostable
5 items to the targeting, but if we're still only
6 capturing 45%, we need to do a lot better.

7 I laud the expansion of education
8 into smaller buildings, but I recommend that a
9 timeframe be stipulated for the Sanitation
10 Department to adopt the rules. I didn't see one
11 there. One of the sections is imprecise about how
12 much, what type, how often and to what extent
13 education is to be provided by the Office of
14 Research, Outreach and Education. I know they're
15 doing the right things. I know they have a very
16 small staff.

17 So we obviously need more staff in
18 this area, not just for just knocking on doors but
19 for figuring out how to get to people. Not
20 everyone responds to the printed page, like
21 Commissioner Doherty said. He said all you need
22 to do is send out leaflets and fliers. My
23 research has found that is not the case at all.
24 Some people get their information from TV, some
25 from radio, and some from billboards. As a matter

2 of fact, what my doctoral dissertation showed me
3 was that if you have a combination of these things
4 hammering at you all the time, that's the best
5 way.

6 Other cities spend several dollars
7 per person per capita per year on recycling
8 education and we spend a pittance compared to
9 that. So that's why in California in San
10 Francisco they have a 72% diversion rate. It has
11 a lot to do with targeting but also participation.
12 You've got to have both.

13 So I hope to see what OROE is
14 required to do in this bill. Again, if a bill is
15 vague, then that allows for not so much to get
16 done. Deadlines are important too for developing
17 the curricula and the online recycling tutorial.
18 That's not specified, or how users will become
19 aware of the availability of these.

20 In the last 20 years, the
21 Sanitation Department has created many manuals on
22 all kinds of things. Members of the SWAB will see
23 these but nobody else does. The people have to
24 know that they're there. How do the people know
25 that they're available? They don't. They're

2 expected to write to the Sanitation Department or
3 in more recent years to go on their website to
4 download something. That just doesn't work. If
5 you're competing against an advertising industry
6 that is using all the media and we're just
7 expecting people to know about something and then
8 to ask for it, that's not the way to educate.

9 The Sanitation Department needs to
10 develop better methods to provide more information
11 and more rationales as well, not just this is what
12 you do and this is how you do it, which is purely
13 informational which they need clearly because
14 there are still some people who are saying that
15 phone books are not recyclable and metal is not
16 recyclable and things like that in my surveys.
17 I've been finding these things.

18 They need to provide a rationale as
19 well because some people are driven by that.
20 There are all different kinds of things that
21 people are driven by. Sometimes it's economics,
22 sometimes it's peer pressure, and one of those
23 things is the rationale for why one should do it.
24 That it's good for the environment or New York
25 City has saved so many tons or millions of tons of

2 something.

3 I'll skip over some of this because
4 you've got it there. The designation of plastic
5 containers is a wonderful thing. But the bill
6 doesn't specify that or how everyone is to be
7 reached. The programs need to be thorough and
8 effective in reaching people. Once designed and
9 rolled out, these education programs need to be
10 measured and analyzed to see how effective they
11 are in getting to people.

12 Recycling in city agencies, back in
13 1995, Frieda and I co-authored Intro 509 of 1995.
14 That in part required setting up something like
15 what you have in this bill so we're very pleased
16 to see this. There is an awful lot more in Intro
17 509 of 1995 as well as Intro 482 of 1998 which
18 were all environmental procurement bills for the
19 city government. I hope in the future that you
20 can look at those and see if some of it can be put
21 through.

22 I'm interested to know if the City
23 Council oversight will ensure that the city will
24 prepare an annual recycling report as is part of
25 several pieces of legislation. This was part of

2 Local Law 19 originally. The city has rarely put
3 out a recycling report. I think they did one.
4 Then they said every time we do anything with the
5 solid waste management plan that's our recycling
6 report, but it was not.

7 CHAIRPERSON JAMES: Dr. Clarke,
8 could you please conclude your testimony? You've
9 given us a lot. I'm going to do my research. I
10 have all of your sites.

11 MAGGIE CLARKE: I'll just conclude
12 with just one more thing about leaf and yard
13 waste. I wonder why the Sanitation Department
14 should be permitted to export yard waste to
15 disposal facilities elsewhere rather than require
16 that they be tipped at composting facilities.
17 There should be a provision to ban export of yard
18 waste except to composting facilities.

19 CHAIRPERSON JAMES: Thank you, Dr.
20 Clarke. You're extremely learned and obviously
21 we've got to do our homework. We really
22 appreciate it. Ms. Giorgio?

23 CHRISTINA GIORGIO: My name is
24 Christina Giorgio. I live in the Lower East Side.
25 I'm a compost activist. I really wasn't planning

2 on addressing the Council today. But I want to
3 thank the council so much for their efforts. I
4 want to thank all the panelists and people who
5 have attended. I consider myself among friends
6 trying to do right by our planet and this is a
7 wonderful day for me.

8 One of the things I have the honor
9 of doing right now is helping the Grant Street
10 Settlement implement a very modest composting
11 program. In listening to the speakers and the
12 council and reading the proposed legislation, I
13 just have a request with regard to our language.

14 One of the panelists made eight
15 great points of things that matter. One of the
16 things he said was that words matter. We have
17 repeatedly used the term waste as it relates to
18 our food and it relates to our yard clippings.
19 There is no waste in nature. Those things both
20 come from nature.

21 So when we think of those things,
22 if we could replace the term waste with something
23 that really describes it properly, that these are
24 treasures, that these are things to return to our
25 soil with the fine work that they're doing at

2 Converted Organics. I wish I could give to you
3 the exact word to replace. I'm not suggesting
4 that I do.

5 But I would just ask our Council
6 Members to set a wonderful example of not
7 describing food scraps as waste, not describing
8 yard waste. That's not waste. When we describe
9 it as waste our kids will think of it as waste and
10 we will think of it as trash. So this is
11 something that maybe we could put some effort into
12 and making sure that we embrace the concept that
13 these things aren't waste and that they're very
14 valuable. Of course, I support expanded
15 composting everywhere. Thank you very much for
16 all of your efforts.

17 CHAIRPERSON JAMES: Ms. Giorgio,
18 that's a beautiful way to end this hearing. Do
19 any of my colleagues have any questions or
20 comments? Ms. Bradlow, my mother often tells me
21 that sometimes need and want are the mothers of
22 invention. So obviously I'm going to go home and
23 tell her about ways to reuse, recycle and compost.
24 I thank all of you for coming and that concludes
25 this committee.

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 May 17, 2010