

**TESTIMONY OF JOHN J. DOHERTY, COMMISSIONER  
NEW YORK CITY DEPARTMENT OF SANITATION**

**HEARING BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON  
SANITATION & SOLID WASTE MANAGEMENT  
FRIDAY, OCTOBER 25, 2013– 10:00 A.M.  
CITY HALL—COUNCIL CHAMBERS**

**RE: Intro. No. 1170: In relation to reducing permitted capacity at putrescible and non-putrescible solid waste transfer station in overburdened districts.**

Good morning Chair James and members of the City Council Committee on Sanitation and Solid Waste Management. I am John Doherty, Commissioner for the New York City Department of Sanitation. With me today are Robert Orlin, Deputy Commissioner for Legal Affairs, and Dennis Diggins, Deputy Commissioner for Solid Waste Management. I am here to discuss Intro. No. 1170 under consideration by the Committee today, which mandates very significant reductions of private transfer station capacity in four specific community districts: Bronx 1, Bronx 2, Brooklyn 1 and Queens 12.

Private solid waste transfer stations are a critical component of New York City's solid waste management system. Lawfully permitted and operated, they are essential to the City's ability to handle more than 26,000 tons of residential and commercial waste (excluding fill material) generated in the five boroughs every day. Transfer stations sort, recycle and consolidate loads of solid waste for removal from the City by truck, barge or rail, and they also process materials for reuse as fill material and, recently, as feedstock for anaerobic digestion.

The solid waste transfer station landscape of 2013 is completely different than it was in the recent past. Local Law 40 of 1990 mandated the Department to overhaul the process for permitting and regulating the operations of putrescible and non-putrescible solid waste transfer stations. Since 1990, the Department, together with the New York State Department of Environmental Conservation (DEC), has utilized its permitting authority, environmental review process, and enhanced enforcement activity to gain tighter oversight and improve the operations of private transfer stations. Additionally, the Business Integrity Commission ensures the fitness and integrity of each potential transfer station owner.

Consistent with Local Law 40 and the City's Solid Waste Management Plan (SWMP), the Department has implemented various measures to strengthen its oversight and enforcement of the transfer station industry which I'd like to highlight here.

First, the Department's Permit and Inspection Unit (PIU) is responsible for regularly inspecting all private transfer stations in the City.

- Due to the efforts of PIU, transfer stations may be the most highly regulated industry in the entire City. PIU officers, on average, inspect each putrescible and C&D transfer station once per week.

Second the Department's enforcement efforts have helped lead to an overall reduction in the number of transfer station permits in the City from 153 in 1990 to 59 today.

- Since 1998, 18 transfer stations in Brooklyn 1, Bronx 1, Bronx 2 and Queens 12 have shut down – reducing the number of putrescible and C&D transfer stations located in these districts from 44 to 26.

Third, we have adopted strict rules governing the siting of transfer stations. These rules:

- Restrict both the siting of new solid waste transfer stations and the ability of existing transfer stations to increase their daily permitted throughput capacity;
- Encourage the development of transfer stations that transport solid waste from the City by rail or barge, which reduces truck traffic; and
- Take into account the concerns of both the community districts in which these transfer stations are located, and the need to ensure that there is enough transfer station capacity to accommodate all of the solid waste generated in the City on a daily basis.

These rules had a very immediate and positive impact. They prohibited any increase in transfer station capacity in the Community Districts of Brooklyn 1 and Bronx 2, and they prohibited any new transfer stations in Queens 12. These rules were challenged by five different transfer station operators or proposed operators, but they were upheld by the New York Courts.

Fourth, the Department also adopted more stringent operation and maintenance requirements for all transfer stations to help minimize the environmental impacts of transfer station operations. Highlights of the rules include:

- Stricter ventilation and odor-mitigation requirements for putrescible transfer stations;
- The implementation of additional dust suppression measures for C&D transfer stations; and
- Requiring all transfer stations to limit emissions from stationary equipment and non-road vehicles that are operating outdoors.

Fifth, as part of the mandated transfer station permit application process, the Department, in conjunction with other City agencies and State DEC, conducts an extensive environmental review.

- This review allows the Department to assess the effects of private transfer stations on the areas where they are located; and

Sixth, we negotiated capacity reductions with the transfer station industry in accordance with the 2006 SWMP.

- Under the 2006 SWMP, which was approved by the Council, permitted putrescible and construction and demolition debris (C&D) capacity was to be reduced by up to 6,000 tons per day through capacity reductions in Bronx 1 and 2, Brooklyn 1, and Queens 12;
- Beginning in late 2006 and through early 2008, the Department met with the owners of all of the putrescible and C&D transfer stations located in these four districts to negotiate capacity reductions, and Council staff participated with the Department in many of the meetings and phone conferences; and
- Through these negotiations, oral agreements were eventually reached with the transfer station owners in these four districts for over 6,000 tons per day of permitted capacity reductions, which the Council, though, ultimately decided not to pursue.

The Department remains committed to meeting the goals outlined in the SWMP and has taken many measures to address the impacts of transfer stations, particularly in those communities with the greatest number of these solid waste facilities. However, we believe that Intro. 1170 is not the best way of furthering these goals because it will impose severe limitations on the City's ability to handle its own waste which I will explain.

Intro. 1170 initially requires the Department to reduce the permitted capacity of transfer stations in Bronx 1, Bronx 2, Brooklyn 1 and Queens 12 to 125 percent of the average daily amount of waste that these facilities handled over the prior three years. By January 1, 2016, the Department would be mandated to further reduce putrescible and non-putrescible capacity at the transfer stations in these four districts to an amount that is 18 percent less than the average weekly amount of waste handled at these facilities during the preceding year.

As written, Intro 1170 will have a detrimental impact on the City's ability to manage its own waste since it would effectively eliminate private putrescible and C&D capacity in the City by approximately 21,000 tons per day. The four community districts impacted by this legislation currently have approximately 34,000 tons per day of transfer station capacity, and Intro 1170 would reduce permitted capacity in these districts by approximately 65%.

Moreover, the overall private putrescible and C&D capacity in the City is approximately 44,000 tons per day. The consequence of this bill would be to reduce private putrescible C&D capacity in the City by almost 50%, thus severely jeopardizing the City's ability to manage its waste safely and expediently. Specifically, C&D capacity citywide would be reduced from approximately 23,000 tons per day to 11,000 tons per day and putrescible capacity would be reduced from approximately 21,000 tons per day to 12,000 tons per day.

The reduction in capacity called for by this legislation will likely lead to the shutdown of smaller transfer stations, which would have an enormous impact on our ability to manage the City's solid waste, particularly during weather-related or other emergency crises such as Superstorm Sandy. Although Intro. 1170 contains emergency waiver language that allows the Commissioner to temporarily waive permit capacity reductions, such authorization is meaningless if businesses lack the equipment, personnel and operational infrastructure necessary to handle the increased capacity because their operating capacity was reduced by this legislation. As a result of Sandy, several facilities the Department uses to process the City's waste were shut down due to damage, flooding or lack of power, including a major facility in New Jersey that handles a majority of Manhattan waste. Fortunately, the Department was still able to find capacity, almost entirely in-City capacity, to handle and process 80,000 tons during a seven day period. This is 33 percent more waste than DSNY handles in an average 7-day period. The lack of sufficient in-City capacity to compensate for the New Jersey closure would have further crippled the disposal network and would undoubtedly have jeopardized public health and safety.

In addition, those facilities that were open and able to process waste had capacity issues due to the difficulty tractor trailers were experiencing getting fuel, as well as the increased demand for long haul vehicles that were needed to mitigate the disruptions to the rail disposal network. The Department relied heavily on smaller transfer stations to help deal with the immediate disposal of solid waste. The bill's proposed reductions, which far exceed what is called for in the SWMP, could result in waste being left on the streets in neighborhoods that may be impacted by a disaster.

Such significant reductions would also likely drive transfer station owners to raise their tipping fee. An increase in tipping fee would be passed on by private carters to their commercial customers, which include bodegas, delis, restaurants and other small businesses.

Additionally, Intro. 1170 could adversely impact long-term contracts that the Department has with the private transfer stations for rail export of residential waste. The Department currently has two such long-term contracts – one with a private transfer station in Brooklyn 1 and one with a private transfer station in Bronx 1. Under this legislation, these two transfer stations with which we have long-term contracts may not have sufficient permitted capacity to handle the waste we send them on peak days beginning in 2015. In fact, since our contractors with which we have long-term contracts would be mandated to reduce capacity, on average, by 18% below existing throughput volumes in 2016, they would not be able to handle all the waste that they were awarded contractually and would necessitate that the Department send one borough's waste into another borough and violate the SWMP's principle of borough self-sufficiency.

Moreover, the reductions called for by the bill would be based on a depressed generation of waste, particularly for construction debris. For example, from 2001 – 2007, there was approximately 30 percent more C&D debris generated in the City than there has been in the past three years. Consequently, during another major construction period in the City, there will be a particular shortage of capacity for C&D debris which gets recycled.

Intro. 1170 will require a very thorough environmental review, likely a full Environmental Impact Statement, to review the legislation's potential significant impacts. The environmental review will need to look at the adequacy of the City's solid waste transfer station

infrastructure to accommodate waste generated in the City, the cumulative traffic, air and noise impacts from diverting trucks longer distances to other facilities, and the socioeconomic impact to the solid waste transfer station industry as a result of the legislation.

Additionally, the reduction in capacity called for by this legislation will likely require a modification to the 2006 SWMP. The private transfer stations impacted by this legislation are critical to the City's ability to manage its waste. The SWMP specifically includes the public and private transfer stations that are available to manage solid waste generated within the City and the throughput capacities of all such facilities.

If this legislation were to pass, it may mean commercial and Sanitation-collected waste in the Bronx would go to the Queens North Shore Marine Transfer Station and a nearby privately operated transfer station in the Flushing area. Waste from the transfer stations in Brooklyn District 1 might go to the Brooklyn Hamilton Avenue Marine Transfer Station, which will open in the Spring of 2015, and privately operated transfer stations in Red Hook and 50<sup>th</sup> Street and 1<sup>st</sup> Avenue in Brooklyn.

Also, under this legislation, certain transfer stations in Brooklyn District 1, Bronx District 2, and Queens District 12 would actually get a temporary increase in permitted capacity in 2015 when you multiply their current throughput volumes by 125%.

As you know, the Department and this Administration are ambitiously seeking to promote and support a system of sustainable solid waste management that minimizes waste and maximizes recycling, with a goal of reaching 30% diversion by 2017. Importantly, organic material makes up more than 30% of the Department-managed daily refuse we collect. Working together with the Council, we now have legislation authorizing the Department to conduct a pilot collection program for residential organics. Additionally, a bill recently introduced in the Council will require certain large commercial food establishments to arrange for the separate collection of their food waste. In order for the City's organics initiative to foster and grow successfully, we must have the necessary infrastructure in place to support a robust and ambitious residential and commercial organics program. Intro 1170 would severely impede any chance for the City's organics program to succeed if transfer station capacity is reduced.

For the above reasons, the Department does not support Intro. 1170. However, the Department is committed to working with the Council and the industry to reduce transfer station capacity in the four districts covered by the legislation. To avoid potentially protracted litigation, we think it is best to try to accomplish the capacity reductions through negotiation.

My staff and I will now be happy to answer your questions.

FOR THE RECORD

# NYS<sup>△</sup>FAH

NEW YORK STATE ASSOCIATION FOR AFFORDABLE HOUSING  
242 W 36<sup>th</sup> Street 3<sup>rd</sup> Floor • New York, New York 10018  
Phone: 646-473-1205 • [info@nysafah.org](mailto:info@nysafah.org) • [www.nysafah.org](http://www.nysafah.org)

**NYSAFAH Testimony on Intro 1170  
Hearing of the New York City Council on Sanitation and Solid Waste Management  
October 25, 2013**

Good morning. My name is Alexandra Hanson and I am here representing the New York State Association for Affordable Housing (NYSAFAH), the trade association for New York's affordable housing industry statewide. Our 300 members include for-profit and nonprofit developers, lenders, investors, attorneys, architects and others active in the financing, construction, and operation of affordable housing. Together, NYSAFAH's members are responsible for most of the housing built in New York State with federal, state or local subsidies. I would like to thank Chair James and the members of the Committee on Sanitation and Solid Waste Management for the opportunity to testify today on Intro 1170.

NYSAFAH recognizes the Council's efforts to move towards a more efficient and equitable system of dealing with the city's solid waste streams. As an organization, NYSAFAH is committed to affordable housing and community development and is eager to work with the Council going forward to address the issue of overburdened districts with regards to solid waste transfer stations. However, we are concerned with some of the unintended consequences of Intro 1170 and the resulting impact on affordable housing, and appreciate the opportunity to comment on the proposed legislation today.

In particular, NYSAFAH is concerned about the likely steep rise in the cost of hauling construction and demolition (C&D) waste as a result in of the bill. Intro 1170 would mandate significant reductions in capacity in four community districts throughout New York City without identifying alternative capacity for those waste streams. The community districts identified by Intro 1170 include most of the transfer stations in the city, and handle over 80% of the City's daily C&D waste. This waste stream would therefore need to be hauled further for disposal, while transfer stations within these community districts would need to charge higher rates per ton in order to make up for the loss of capacity. One transfer station estimated Intro 1170 would increase its prices by 35%. Overall, the bill is likely to result in millions of dollars of increased costs to the collection and disposal of C&D waste in New York City. These added costs will make it more expensive to develop affordable housing at a time when the city is in urgent need of affordable units and resources are already constrained.

In addition, the calculation outlined in the bill used to determine the total permitted capacity for non-putrescible solid waste in the designated community districts creates an artificially low ceiling for the actual capacity needed to handle the city's daily C&D waste. The capacity needed for C&D waste can fluctuate significantly throughout the year. By setting the cap at 125% of the average capacity over the past three years, the bill does not address these seasonal fluctuations. The city's economy is also coming back from worst financial crisis in a generation, in which construction activity plummeted. The construction activity is just beginning to increase again.

The use of the three calendar years preceding the effective date of Intro 1170 as the timeframe for establishing the average on which the reduction will be based likely considerably underestimates the city's need for C&D waste management capacity over the coming years. It is very difficult to replace capacity for C&D waste management once it is gone. As a result, NYSFAH is concerned that, in its current form, Intro 1170 will unintentionally constrain the city's ability to produce and preserve affordable housing over the long term.

I would like to thank Chair James the Committee on Sanitation and Solid Waste Management again for the opportunity to testify today and for your consideration of NYSFAH's concerns. We look forward to working with the Council to identify methods for responsible solid waste capacity reduction that balances the needs of overburdened districts with the city's goals of providing urgently needed affordable housing to New York City residents.

October 25, 2013

Contact: Alexandra Hanson, New York City Policy Director, NYSFAH (646) 473-1209



## **We Stay / Nos Quedamos Committee, Inc.**

754 Melrose Avenue, Bronx, NY 10451

Phone: (718) 585-2323 / Fax: (718) 585-8628

E-mail: [info@nosquedamos.org](mailto:info@nosquedamos.org)

Website: [www.nosquedamos.org](http://www.nosquedamos.org)

A Coalition of Homeowners, Tenants, Property Owners, Institutions, and Business Persons Who are Resolved to remain a Part of The Melrose Community and Become Equal Partners with the City of New York in Our Community's Redevelopment.

October 25, 2013

*{Testimony to the New York City Council – in the matter of legislation: Int. No. 1170 ; proposed legislation text aim at reducing permitted capacity of putrescible and non-putrescible solid waste transfer stations in overburdened districts.}*

Good morning and thank you for the opportunity to submit this testimony – in support of Intro. 1170

My name is Anthony Winn. I am the Chief Operating Officer at We Stay/Nos Quedamos, a community development corporation comprised of residents, homeowners, and business owners from the South Bronx who are committed to promoting, supporting, and advancing ideas of healthy and sustainable growth, both for local communities and the greater society.

Today, we join the collective of voices that have come to encourage the City Council to support the adoption of the legislation that will begin to correct what has for too long been an unacceptable state of affairs.

The proposal (Int. 1170) that is presently under consideration goes a long way in advancing the efforts to address the challenges faced by historically poor and underserved communities, who bear a much greater share of the exposures to carcinogens, noise pollution and traffic congestion. Reducing the numbers of trucks that move through the neighborhoods where solid waste is processed will make our street safer. The proposed cap on the future amount of waste any one community is forced to handle begins the reversal that is necessary to ensure that future generations will not grow up under a cloud of exhaust and deadly air quality.

In the South Bronx, the impact of poor air quality has produced asthma rates that are eight (8) times higher than the national average, as well as other diseases and illnesses tied to air pollution. The burden of pollution and the toxic externalities associated with the operation of waste transfer stations cannot continue to be place upon only three communities to bear. Our communities deserve the benefit of every effort possible to ensure that waste management activities are conducted in a more equitable manner.

The subject matter of this hearing, and the legislation under consideration, represents the outcome of committed work and engagement. For the coalition of community based organizations, advocacy groups, scholars, public health professionals and concerned community leaders and committed young



people – the issue of the disproportionate impact of waste transfer stations upon the health and well-being of unfairly burdened communities has been of great concern for many years.

The imperative for action cannot be overstated. We now have before us the opportunity to do what is fair and in the best interest of those overburdened communities and the City as a whole. The City Council must adopt this proposal if we are to ensure a better quality of life for all our neighbors, and stop the historic trends of only the few who suffer the burden for the entire city. It is the hope of many children and families in the South Bronx that one day we will breathe cleaner air; and find our streets safer to walk upon and disease rates associated with poor air quality no longer strangle the air from our lungs. With this proposal, there is greater hope that this will be the reality in the years to come.

On behalf of the Melrose community, I thank you for the opportunity to share testimony today.



50 Broadway, 29th Floor  
New York, NY 10004

T 212 631 0886  
F 888 370 3085

[www.ALIGNny.org](http://www.ALIGNny.org)

## Testimony on Introduction 1170, Reducing Permitted Capacity at Putrescible and Non-Putrescible Solid Waste Transfer Stations in Overburdened Districts

Presented on October 25, 2013

Thank you for the opportunity to provide testimony today. My name is Maya Pinto and I am a Senior Policy and Research Analyst at ALIGN. ALIGN is a permanent alliance of worker and community organizations united for a just and sustainable New York.

I am here to express ALIGN's strong support for, and to urge the City Council to pass Introduction 1170, Reducing Permitted Capacity at Putrescible and Non-Putrescible Solid Waste Transfer Stations in Overburdened Districts [henceforth referred to as the Capacity Reduction Bill].

ALIGN is committed to the long-term goals of borough equity in waste handling and sustainable waste management and the Capacity Reduction Bill goes a long way towards achieving those goals. The Capacity Reduction Bill offers sound, long-term solutions to the problems of inequitable distribution of private waste transfer stations in the city, and polluting waste export practices. The Capacity Reduction bill both reduces waste handling in the most overburdened neighborhoods in the South Bronx, North Brooklyn, and Southeast Queens, where almost 75% of the city's waste is handled, and ensures that no Community Board be saddled with more than 5% of the city's waste. The Bill also ensures that commercial waste handling capacity at the city's growing network of marine transfer stations is used, both making waste handling more equitable and replacing truck export of waste with barge export, thus reducing its carbon footprint.

The Capacity Reduction Bill is the result of decades of difficult work that New York City's environmental justice community and its allies in the City Council have done to ensure that borough equity is truly achievable. The history of how our city has handled its trash is troubled, and this bill is essential to ensure the promise of increased equity in trash handling becomes a reality.

In the 1980s, the City raised waste tipping fees at its waste transfer stations, triggering the proliferation of private waste transfer stations in low-income communities and communities of color in the South Bronx, North Brooklyn, and Southeast Queens. Concerned community members, led by the Organization of Waterfront Neighborhoods (OWN), co-founded by the New York City Environmental Justice Alliance and New York Lawyers for Public Interest, quickly organized into a determined and effective environmental justice movement that began to fight the clustering of transfer stations, as well as incinerators, in low-income communities of color. The environmental justice movement emerged victorious from several "site fights" that ensued, blocking the siting of transfer stations in Williamsburg, the South Bronx, and Red Hook, and preventing the construction of an incinerator at the Brooklyn Navy Yard. Yet, today, almost 75% of the City's solid waste is still processed in the South Bronx, North Brooklyn, and Southeast Queens.

In 2000, OWN and the Consumer Policy Institute issued a report called "Taking Out the Trash: A New Direction for New York City's Waste," which proposed a more equitable distribution of municipal waste processing across the five boroughs, more stringent siting requirements for new transfer stations, and a reduction in truck miles traveled to export waste from the City by shifting to marine and rail waste export. Thanks to persistent efforts by OWN and allies like the Natural Resources Defense Council, the 2006 Solid Waste Management Plan (SWMP), a 10-year plan for municipal waste handling, included the bulk of proposals put forth in "Taking Out the Trash."

Passage of the 2006 SWMP was a watershed moment in the history of solid waste management in New York City, with the City making a commitment to borough equity in solid waste management, and recognizing that commercial waste is a public policy issue:

*This SWMP recognizes that—for both commercial waste and DSNY-managed waste—responsibility for the City's waste management system should be allocated equitably throughout the City, in each of the five boroughs....For the first time since responsibility for commercial waste was shifted to the private sector, the City is proposing a coordinated and comprehensive approach to addressing the environmental issues associated with the current system of managing commercial waste. By committing not just to increased regulation and planning but also to the use of City-owned infrastructure, this SWMP will ensure that the impacts of the commercial waste system are more evenly distributed throughout the City and that private waste transfer stations, wherever they may be located, will have a reduced impact on their surrounding communities. (2006 Solid Waste Management Plan Executive Summary, New York City Department of Solid Waste Management)*

The SWMP proposed that capacity reduction in overburdened areas be achieved, in part, through uptake of diverted commercial solid waste at the City's growing system of marine transfer stations. The 2006 SWMP states "to achieve this proposal [diversion of some commercial waste from overburdened communities to marine transfer stations], DSNY will work with community groups, the industry and the City Council." Introduction 1170, The Capacity Reduction Bill, represents that opportunity for City Council to do its part to ensure the full implementation of the 2006 Solid Waste Management Plan.

ALIGN strongly urges the city council to seize the opportunity to do right by communities that have been overburdened by the city's garbage for too long and by generations of New Yorkers to come whose future is contingent on the policy decisions we make today. Please pass Introduction 1170, Reducing Permitted Capacity at Putrescible and Non-Putrescible Solid Waste Transfer Stations in Overburdened Districts.

Thank you.



FOR THE RECORD

Testimony of Newtown Creek Alliance  
Prepared by Kate Zidar  
Presented to the New York City Council  
Committee on Sanitation and Solid Waste Management  
re: Int 1170-2013

Good morning, my name is Kate Zidar, and I am here to speak on behalf of the Newtown Creek Alliance (NCA). The NCA is a community-based organization that works to “restore, reveal and revitalize” Newtown Creek. We are unique in New York City because we advocate for environmental remediation, industrial retention and community health. Where many might see only opposing points of view, we have been able to find quite a bit of common ground. We appreciate the opportunity to bring this point of view to the discussion today.

My testimony today will outline our strong support for Intro. 1170.

The neighborhoods surrounding Newtown Creek host a disproportionate number of truck-based waste transfer stations relative to the rest of the city. Collectively, these transfer stations handle almost 40% of the over 12 million tons of waste moving through New York City annually. This is the densest concentration of waste transfer stations in the five boroughs, and this clustering negatively impacts community health and public infrastructure.

Since the first modern oil refinery was founded on the creek in 1867, the waterway has served as a conduit to a host of industrial businesses. Almost 9 million tons of supplies and product were floated on the creek at the peak of shipping in 1950. Since then, heavy industry has waned, giving way to a mix of wholesale handling and distribution uses.

The concentration of truck-based transfer stations, however, is a relatively new occurrence. They represent a more recent era of improvisation that came after in-city disposal options (landfilling and incineration) were shuttered without a backup plan for export. During this time (90s and early aughts), transfer stations popped up in industrial zones like the South Bronx and Newtown Creek, and we’ve been stuck with this clustering ever since, even though a more decentralized array of infrastructure makes sense. Today’s legislation represents small step back toward a more intentional, efficient and equitable strategy for handling solid waste.

Today I am here to support a piece of legislation that will eliminate unused permit capacity in the city’s three most overburdened communities and subsequently ensure that

new capacity throughout the city will be handled at marine transfer stations within each borough. Moving essential bulk materials by barge is a best practice that is more efficient economically and environmentally. A single barge has the same capacity as 28 – 56 long haul trucks, depending on the material. Compared to other transportation modes, barge transport of bulk materials is safer in terms of worker injuries and generates far fewer emissions of particulate matter, hydrocarbons, carbon monoxide, CO<sub>2</sub> and nitrous oxide on a per ton mile moved basis.

We see innovation with our local recyclers that gives us hope for the continued diversification of the waste stream and for reducing the city's dependence on export long-term. For example, one local company has invested in a new electronics waste recycling operation, doing the majority of the demanufacturing on site. Multiple operations are restoring degraded bulkheads to transition from truck-based operations to maritime transit. Barges carrying metal, plastic, glass and fill material are a common sight on Newtown Creek.

The most recent Comprehensive Waterfront Plan, Vision 2020, identifies the Newtown Creek as one of the city's largest Significant Maritime Area (SMIA) in terms of area and employment. Steep job losses halved the number of jobs in the SMIA in the 80s and 90s, and today, employment in the Newtown Creek SMIA totals approximately 15,000 jobs. Untapped potential exists in growing the "remanufacturing sector" - specialized recycling, reuse, repair and refurbishing operations. In addition to diverting waste from export, these more specialized operations create jobs that are better quality and better pay than transfer for export.

While today's legislation is a step in the right direction, NCA hopes our leaders will take additional steps that will send correct market signals toward the reduction of waste export, job creation in more specialized types of product recovery, and increased reliance on maritime transit.

Thank you again for your leadership and the opportunity to speak today.

**Testimony before the Committee on Sanitation and Solid Waste Management  
of the New York City Council on Int. No. 1170**

**By Angela Sung Pinsky**

**Senior Vice President, Management Services and Government Affairs**

**Real Estate Board of New York**

**October 25, 2013**

Good afternoon Chairperson James and members of the Committee on Sanitation and Solid Waste Management. The Real Estate Board of New York, representing over 14,000 owners, developers, managers and brokers of real property in New York City, thanks you for the opportunity to testify about Int. No. 1170 and appropriate capacities for solid waste transfer stations throughout the five boroughs. We also appreciate that the New York City Council has been proactive in seeking our comments and in collaborating with building owners.

REBNY supports the City's efforts to more efficiently and effectively handle solid waste. It is important to address overconcentration of transfer stations and fill material operations in all community districts to the fullest extent possible to avoid disproportionately burdening areas. Although we applaud the goal of the bill, we have concerns about the practical application and feasibility of this legislation

The Real Estate Board has been actively engaged in discussions with our membership regarding the disposal of waste throughout the City. For all non-residential and non-institutional buildings, our members turn to private collectors to dispose of their waste. As written, Int. No. 1170 goes beyond the Bloomberg Administration's goals in SWMP; because capacity will be reduced prior to identifying new capacity elsewhere or a reduction in waste collection citywide, this will most likely lead to higher carting and tipping prices for buildings, businesses, construction, not-for-profits, and social services organization. The bill's broad definition of "overconcentration districts" includes most of the stations in the City, meaning that any permitted reallocation of capacity would be focused on only 11, or less than a third, of the existing transfer stations. The reduction in capacity in these districts will likely lead to millions of dollar increases in the cost of collection, removal, disposal, and recycling of trade waste, as travel distances and wait times at other transfer stations will increase.

Moreover, the selected stations within the four designated community districts handle over 80% of the City's daily construction and demolition ("C&D") waste material. Citywide, there are only five other transfer stations permitted for handling this type of waste, the largest of which sits on the New Jersey

side of Staten Island. Given the size of the closer stations, one of the C&D waste transfer stations estimated that the impact of this legislation would be a 35% price increase. It is already immensely difficult and expensive to build in New York City. If developers are forced to absorb this added cost, it will only mean they will be less able to address other pressing issues, such as affordable housing, energy efficiency, and employment.

What is more, it is very difficult to create new capacity for waste transfer in New York City. In addition to construction costs, the public review process for site selection can take many months, carries no guarantee of gaining consensus, and costs of replacement facilities increase every year. It is unlikely that the City will be able to replace the waste management capacity this proposal seeks to reduce given the timeframe it seeks to implement these changes in. Therefore, as our needs grow, we will become increasingly dependent on the capacity of other states to handle our waste.

Beyond the increased cost burden, we are concerned that limiting the capacity of transfer stations will limit the City's ability to address our expected population growth, construction booms, and increased need during natural disasters as witnessed during Hurricane Sandy. Finally, we are concerned that increased trucking will damage air, water, and soil quality while adding to noise pollution in areas that may not be accustomed to such usage. This bill will likely lead to more trucks idling for longer periods of time, which has proven more environmentally detrimental than driving. Waste management reforms should take all of these factors into account.

Thank you again for the opportunity to comment. We look forward to continuing our conversation with the Administration and the City Council to create legislation that benefits both the City and its inhabitants through proper waste management.



## **FOOD INDUSTRY ALLIANCE OF NEW YORK STATE, INC.**

130 Washington Avenue • Albany, NY 12210 • Tel (518) 434-1900 • Fax (518) 434-9962  
Government Relations (518) 434-8144

### **Comments By the Food Industry Alliance of New York State, Inc. in opposition to Int. No. 1170-2013**

Thank you for the opportunity to testify at today's public hearing. My name is Jay Peltz and I am the Vice-President of Public Affairs for the Food Industry Alliance of New York State. The Food Industry Alliance is a nonprofit trade association that promotes the interests statewide of New York's grocery stores, drug stores and convenience stores. Our members include chain and independent food retailers that account for a significant share of New York City's retail food market and the wholesalers that supply them, as well as drug stores and convenience stores.

Many of our members are small businesses struggling to survive as we muddle through the fifth year of the weakest of 11 postwar recoveries. As a result, weak consumer spending has become the new normal. In turn, unemployment remains stubbornly high in the City, at 8.6% in August 2013, compared to 7.6% in New York State and 7.3% nationally. On top of that, new laws and regulatory changes, no matter how well intended, have imposed significant costs on businesses as they comply with the Affordable Care Act, the City's paid sick law, a state minimum wage hike and state as well as federal tax increases. The cumulative effects of these and other changes will raise the cost of doing business in the City and ultimately reduce business investment and therefore job growth. An unintended consequence is that we wind up hurting the very people we seek to help through policy changes.

Given this economic and policy context, this measure would further hurt our members, especially our small business members that are struggling to survive in a very low margin business and are seeking to avoid job cuts and price increases.

27 of the City's 38 waste transfer stations are located in the 4 designated community districts specified in the legislation. The bill's mandates would result in these 27 transfer stations having their permitted capacity and throughput significantly reduced.

That would leave 11 transfer stations in the City to potentially get offsetting increases in permitted capacity and throughput, but only 5 of those transfer stations process putrescible waste. In addition, permitted capacity could only increase at those 11 transfer stations if the transfer stations are not currently located in overconcentrated districts or if the increase does not cause the community district in which the transfer station is located to become an overconcentrated district (generally defined as a community district that contains at least 5% of total citywide permitted capacity for solid waste transfer stations). Our understanding is that, currently, 4 of the 11 transfer stations are located in 2 overconcentrated districts. As a result, a limited number of the 11 transfer stations located outside the 4 designated community districts could receive offsetting increases in permitted capacity.



The next question is: what happens if each of the 11 transfer stations located outside the 4 designated community districts reaches maximum permitted capacity (due, in part, to shifts in the distribution of throughput under the bill) and eventually becomes located in an overconcentrated district? The only alternative at that point would seem to be to send the waste outside the City, which is generally more expensive than sending it to a transfer station in the City.

In addition, under the measure, once throughput is decreased by 18% in each of the 4 designated community districts, the remaining throughput is then reallocated by the Commissioner of Sanitation to transfer stations within each designated community district. These reallocations are not done based on economics or efficiency. They are done based on the 9 factors cited in the bill. Then what happens to the 18% of throughput that was cut? It will be sent to the 11 transfer stations located outside the 4 designated community districts or to transfer stations located outside the City at a higher cost.

We need to keep in mind that sending waste outside the 4 designated community districts does not cleanse the waste, or the attendant logistics, of its offensive aspects. So the answer is not to knowingly increase the burden in neighborhoods outside the 4 designated community districts. The answer revolves around more recycling. Our members recycle significant amounts of plastic, paper, cardboard and food waste, including meat scraps, fat and bones. FIA members also donate substantial amounts of food to nonprofits, thus keeping that food out of the waste stream. Accelerating these efforts on a collaborative basis will solve the problem in the fairest way, by avoiding the transfer of the offensive aspects of processing waste to other neighborhoods in the City.

Solid waste currently goes where it goes because that is the cheapest place to send it. The mandates in the legislation will redirect that waste based not on economics, but on other factors. The unintended consequences will be distortions and inefficiencies in the marketplace which will raise hauling and tipping fees. This inflation will be accommodated by proposed rule amendments by BIC that would increase the rate caps for the collection, removal, disposal or recycling of trade waste by 15%. In addition, these proposed rule changes require that a rate-setting hearing be held every two years beginning in 2015. Thus, stakeholders will get the opportunity to argue for rate increases every two years, justified by the sharp reduction in permitted capacity and throughput in the 4 designated community districts. Moreover, haulers could go under as a result of the dislocations, which could increase prices further. Given the current state of the economy and the pending increases to businesses' costs due to the policy changes outlined above, this cost inflation will be particularly untimely.

Accordingly, the Food Industry Alliance, on behalf of its members, opposes adoption of this bill. Thank you for your time and attention to the Food Industry Alliance's concerns.

Respectfully submitted,

**Food Industry Alliance of New York State, Inc.**  
**Jay M. Peltz, Vice President of Public Affairs**  
**Metro Office: 914-833-1002**  
**[jay@fiany.com](mailto:jay@fiany.com)**

**TESTIMONY OF THE  
NATIONAL SOLID WASTES MANAGEMENT ASSOCIATION  
CITY COUNCIL COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT**

**October 25, 2013**

Chairwoman James, members of the Committee and distinguished guests, my name is David Biderman and I am the General Counsel for the National Solid Wastes Management Association (NSWMA).

NSWMA is a non-profit trade organization that represents waste and recycling companies that operate in all fifty states. Our members include many of the transfer stations targeted by this legislation, as well as about 50 carters who will be adversely impacted by Intro. 1170. We appreciate the opportunity to testify today.

Intro. 1170, if enacted, reduces the ability of most transfer stations in New York City to process waste to below their current throughput – and significantly below their permitted capacity. These facilities handle much of the municipal solid waste (MSW) and construction and demolition (C&D) waste generated in New York City. The owners and operators of these facilities provide a vital service, comply with the numerous City laws and regulations governing their operations, and are working with the communities and neighborhoods in which they operate to reduce impacts.

Although well-intentioned, Intro. 1170 goes far beyond the permit capacity reduction goals established under the Bloomberg Administration's Solid Waste Management Plan (SWMP), and would likely lead to the closure of several existing MSW and C&D transfer stations. This means the handful of transfer stations in the City located outside the four districts identified in Intro. 1170 can be expected to receive sharply higher volumes of waste. NSWMA calculates that up to 750,000 tons of waste will be diverted to these other disposal facilities each year. Has the Council analyzed the impact of redirecting this waste to the other transfer stations? NSWMA suggests that the proponents of this bill advise Councilmembers representing districts with these other transfer stations about the size and impact of this diversion. Combined with the expected diversion of waste to the Marine Transfer Stations (MTS) currently being constructed, the result will be additional burdens on residents in numerous City neighborhoods, and sharply higher waste disposal costs for waste generators. Disposal costs will increase because the supply of transfer station capacity will decrease, and because carters will have to drive longer distances and wait on longer lines to dump their loads. NSWMA estimates the additional disposal cost caused by

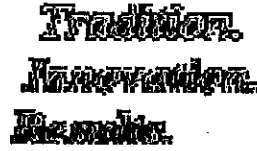
Intro. 1170 will be between \$50-100 million annually, which carters would be forced to pass on to their customers.

In addition, the bill proposes eliminating much of the capacity that New York City has to handle natural disasters that generate large volumes of waste. The transfer stations targeted by Intro. 1170 managed a substantial amount of the waste generated in the City after Hurricane Sandy, allowing the City to get back on its feet quickly. With the one year anniversary of Sandy next week, and such tragic events expected to recur in the future, legislation that impairs the City's ability to deal with the waste generated by such storms is short-sighted. The proposed emergency waiver in 16-493 is not adequate. Many transfer stations will close and the properties sold and converted into other uses if this bill is passed, and we are gravely concerned, as are others, about what will happen when the next storm hits. The MTS's, located on the waterfront in flood zones, are not likely to be available immediately after the Sandy-type storm.

Further, Intro. 1170 sends the wrong message about investing in recycling and waste diversion infrastructure in New York City. Companies and investors will be very hesitant to invest in expensive new equipment for processing waste and recyclables or seek permits to open new recycling facilities if legislation such as Intro. 1170 that interferes with their permits and restricts their operations is passed. And, as NSWMA members will testify today, a collateral result will be the loss of working class jobs at transfer stations for City residents.

Finally, in a city that is growing, approving numerous major new development projects and buildings, generating more waste, and expected to add a million new residents over the next few decades, legislation that reduces what transfer stations can legally handle to levels well below what they are currently processing is irresponsible and unreasonable.

NSWMA members are developing and investing in technologies that will help the City improve its recycling rate and achieve many of Intro. 1170's goals, and are willing to enter into a dialogue with City officials and community groups to address issues relating to the transfer stations, including a responsible level of permitted capacity reduction. This is a far more thoughtful approach than across-the-board cuts that add unnecessary costs to City businesses and impair the City's ability to respond promptly to future events like Hurricane Sandy. We appreciate the opportunity to testify today, and would be glad to answer any questions.



WRITTEN TESTIMONY OF  
ACTION ENVIRONMENTAL GROUP  
SUBMITTED TO THE

NEW YORK CITY COUNCIL  
COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT  
COUNCILMEMBER LETITIA JAMES, CHAIRWOMAN

OCTOBER 25, 2013

My name is Ron Bergamini; I am the CEO of Action Environmental Group, Inc. I am here to testify in opposition to Intro. 1170. Our subsidiaries include a hauling company, transfer stations and recycling facilities. We are the largest private hauler operating in New York City. This legislation not only affects our company, it will have ramifications for the overall business climate and thus all residents and visitors to NYC. At a time when the City is attempting to expand recycling levels, while simultaneously seeking to reduce fleet emissions, this legislation will advance neither.

Why? Because this legislation does not reduce waste but merely shifts the burden from one neighborhood to another apparently without regard to zoning districts. Moreover, this legislation will increase transport costs and increase emissions to the detriment of all.

For Action Environmental in particular, this bill would reduce the permitted capacity at our facility at 920 E 132<sup>nd</sup> St. in the Bronx by more than 50%, substantially

lower than our present throughput. Yet, our facility is appropriately located in an M-3 Heavy Industrial Zone, a mere minute or two to the Major Deegan and Tri Borough Bridge.

Recently we have made a \$15 million dollar investment at our recycling facility in the Bronx; we installed a state of the art optical sorting recycling system and added about 40 jobs. We did this with our institutional investors and lenders, a partnership with Sustainable South Bronx and a grant from New York State Empire State Development.

I have no doubt that this legislation is well intentioned. However, what public policy is solved or advanced by removing a valuable service to the community - both the business and residential community? The daily removal of waste from a city of 8 million and counting, a city government that professes to seek more recycling and "greener" solutions is complicated to say the least. It will only be solved with the public and private sectors working together - not at odds. Substantially limiting the capacity of a few processing facilities - particularly in a city that places so much emphasis on recycling - is respectfully - misguided.

Again, what problem are you trying to solve? Are you trying to reduce truck emissions? We have worked with and support the BIC's initiative to require updated emission standards. If trucks are the problem, you might want to look at our neighboring businesses that have far more trucks than we do. Are you going to require a reduction in their fleets? No, they are not a transfer station, thus no visceral reaction.

Or, how about the number of vehicles on the Major Deegan or Cross Bronx. I for one would welcome a reduction there. However, is anyone seriously suggesting that garbage trucks amount to even one tenth of one percent of that traffic?

Despite the political climate in Washington where compromise and understanding the needs of others are clearly absent, we reject such an approach. We have consistently demonstrated the need for a different narrative. The public and private sector engaging in dialogue and combining resources is something we have always practiced. In the case of this legislation, no one contacted us. While I recognize such is not required, why wouldn't the public sector reach out to the private sector?

After Sandy hit, the city reached out, we worked with several agencies in particular the DSNY. Our facility reached our permitted capacity for over 30 consecutive days. If this legislation is approved, that capacity will disappear into thin air. The emergency clause does nothing. We will not have the personnel to support the response required in an emergency.

Frankly, we are darn good neighbors and are aware of our responsibility to the greater community. After the six plus years we have been in the business, we now employ 200 people in the south Bronx. Many of those people live in the neighborhood. Several people come from reentry programs for formerly incarcerated people through our work with Center for Employment Opportunities and the Manhattan Midtown Community Court. Have you considered that dozens of these folks may lose their jobs? For the last 4 years, Action Environmental has been active at the Lou Gehrig Middle School where we started an environmental club, helped spruce up the grounds at a Bronx community center and at this very moment are participating in career day.

Back to this legislation, the fundamental problem is its real-world impact. Putting aside the lost jobs in the south Bronx, the redistribution of waste, the taking of a property rights, you must consider the impact on the businesses of tomorrow. Most notably is the

environmental community's desire to increase organic recycling, also known as composting. This legislative body is considering mandating the removal of composting material from the waste stream. To do this successfully requires facilities that can accept this material. Such facilities do not exist today in the city. Well, if the present legislation passes, the facilities never will. No one will finance the building of facilities knowing that their permit can be reduced by the stroke of the legislative pen.

Thank you for the opportunity to testify in opposition to this legislation.



## **New York City Environmental Justice Alliance**

**166A 22nd Street  
Brooklyn, NY 11232  
347-841-4410  
[eddie@nyc-eja.org](mailto:eddie@nyc-eja.org)  
[www.NYC-EJA.org](http://www.NYC-EJA.org)**

**New York City Environmental Justice Alliance testimony to the New York City Council Committee on Sanitation in Support of Intro. 1170 to amend the administrative code of the city of New York in relation to reducing permitted capacity at putrescible and non-putrescible solid waste transfer stations in overburdened districts.**

October 25<sup>th</sup>, 2013

Good morning Chairperson James and Members of the City Council. My name is Juan Camilo Osorio and I am here to testify in strong support of Intro. 1170 on behalf of the New York City Environmental Justice Alliance (NYC-EJA). Founded in 1991, NYC-EJA is a non-profit city-wide membership network linking grassroots organizations from low-income neighborhoods and communities of color in their struggle for environmental justice. NYC-EJA empowers its member organizations to advocate for improved environmental conditions and against inequitable environmental burdens. Through our efforts, member organizations coalesce around specific common issues that threaten the ability of low-income and communities of color to thrive, and coordinate campaigns designed to affect City and State policies – where solid waste issues affecting these communities has been central to NYC-EJA’s work.

New York City creates almost 40,000 tons of garbage every day. This garbage is trucked to transfer stations in a small handful of NYC neighborhoods and then trucked back out of the City. Every day, garbage trucks needlessly travel thousands of miles throughout New York City polluting our air with diesel fuel, clogging our streets, and diminishing our quality of life. These impacts are greatest in those few low-income and communities of color where old truck-dependent transfer stations are clustered, and along the truck routes used to haul garbage. Not surprisingly, these same communities deal with many sources of pollution and the negative health consequences thereof -- such as asthma, heart disease, and cancer.

Because a number of the NYC-EJA members come from communities overburdened by garbage, our organization was a key advocate for the landmark Solid Waste Management Plan adopted by Mayor Bloomberg and the New York City Council in 2006. The plan articulates two central goals: 1) Green Garbage Collection to improve NYC’s air quality and quality of life by taking trucks off the street and moving garbage by barge and rail instead; and 2) Borough equity to ensure that each borough handles its fair share, and no community serves as the “dumping ground” for another.

But in order to achieve its vision the plan needs to be fully implemented, and in order do so it requires a strategy for reducing the actual garbage handled in overburdened communities. This bill provides long overdue relief for communities that handle a disproportionate amount of the



City's waste. It will also ensure that no other community is mistreated like this in the future; provisions will not allow the City to issue new permit capacity in any Community District with more than 5% of the City's waste permit capacity. With the marine transfer stations system, reductions will contribute to the elimination of thousands of truck trips in the city to and from these neighborhoods.

Even though the South Bronx and North Brooklyn will continue to handle considerably more waste than other NYC communities after the bill's reductions take place, these decreases will have an important impact in these neighborhoods. There are 15 waste transfer stations in North Brooklyn permitted for over 20,000 tons of waste per day, and there are 9 waste transfer stations in the South Bronx permitted to handle nearly 12,000 tons of waste each day. The proposed bill will eliminate several hundred truck trips in and out of these communities.

These provisions represent relief for the residents of these areas who experience some of the highest levels of asthma in the country, and deserve cleaner air and streets. Moreover, the bill will also prevent current conditions at the waste transfer stations from getting worse. In targeting reductions, it will require the City to evaluate the public health impacts of a transfer station -- including proximity to homes, schools and parks, as well as the station's environmental and worker safety track record, among other factors.

NYC-EJA commends the NY City Council Committee on Sanitation for holding a hearing on this bill, creating an opportunity for public comment on this important milestone toward the implementation of the City's Solid Waste Management Plan, and urges the passage of Intro. 1170.



New York Lawyers  
For The Public Interest, Inc.  
151 West 30<sup>th</sup> Street, 11<sup>th</sup> Floor  
New York, NY 10001-4017  
Tel 212-244-4664 Fax 212-244-4570  
TTD 212-244-3692 www.nylpi.org

**Testimony of  
GAVIN KEARNEY,  
NEW YORK LAWYERS FOR THE PUBLIC INTEREST  
in support of  
INTRODUCTION 1170 OF 2013 A LOCAL LAW TO REDUCE  
PERMITTED CAPACITY AT TRANSFER STATIONS  
IN OVERBURDENED DISTRICTS  
October 25, 2013**

Good morning Chairperson James and Members of the Council, thank you for the opportunity to provide testimony today. My name is Gavin Kearney, and I direct the Environmental Justice Program at New York Lawyers for the Public Interest (NYLPI). NYLPI has been working for over a decade with the Organization of Waterfront Neighborhoods, a City-wide coalition committed to advance responsible and equitable solid waste management practices for New York City. I am here today to testify in strong support of Intro. 1170.

For far too long, a small number of low-income communities and communities of color have been burdened with handling the great majority of waste generated by all New Yorkers. Collectively we generate well over 30,000 tons of garbage each day, and three-fourths of all that waste is trucked to and from waste transfer stations in just three communities – North Brooklyn, the South Bronx, and Southeast Queens. Not surprisingly, in these communities rates of asthma, cardiovascular disease and other ailments associated with diesel emissions and other pollution exceed local and national averages. This is grossly unfair and fundamentally unacceptable. Moreover, the system harms all New Yorkers with its excessive reliance on trucks driving unnecessarily long distances to take waste to and from these clusters of transfer stations.

In 2006, the City Council and the Mayor passed a landmark Solid Waste Management Plan whose fundamental goals including dramatically reducing the traffic, air, and noise pollution caused by this over-reliance on trucks and fairly allocating throughout the five boroughs responsibility for managing the City's waste. (SWMP p. ES-2). When fully implemented, the SWMP will eliminate millions of truck miles travelled in the City each year.

To advance equity, the SWMP directs the Department of Sanitation to seek a “meaningful” reduction of 6,000 tons per day in the amount of waste sent to the three overburdened communities of the South Bronx, North Brooklyn, and Southeast Queens. (SWMP p.4-10, 4-11). DSNY was to first achieve these reductions through voluntary negotiations, and if these proved unsuccessful, DSNY was to work with the Council to legislate these meaningful reductions.

**DSNY's Voluntary Negotiations.** DSNY's negotiations with transfer station operators resulted only in meaningless reductions. The reason for this is that across these communities there are thousands of tons of permitted capacity that are never used. Not surprisingly, this is the

capacity that transfer station operators voluntarily gave up. On a typical day, all of the reductions voluntarily agreed to in the overburdened communities would not take one single truck off the street. Even on days when the amount of waste generated in New York City is at its peak, the negotiated permit limit reductions would have the most marginal impact, a few dozen less tons of waste taken to Southeast Queens and no impact in North Brooklyn or the South Bronx.

For example, North Brooklyn handles about 7,000 tons of garbage on an average day, more than any other community in New York City. It is permitted, however, to handle over 20,000 tons of garbage, i.e. it has 13,000 tons of unused capacity. DSNY's negotiated reductions would reduce North Brooklyn's total permit capacity to just over 15,000 tons per day, but it would still *actually* handle the same 7,000 tons.

**Intro. 1170.** Intro. 1170 will make modest, but meaningful impacts on real-world conditions in the three overburdened communities. It will eliminate the excess unused capacity in these neighborhoods and then require an 18% reduction in the amount of waste actually handled in these communities. This will amount to an actual reduction of between 2,000 and 2,500 tons per day in total. Although these communities will continue to handle most of the City's waste, the legislation will take several hundred trucks off their streets each day. And by timing reductions to coincide with the opening of the City's marine transfer stations, it will contribute to the goal of eliminating long-haul truck traffic in New York City generally.

**Targeting reductions.** The bill instructs DSNY to maximize the public health benefits of these reductions. This means targeting reductions to businesses that have poor environmental track records, that have unsafe working conditions, that run open air operations, and that operate across the street from parks or down the block from people's homes. Good actors in the industry, those that run clean businesses, have safe working conditions, and minimize environmental impacts, will see limited impacts from the bill.

Intro. 1170 places ultimate discretion in administering reductions in the hands of DSNY, however. The Department has the authority to allocate all reductions in the bill and to determine the distribution of cuts between stations handling putrescible waste and stations handling construction and demolition debris. The bill also gives DSNY the authority to lift permit limits when emergency conditions require greater processing of waste. Given the modest level of actual reductions in the proposed legislation, reductions far smaller than capacity to be added in the City under the SWMP, and the discretion and authority retained by DSNY under the bill, we are confident that Intro. 1170 will in no way impede the City's ability to meet its solid waste management needs.

It is our expectation that industry representatives will testify to the contrary, specifically asserting that NYC is increasingly generating waste, in particular as its population grows. This is simply not true. Information collected by DSNY over the last decade shows that the amount of waste handled in New York City has steadily declined even as our population has grown. This is true of both putrescible waste and construction and demolition waste. And this is consistent with broader trends. According to data collected by USEPA, waste generation rates are steadily declining across the country. New York City's future waste management needs to

do not revolve around waste transfer stations that can facilitate the movement of garbage to landfills and incinerators, they revolve around composting and recycling facilities that will reduce environmental and health impacts and create quality, local business and employment opportunities.

Intro. 1170 strikes a responsible balance between the basic right of New York City residents to live in a healthy community and the City's need to manage its solid waste. As noted earlier, it provides modest but important relief that is long overdue for residents of the South Bronx, North Brooklyn, and Southeast Queens, and it also ensures that no community in the future should be subject to such grossly disproportionate burdens from handling waste. For these reasons, I strongly urge you to support its passage.

**FOR THE RECORD**



**Testimony of Sylvester Giustino on behalf of the Building Owners and  
Managers Association of Greater New York Inc. (BOMA/NY)**

**Council of the City of New York Committee on Sanitation and Solid  
Waste Management**

**Hearing in relation to Int. No. 1170**

**October 25, 2013**

Good Morning, Chairwoman James and members of the New York City Council Committee on Sanitation and Solid Waste. My name is Sylvester Giustino, Director of Legislative Affairs for the Building Owners and Managers Association of Greater New York, Inc. (BOMA/NY). The Building Owners and Managers Association of Greater New York, Inc. (BOMA/NY) represents more than 750 owners, property managers and building professionals who either own or manage 400 million square feet of commercial space. We're responsible for the safety of over 3 million tenants, generate more than \$1.5 billion in tax revenue and oversee annual budgets of more than \$4 billion. BOMA/NY is the largest Association in the BOMA International federation, the world's largest trade organization.

The commercial real estate industry is a significant contributor to the Nation's and, in particular, the City's economic engine. Our industry employs over 228,000 New Yorkers and contributes over \$14 Billion dollars to the Gross State Product.

BOMA/NY urges the New York City Council to oppose the passage of Int. No. 1170. A local law to amend the administrative code of the City of New York, in relation to reducing permitted capacity at putrescible and non-putrescible solid waste transfer stations in overburdened districts. The bill authorizes the New York City Department of Sanitation, when reducing capacity at transfer stations, to consider factors such as: number and type of operating violations, amount of vehicular traffic generated by each transfer station compared to the amount of waste handled, including whether waste is handled by rail or barge, proximity of each transfer station to "sensitive receptors" (parks, schools, hospitals, residents), space for idling trucks, workplace safety issues, whether the facility is enclosed, and the extent to which the transfer station operates overnight and during the weekend.

**BUILDING OWNERS AND MANAGERS  
ASSOCIATION OF GREATER NEW YORK, INC.**

11 Penn Plaza, Suite 2201  
New York, New York 10001  
Telephone (212) 239.3662  
Facsimile (212) 268.7441  
E-mail info@bomany.com  
<http://www.bomany.org>

The Bill also prohibits increases in permitted capacity after December 31, 2014 for any transfer station (including a fill material disposal facility) in an "overconcentrated district," except for the Marine Transfer Stations. Any community district that contains more than 5% of the total City-wide capacity is considered "overconcentrated".

This proposed Legislation isn't necessary; the goal of reducing the overall amount of waste disposed at transfer stations and reducing community impacts can be accomplished in more cost effective ways. This Bill, if enacted, will lead to higher costs for commercial building owners and managers, discourage major alterations and renovations of our City's existing buildings and be a detriment to our City in the response and recovery from a future hurricane or severe weather event.

Our members work hard, every day, to make their buildings and New York City economically competitive to attract new businesses and to retain long-standing tenants. One way our members do that is to keep a close eye on operating costs. If this Bill were to be passed, it would dramatically increase the cost of waste disposal; a cost that our members would be forced to pass along to tenants, leading to higher rents thus making our City less attractive to business. The National Solid Wastes Management Association estimates the additional disposal cost caused by Intro. 1170 will be between \$50-100 million annually, which carters would be forced to pass on to their customers, including the existing commercial building industry.

The Bill would also discourage our members from making major alterations and renovations to existing buildings. Our City is becoming a hub for new industries and the amount of Construction & Demolition waste generated by building alterations is increasing and is expected to increase in coming years. The 2011-13 Construction & Demolition baseline reflects the current weak economic environment and is 20% lower than 2005-07 disposal volumes.

The Legislation, if it is enacted, will eliminate much of the capacity that New York City has to handle natural disasters that generate large volumes of waste. The transfer stations targeted by this Bill handled a substantial amount of the waste generated in the wake of Superstorm Sandy, allowing the City to get back on its feet quickly. The Marine Transfer Stations are located in flood zones and will likely not be available after future storms. The City of New York must take this into consideration as it begins to learn the lessons from Superstorm Sandy.

Thank you for giving BOMA/NY the opportunity to testify on this important Bill. We urge the New York City Council to reject this costly and burdensome legislation.

####

# Local Union No. 813

45-18 Court Square ■ Long Island City, NY 11101-4347  
(718) 937-7010 ■ Fax: (718) 937-7003  
www.teamsters813.org



*Affiliated With*  
**International Brotherhood  
of Teamsters**

Clifford Lewis  
*Secretary Treasurer*

Raymond Woods  
*Vice President*

Anthony Marino  
*Recording Secretary*  
October 25, 2013

**Sean T. Campbell**  
*President & Principal Officer*

**The New York City Council**  
**Committee on Sanitation and Solid Waste Management**

Debi Luetkemeyer  
*Trustee*

Pedro A. Nieves  
*Trustee*

John Zuilkowski  
*Trustee*

Ray Borrero  
Testifying on behalf of Sean Campbell  
President Teamsters Local Union 813

I am honored to testify at this hearing today to talk about capacity reduction as it relates to the private sanitation industry; the workers in the trenches; and the families that have been adversely impacted for years of weak public policy.

The capacity reduction bill is a step in the right direction to ensure that the people living in the South Bronx, Eastern Queens and Williamsburg know that this city cares about their welfare and the future of their children.

As the President of Local 813 and a sanitation worker by trade, I know first-hand that most of the families I represent both work and live in these harsh environments that pollute our air and wreak havoc on our streets.

At Local 813 we also know that there are thousands of workers who do not have the protection of a good union contract and go to work day after day fearful of raising their voices in opposition to unsafe workplace practices at privately operated transfer stations.

Marine transfer stations operate in a highly regulated environment and the workers are represented by various unions, including the Teamsters. Our experience in the private sector pales in comparison, in fact many of the privately run transfer stations skirt the law and operate to the detriment of the community and the workers they employ.

This bill will help identify the good and the bad actors in the waste industry so we can move to one single high standard of operating transfer stations in New York City.

Rather than hurting good employers, many of which we have collective bargaining relationships with, it will bring the bad actors out into the light. High road businesses will be rewarded, businesses that want to continue the downward spiral, will have to either clean up their act or move on.

This is a good move for workers. This is the type of forward looking policy that will be a step in the right direction for safer working conditions and healthier neighborhoods.

And with this, on behalf of the 2500 men and women I represent in the private sanitation industry, we wholeheartedly back this bill.

Thank you.

# **JOINT COUNCIL No. 16**

**INTERNATIONAL BROTHERHOOD OF TEAMSTERS**



---

265 WEST 14TH STREET - SUITE 1201  
NEW YORK, NEW YORK 10011  
(212) 924-0002  
FAX (212) 691-7074

**The New York City Council**  
**Committee on Sanitation and Solid Waste Management**  
**October 25, 2013**

Bernadette Kelly  
Testifying on behalf of George Miranda, President

Teamsters Joint Council 16 whole heartedly supports the waste capacity reduction bill (#1170-2013) as it significantly furthers the goals of the 2006 Solid Waste Management System to handle waste in a manner that is more environmentally responsible and fairer to all communities and applauds the bill's sponsors for their foresight and vision.

Under the current system, nearly three-fourths of all waste handled in New York City goes to just three neighborhoods: the South Bronx, Williamsburg-Greenpoint, and Southeast Queens. This is simply unjust and unfair to the many New York City residents who are saddled with everyone else's waste.

Teamsters Joint Council 16 represents many of the working families living in these overburdened neighborhoods and represents workers in the private and public sanitation industries.

By passing this legislation, the Council would significantly advance the primary objectives of the City's 2006 Solid Waste Management Plan. It will shift commercial waste from truck-based transfer stations to marine transfer stations, a move that will benefit the entire City by eliminating millions of trucks miles travelled in NYC each year; and reduce waste handled in overburdened



communities. The bill also prohibits the overburdening of any one community in the future.

The bill protects responsible businesses and targets reductions at those transfer stations that don't respect their workers and the communities in which they sit and is consistent with a broader need to make waste handling in New York City more community and worker friendly.

Over the long-term, NYC needs to move away from a transfer station-dependent system that exports waste for landfilling and incineration to a system that focuses on recycling, composting, and reuse. This is good for the City and good for workers as sustainable waste practices create far more jobs than landfilling and incineration.

The bill is tied to the opening of the City's marine transfer stations (MTSs) and is part of the City's move from a truck-intensive waste system to a barge and rail system. This will eliminate thousands of long-haul truck trips in NYC every year, but we know from experience in other cities we can create better, safer, more environmentally friendly jobs that will provide for working class families.

The Teamsters Union looks forward to continuing our work with our friends here in the City Council and within the Environmental Justice community to change the way New York City's waste is handled and realize a cleaner, safer, and working family oriented waste system of the future.



NEW YORK  
STATE  
RESTAURANT  
ASSOCIATION

**Comments**

**of**

**The New York State Restaurant Association**

**to the**

**Committee on Sanitation and Solid Waste Management  
on Intro. 1170-2013**

**October 25, 2013**

**10:00 a.m.**

**Council Chambers - City Hall**

1001 Sixth Avenue  
3rd Floor  
New York, NY 10018  
212.398.9160  
800.452.5959  
212.398.9650 fax  
[www.nysra.org](http://www.nysra.org)



NEW YORK  
STATE  
RESTAURANT  
ASSOCIATION

Good morning members of the Committee. My name is Andrew Moesel and I am the spokesperson for the New York State Restaurant Association ("NYSRA"), a trade group that represents approximately 5,000 food service establishments here in New York City and over 10,000 statewide. NYSRA is the largest hospitality trade association in the State of New York and it has advocated on behalf of its members for over 75 years. Our members, known as Food Service Establishments ("FSEs"), represent one of the largest constituencies regulated by the City.

New York City is one of the pillars of the culinary arts world. Our restaurants employ hundreds of thousands of New Yorkers and are a backbone of the tourism trade. As one of the most important industries in New York City, its growth and survival should be supported by all levels of New York City and New York State government.

It is well established that the restaurant industry is a particularly difficult business in which to be successful. Complying with regulatory filings, labor costs, food costs, equipment costs, and costs associated with the renovation and upkeep of the physical plant all contribute to razor-thin profit margins for FSEs. Even under the best of circumstances, it can be difficult to keep the doors open.

And yet, new laws and regulations continue to push new cost burdens onto restaurants and other small businesses, that, when combined, make it even harder for restaurants to survive. Regardless of their good intentions, laws such as mandatory Paid Sick Leave and the Affordable Care Act are zero-sum propositions for restaurants; the money has to come from somewhere, and it is usually the pocket of the restaurateur as these costs are difficult to pass on to consumers. Because the hospitality industry is particularly labor intensive, many of these laws have an outsized impact on restaurants even though restaurants can least afford it. The end result is that restaurant owners are discouraged from making new investments in jobs or new venues in New York City.

It is through this context that we urge this committee to examine Intro No. 1170. This bill has noble intentions, but the benefits of the bill, as it is written, must be

1001 Sixth Avenue  
3rd Floor  
New York, NY 10018  
212.398.9160  
800.452.5959  
212.398.9650 fax  
[www.nysra.org](http://www.nysra.org)



NEW YORK  
STATE  
RESTAURANT  
ASSOCIATION

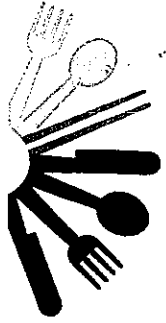
weighed against the additional costs it will ultimately pass on to our restaurants and other small businesses.

While many of my colleagues will likely have explained the consequences of the bill in more depth, the consensus is that this legislation will almost certainly result in an increase in commercial carting fees. Carting fees for the hospitality industry are already on the rise. The Business Integrity Commission sets a cap on rates for the carting industry and currently sixty percent of the industry is below that cap. If this legislation passes, you can expect that number to become closer to zero percent. Moreover, the commission is currently proposing a fifteen percent increase to the cap and changing the rules to allow for additional rate increases every two years. With permitted capacity diminished and haulers potentially getting out of the industry, we can anticipate those rates to climb perpetually upward.

What does that mean for restaurants? A mid-sized operator who has 5000 sq. ft. of space pays approximately \$700 per month for waste removal. With current rate cap increases, and the full implementation of this bill, a small business could see their rate increase by 30% or nearly \$2,500 per year. Combined, the tax increase to the 24,000 FSEs in the city could, conservatively, be \$60,000,000. To many restaurant operators, this increase would come too quickly based on the proposed timeframes for capacity reduction.

The goal of removing the burden of trash transfer stations from certain neighborhoods is a laudable one. But it must be done in a more responsible way that will not increase costs so drastically or so quickly on the hospitality community. Many elected officials, including members of this committee, have talked extensively about the need to protect our small businesses. This Council just voted on a package of bills to reduce fines and unnecessary regulations on restaurants in the hopes of easing cost burden for restaurant operators. It would all be for naught if you pass a bill that puts those costs right back via a different avenue.

Therefore, the New York State Restaurant Association asks that this committee not pass this bill as it is written. We ask that you work with the hospitality and other impacted industries to develop a responsible waste disposal system that



NEW YORK  
STATE  
RESTAURANT  
ASSOCIATION

protects communities and our small businesses at the same time.

Respectfully Submitted,

Melissa Fleischut  
President and CEO

New York State Restaurant Association  
1001 Avenue of the Americas, 3rd Floor  
New York, New York 10018  
212-398-9160

(Read by Andrew Moesel, Spokesperson, NYC Chapter, NYS Restaurant Association)

Manhattan Chamber of Commerce Testimony  
By Nancy Ploeger, President MCC  
Re: Int. # 1170 Permitted Capacity  
October 25, 2013

*On behalf of The Manhattan Chamber, Queens, Brooklyn Chamber, The Bronx Chambers of Commerce and National Supermarket Association and the 18,000 business members and subscribers we represent, we encourage the Council to reject this proposed legislation for many reasons.*

The current distribution of throughput at the waste transfer stations reflects the cheapest way to handle it. And if the throughput is cut and sent to other transfer stations outside the designated community districts or to other places outside the city, this will place a higher-cost burden on all businesses (and their consumers) in our city. And if there are issues with over-burdened transfer stations now, with expected population growth, new development and new construction, eventually all transfer facilities will be over-burdened so that moving some waste now to others does not deal with the underlying problem. It is only a stop gap measure.

This bill would also essentially create a new market for carting/tipping solid waste with significantly reduced capacity resulting in higher prices which will be passed along to businesses and consumers alike.

In addition, the proposed rule changes by BIC generally require that a rate-setting hearing be held every two years beginning in 2015. Thus, carters will get the opportunity to argue for rate increases every two years which also will lead to higher costs.

In addition, the bill will eliminate much of the capacity that New York City has to handle natural disasters that generate large volumes of waste. The transfer stations targeted by Intro. 1170 handled a substantial amount of the waste generated in the City after Hurricane Sandy, allowing the City to get back on its feet quickly. With the one year anniversary of Sandy approaching, and such tragic events expected to recur in the future, legislation that impairs the City's ability to deal with the waste generated by such storms is short-sighted.

And, in a city that is growing, approving major new development projects which generate even more waste and expected to add a million new residents over the next few decades, legislation that reduces what transfer stations can legally handle to levels well below what they are currently processing is short-sited and unreasonable.

NSWMA estimates the additional disposal cost caused by Intro. 1170 will be between \$50-100 million annually, which carters would be forced to pass on to their customers, who in turn would then pass those costs on to their customers. Combined with the expected diversion of waste to the Marine Transfer Stations (MTS) currently being constructed (and controversial in their own right), the result will be additional burdens on residents and businesses in numerous neighborhoods, and sharply higher waste disposal costs for waste generators. Disposal costs will increase because the supply of transfer station capacity will decrease, and because carters will have to drive longer distances and wait on longer lines to dump their loads.

We hope that the Council will reject this legislation and meet with the NSWMA as their members are developing and investing in the new clean technologies that will achieve many of Intro. 1170's goals. They are more than willing to enter into a dialogue with City officials and community groups to address issues relating to the transfer stations, including a responsible level of permitted capacity reduction to keep lower costs, support our capabilities to respond to disasters and be prepared for the growth of our city's population.

Nancy Ploeger, MCC, 1375 Broadway/3<sup>rd</sup> floor, NY, NY 10018 212-473-7875 [np@manhattancc.org](mailto:np@manhattancc.org)

FOR THE RECORD

NYC | HOSPITALITY  
ALLIANCE

Friday, October 25<sup>th</sup>, 2013

Testimony of the New York City Hospitality Alliance - Public Hearing on Intro. 1170

New York City Council:

My name is Andrew Rigie and I am the Executive Director of the New York City Hospitality Alliance "The Alliance". The Alliance is a broad-based membership association representing all facets of this diverse industry: restaurants, bars, lounges, destination hotels and industry suppliers.

The Alliance has analyzed Intro. 1170 and we recognize that it was drafted to address the legitimate concerns of different communities around our city. However, our analysis concluded that reducing the capacity of existing transfer stations would increase carting rates for the collection, removal, disposal and recycling of trade waste for our city's eating & drinking establishments.

We are unable to determine what the exact increase of carting costs would be to our small mom and pop restaurants if Intro. 1170 passed but it is reasonable to believe that there would be a significant spike in carting costs. Furthermore, the Business Integrity Commission would hold future rate-setting hearings where the carting industry would inevitably request additional increases or a complete elimination of the rate cap to accommodate their increased operating costs created by this proposal.

Therefore, we respectfully oppose Intro. 1170, especially in light of the expensive fines, increasing water rates and other growing costs that continue to make it more challenging and expensive for our city's small businesses to survive.

Respectfully Submitted,



Andrew Rigie  
Executive Director  
[arigie@theNYCalliance.org](mailto:arigie@theNYCalliance.org)  
NYC Hospitality Alliance

Angela Tovar  
Sustainable South Bronx  
10.25.13

My Name is Angela Tovar. I am the Director of Policy and Research at Sustainable South Bronx. Sustainable South Bronx is a nonprofit organization that seeks to address both economic and environmental issues in the South Bronx through a combination of green jobs training, community greening initiatives and social enterprise. Today, I am here to represent my organization and our members and as a coalition member of the Organization of Waterfront Neighborhoods and the New York City Environmental Justice Alliance.

*Make Space*  
I want to begin by thanking the Sanitation Committee ~~and the City Council~~ for the opportunity to testify this morning. It is my pleasure to state that Sustainable South Bronx fully supports Intro. 1170.

The South Bronx has a long history of being overburden with industrial land uses. Many of these facilities are pollution producing and many rely on a diesel truck based system. In Hunts Point alone, it is estimated that 15,000 trucks pass through the peninsula on a daily basis. Many most travel on local streets to reach their destination meaning they pass schools, parks, daycares and senior centers along the way.

The high concentration of waste facilities contributes significantly to this overburden. Hunts Point and our neighbors to the South – Port Morris and Mott Haven host 9 transfer stations and handle nearly 12,000 tons of waste each day. On a typical day, over 6,000 tons (23% of the city's overall waste) is hauled in and out of the South Bronx requiring 1400 truck trips. Some of these transfer stations are not ideal especially in close proximity to a residential neighborhood or near our waterfront parks. Some facilities are open air meaning they spew debris and dust in to the local community and some often have trucks idling outside of their facilities releasing emissions into the air. The combination of all of these facilities comes a significant burden:

- South Bronx residents suffer from overwhelmingly high rates of asthma- 8 times higher than the national average.
- And alarming high rates of diabetes and obesity
- High rates of pedestrian incidents
- Unsafe access to our waterfront parks

We believe that Intro 1170 would eliminate several hundred trucks trips in the south Bronx every day. We would still handle more waste than most communities but it would be a significant reduction.

Furthermore, this legislation would tie directly to the use of marine transfer stations which would advance the solid waste management plan – a plan for equitable distribution of waste and a barge system.

*address*  
Finally this legislation would ~~also~~ address the burden of waste for low-income communities by ensuring a more equitable system by capping the amount of waste that any one community can handle.

We urge the sanitation committee and the City Council to take a stand for environmental justice and to give our communities the relief it needs.

Thank you for your time this morning.



**Chairwoman James, Members of the Committee & Guests**

**The New York City Council Committee on Sanitation and Solid Waste Management**

**Local Law Intro 1170**

**Testimony from David Hillcoat, President, Cooper Tank & Welding Corp**

**October 25<sup>th</sup>, 2013**

**Cooper Tank & Welding Corp.**

- Started in 1946, family business, woman owned, MWBE Certified,
- Construction & Demolition recycling, Waste Container manufacturing, in Brooklyn CB1
- Employ 94 people, 90% minority, 90% local residents
- Largest C&D recycling facility in NYC, by volume
- Recycles >70% to beneficial end uses.
- Prices have risen by 50% less than the CPI over the last 10 years
- Contributes \$0.75m pa in taxes to NYC

**SWMP Capacity Reductions Objectives**

- Generate some equity in communities 'overburdened' with waste disposal facilities
- Improve the quality of life (infrastructure stress, safety, noise, air pollution) for community residents
- How Best to Achieve = Follow the SWMP and expand the existing DOS Transfer Siting & Operation Regulations to
  - Require facilities to be covered within x years – reduces noise & dust
  - Require facilities have on-site queuing within x years – reduces nuisance
  - Ensure that trucks follow designated truck routes – reduces nuisance & improves safety
  - Move towards modern, lower emission vehicles – reduces emissions
  - Negotiate sensible reductions in permitted capacity with the industry
  - Promote recycling – economic & environmental benefits, plus social responsibility

**What the proposed bill does not achieve ?**

- A climate of economic certainty, that encourages participation, investment & integrity
- A better well invested, more efficient community of dependable, considerate owners & operators
- A reduction in truck traffic across the City – as it stands it likely increases the number of vehicles & the duration of journey times & hence the cost of disposal
- Any strategic capacity reserve to service the City's needs of growth, development or disaster
- The avoidance of a legal challenge.

**TESTIMONY OF THE  
HI-TECH RESOURCE RECOVERY, INC.  
CITY COUNCIL COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT**

**October 25, 2013**

My name is William Mackie, and I am employed as an equipment operator for Hi-tech Resource Recovery, Inc. I have been in this position for almost eighteen (18) years and I have a wife and seven (7) children. There are fourteen (14) employees, most of which are immigrants from Ecuador. The majority of the employees have been at their job for more than five (5) years. About half have been with the company for more than ten (10) years. These jobs are union jobs that pay well and have benefits. Most of these employees live in Brooklyn and Jamaica, Queens, the very areas Intro. 1170 is supposed to help.

My employer does everything it can to operate safely and minimize its impact on the community. The sidewalks and streets around our facility are cleaned daily, and the floors are cleaned, washed and deodorized every day. The exterminator is there at least weekly to treat the place for rodents, and workers who operate equipment are trained on the importance of safety. We bale most of our waste, which reduces truck traffic by using trucks that would leave the area empty and we are continuing to expand the recycling facility and send less waste to the landfills.

If Intro. 1170 passes, my employer may have to reduce its workforce or worse, close. The impact on me and my fellow workers would be hard felt. We would all be hard pressed to find employment that pays as well as what we make at Hi-tech. I ask that the Council find a better way than this bill to help reduce truck traffic and a way that does not hurt me and my fellow workers.

**TESTIMONY OF THE  
CROWN CONTAINER COMPANY  
CITY COUNCIL COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT**

**October 25, 2013**

Chairwoman James, members of the Committee and guests, my name is Gerry Antonacci and I am the President of Crown Container Company (Crown). Crown is a small, family-owned business, and is a licensed carter with 18 trucks collecting waste and recyclables in New York City. I find myself in front of the Council once again, as the City tries to take something away from my company and me. First it was my land, and now, it's a portion of my permit. These actions are very troublesome and concerning about the way the City treats small businesses.

Crown is very concerned that Intro. 1170 will result in substantially increased operating costs for my company. For my company, like most carters, disposal costs are one of our biggest operating expenses. My trucks dispose much of the putrescible waste they collect at transfer stations that will be forced to take less waste as a result of this bill. These facilities will be forced to raise their tipping fees to cover the shortfall. The few putrescible transfer stations in the City that are not targeted by this legislation do not have sufficient capacity under their current permits to take all of the waste that will be diverted, and they will be able to raise their prices as well. The only other option in the City will be the Marine Transfer Stations (MTS), which initially were going to cost \$50 million each but now are estimated to cost \$200 million each. The tipping fee at the MTS's is likely to be much higher than the current market rate.

One option will be to increase my monthly bills to my customers, but the City has a rate cap that limits what I can charge customers. Instead, I will likely have to reduce service and lay off some of my men. I will not have the capital to invest in new trucks, which cost at least \$250,000 each. These trucks have lower emissions and carters will be very hesitant to buy them because of laws like this and the BIC rate cap. Intro 1170 is precisely the type of law that discourages innovation and small businesses in New York City, and I urge the City Council not to approve it.

**TESTIMONY OF THE  
HI-TECH RESOURCE RECOVERY, INC.  
CITY COUNCIL COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT**

**October 25, 2013**

My name is Thomas N. Toscano, and I am the Chief Financial and Legal Officer of Hi-tech Resource Recovery, and all of its affiliates.

In 1988, in anticipation of the Staten Island Fresh Kills landfill closing, my grandfather had the foresight to start a transfer station in the City of New York. He purchased land in the East Williamsburg section of Brooklyn, which was then as it is now, a heavily industrial area. Back in 1988, it was not a place where most people would want to live or work. There was much crime and poverty, and many of the buildings were unoccupied. I remember piles of garbage on the street corners.

In fact, at the time the area qualified for tax incentives through the New York Industrial Development Agency. Fortunately Hi-tech, as well as other businesses in the area, including transfer stations, moved in and were a part of changing that neighborhood. While it is still heavily industrial, the reduction in crime and poverty are extreme to anyone who remembers that area 25 years ago.

Now there is a bill before you to reduce truck traffic to this area. The bill includes an 18% reduction in capacity for most of the transfer stations in New York City. Hi-tech is a relatively small transfer station. It is only permitted for 500 tons per day. Like all businesses it has fixed costs, and requires a certain throughput of waste to offset those costs and turn a profit. A bill such as this will force cuts, including jobs of my company's employees, most of which live in the same neighborhood this bill purports to help. If this bill passes, I hope someone from this Committee will come and explain to our laid off employees why they lost their jobs.

The transfer stations are very highly regulated. They undergo inspections several times per week from the Department of Sanitation. We have complied with every regulation passed from having a clean time which means all the trash has to be off the floor for a half hour a day, to installing deodorizing equipment, to installing fans that maintain "negative air pressure". We have spent tens of thousands of dollars each year to comply with these regulations, and will continue to do so.

Hi-tech is already doing its share to reduce truck traffic. We bale between 60 and 80 percent of the waste that goes through our facility. This means that the waste is compacted and tied up into a cube that can be put onto a type of truck called a flatbed. The reason this is significant is that these trucks bring wood, steel, building materials, and the like into the area. Baling is expensive, but we do it because we get a lower price on these trucks because they would leave the area empty. These same trucks would still travel through the area and leave with nothing on them if this bill is passed.

About five years ago, we expanded our facility into the building next door. That building does exclusively recycling. We separate, clean and sort the different materials to be sold to be used into other products. Again, we are doing our share to reduce the waste going to the landfill. Having a recycling facility adjacent to our transfer station further reduces truck traffic since it does not have to be transported via trucks. Now we are considering starting to use the facility to recycle organics, to further reduce waste to the landfills. This would be a significant investment for my company, and we are not likely to undertake it if we are under constant threat by measures such as Intro. 1170 that will harm our business.

This bill is a bad idea. It hurts the businesses that reside in that area, some of which helped turn the area around. It threatens jobs and it hurts future recycling efforts. Further, it does not take into account things like baling, recycling, and other factors that the City seems to be encouraging. There are other ways to reduce truck traffic into that area. Less than 10 years ago, the Department of Sanitation used eminent domain to take a piece of property directly across the street from our facility. They consolidated several facilities to park garbage trucks and further contributed to truck density in the very neighborhood we are now looking to reduce truck traffic in. We need to look into a better alternative where the City government, local businesses, and residents can coexist in these areas.

Good morning Chairman James and Committee Members. Thank you for the opportunity to testify this morning. I am Charles Mahoney, the Sales Manager for IESI NY Corporation, which is a Progressive Waste Solutions Company.

IESI was one of the first corporate responders after Superstorm Sandy. Working closely with the Department of Sanitation our Varick Avenue facility in Brooklyn, which will be directly impacted by the proposed legislation, received approximately 5,500 tons of storm debris. We have another transfer station, our Casanova Street facility in the Bronx, that will also be impacted by this legislation.

There are three fundamental flaws with Intro 1170. First, it will stifle innovation. Our Casanova Street facility has State and City permits to handle 225 tons per day of municipal solid waste. We currently only operate it to maintain the permit and do not utilize it on a day-to-day basis. With the City's recent push towards organics recycling, however, we have begun analyzing whether using it as an organics processing facility – either housing in-vessel digesters or some other method – that will result in a compostable end product makes sense. This legislation will make that impossible since the calculations for how capacity reductions will be determined will result in the complete loss of our City permit.

Which brings us to the second problem with this legislation – it stifles investment. Simply put, why would we, or any rational investor, want to invest hundreds of thousands of dollars into a facility that simply can be taken away or severely impacted by this legislation? More certainty in solid waste planning is needed, not less. That is one reason why solid waste management plans span 20 years.

Finally, the proposed legislation does not in any way eliminate waste or lead to any beneficial source reduction – it just displaces it. In fact, as I indicated, it will have the opposite effect. As the waste has to go somewhere, the trucks that carry the material will go to other more remote locations. Trucks will be on the roads for longer periods of time, burn more fuel, put more wear and tear on our roads, and burden more communities.

Thank you for the opportunity to share our view with you today. We believe these across the board reductions go far beyond what was ever contemplated in the City's solid waste management plan. We respectfully request and urge this Council to reject the proposed legislation and are happy to answer any questions you may have.

**Testimony of Joan Levine, Morningside Heights/West Harlem Sanitation Coalition In Support of Intro. 1170, Local Legislation to Eliminate Waste Overburdening**

October 25, 2013

Good morning Chairperson Letitia James and other members of the Sanitation and Solid Waste Management Committee. Thank you for the opportunity to provide testimony today.

My name is Joan Levine and I am the Co-Chair of the Morningside Heights West Harlem Sanitation Coalition, a grassroots coalition of resident and block associations committed to environmental justice on solid waste and other issues. Among other things, the coalition has worked with the City to pilot ambitious recycling initiatives in our public housing so that we can educate neighbors and decrease the City's reliance on garbage transfer stations and landfills.

I am here to express our strong support for Intro. 1170. For too long, a small number of communities have been asked to handle a grossly unfair burden of the waste that all of us New Yorkers create. This is unfair and unacceptable.

The legislation will provide real relief to the South Bronx, North Brooklyn and Southeast Queens. By linking reductions to the City's marine transfer stations, it will also help eliminate long-haul truck trips in the City. While my community does not have any waste transfer stations, like many in New York, we sit on the routes travelled by hundreds of diesel trucks everyday hauling garbage out of City for disposal.

The bill also sets a standard for basic fairness, by mandating that no community be overburdened with waste capacity in the future. For these and other reasons, I and the other members of my coalition urge the Council to pass this important legislation without delay. Thank you.

# FOR THE RECORD

## **Testimony in support of Intro 1170**

**Michael Heimbinder, Founder & Executive Director, HabitatMap, Inc.**

Hi, my name is Michael Heimbinder. I'm the Founder and Executive Director of HabitatMap, a Brooklyn based environmental health justice organization.

I want to thank Councilwoman James and the Committee on Sanitation and Solid Waste Management for inviting testimony today regarding Intro 1170.

I enthusiastically endorse Intro 1170. The passage of this legislation is essential to realizing the 2006 Solid Waste Management Plan's promise of borough equity and environmental justice for the community's in North Brooklyn, the South Bronx, and Southeastern Queens that today, handle more than 75% of New York City's waste. But it's not just residents of communities choking on NYC's waste stream that will benefit. Intro 1170, by promoting waste export by barge and rail rather than long haul tractor-trailer trucks, will help realize PlaNYC's mandate for a greener greater New York City, improving the environment for all New Yorkers.

At New York City's waste transfer stations, waste collection vehicles transfer their loads to tractor-trailer trucks, railcars, or marine barges for export. Because waste transfer stations are not evenly distributed throughout the City and because most waste transfer stations use tractor-trailers for export, disposing of NYC's waste generates unnecessary truck traffic and pollution. By utilizing marine transfer stations in closer proximity to collection vehicle routes, the City can alleviate environmental impacts for the whole City and in neighborhoods inundated by more than their fair share of the City's noxious infrastructure.

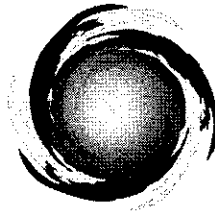
There are 15 waste transfer stations in North Brooklyn alone. This unrivaled concentration of waste handling facilities is the densest in the City. On an average day, 7,000 tons of garbage is hauled in and out of North Brooklyn requiring over 1,500 diesel truck trips. No community should have to deal with this.

Although Intro 1170 won't eliminate all these trucks, and it won't address all the other noxious facilities and infrastructures located in the community, it will provide some modicum of relief and a promise that the garbage truck situation won't get worse than it already is.

A single barge can carry as much garbage as twenty-eight tractor-trailer trucks. By building marine transfer stations and barging New York City's garbage, the City can reduce waste related truck traffic in the City by millions of miles annually. Cutting diesel powered truck traffic will improve air quality across the city, cut carbon emissions, reduce traffic congestion, trim maintenance costs for our roads and bridges, and improve quality of life for all New Yorkers.

Thank you for your time and consideration.





**EL PUENTE**  
**GREEN LIGHT DISTRICT**

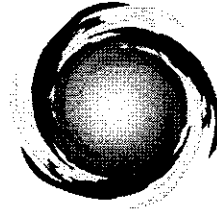
Written Testimony Submitted to the **New York City Council Committee on Sanitation**  
Hearing on *Introduction 1170: Local Legislation to Eliminate Waste Overburdening*  
October 25, 2013

Submitted by Esteban Duran  
Community Organizer, El Puente's Green Light District Initiative

---

I respectfully submit this testimony to the City Council on the capacity reduction legislation on behalf of El Puente, a thirty-old community human rights institution in Williamsburg and Bushwick, Brooklyn. El Puente promotes leadership for peace and justice through the engagement of youth and community members in the arts, education, health & wellness and environmental action. We have three youth leadership centers in Williamsburg, one in Bushwick, and a public high school founded by El Puente twenty years ago. I am the Community Organizer for the El Puente Green Light District, a ten-year initiative launched in 2011 to lead the Southside, or "Los Sures," from one of the most economically and environmentally challenged neighborhoods in New York City into an equitable, sustainable, safe, healthy, and civically engaged community.

El Puente urges you to support this legislation, which will eliminate unused capacity in waste transfer stations, effect an 18% reduction in waste handled in our community, and prevent the continual concentration of waste transfer stations in our community. This bill represents a long-needed attempt to address the commercial waste system in NYC. Our community of North Brooklyn is directly impacted by this legislation—in fact, nearly 40% of the city's waste is processed in Community Board 1, mostly along the Newtown Creek. I've sat on Community Board 1 for eight years and witnessed many residents in our community face significant health issues due to poor air quality from truck traffic, many of which are hauling waste from across NYC to transfer stations in North Brooklyn. On a personal note, I grew up two blocks away from the BQE highway and the truck traffic on the expressway alone is enough that I had asthma as a child. Young children in my community, including my two-year old son, now have the added negative impact of the waste truck traffic that runs through the neighborhood and pollutes the air even more. I'm not even going to get into the deplorable condition of the roads after these trucks rip through the streets and have included some pictures so you can see the effects.



## **EL PUENTE** **GREEN LIGHT** DISTRICT

Meanwhile, the noise pollution that these trucks cause can literally shake your house. Furthermore, the community lacks adequate green space and green infrastructure to counterbalance this pollution. Removing excess capacity at these transfer stations will aid significantly in bringing borough equity to our community and the South Bronx—it is time the historic overburdening of our communities be stopped, and that all residents of NYC take responsibility for the waste we—and they—create.

A move to support the handing of commercial waste at Marine Transfer Stations—where much of the excess capacity removed from our communities will be re-located—will aid further in taking truck traffic off of our streets. Our streets are for more than traffic: they are for pedestrians and bicyclists (who breathe in the exhaust), and they are for building community. Our streets are our connective tissue, what knits together our neighborhoods and often, where we gather. Trucks make these streets unsafe and unhealthy places to be.

Our community stands alongside our sister community of the South Bronx to demand equity and justice. No longer must we be burdened with environmental injustices, and be the dumping ground for the entire city. This legislation will go a long way towards righting these historic injustices, and creating greater equity and responsibility across our city's communities. I thank you for your time and consideration, and please feel free to contact me for additional information on the above points.

Esteban Duran

[eduran@elpuente.us](mailto:eduran@elpuente.us)

718-387-0404 x45





**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: David Biderman

Address: \_\_\_\_\_

I represent: National Solid Waste

Address: Management Association

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. 10-25-13

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: William MACKIE

Address: 603 EUCLID AVE

I represent: HI TECH

Address: 130 VARICK AVE BROOKLYN

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: NAUCH PLOEGER c/o MCC

Address: 1375 Broadway, NYC 10018

I represent: MCC, BCC, Bronx CC, Queens CC, NSM

Address: SAME

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/26/13

(PLEASE PRINT)

Name: Angela Pinsky

Address: 570 Lexington Ave

I represent: Rebny

Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: Bridget Moffatt

Address: 5 Peter Cooper Rd apt 2B NY NY 10010

I represent: New York League of Conservation Voters

Address: 30 Broad St fl 30 NY NY 10003

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: ANTHONY WIND

Address: ~~754 MARISSA AVE~~ 360 MARCUS GUY BLD

I represent: WE STAY / Nos. QUELAMOS, INC

Address: 754 MARISSA AVE Bx NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: RON BERGAMIN

Address: \_\_\_\_\_

I represent: ACTION ENVIRONMENTAL

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Laura Hofmann

Address: 127 Deport St. 2E 11222

I represent: Parkpark Pals

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: ROLANDO GURMAN

Address: 11 CATHERINE ST

I represent: OUTRAGE

Address: 11 CATHERINE ST BK NY 11211

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Andrew Moesel

Address: 152 Madison Ave

I represent: New York State Restaurant Assn.

Address: 1001 Ave of Americas

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: Joan S. Levine

Address: 100 La Salle St NYC 10024

I represent: The Morning, de Hts / W. Harlem Sanitation Coalition

Address: 100 La Salle St.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Michael Heimbinder

Address: 669 Carroll St #3, BK, NY

I represent: HABITAT MAP

Address: 669 Carroll, #3

Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10.25

(PLEASE PRINT)

Name: Angela Tovar

Address: 247 Suydam Street

I represent: Suchinable South Bronx

Address: 1231 Lafayette, Bronx

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Juan Osorio Canillo

Address: \_\_\_\_\_

I represent: New York City Environmental Justice Alliance

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: MAYA PINTO

Address: 50 BROADWAY, 29th FLOOR

I represent: ALIGN

Address: \_\_\_\_\_

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: Kellie Fin

Address: 940 Garrison Ave

I represent: OWN, NYCEJA, THE POINT CO

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Bernadette Cooley

Address: 265 W 14<sup>th</sup> St

I represent: J.C. Teamsters

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: Thomas N. Tarsano, Esq.

Address: 7237 Edsall Ave, Glenside, NY

I represent: Hitech Resource Recovery, Inc

Address: 130 Varich Ave, Brooklyn, NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: William McBride

Address: 130 Varick Ave Brooklyn, NY

I represent: myself

Address: 130 Varick Ave, Brooklyn, NY

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: GAVIN KEARNY

Address: 151 W. 30TH ST. NY NY

I represent: NY LAWYERS FOR THE PUBLIC INTEREST

Address: SAME

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: RAY BURRERO

Address: \_\_\_\_\_

I represent: TEAMSTER LOCAL #13

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: THOMAS MILCRA

Address: Executive Assistant to the Comm

I represent: DSNY

Address: 125 Worth St, NY, NY 10015

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Ron Bergamin

Address: 900 E 132nd St, Bronx

I represent: Action Environmental Group

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: David Biderman

Address: 4301 Conn Ave, NW

I represent: NSWMA

Address: 4301 Conn Ave, NW

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: Jay Politz / Food Industry Alliance

Address: 1385 Bolton Post Rd. Great Neck, NY

I represent: Food Industry Alliance of NY

Address: Same as above

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: DAVID HILLCOAT

Address: 215 MOORE ST. BROOKLYN

I represent: COOPER TANK & WELDING

Address: 215 MOORE ST. BROOKLYN

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: CHARLES MAHONEY

Address: 330 Seventh Ave NY NY 10001

I represent: IESI NY Corp

Address: 330 Seventh Ave NY NY 10001

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 10-25-13

(PLEASE PRINT)

Name: Sylvestre Gustavo

Address: BOMA / New York

I represent: BOMAINY

Address: 11 Penn Plaza NY, NY 10001

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: Esteban Durán

Address: \_\_\_\_\_

I represent: El Puente

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: Kate Zidore

Address: \_\_\_\_\_

I represent: Newtown Creek Alliance

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: ROBERT ORLIN, Deputy Commissioner

Address: for Bureau of Legal Affairs

I represent: DSNY

Address: 125 Worth St, NY, NY 10013

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JOHN J. DOHERTY, Commissioner

Address: \_\_\_\_\_

I represent: DSNY

Address: 125 Worth St - NY, NY 10013

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Dennis Diggins, Deputy Commissioner

Address: for solid waste management

I represent: DSNY

Address: 125 Worth St, NY, NY 10013

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10-25-13

(PLEASE PRINT)

Name: Ron Bergamini

Address: \_\_\_\_\_

I represent: Action Environmental

Address: Services

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: GERALD ANTONACCI

Address: 126-46 34th Ave Flushing NY

I represent: Crown Container

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: LOUISE RADIN

Address: \_\_\_\_\_

I represent: PLEDGE TO PROTECT RFSIS

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: Esteban Duran

Address: 211 S. 4th Street

I represent: El Puente

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1170 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/25/13

(PLEASE PRINT)

Name: EMILY GALLAGHER

Address: 196 NORMAN AVE IR BROOKLYN 11222

I represent: NAG

Address: 110 KENT AVE 11249

Please complete this card and return to the Sergeant-at-Arms