

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT

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March 8, 2019

Start: 2:09 p.m.

Recess: 5:20 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: ANTONIO REYNOSO  
Chairperson

COUNCIL MEMBERS: Fernando Cabrera  
Chaim M. Deutsch  
Rafael L. Espinal, Jr.  
Paul A. Vallone

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

Steven Costas, Deputy Commissioner  
NYC Department of Sanitation (DSNY)

Larry Cipollina, Deputy Commissioner for  
Administration and Financial Management,  
NYC Department of Sanitation (DSNY)

Bridget Anderson, Deputy Commissioner for Recycling  
and Sustainability, NYC Department of Sanitation  
(DSNY)

Gregory Anderson, Chief of Staff, NYC Department of  
Sanitation (DSNY)

Daniel D. Brownell, Commissioner Business Integrity  
Commission (BIC)

Noah Genel, First Deputy Commissioner and General  
Counsel, Business Integrity Commission (BIC)

Cindy Haskins, Assistant Commissioner of Finance  
and Administration, Business Integrity Commission  
(BIC)

Jacquie Ottman, Chair of the Manhattan Solid Waste  
Advisory Board, Manhattan SWAB, Brooklyn SWAB and  
Queens SWAB Organizing Committee

Eric Goldstein, Natural Resources Defense Council

Melissa Ichan, Senior Staff Attorney, New York  
Lawyers for the Public Interest NYLPI

Adrianna Espinoza, Director, New York City Program  
New York League of Conservation Voters

Chicago Crosby, Canner in Bedford Stuyvesant

Anna Martinez De Luco, Co-Founder of Sure We Can

Pierre Simmons, Former Canner & Vice President of  
Sure We Can

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2 [sound check] [pause]

3 CHAIRPERSON REYNOSO: Sergeant, are we  
4 ready to go? Okay. [gavel]

5 SERGEANT-AT-ARMS: Quiet, please.

6 CHAIRPERSON REYNOSO: Good afternoon.

7 I'd like just to acknowledge that we've been joined  
8 by Council Member Rafael Espinal and Council Member  
9 Chaim Deutsch. Thank you both for being here. Good  
10 afternoon and welcome to the Committee on Sanitation  
11 and Solid Waste Management hearing on the Fiscal 2020  
12 Preliminary Budget and the Fiscal Year 2019  
13 Preliminary Mayor's Management Report fore the  
14 Department of Sanitation and the Business Integrity  
15 Commission. My name is Antonio Reynoso. I am the  
16 Chair of the Committee on Sanitation and Solid Waste  
17 Management. Today, we will hear testimony from the  
18 Department of Sanitation on its Expense Budget,  
19 Capital Plan and general agency operations. After we  
20 hear from DSNY, we will hear from the Business  
21 Integrity Commission on its Expense Budget and  
22 general agency operation. The Department of  
23 Sanitation's Fiscal Year 2020 Expense Budget totals  
24 \$1.77 billion, which is \$28.7 million more than  
25 Fiscal Year 2019-2019 Adopted Budget. DSNY's

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2 Commitment Plan for Fiscal Year 2019 through 2030—

3 2023 totals approximately \$2.1 billion, a decrease of

4 \$53 million or 2.5% since the last budget adoption.

5 The committee look forward to discussion such

6 important as: Efforts to align the city with

7 achieving its goal of zero waste by 2030; a status

8 update on the Electronics and Organics Collection

9 programs, and the various needs included in the

10 Fiscal Year 2020 Preliminary Plan. The Business

11 Integrity Commission's Fiscal 2020 Expense Budget

12 totals \$9.7--\$9.3 million, which is \$634,000 more

13 than that Adopted Budget. The committee look forward

14 to hearing the department's testimony on important

15 topics enforcement efforts citing—enforcement efforts

16 citing unlicensed waste haulers as well as agency

17 performance in reviewing application. We will first

18 hear rom Acting Commissioner Costas. Welcome. I

19 don't know if this is your first—this is your first

20 hearing. It's a good first hearing to come, but

21 welcome, and then proceed to hear from Commissioner

22 Brownell, Business Integrity Commission. The

23 committee will then hear from members of the public.

24 We thank you in advance for you patience. I would

25 like to thank our Committee staff for all their help

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2 in preparing for today's hearing. Before we hear  
3 from Acting Commissioner Costas, I would like to  
4 acknowledge my colleagues who present, but we'd like  
5 to actually swear you in.

6 LEGAL COUNSEL: Please raise your right  
7 hand. Do you affirm to tell the truth, the whole  
8 truth, and nothing but the truth in your testimony  
9 today and to Council Member questions honestly?

10 ACTING COMMISSIONER COSTAS: [off mic]  
11 Yes.

12 LEGAL COUNSEL: Thank you.

13 CHAIRPERSON REYNOSO: Thank you. Thank  
14 you again. Welcome Commissioner. It's a pleasure to  
15 have in your acting capacity. While we love  
16 Katherine Garcia, we do—are happy to have you here,  
17 and are looking forward to your performance, and I  
18 expect only the best from you as I do for the rest of  
19 the DSNY team. So, welcome and take it away.

20 ACTING COMMISSIONER COSTAS: Thank you.  
21 Good afternoon Chairman Reynoso and members of the  
22 City Council Committee on Sanitation and Solid Waste  
23 Management. I am Steven Costas, Acting Commissioner  
24 of the New York City Department of Sanitation. Thank  
25 you for the opportunity to discuss the department's

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2 portion of the Mayor's Fiscal Year 2020 Preliminary

3 Budget, the Fiscal Year 2019 Preliminary Mayor's

4 Management Report, and our current programs and

5 operations. With me this afternoon are Larry

6 Cipollina, Deputy Commissioner for Administration and

7 Financial Management; Bridget Anderson, Deputy

8 Commissioner for Recycling and Sustainability; and

9 Gregory Anderson, Chief of Staff. As proposed, the

10 Fiscal 2020 Preliminary Budget allocates \$1.77

11 billion in expense funds to the department, of which

12 \$1.04 billion is for personnel services and \$736

13 million is for the other than—is for other than

14 personnel services. Our Fiscal Year 2020 budgeted

15 headcount is 10,029 including 7,721 full-time uniform

16 and 2,308 full-time civilian positions. In addition,

17 the departments propose FY 2020 Capital Budget is

18 approximately \$565 million. Of this amount, \$367

19 million is allocated to facility construction and

20 rehabilitation; \$9.7 million for information

21 technology projects, and \$188 million to replace

22 equipment and vehicles. The funding resources under

23 the proposed FY 2020 Budget will ensure that the

24 department can continue to keep New York City

25 healthy, safe and clean. However, as the Mayor

2 stated in his budget announcement, we are facing the  
3 realities and tough choices. New York City's  
4 finances face strong headwinds and economic  
5 uncertainty. Clean streets and public spaces  
6 contributed to a better quality of life for New  
7 Yorkers that they expect and deserve. The proposed  
8 FY 2020 Budget continues funding for the Mayor's  
9 Clean NYC Initiative including expanded to Sunday and  
10 holiday litter basket collection service, highway  
11 ramp cleaning, and targeted cleaning enforcement  
12 efforts in high need areas. In addition, in FY 2019  
13 in City Council districts across the city have  
14 benefitted from supplemental litter basket service  
15 funding in partner with City Council at budget  
16 adoption last year. On behalf of the department I  
17 would like to thank all of you for the ongoing  
18 advocacy, for cleaning resources and litter basket  
19 collection service. As a result of these  
20 investments, the department continues to maintain  
21 near record high score card cleanliness ratings  
22 across the city. Through February the department has  
23 achieved a citywide average score cards rating of  
24 95.7% of streets rated acceptably clean, up from  
25 94.7% the year prior. In addition, the department

2 last year announced Better Bin, an international  
3 design competition to re-imagine New York City's  
4 standard litter baskets. Today, the department has  
5 more than 23,000 litter baskets on city streets, most  
6 of which are plain green wire baskets. In  
7 partnership with the Ben Allen Institute, the  
8 Industrial Design Society of America, and the  
9 American Institute of Architects in New York, we've  
10 narrowed the pool down to three finalists. We are  
11 working with these finalists to refine their designs  
12 and produce prototypes for testing in New York City--  
13 New York City streets this summer. We look forward  
14 to working with the Council and the public to garner  
15 feedback and select the winning design to be the next  
16 generation corner litter basket. Snow fighting is  
17 also a core component of the department's mission  
18 ensuring safe travel for first responders, residents  
19 and commuters. The FY 2020 Preliminary Budget is  
20 \$111.8 million. Our current modified Snow Budget for  
21 FY 19 is \$99.5 million. So far, the department has  
22 experienced a winter season that has yielded lower  
23 overall snow accumulations to date than in the past  
24 few seasons. We have repeatedly had forecasted snow  
25 events that produced less snowfall than predicted or

2 have changed to rain. As a result, we have activated  
3 for 18 events for this date, the season for a total  
4 of 21 inches of snow. Following last November's  
5 snowstorm and the cascading traffic impacts that  
6 resulted, we have already begun to implement changes  
7 to our winter storm preparations and response. For  
8 the last several events we have improved coordination  
9 between the Department of Sanitation, Transportation,  
10 Police and Emergency Management and the MTA  
11 coordinating earlier in fore-in forecast cycle and  
12 taking steps to improve communication during winter  
13 weather events. The department now sends a  
14 representative to the Department of Transportation's  
15 Joint Traffic Management Center in Long Island City  
16 to provide improved situational awareness. In  
17 addition, the Preliminary Budget includes \$2.1  
18 million in expense funds and \$8.6 million in capital  
19 funds to implement initiatives identified following  
20 the November snowstorm. These include the purchase  
21 of 10 large and 14 small brine trucks. Brine, which  
22 is liquefied salt, can be applied in advance of a  
23 winter weather event. Like rock salt, it inhibits  
24 the accumulation of snow and ice on roadways, and can  
25 improve driving conditions during a snowstorm. We

2 have already begun testing the brine pre-treatment,  
3 and we will continue to evaluate its performance.

4 The Preliminary Budget also includes capital funds in  
5 FY 2019 to purchase ten additional salt spreaders to  
6 provide dedicated service along highways and critical  
7 roadways to go at a snow event. These spreaders will  
8 be accompanied by NYPD Highway Escort to enable them  
9 to travel as needed through traffic or in

10 circumstances like the November snowstorm against the  
11 flow of traffic to improve traffic, traction, relieve  
12 traffic caused by disabled vehicles. In 2006, the

13 Council adopted and the New York State Department of  
14 Environmental Conservation approved the city's Solid  
15 Waste Management Plan known as SWAMP. The SWAMP is a  
16 fair five borough plan to sustainably manage New York  
17 City's waste and offer flexibility, and resiliency in  
18 case of a natural disaster or other emergency. The

19 plan provides New York City with a world class  
20 infrastructure and mandates a shift from waste export  
21 by long haul trucks to a system of marine and rail  
22 transfer stations spread throughout the five

23 boroughs. Over the last four years, the department  
24 has worked to complete construction of these new  
25 Marine Transfer Stations. The North Shore MTS in

2 Queens was the first to open in March of 2015. Late  
3 this month on Mach 25<sup>th</sup> we will open the East 91<sup>st</sup>  
4 Street MTS. These MTS's are state-of-the-art  
5 facilities designed to operate sustainably and  
6 resiliently. They have rapid roll-up doors, negative  
7 air pressure systems, advanced ventilation and odor  
8 controls and extensive floor proofing. The opening  
9 of the East 91<sup>st</sup> Street MTS is the final step in  
10 implementing the city's long-term waste export  
11 program under the SWAMP that has resulted in the  
12 reduction of truck travel associated with the waste  
13 export by more than 60 million miles per year  
14 including more than 5 million in and around New York  
15 City. It will also cut greenhouse gas emissions  
16 associated with waste transport by more than 34,000  
17 tons annually, and contribute to a more equitable  
18 distribution of waste management infrastructure in  
19 New York City. The commercial waste sector also  
20 plays and important role in achieving the zero waste  
21 goals. Offices, stores, restaurants and other  
22 commercial establishments generate an estimate 3  
23 million tons of waste a year. In November, we  
24 released our Implementation Plan for Comprehensive  
25 Reform of the Commercial Waste Industry, Commercial

2 Waste Zones, plan to reform, reroute, revitalize  
3 private carting in New York City lays out a blueprint  
4 for the implementation of commercial waste collection  
5 zones across New York City. The plan will create a  
6 safe, efficient collection system for commercial  
7 waste that provides high quality, low cost service  
8 while advancing the city's zero waste goals. Two  
9 weeks ago, the department released a draft generic  
10 Environmental Impact Statement for the Implementation  
11 Plan. Next week, we will hold two public hearings to  
12 receive comments on this document. The first hearing  
13 is scheduled on the morning of Monday, March 11<sup>th</sup>,  
14 and the second will be held in the evening on  
15 Thursday, March 14<sup>th</sup>. We will also accept written  
16 comments from the public through March 25<sup>th</sup>. We look  
17 forward to your input as well as continuing our work  
18 with the City Council and the stakeholders in this  
19 important process. To support the city's goal of  
20 sending zero waste to landfills by 2030, the proposed  
21 Budget allocates a total of \$14.3 million in FY 2020  
22 to the department's Bureau of Recycling and  
23 Sustainability for Waste Prevention, Recycling and  
24 Sustainability programs including outreach,  
25 partnerships and service provisions to residents,

2 schools agencies and NYCHA. In addition, this  
3 proposed budget allocates \$36 million to the Division  
4 of Solid Waste Management for our contracted  
5 recycling and compositing vendors. New Yorkers are  
6 recycling more than ever, and DSNY collected more  
7 recycling material last year than in any year over  
8 the past decade. The city's overall diversion rate  
9 has reached 20.9%, the highest rate in nearly two  
10 decades. The department continues to focus on  
11 diverting organics, food scraps, food soiled paper  
12 and yard waste from landfills where they generate  
13 methane gas. Curbside organics collection serves 23  
14 districts in the Bronx, Brooklyn, Queens and Staten  
15 Island. Buildings in the rest of the Bronx and  
16 Manhattan may enroll to receive collection. In  
17 January we reached the milestone of establishing more  
18 than 150 food scrap drop-off sites to provide  
19 residents without curbside serve the opportunity to  
20 compost their food scraps. In addition, more than  
21 1,000 schools and institutions and agency locations  
22 now receive organic collection service. In FY 2018,  
23 New Yorkers diverted over 73,000 tons of organics a  
24 45% over the prior year. A Preliminary Budget  
25 allocates funding in FY 2019 for 115 additional

2 Sanitation workers to fully fund existing curbside  
3 collection. However, the department is not funded to  
4 continue the expansion of Curbside Organics Program  
5 to the remaining 16 districts at this time. We  
6 remain focused on providing efficient and reliable  
7 service in districts that already have curbside  
8 organics collection and we are focused on working in  
9 those districts to increase participation and  
10 identify additional operating efficiencies. The  
11 Mayor remains committed to expanding the Curbside  
12 Organics Collection, but we know that we must do so  
13 in a financially sustainable way to be successful in  
14 the long term. Despite this, we are actively working  
15 to grow organics programs in other ways. This fall  
16 we will expand the number of schools participating in  
17 the Organics Program by converting three existing  
18 school truck routes to organics collection. In  
19 addition, we will add additional city agencies and  
20 institutions to existing organics collection routes  
21 as called for by Local Law 22 of 2019 passed by the  
22 City Council last year. We will also continue to  
23 recruit large apartment buildings to join the program  
24 especially in areas where collection service already  
25 exists. We look forward to working with the members

2 of the Council, Community Boards and other groups to  
3 educate and motivate New Yorkers to improve  
4 participation in the program. This month, we will  
5 launch a new food—Food Donation Portal to connect  
6 businesses seeking to donate food with organizations  
7 seeking to feed people. This portal is part of the  
8 next phase of our Donate NYC program, and will help  
9 reduce food waste before it gets thrown out. The two  
10 created pursuant to Local Law 176 of 2017 prioritizes  
11 neighborhood based local food donations. Beyond  
12 organics, our portfolio of Textiles and E Waste  
13 Recovery Program. Textiles and E Waste Recovery  
14 Programs continues to grow both in participation and  
15 in material recovered. In FY 2018, the department  
16 partnered to recover nearly 19,000 tons of textiles  
17 through Fashion NYC, clothing drop-of locations and  
18 through Donate NYC partners. Additionally, in late  
19 February, the department and our Donate NYC partners  
20 hosted Refashion Week NYC, a first of its kind event  
21 celebrating sustainability and reuse in fashion. The  
22 week long celebration included events across New York  
23 City such as Pop Up Market, clothing swaps, and  
24 mending/upcycling workshop and a refashion show all  
25 focused on reducing textile waste and making

2 sustainable. As Fast Fashion wear becomes more  
3 popular and accessible, the amount of textile waste  
4 is also expected to grow. Refashion Week New York  
5 City aims to connect the fashion world,  
6 sustainability experts, the reuse industry and  
7 consumers by raising public awareness of textile  
8 waste and we look forward to hosting and popularizing  
9 this event annually with our Donate NYC partners. In  
10 FY 2018, the department recycled roughly 30,000 tons  
11 of electronics through e-Cycle NYC drop-off events.  
12 Excuse me, 3,000 tons of electronics through e-Cycle  
13 NYC drop-off events and the Employment based E Waste  
14 Collection Program. In FY 2020 we will expand  
15 household E Waste collection to the rest of Queens  
16 and the Bronx. The department also continues its  
17 popular Safe Disposal Program offering five permanent  
18 waste disposal drop-off sites and ten borough wide  
19 safe disposal events per year plus smaller Pop Up  
20 events hosted by community partners. In FY 2018, our  
21 Safe Program diverted over 600 tons of household  
22 hazardous material for safe and proper recycling.  
23 One of the greatest challenges to recycling in New  
24 York City when compared to other American cities is  
25 the enormous density and diversity of the building

2 stock. Storage space, signage and the level of  
3 custodial service are among important factors for  
4 recycling compliance in our large dense city.  
5 Despite the multitude of convenient collection  
6 programs we provide, New York--New Yorkers—we provide  
7 New Yorkers to recycle or reuse waste, we know that  
8 education and outreach are critical to increasing  
9 participation in these programs and achieving our  
10 zero waste goals. That is why in FY 2018, the  
11 department launched—launched a Zero Waste Building  
12 Management Training Program to train and support  
13 building staff to improve the setup of pre-collection  
14 storage areas in their buildings that will facilitate  
15 better waste management and source separation  
16 recycling practices of building residents. During  
17 the first year of the program, the department had  
18 over 75 participants with nearly 100% graduation  
19 rate. The Zero Waste Building Management Training  
20 team continues and we expect it will grow in 2019.  
21 As you also know, some of New York City's waste  
22 stream is influenced heavily by state law. We are  
23 closely monitoring legislation impacting the Bottle  
24 Bill more formally know as the New York State  
25 Returnable Container Law, and the single-use carryout

2 bags, which the State Legislature is currently-  
3 presently considering. In the coming weeks we hope  
4 to continue discussions with the Chair and this  
5 committee towards our mutual goal of focusing on  
6 solutions and policy mechanisms to address these  
7 materials in our waste stream. Lastly, I would like  
8 to take this opportunity to remind New Yorkers that  
9 our phone ban at last took effect on January 1<sup>st</sup>.  
10 Businesses may no longer offer or sell phone food  
11 service products and loose fill packing material in  
12 New York City. Last December, the department sent a  
13 mailer out to affected city businesses, and outreach  
14 and education efforts will continue through the six-  
15 month warning period. Businesses that continue to  
16 use the cell phone products will be subject to  
17 violations beginning on July 1<sup>st</sup>. In closing, I  
18 would like to thank Chair Reynoso and the other  
19 members of this committee for continuing your support  
20 of our programs and work. You are critical—you are  
21 critical partners as we work to keep New York City  
22 healthy, safe and clean. Thank you for this  
23 opportunity to testify this afternoon. My staff and  
24 I are now happy to answer any of your questions.

2 CHAIRPERSON REYNOSO: Thank you so much.

3 Thank you for your testimony. You covered a lot of  
4 ground there. So, we'll do the best we can to try to  
5 get some questions in here that might make sense to  
6 diver deeper into the 2010 Preliminary Budget. The  
7 first question I want to show this Uniform and  
8 Overtime Budget Versus Actual Overtime Spending. So,  
9 we're usually off by a bit, but this year or last  
10 year we were off by quite—like 33% in overtime  
11 spending, and we—and then this year it looks like you  
12 compensated for that and prepared to just pay off  
13 more overtime, and it looks like we—we might not hit  
14 it or we will hit it. So, I guess what operational  
15 changes are happening that account for this increase  
16 in overtime, this significant increase in overtime?

17 ACTING COMMISSIONER COSTAS: So, there  
18 were a couple of contributing factors to that  
19 overtime one being the 23 districts that are  
20 currently receiving organics collection. The  
21 headcount that we were required to be able to cove  
22 that without overtime was 115 Sanitation workers. We  
23 have now been given the green light to actually do  
24 that hiring of 115 Sanitation workers, and that is  
25 going forward. We hope to have the class by mid-

2 April in school and that will definitely impact where  
3 the overtime was. Another contributing factor was  
4 this pas summer Sanitation Salvage license was  
5 revoked, and for several weeks the Department of  
6 Sanitation actually provided collection service to  
7 all their businesses in Manhattan and the Bronx. So,  
8 that was another big contributor to that overtime.

9 CHAIRPERSON REYNOSO: So-so, I got two  
10 questions from that. If you've seen the most recent  
11 report from Kiera Feldman related to a Five Star  
12 Waste now, which the city actually does business  
13 with, is there a budget to prepare or to—that exists  
14 that accounts for the possibility of the suspension  
15 or shutdown of private carters that you would have to  
16 assume the responsibility of picking up trash for  
17 that is not—that is—that is separate from your—  
18 separate from I guess having to be addressed by  
19 overtime just like its own budget?

20 ACTING COMMISSIONER COSTAS: No, it is  
21 not budgeted. So, that was supplemental service.  
22 Unfortunately, it ran as long as it did.

23 CHAIRPERSON REYNOSO: Okay. so, just  
24 considering the new work that's being done at BIC  
25 and—and oversight that's happening related to private

2 sanitation, we should have a conversation about maybe  
3 maybe having some money put aside so that we could be  
4 efficient in how we spend it in the case where we  
5 have to assume the responsibilities of this private  
6 sanitation focus. Just comment to that. We don't  
7 see this big spike related to that. You said 115  
8 workers. In the testimony was that 115 additional  
9 Sanitation workers to fully fund existing curbside  
10 collection service? Then you—however, the department  
11 did not is not funded to continue expansion of the  
12 curbside organics programs—program to the remaining  
13 16 districts at this time. Those are complete—those  
14 are two completely different sentences, right. I  
15 just want to make sure they're not connected, they're  
16 not related. Right, 115 are—is an increase in  
17 headcount? Is that what we're talking about?

18 ACTING COMMISSIONER COSTAS: Correct.

19 Currently right now we are approved to hire an  
20 additional 115 Sanitation workers.

21 CHAIRPERSON REYNOSO: An increase in  
22 headcount, though, not—so—so, you—there's going to be  
23 115 more workers overall in the Department of  
24 Sanitation?

2 ACTING COMMISSIONER COSTAS: As that  
3 hiring takes place, yes.

4 CHAIRPERSON REYNOSO: Yes, and then it's  
5 funded for 2020?

6 ACTING COMMISSIONER COSTAS: it is funded  
7 for 2019. In 2019, it is not yet funded.

8 CHAIRPERSON REYNOSO: Right, and-but-so  
9 this is our Preliminary Budget. So, what is going to  
10 happen to these 115 workers in 2020?

11 ACTING COMMISSIONER COSTAS: The-so the  
12 115 Sanitation workers that come on board in April  
13 was an ask from last year. OMB did give us the green  
14 light to hire them. So, come July 1<sup>st</sup>, if that green  
15 light does not exist, the Sanitation workers  
16 obviously will be on payroll. That would probably  
17 come out of additional hiring classes would  
18 potentially maybe reduced by that number.

19 CHAIRPERSON REYNOSO: Right, so why-why  
20 not just permanently increase headcount, and account  
21 for this long term instead of just one year? It's  
22 obvious. What I hear there is existing curbside  
23 collection service. So, this is not an expand-and  
24 expansion of services. This is just through the work  
25

2 that we currently do. So, why not maintain them or  
3 why not budget for that long term?

4 ACTING COMMISSIONER COSTAS: So, we are  
5 still working with OMB and trying to get all that  
6 clarified and as well as go with the new budget  
7 realities in terms of—of providing service. So, the  
8 department's mission is still to provide the highest  
9 quality of service for street cleaning, snow removal  
10 and all our typical services, but we're working with  
11 OMB on that.

12 CHAIRPERSON REYNOSO: Okay. It's—it's  
13 important that we—we think about this long-term.  
14 You're talking about doing current work, not new  
15 work, just curbside collection, and you want to do  
16 that right way. You felt that you needed 115 new  
17 workers last year. I assume that you're going to  
18 need the same amount of people this year. So, if I  
19 don't see it in the budget, I'm going to feel like  
20 you're going to be 115 people short to do the work  
21 that you're mandated to do I guess or that's your  
22 responsibility. So, that's concerning that it's not  
23 in the budget long term. That's what I'm seeing, and  
24 I hope that you advocate for it to OMB and—and to the

2 Mayor's office. It's extremely concerning. It's a  
3 large number.

4 ACTING COMMISSIONER COSTAS: That's  
5 correct.

6 CHAIRPERSON REYNOSO: Yes, and then—then  
7 organics. We talked about organics over time. What  
8 have we done to modify so that we don't see this  
9 exorbitant number when it comes to overtime?

10 ACTING COMMISSIONER COSTAS: So, \$9.6  
11 million of that was directly related to the lack of  
12 having those Sanitation workers. So, once we have the  
13 115 on board, they will clearly offset what was being  
14 run in terms of overtime related to organics  
15 collection.

16 CHAIRPERSON REYNOSO: Have you done a  
17 cost benefit analysis on—on whether or not it's more  
18 beneficial to hire 115 workers or just give overtime  
19 to the folks that are doing it now?

20 ACTING COMMISSIONER COSTAS: The hiring  
21 obviously is cheaper.

22 CHAIRPERSON REYNOSO: So, the hiring is  
23 more for it. Okay, that's good to know because I—I  
24 see a solid-\$132 million worth of salaries that we  
25 could be working towards as opposed to what I think

2 is a waste-wasteful spending of overtime when we  
3 could just hire people appropriately, and if there's  
4 a Cost Benefit Analysis that has been made and it's  
5 more affordable to do this, then we-we should be  
6 considering that. It's just very concerning to not  
7 see the 115 long term. I just don't know why you  
8 would hire one shot, and then I guess through  
9 attrition the folks would just leave. It doesn't add  
10 up. I just want to make sure we-we-we clear this up  
11 because it's-it's not adding up. It's not. [pause]  
12 So, for Fiscal Year 2019 to date what was the tonnage  
13 percentage of organic material captured?

14 ACTING COMMISSIONER COSTAS: I'm sorry.

15 CHAIRPERSON REYNOSO: The organic  
16 material that you've captured as of Fiscal Year 2019.

17 ACTING COMMISSIONER COSTAS: So, we  
18 captured 34,000 tons of organics, which included yard  
19 waste, leaves, green markets, Christmas tree  
20 collections, and school collection.

21 CHAIRPERSON REYNOSO: Have you seen an  
22 improvement in that number from year to date?

23 ACTING COMMISSIONER COSTAS: Yes, we have  
24 seen an overall increase.

2 CHAIRPERSON REYNOSO: Okay. Is there a  
3 strategy or new work that's being done that is  
4 increasing the amount of organics or is it just that  
5 folks are volunteering more, just as a performance  
6 education information? What is—what is it—what can  
7 we attribute to the fact that there's been a slight  
8 increase in the organics collection?

9 ACTING COMMISSIONER COSTAS: So,  
10 currently the department continues to pursue zero by  
11 thirty aggressively. We have our recycling outreach  
12 unit with boots on the ground working with schools in  
13 terms of trying to get them onboard with organics  
14 collection as well as going door to door, engaging  
15 residents to see if they are putting out their brown  
16 pail. If they're not, why they aren't participating.  
17 So, we're—we're going door-to-door if necessary going  
18 to all types or local events, community driven,  
19 working with elected officials to try and get the  
20 word out. We host various compost giveaways to try  
21 and get the word out on organics, and let them know  
22 what it looks like when they throw it out and what it  
23 can be turned into.

2 CHAIRPERSON REYNOSO: How many folks are  
3 going door to door? Do you--? [background  
4 comments/pause]

5 DEPUTY COMMISSIONER ANDERSON: The number  
6 varies a little bit depending on the district. We  
7 have some special language folks that we would deploy  
8 temporarily in certain cases, but I would say on  
9 average it's about 15 people at a time, at any one  
10 time.

11 CHAIRPERSON REYNOSO: Do we know if their  
12 success rate in, you know, they knock on ten doors,  
13 two people joined the program or do you see an  
14 increase in the tonnage that is taken in by DSNY  
15 after like a week of having a couple of people go  
16 door knocking in that area. Is there--is there some  
17 data collection that's happening?

18 DEPUTY COMMISSIONER ANDERSON: But we--we  
19 do periodic surveys where we look to see where we've  
20 gone door to door, and the how many people are  
21 standing on the ground then and after the fact, how  
22 many people have increased, and we do see that there  
23 is consistent increases in standing on the ground  
24 then after we've gone door to door.

2 CHAIRPERSON REYNOSO: Okay. So, I want  
3 to---

4 DEPUTY COMMISSIONER ANDERSON: Period  
5 surveys to do that.

6 CHAIRPERSON REYNOSO: So, I want to do  
7 like another just cost benefit.

8 DEPUTY COMMISSIONER ANDERSON: Uh-hm.

9 CHAIRPERSON REYNOSO: Sending one person  
10 to one block saves the city how much money in the  
11 fact that we've converted them into organics  
12 recyclers.

13 DEPUTY COMMISSIONER ANDERSON: Uh-hm.

14 CHAIRPERSON REYNOSO: Do we have that  
15 information as to, you know, how much money the city  
16 saves for every, you know, five pounds of-or organics  
17 that are-is being thrown into a-into a Sanitation  
18 truck. Like are we doing that count? Are we having  
19 that conversation at all?

20 DEPUTY COMMISSIONER ANDERSON: We-we have  
21 various analyses, and I-we haven't done that one in  
22 particular, but we can certainly work with you to  
23 provide any analysis that would be helpful.

24 CHAIRPERSON REYNOSO: Yeah. I think that  
25 would be helpful--

2 DEPUTY COMMISSIONER ANDERSON:

3 [interposing] Yeah.

4 CHAIRPERSON REYNOSO: --because then we  
5 could really see, you know, whether or not we might  
6 need 100 people going door to door because of the  
7 value that they bring in their return on organics  
8 participation by our residents. I think that would  
9 be a great conversation to have. I've recently been  
10 recycling our--my organics. I just moved into a two-  
11 family home I got, and I'm--I'm having a great time  
12 doing it so far. One of my bags did have a leak on  
13 it, and it wasn't fun, but for the most part it's--  
14 it's been fine. The truck hasn't come because of the  
15 snow. It didn't come last week. So, I have to wait  
16 'til Wednesday for them to take it, but I feel good  
17 because it's going to be a very heavy load of  
18 organics. I talked to my neighbor. I told him it's  
19 a voluntary program. If you want to, you can be a  
20 part of it, and yesterday I saw a different bag  
21 inside the organics. They're inside and it mean that  
22 they are participating, and I didn't tell them  
23 anything. I just said hey, it's organics. They have  
24 this little trashcan. You could take it. It's up to  
25 you and he was like you took it, and you barely talk

2 to me, we don't even talk, but he participated, which  
3 I think is a valuable thing. It took very little to  
4 get this person to start their organics program. So,  
5 the Brooklyn Run is going to be like five, six pounds  
6 heavier every single—every single time. So, I'm  
7 excited about.

8 ACTING COMMISSIONER COSTAS: Great.

9 CHAIRPERSON REYNOSO: I'm very happy  
10 about that. I'm very excited about it, but I want to  
11 see if they door knock on my block whether we can get  
12 everyone to participate. That would be—that would be  
13 exciting.

14 CHAIRPERSON REYNOSO: So, if we do that  
15 analysis, it would be helpful. We can then—maybe  
16 next year I can advocate for more people knocking on  
17 doors because ultimately it could save money for the  
18 city of New York. [coughs] [pause] So, I want  
19 organics expanded citywide, and under the Zero Waste,  
20 I think a big part of like getting to zero waste is  
21 everyone being able to recycle organics, and look at  
22 the next slide, and we shown—we've shown this slide  
23 before, and this is—this is how it's—it's factual,  
24 but it doesn't say the whole story, right? And I—and  
25 I want to allow for the Department of Sanitation to

1  
2 be able to tell the whole story so that you just see  
3 this. It is concerning that we're moving at a very  
4 slow rate when it comes to diversion, but we have  
5 programs that the city is interested in implementing  
6 that will really, really start aggressively moving  
7 that—that trend line further north, and I want to  
8 kind of allow for you to take a moment to speak to  
9 that because it's very important to us that we  
10 understand that we're—there is an opportunity to get  
11 to that goal, and just want to give you an  
12 opportunity to speak to it?

13           ACTING COMMISSIONER COSTAS: So, as you  
14 mentioned the—our ability to reach that goal comes in  
15 various forms. We—our E Waste program has proven to  
16 be extremely successful to this point in terms of how  
17 much E Waste has actually been removed from the waste  
18 stream. We're currently doing that either by  
19 appointment or through residents being able to bring  
20 their E Waste to a drop-off point. The textiles also  
21 have been a huge success to date. In terms of our  
22 Refashion week that just took place, in addition to  
23 that we continue to work with our other partners on,  
24 you know, hosting ten large events for hazardous  
25 household waste drop-offs and we have additional five

2 pop up events, which provide convenient options for  
3 residents to safely dispose of paint, batteries and  
4 electronics. Ultimately, we diverted over 600 tons  
5 of household waste and hazardous waste from the waste  
6 stream. So, we continue to do any other—other than  
7 organics there are other things that we continue to  
8 do to engage the public and get them interested in  
9 what we're doing.

10 CHAIRPERSON REYNOSO: So, all the  
11 initiatives that you talked about plus organics  
12 citywide are the two I guess, or not the two, but you  
13 talked a lot about a lot of initiative. Are those the  
14 two—the two programs or the two initiatives that are  
15 going to get us to that goal line?

16 ACTING COMMISSIONER COSTAS: It's  
17 certainly going to contribute and help us get there.  
18 Yes.

19 CHAIRPERSON REYNOSO: Is there anything  
20 else that you're not talking about that could  
21 contribute to achieving zero waste now that we're not  
22 paying attention to or that haven't—hasn't been  
23 mentioned yet?

24

25

2 ACTING COMMISSIONER COSTAS: For  
3 continued expansion from the 23 districts, the  
4 citywide organics collection.

5 CHAIRPERSON REYNOSO: And that—and that's  
6 it? I don't think you're going to get there that  
7 way. Yeah, you've got to be more aggressive.

8 DEPUTY COMMISSIONER ANDERSON: We're  
9 working on so many fronts, and one of the things that  
10 we're trying to do is—is be disruptive. So, we've a  
11 lot of private sector and public sector partnerships,  
12 non-profit partnerships where we're trying to change  
13 the dialogue and change behavior not necessarily  
14 through curbside collection activity, but through  
15 waste reduction, through policy change. We're  
16 actively, you know, paying attention to what happens  
17 at the state level because that influences highly  
18 what we achieve at the local level in terms of  
19 disrupting our, I guess our behavior patterns, and so  
20 part of this is you don't— Behavior change takes time  
21 and we're—we're setting up partnerships and programs  
22 that—that help us disrupt that behavior, and so we're  
23 not necessarily seeing the impacts we want  
24 immediately. The other thing that we—we think about  
25 a lot is what are we measuring? So, reuse is

1 something that we've been focusing a lot on in terms  
2 of how do we measure the reduced activity in the  
3 city? That isn't measured in this graph. That is—  
4 this is curbside only. So, how do we actually have a  
5 more holistic definition of what is the ratio (sic)  
6 and what are the achievements that we're making. So,  
7 we're trying to work on how we better define even the  
8 success and the achievements that we are seeing.  
9 That's—that's not just simply the curbside line.

11 CHAIRPERSON REYNOSO: And then Save as  
12 You Throw is something else that I think is going to  
13 be very important. It's really going to—it's a  
14 carrot or stick one or the other. You guys are going  
15 from an incentive program to try—ore we're through  
16 about going to an incentive program to try to  
17 encourage people to recycle appropriately. Where are  
18 we with that study at this point? Because I actually  
19 think Save as You Throw is going to be—could be  
20 extremely helpful in helping us achieve zero waste.

21 LARRY CIPOLLINA: So clearly, Save as You  
22 Throw as a Component of NYC. As Commissioner Garcia  
23 used to say, and as we still very strongly believe,  
24 the first step is to offer as many services as  
25 possible to New Yorkers so that they can divert as

2 much of their waste as possible. Until we get to  
3 that point and have full-full service in terms of  
4 organics, E Waste, textiles I think that that is—it's  
5 sort of too early to focus on the incentives if you  
6 don't have the program for someone to participate in.

7 CHAIRPERSON REYNOSO: But it's not too  
8 early to study so that if and when we want it to be  
9 done, can kind of move quickly. It's 2030. It's  
10 right around the corner. It's in ten years. So, why  
11 haven't we moved forward with the study or is there—  
12 is the study budgeted I guess. In the—in—in the 2020  
13 Budget if I look into I, is—is it going to show a  
14 study related to wait, to Save as you Throw?

15 LARRY CIPOLLINA: So at this time we are  
16 not budgeted for a study on Save as You Throw.

17 CHAIRPERSON REYNOSO: But it's—but it's  
18 in—it's your initiative. It's in OneNYC. Why isn't  
19 that budgeted?

20 LARRY CIPOLLINA: That is correct. We  
21 are focused at this point on expanding services as  
22 much as we can.

23 CHAIRPERSON REYNOSO: Okay. I'm just  
24 saying I don't want to have a fight with the  
25 Administration on their initiative, right and your

2 initiative is zero waste. I want to be a partner in  
3 helping you achieve that. I just think we need to be  
4 a little more aggressive, and I think at least  
5 studying the Save as You Throw program could go a  
6 long way. You know, I know that political support  
7 right now is not there, and we have to make sure that  
8 we—we build public opinion, but I think we do that  
9 with facts, and information, and once we get that, we  
10 see a lot of things change. The study related to the  
11 private sanitation industry, and the fact that they  
12 have inefficient routes, helped us be able to build a  
13 narrative for moving forward with waste zoning.  
14 Maybe if we have a study, it can help us make the  
15 case that we should be doing something related to  
16 Save as You Throw. That's all I'm saying. We can  
17 build political buy-in by having the information.

18 LARRY CIPOLLINA: And I think a number of  
19 advocates in this room sitting behind us would agree  
20 with you, and we're happy to have conversations with  
21 you, and other stakeholders about how to do that in a  
22 way that doesn't necessarily have budgetary  
23 implications.

24 CHAIRPERSON REYNOSO: Because there is—  
25 so—so thank you for that. I appreciate that answer.

2 I know we're on the same team. I just think publicly  
3 we need to put pressure on each other, hold each  
4 other accountable to get things done, but my biggest  
5 concern is the Organics Program. That is my biggest  
6 concern. It doesn't seem to be again, and it's your  
7 Initiative, some thing you say you want to do, but  
8 then I see 115 members that are not necessarily  
9 funded for the year after. We're still not out of  
10 all the districts that we want to be in. It's just a  
11 lot of things that are not happening, and again I'm  
12 concerned that you might not be taking it as serious  
13 as you want to take it because it's your Initiative  
14 not mine. Again, I want to be a partner, but I have  
15 to hold you accountable. You guys are falling  
16 extremely short in providing the funding necessary to  
17 do a-a more robust and complete Organics program.  
18 I'm very concerned about that and this-this  
19 Preliminary Budget speaks to my concerns. So, it's  
20 your information and your initiative that you guys  
21 are not pushing. 115 people were there this year  
22 because you needed it. They should be there next  
23 year. So, I just wanted to emphasize that organics  
24 is extremely important to me, and I think to you, and  
25 I don't think we're there. So, hopefully in our next

2 budget hearing I get a different answer related to  
3 the 115 people that were hired before so that we can  
4 start taking our organics seriously, and I don't  
5 think I need to tell you this, cost benefit just  
6 saves us so much more money in the long ter. Instead  
7 of spending almost \$450 million to export waste, if  
8 we divert it, it saves us money. So, these 115 could  
9 be a long-term savings for in the city of New York.  
10 So, I just want to reemphasize we are falling short  
11 on organics, and we need to do more. We've been  
12 joined by Council Member Fernando Cabrera. Thank you  
13 so much for being here. I want to talk about  
14 something I talked about last-last term, a request  
15 for more information and marketing by DSNY. What is  
16 your current budget for marketing and getting  
17 information out and educating the general public?  
18 [background comments/pause]

19 ACTING COMMISSIONER COSTAS: So, the  
20 current budget on marketing and outreach is about  
21 \$2.5 million. Although that number has not  
22 increased, we are still doing as Commissioner  
23 Anderson mentioned a lot of door to door and  
24 grassroots reach-outreach to the public. So, what  
25 we've been doing is concentrating on the 23 districts

2 that are currently on the program in terms of trying  
3 to increase participation. At the same time, we've  
4 also been partnering with private organizations who  
5 can help us in terms of doing some advertising.  
6 We've been able to acquire some pro bono work.  
7 Currently in Times Square there are three billboards  
8 that are running 15-second segments related to  
9 sanitation that discussed that--actually show organics  
10 collection up there, and if we put a price tag on  
11 that--right now the department is getting it for  
12 free--the price tag for that would have been over  
13 \$22,000 a week. So, it's already been running, and  
14 will continue to run for the foreseeable future. So,  
15 we've been fortunate in that sense that, you know,  
16 Burgess Group has been extremely creative in terms of  
17 gaining additional support on the advertising side.

18 CHAIRPERSON REYNOSO: So, and with all  
19 due respect, I-I don't want us to rely on charity  
20 necessarily to get our message out. I think it's  
21 smart, and it's--we have to take advantage of it. So,  
22 I'm grateful for it, but there should be an  
23 intentional marketing that's happening. Again, more  
24 robustly about getting to Zero Waste, and I don't  
25 think that we have the budget that speaks to that. I

2 actually think that alongside climate change I think  
3 waste is a big contributor to that, and it's big—and  
4 when you talk about all encompassing and we talk  
5 about our future, waste has to be a part of it, and  
6 right now it's not a part of the conversation, and I  
7 think your budget for outreach is—is the minor is the  
8 minor leagues of budgets compared to other agencies  
9 that are trying to actually aggressively address an  
10 issue. And I always compare our Zero Waste to Vision  
11 Zero. Vision Zero is doing something that is major  
12 leagues, which is television ads where people or—or  
13 ads on—on the Internet. When people are watching a  
14 show that they like or a baseball game, a Vision Zero  
15 ad will come up and very shockingly let people know  
16 the dangers that exist when you're a vehicle driver.  
17 We don't have that same level of—of—of aggressiveness  
18 when it comes to zero waste. So, this year instead  
19 of the \$10 million, I'm actually asking for \$2.5  
20 million from the city of New York an increase of \$2.5  
21 for your budget. So, I want to double it so we can  
22 start being more aggressive about educating people.  
23 So, it's—everything I'm doing I thing in long-term  
24 saves us money. And nothing I'm saying here is that  
25 we're supposed to spend money for the sake of

2 spending it. Information gets people to buy in and  
3 starts changing this culture that you're talking  
4 about, but I think the most effective way would be  
5 door to door. It's an effective too. The  
6 conversions you get there are probably much higher  
7 than somebody that watches an ad, but when we talk  
8 about a city that has over eight billion—eight  
9 billion people in it—Eight million. [laughter] I was  
10 like oh, it would be China only in New York. Eight  
11 million people in it, we have to think about more  
12 creative ways to get that message across and I think,  
13 you know, doing the door knocking, doing ads on Times  
14 Square is really not—it really speaks to I think a—a  
15 level that's not—it doesn't meet the urgency of the  
16 problem.

17 ACTING COMMISSIONER COSTAS: Okay.

18 CHAIRPERSON REYNOSO: So, I think your  
19 marketing budget needs to go up so that we can start  
20 saving money and having people join programs that are  
21 going to again assist us on the reaching Zero Waste.  
22 And I feel like I'm preaching to the choir, but we  
23 never get the money. We never get the money.  
24 [pause] So, there's a \$1.27 million in Fiscal Year  
25 2019 for local service enhancement. Could we just go

2 over what exactly what that means and can we just get  
3 a breakdown of what that money is for. It says,  
4 Local Service Enhancements, \$1.27 f or 2019 and going  
5 to \$1.69 million in the out years. So, I just want  
6 to get—it speaks about the collection service and  
7 illegal dumping enforcement.

8 ACTING COMMISSIONER COSTAS: So, in  
9 regards to those enhanced services, that relates to  
10 Brooklyn, Queens and Manhattan. Basically, the DSNY  
11 in consultation with various districts and different  
12 community concerns came up with this additional  
13 basket collection service, and to help offset some  
14 illegal dumping and enforcement in those areas.

15 [pause]

16 CHAIRPERSON REYNOSO: Did the 2019 Budget  
17 negotiated by the Council has \$3.5 million was  
18 included in the Adopted Budget for litter basket  
19 service, but not in Fiscal Year 2020. Why was this  
20 funding not included? This another service that was  
21 requested by the City Council to have expanded  
22 baskets service, and it's not in this year.

23 ACTING COMMISSIONER COSTAS: The \$3.5  
24 million that was actually funded by City Council took  
25 us through July—so through June 30<sup>th</sup>.

2 CHAIRPERSON REYNOSO: So, you're not  
3 going to pick that up this year? It's something that  
4 it's an initiative that you expect the Council to  
5 pick up or that we pay for? [pause] So, it was a  
6 one-shot deal and we needed to negotiate. What I'm  
7 trying to do is negotiate it to be baselined so that  
8 we can have the--the basket service permanent I guess  
9 in--in the--in the agency.

10 ACTING COMMISSIONER COSTAS: No, as a  
11 result of that we were--we saw some positive feedback  
12 obviously in our scorecard rating where 93% of our  
13 districts actually increased their score card rating  
14 over the previous year. So, we had 55 of our 59  
15 districts actually increase on their score card  
16 rating by the additional services.

17 CHAIRPERSON REYNOSO: So, we want to keep  
18 that grade high. So we want to keep the service, but  
19 it's not included in your budget. [background  
20 comments/pause] Right, because--so we--we don't have a  
21 problem having to renegotiate that number now that  
22 we've done better. Maybe we don't need as many  
23 people, but the \$3.5 million was supposed to provide  
24 a service that I think actually worked and succeeded  
25 in the fact that we have higher--higher grade marks.

2 Why not keep that, allow it to continue to exist if-  
3 if we're successful?

4 ACTING COMMISSIONER COSTAS: So, part of  
5 the challenge is the economic reality in New York  
6 City and we're responding accordingly to these  
7 mandatory saving targets, and we hope that New York  
8 City will still be able to--will still be able to  
9 provide efficient and core priorities to the public.

10 CHAIRPERSON REYNOSO: And--and I think  
11 we're going to just disagree on the--we want services  
12 to remain exactly the same, and if we saw a different  
13 from year to the next on the cleanliness of these  
14 streets because of a program, I'm concerned that the  
15 service is--is going to go away and we're going to see  
16 --and we're going to go back to a quality of life that  
17 we--that we were used to in the past. So, I just want  
18 to make sure that we don't--we don't decrease service  
19 in the cuts that we're asking for. And I just want  
20 to inform you that the City Council has actually gone  
21 back and gone through our own systems by which we  
22 think the city can save funding or save money. It  
23 doesn't' cut service, and we hope that you pay  
24 attention to that because I think there's some  
25 recommendations for the Department of Sanitation so

2 we can get to the number that the Mayor is looking  
3 for without cutting service, and what I'm hearing  
4 here now with the 115 people or workers, and the \$3.5  
5 million cut to basket services that we might be  
6 losing service. It's concerning to me, and again, I  
7 want to—I'll be better next hearing to outline what  
8 we think those cost savings can be and we can—we can  
9 have a conversation about that, but I do—I know  
10 Council Member Cabrera is here, and I want to give  
11 him some time to ask some questions. Council Member  
12 Cabrera.

13 COUNCIL MEMBER CABRERA: Thank you, Mr.  
14 Chairman. I just have just one quick questions. As  
15 you know, China in 2017 came with the National Sword  
16 Policy, which basically, they're no longer receive  
17 plastic, importing plastics from nations, and that  
18 account of about 45% of all the world's plastic was  
19 ending up in China. So, I'm curious to know where is  
20 our plastics going to at this moment.

21 ACTING COMMISSIONER COSTAS: Well, so  
22 currently our Recycling programs still—we're still  
23 bringing material to our vendors. There is no doubt  
24 that there will be impact based on China's decision  
25 to change what they classify as contaminated

2 recycling. On the end point, I do not know in terms  
3 of if they've actually stopped receiving from the  
4 vendors that we bring our material to. Bridget.

5 DEPUTY COMMISSIONER ANDERSON: Yes. So,  
6 New York City is somewhat insulated to this problem  
7 compared to many other cities in the country because  
8 we have a long-term contract with Sims and because we  
9 have such a high volume of material, we've been able  
10 to secure a lot of domestic markets for our material.  
11 It's not completely flawless (sic). So, with paper-  
12 mixed paper, and we have some challenges finding  
13 those outlets, but our plastics especially we have  
14 pretty good relationships domestic outlets. So,  
15 we're—we're—we're watching it very closely, and it  
16 certainly—it's hurting, but it's not as dire as is IN  
17 many other places.

18 COUNCIL MEMBER CABRERA: So, how long is  
19 that contract for?

20 DEPUTY COMMISSIONER ANDERSON: Our  
21 contract with Sims a 20-year contract with another  
22 with—with two 10-year optional renewals with law  
23 enforcing.

24 COUNCIL MEMBER CABRERA: [interposing]  
25 And then it expires when?

2 DEPUTY COMMISSIONER ANDERSON: It started  
3 in 2008.

4 COUNCIL MEMBER CABRERA: 2008 and so  
5 we're--

6 DEPUTY COMMISSIONER ANDERSON:  
7 [interposing] It's over 10 years and so we have long--  
8 we have a long relationship there because we have a  
9 state-of-the-art facility to sort material to get the  
10 highest value commodities out of it. So--

11 COUNCIL MEMBER CABRERA: But we're  
12 halfway through?

13 DEPUTY COMMISSIONER ANDERSON: We're--  
14 we're halfway through the first contract, yes or the  
15 first term exactly.

16 COUNCIL MEMBER CABRERA: And so how much  
17 of our plastics and papers are ending up right now in  
18 the landfill? What percentage?

19 DEPUTY COMMISSIONER ANDERSON: We are--we  
20 are finding markets for all of the recyclables with a  
21 need.

22 COUNCIL MEMBER CABRERA: For all of them?

23 DEPUTY COMMISSIONER ANDERSON: Yes,  
24 exactly.

25 COUNCIL MEMBER CABRERA: Okay.

2 DEPUTY COMMISSIONER ANDERSON: Yes,  
3 there's just--sometimes the--the cost isn't there, the  
4 value is not as high, and we're having to be  
5 creative, but we are finding outlets at this point.

6 COUNCIL MEMBER CABRERA: So, the--the  
7 forecast is that it's going to get more difficult or  
8 foreseen as we move forward, right?

9 DEPUTY COMMISSIONER ANDERSON: There are--  
10 the strict export restrictions continue to be tight.  
11 We are seeing a lot of investment that domestically.  
12 There are paper mills that are putting in equipment  
13 to help take more mixed paper. So, we're really  
14 relying on a lot of private sector investment, which  
15 is happening now to help create domestic markets.

16 COUNCIL MEMBER CABRERA: So, what's going  
17 to happen once you hit the wall? You know, the point  
18 where, you know, there won't be such a market for it?

19 DEPUTY COMMISSIONER ANDERSON: We're  
20 hoping we don't hit a wall, right? [laughs]

21 COUNCIL MEMBER CABRERA: Okay.

22 DEPUTY COMMISSIONER ANDERSON: And so,  
23 this is what it means--

2 COUNCIL MEMBER CABRERA: [interposing]

3 Well, it looks like it's going in that direction,  
4 right?

5 DEPUTY COMMISSIONER ANDERSON: So, I  
6 would say nationally this is a huge conversation.  
7 It's how do we actually invest domestically in our  
8 ability to respect raw materials here as opposed to  
9 exporting them.

10 COUNCIL MEMBER CABRERA: This was a study  
11 that was done at the University of Georgia. It was a  
12 very good study. As a matter of fact, they're  
13 finding that a lot of municipalities are having the  
14 plastics and the paper literally being thrown back  
15 into the landfill, which is kind of--

16 DEPUTY COMMISSIONER ANDERSON: Yes.

17 COUNCIL MEMBER CABRERA: --frustrating I  
18 would imagine for constituents. You're making us do  
19 all this work only to end up in the same place.

20 DEPUTY COMMISSIONER ANDERSON: Yes.

21 COUNCIL MEMBER CABRERA: And so, that's  
22 really one of my biggest fears--

23 DEPUTY COMMISSIONER ANDERSON: Yes.

24 COUNCIL MEMBER CABRERA: --that we work  
25 so hard to change the culture, and then to go back

2 to—to a place where people don't see the value, you  
3 know.

4 DEPUTY COMMISSIONER ANDERSON: Right. I  
5 would say we 100% agree with you there that—that we—  
6 we do not intend to roll back on recycling and that  
7 one of the things that I wanted to contact has  
8 allowed us that we've invested in these state-of-the-  
9 art facilities that many other parts of the state and  
10 the country don't have, and so we have a large volume  
11 of material, which helps secure domestic market  
12 contracts that other cities aren't as—as privy to.  
13 So, like I said, we're—we're not totally insulated,  
14 but we're in—we're in much better shape, and we're  
15 watching it daily, we're watching very closely what's  
16 happening.

17 COUNCIL MEMBER CABRERA: Do we—do we make  
18 money or do we have to pay?

19 DEPUTY COMMISSIONER ANDERSON: Both.  
20 [laughs]

21 COUNCIL MEMBER CABRERA: Okay. So, how  
22 does that work?

23 DEPUTY COMMISSIONER ANDERSON: We receive  
24 revenue, \$10 at time, revenue for our paper, and we  
25 do pay a tip fee for our metal, glass, plastic.

2 COUNCIL MEMBER CABRERA: Okay. Do you  
3 see the price going up for plastic or is that—or is  
4 that contract was already secure?

5 DEPUTY COMMISSIONER ANDERSON: There's a—  
6 we have fairly consistent tip fee rates. We do  
7 receive some revenue share from those materials when  
8 the markets are good.

9 COUNCIL MEMBER CABRERA: Okay. Alright.  
10 Thank you so much. Mr. Chair.

11 CHAIRPERSON REYNOSO: Thank Your Council  
12 Member Cabrera. So, speaking of—of Sims, we have a-a  
13 bottle bill that is being heard at the state level,  
14 and I'm extremely concerned about what I've seen so  
15 far because just—I guess I anted to get your take on  
16 what you think the best way to modify our bottle bill  
17 or bottle-- What do you call it? Bottle revenue  
18 service? What would we call it? Well, yes. Thank  
19 you. Sorry. Bottle redemption. How would—how would  
20 you build an ideal bottle redemption bottle  
21 redemption plan because I want to make sure we  
22 protect the city of New York in how we do this, but  
23 we must have a lot of people our streets that rely  
24 heavily on—on—on this service. I want to make sure  
25 it's viable long-term.

2 DEPUTY COMMISSIONER CIPOLLINA: So, we re  
3 definitely monitoring the Bottle Bill discussions in  
4 the state very closely. It is something that is very  
5 closely related to, as Council Member Cabrera, the  
6 revenues that Sims is able to get from the recycling  
7 stream. Those revenues then as Commissioner Anderson  
8 mentioned, they're passed onto the Department of  
9 Sanitation through our contract. So, we are  
10 monitoring it closely. I think that really the—the  
11 key factor here is the Bottle Bill is a—a bedrock  
12 foundation of recycling in New York State. It  
13 existed before curbside recycling existed, and it has  
14 diverted a significant amount of material. We  
15 continue to support the Bottle Bill as it—as it  
16 exists today, but we do have some concerns about the  
17 way that the potential expansion, the structure.  
18 There is value in the material that it would take out  
19 of the stream, and we want to make sure that the  
20 State and State Legislature as they're considering  
21 this expansion, talks to recycling processors, talks  
22 to municipalities including us, including other  
23 municipalities across the state to really understand  
24 what those implications could be.

2 CHAIRPERSON REYNOSO: And, I'm sorry.

3 Now we're getting into policy a little bit, but what-  
4 what do you think is good policy? Is what were doing  
5 now--can what we're doing now be done better? What we  
6 know is a lot of the canners that exist in our city  
7 go after the valuable stuff. That's--well, everything  
8 is five cents now. What would you do to I guess  
9 encourage the system that allows for them to continue  
10 their work, but also maximize the amount of product  
11 you're getting so that we're not subsidizing Sims and  
12 so forth?

13 DEPUTY COMMISSIONER CIPOLLINA: So, I

14 think the--the key thing that we look at and, you  
15 know, I think we--we have a lot of respect for the  
16 work that--that canners are doing, but when we look at  
17 our--our waste stream, which we do on a regular basis.  
18 We testified last summer on the Waste  
19 Characterization Study, and we look at--at what's in  
20 the metal, glass and plastic stream, and how value is  
21 that material, and unfortunately the glass that we're  
22 collecting because of the fact that it's mixed  
23 together, it's mixed with other products, all the  
24 different colors of glass get smashed and mixed  
25 together, and it's very difficult for that, for those

1 products to be separated in a way that—that can then  
2 be sold to make new products. It's really the glass  
3 that we should be focused on in terms of getting that  
4 out of the curbside recycling stream. Because if you  
5 can keep it separated, if you can keep the clear  
6 glass and the green glass and the brown glass in  
7 separate—separate streams, then you can actually  
8 potentially take that glass and make it into new  
9 glass products rather than down-cycling it into  
10 aggregate material or—or something along those lines.  
11 So, that's where we would suggest that we focus, but  
12 we're—we're very much engaged in the conversation at  
13 the state level and we're—we're watching very  
14 closely.

16 CHAIRPERSON REYNOSO: Good. So, in-in a  
17 facility in my district that does this counting work,  
18 the Redemption Center and Sure We Can, they do a very  
19 good job of sorting. They—they sort cans out from  
20 brands. You know that the Coca Cola is going on one  
21 side, the Pepsi goes somewhere else. Like it's very  
22 well done. I see that like there's an optimal  
23 partner in being able to sort different colored glass  
24 if it was valuable, but right now it isn't or it's  
25 just as valuable as again metal and plastic. So,

2 what you're saying is in then-in incentivizing that  
3 they take glass over metal and plastic? So that they  
4 work.

5 DEPUTY COMMISSIONER CIPOLLINA: The-the  
6 New York Association of Counties for example has  
7 recommended that the Bottle Bill instead of being  
8 expanded to non-alcoholic beverages, which are  
9 generally in plastic and aluminum, they expand it to  
10 glass, wine and liquor bottles. Those bottles can be  
11 many different colors, clear, green, and in some  
12 cases brown, and I think there's a real potential  
13 there to take those glass products out of our waste-  
14 out of our recycling stream so that the colors could  
15 be kept separate. They can be collected through the  
16 Redemption Center model, which as you mentioned is a  
17 really effective way of-of keeping products separate  
18 because in order to-in order to make sure that the  
19 deposit goes to the right place and comes from the  
20 right place, you have to-to keep those products very  
21 separate.

22 CHAIRPERSON REYNOSO: Alright. So, it  
23 would make sense

24 DEPUTY COMMISSIONER CIPOLLINA: Alright.  
25 So, it would make sense to lower the cost on products

2 that we want in the recycling system and—and increase  
3 costs on the things that we want out of it. So—so,  
4 you're pushing this in the state right now is what  
5 you're saying.

6 DEPUTY COMMISSIONER CIPOLLINA: We're—  
7 we're very closely monitoring the discussions in the  
8 state. There are a lot of folks that are advocating  
9 at the State level around this topic, and we're—we're  
10 very much involved in those conversations.

11 CHAIRPERSON REYNOSO: Okay. I guess if—I  
12 think we should have a conversation about what we—we  
13 can do to make sure that we look out for the best  
14 interest of the city of New York, and there are a lot  
15 of advocates in the accounting world that would love  
16 to be a part of the conversation as to what it looks  
17 like, and we should allow for them to be at the table  
18 to do that. Because I wouldn't mind the alcoholic  
19 beverage bottles to be worth 25 cents a piece. I  
20 guarantee they'll be cleaned out, and separated  
21 appropriately out of your stream. They make money.  
22 We make money or—or allow for the right products to  
23 be in the stream. I think there's a happy harmony  
24 that we could have here, right, and it would—it would  
25 go a long way. So, I want to make sure that we allow

2 for canners to be a part of that conversation as  
3 well.

4 DEPUTY COMMISSIONER CIPOLLINA: We—we  
5 agree with you entirely and our focus is to make sure  
6 that—that whatever happens with the Bottle Bill at  
7 the State level has a really thoughtful dialogue and  
8 all stakeholders whether they're municipalities,  
9 canner, redemption centers, bottlers, whomever that—  
10 that everyone is at the table, and—and, you know,  
11 we're really considering the impacts of whatever  
12 decision is made.

13 CHAIRPERSON REYNOSO: Thank you and  
14 you're not worried that we're going to get a bad deal  
15 in the state?

16 DEPUTY COMMISSIONER CIPOLLINA: We're  
17 watching it very closely.

18 CHAIRPERSON REYNOSO: Okay. Alright.  
19 Salt. So, we—Council Member Cabrera as well, we has  
20 walked. We a huge issue with a lack of salt in  
21 November in one snowy incident. There were many  
22 reasons why that happened so I'm not saying that  
23 there was a lack of salt because we didn't have salt,  
24 but more the trucks couldn't move through our  
25 communities because of the amount of traffic that

1  
2 existed. So, there is a—how do I say this? This is  
3 to say—let me say a personal experience. So this is  
4 not fact. So, I'm going to give you an anecdote. In  
5 November there was no salt. In December there was  
6 extra salt. So, I would like to ask has there been  
7 an increase in the amount of salt used by the  
8 Department of Sanitation from November let's say to  
9 December? Has there been an increase? So, and I'm  
10 sorry, and I guess I want to make sure that if you're  
11 using more salt it's merit based not—you're not doing  
12 it because a couple of council members were screaming  
13 about the amount of snow in November. So you give  
14 them more salt in December. I want to make sure that  
15 we stay away from the politicians. Just do a good  
16 job.

17                   ACTING COMMISSIONER COSTAS: Okay, so as  
18 a result of that November snowstorm, that event, the  
19 department has taken a forward leaning posture in  
20 terms of reacting sooner to weather forecasts.  
21 Unfortunately, the weather forecasts have not been as  
22 reliable in terms of how they wind up turning out.  
23 Many of the events wound up changing over to rain,  
24 and in the most recent one last week where we had the  
25 potential of up to 10 inches of snow, we actually

2 sound up with 6 inches. So, you will actually, yes,  
3 you're going to see our equipment out on the street  
4 spreading salt ahead of an event, but I actuality  
5 based on the number of activations that we've had,  
6 we've had 17 deployments this year, and in actuality  
7 versus last year, it happens to be a lot of events  
8 that unfortunately didn't materialize. In each  
9 event, whenever there is forecasting, whenever there  
10 is snow in the forecast, we still have a  
11 responsibility to spread salt over all 6,500 miles to  
12 make sure that the vehicles can get around safely.  
13 If, in fact, the weather doesn't materialize, so be  
14 it. So, it isn't necessarily a reaction just based  
15 on the City Council as opposed to we're dealing with  
16 the forecast as they come in.

17 CHAIRPERSON REYNOSO: So two questions  
18 there. The first one is: Per what you call incident I  
19 guess. What did you call it?

20 ACTING COMMISSIONER COSTAS: It could be  
21 an incident or deployment.

22 CHAIRPERSON REYNOSO: Yeah, is there a  
23 change in how much salt you're putting out in those  
24 streets?

2           ACTING COMMISSIONER COSTAS: No, trucks  
3 are already set in terms of how much salt they—that  
4 comes out of the back of their truck. The same thing  
5 with the calcium chloride. That is pre-set already.  
6 So, you may see the start of it earlier, but in terms  
7 of actually more salt, no. Once we've covered the  
8 city or once we feel we're in a comfortable stage  
9 within an event, we obviously then change to not  
10 spreading full citywide.

11           CHAIRPERSON REYNOSO: So, the Preliminary  
12 Plan includes \$2.1 million to hire four uniform and  
13 five civilian staff to enhance snow responses. Okay,  
14 I guess in the grand scheme of things, nine employees  
15 is supposed to do what to help us with our snow  
16 issues?

17           ACTING COMMISSIONER COSTAS: So, out of  
18 the November event we did receive confirmation that  
19 we could purchase brine trucks for the next coming  
20 winter. So that—that has gone forward. That is  
21 going to be 10 large brine trucks, 14 smaller brine  
22 trucks and 10 addition salt spreaders. So, based on  
23 the fleet of 34 vehicles that's why have five  
24 civilians, which are actually mechanics that would be  
25 required to maintain them based on the ratio of

2 equipment we have. With regards to the four uniform  
3 individuals, those are going to be individuals who  
4 will be dedicated to working out of the JTMC who will  
5 be there for situational awareness and be able to  
6 interact with what we're seeing on the traffic  
7 cameras, and again direct communication between both  
8 headquarters as well as those pieces of equipment  
9 that are working in the street.

10 CHAIRPERSON REYNOSO: So, I have follow-  
11 up questions. Is brine more expensive than salt, and  
12 why are we considering using brine? Have we ever  
13 used it? Just it's a new-to me it's new, so, can we  
14 just talk about why you think we should be using  
15 this, and whether it's a cost saving issue or--?

16 ACTING COMMISSIONER COSTAS: So,  
17 ultimately brine is basically liquefied salt. By us  
18 putting down ahead of a snow event, we're hoping to  
19 suppress the accumulation of snow that does come down  
20 so that it doesn't actually bond to the roadway. We  
21 don't know yet if when it's all said and done that  
22 saves from using salt on the back end, but what we've  
23 done so far since the November event is we do have a  
24 handful of small pieces of equipment where we've been  
25 testing brine in smaller applications to see if it

2 makes a difference, and so far we've seen that it's  
3 been a positive result.

4 CHAIRPERSON REYNOSO: For snow, but what  
5 about our streets? What are then environmental  
6 effects of using brine over salt?

7 ACTING COMMISSIONER COSTAS: It is  
8 basically liquefied salt. So, there is no  
9 difference.

10 CHAIRPERSON REYNOSO: There is no  
11 difference. So, it doesn't tear up the roads any  
12 faster or any slower?

13 ACTING COMMISSIONER COSTAS: Correct.

14 CHAIRPERSON REYNOSO: Brine is liquid so,  
15 it's going through the roads more I guess evenly  
16 distributed? But you're saying that it has the same  
17 effects as rock salt, the brine has the exact same  
18 effect?

19 ACTING COMMISSIONER COSTAS: Correct.

20 CHAIRPERSON REYNOSO: Okay. Alright,  
21 we're going to revisit that longer term because I  
22 want to see—because when was brine, or how long has  
23 brine existed in our—and how long has it ever  
24 existed? Is it a new product I guess? Is it a new  
25 product that was invented last year?

2 ACTING COMMISSIONER COSTAS: No, so there  
3 was--

4 CHAIRPERSON REYNOSO: [interposing] So,  
5 why is it cool now, and it wasn't cool last year?

6 ACTING COMMISSIONER COSTAS: Over the  
7 past couple of years we've tried multiple products:  
8 Beet juice, pickle juice. There have been variations  
9 of products that we've tried.

10 CHAIRPERSON REYNOSO: Is that pickle  
11 juice?

12 ACTING COMMISSIONER COSTAS: Yeah, but  
13 ultimately the liquefied salt and the brine that  
14 we're using we think is compatible with our equipment  
15 in terms of our ability to--to dispense, store it, and  
16 not have a challenge in terms of maintaining it. So,  
17 again, we've tried various different applications.  
18 We've seen other municipalities use it, and we  
19 certainly think that it's worth giving it a shot in  
20 terms of what the positives can come away from it in  
21 terms of being ahead of an event, and ultimately  
22 potentially using less rock salt than is always  
23 there. That's what part of the goal is.

24

25

2 CHAIRPERSON REYNOSO: Okay and it's—is it  
3 more affordable by—by block I guess, by—by street  
4 mile than rock salt?

5 ACTING COMMISSIONER COSTAS: I do not  
6 have the cost comparison for that.

7 CHAIRPERSON REYNOSO: Okay. Can we see—  
8 because if we're going to eventually move on from  
9 rock salt let's say to brine citywide, we have to  
10 know its cost.

11 ACTING COMMISSIONER COSTAS: Uh-hm.

12 CHAIRPERSON REYNOSO: Right, how much it  
13 costs. So, I would like to know that number. I'm  
14 just interested as to why we're doing, using brine  
15 now, and we haven't used it in the past because I'm  
16 pretty sure it's existed for quite some time, and if  
17 it was better, we should have been ahead of the curve  
18 on that and not behind it. I guess-- [pause] Okay, I  
19 think we're—we're okay. I appreciate your time. I  
20 appreciate your answers to the questions. I'm  
21 looking forward to following up in our next budget  
22 hearing on a couple of the concerns that I have, and  
23 I just want to I guess reiterate that my concern is  
24 we're not doing enough on organics. It doesn't mean—  
25 it doesn't seem like you're getting the support you

2 need to be able to accomplish Zero Waste, and it  
3 doesn't look like we're taking it serious, but it is  
4 your plan, and it frustrates me that I have to ask  
5 you what you're doing about your initiative and your  
6 plan, and again, I just hope I have better answers  
7 about organics the next time around, and I really do  
8 appreciate your time. Thank you for answering all of  
9 the questions, and thank you.

10 ACTING COMMISSIONER COSTAS: Thank you,  
11 sir.

12 CHAIRPERSON REYNOSO: Thank you. So the  
13 Department of Sanitation portion of the hearing is  
14 now over, and in a couple of minutes we will begin-in  
15 9 minutes we will being our Business Integrity  
16 Commission portion. So, thank you all for being  
17 here. [pause] Alright. [gavel] Hello,  
18 Commissioner. How are you doing?

19 COMMISSIONER BROWNELL: [off mic] I'm  
20 just fine.

21 CHAIRPERSON REYNOSO: Good afternoon.  
22 Yes, it's the afternoon. It's been a busy week. So,  
23 but it's a budget hearing. So, we-we can't talk  
24 about policy even though we'll get into some of it.  
25 I'm-I'm really grateful you're here.

2 COMMISSIONER BROWNELL: Yes.

3 CHAIRPERSON REYNOSO: And just want to  
4 thank you for your work. Very happy again. A good  
5 week. We lost Kiera Feldman. So, that's not a good  
6 thing, but her work has allowed us to really rethink  
7 the way we do work in our city related to private  
8 sanitation, and I really feel like we're both better  
9 for it, and I think BIC is really showing, you know,  
10 what we all hoped they would be long term. So, I'm--  
11 I'm really grateful. So, I'm really happy with the  
12 work you've done recently.

13 COMMISSIONER BROWNELL: Thank you.

14 CHAIRPERSON REYNOSO: So, I want to thank  
15 you for that, and I want you to take it away as you  
16 see fit.

17 COMMISSIONER BROWNELL: Sure.

18 CHAIRPERSON REYNOSO: But you're going to  
19 get sworn in, though. There you go.

20 LEGAL COUNSEL: Please raise your right  
21 hand. Do you affirm to tell the truth, the whole  
22 truth, and nothing but the truth in your testimony  
23 today, and to Council Member questions honestly?

24 COMMISSIONER BROWNELL: Yes.

25 LEGAL COUNSEL: Thank you.

2 COMMISSIONER BROWNELL: So, [coughs] Good  
3 afternoon Chair Reynoso, and member-members of your  
4 staff of the Solid-Sanitation and Solid Waste  
5 Management Committee. I'm Dan Brownnell,  
6 Commissioner and Chair of the New York City Business  
7 Integrity Commission. To my right is First Deputy  
8 Commissioner and General Counsel Noah Genel and to my  
9 left is Assistant Commissioner of Finance and  
10 Administration, Cindy Haskins, and then behind us are  
11 other members of BIC's staff including Bonfoy. So,  
12 and again I'm well aware, of course, that you and  
13 your staff know about BIC, but I [coughs]--I will  
14 begin with some background information about our  
15 agency. We are both a law enforcement and regulatory  
16 agency with a total budget for 2020 of \$9.28 million.  
17 BIC currently has a total of 79 employees, which  
18 includes 11 investigators, 11 attorneys, 7 auditors  
19 and 8 Intelligence analysts. In addition, we work  
20 with a squad of detectives from the NYPD's Criminal  
21 Enterprise Investigations section who are physically  
22 stationed in BIC's offices. Our investigators and  
23 attorneys frequently work with The C-E-I-S detectives  
24 of the NYPD on long-term criminal investigations.  
25 BIC was created though Local Law 42 of 1996 to

2 regulate the commercial garbage hauling or trade  
3 waste industry and rid it of the—from the grip of  
4 organized crime and other corruption. The agency was  
5 originally known as the Trade Waste Commission, but  
6 soon after its creation the City Council expanded the  
7 agency's jurisdiction to include oversight of the  
8 public wholesale markets, which include the produce  
9 and meat markets and the new Fulton Fish Market in  
10 the Bronx along with two other meat markets, one in  
11 the meat packing district in Manhattan and the other  
12 in the Sunset Park section of Brooklyn. After the  
13 markets were put under our jurisdiction, the agency's  
14 name changed to the Business Integrity Commission.  
15 We play a unique role in city government, and we work  
16 to regulate and improve these once troubled  
17 industries. In fact, there is no other agency quite  
18 like BIC anywhere in the country. Our comprehensive  
19 background check process is the essential of BIC's  
20 oversight. That process consists of thorough  
21 investigations into the owners, key employees and  
22 finances of our applicants. We seek to ensure that  
23 those companies are not operated by or in any way  
24 connected organized crime or other corrupt  
25 influences. After more than two decades of BIC

2 regulation, these industries are not far better than  
3 they were. As a result, the agencies continue to  
4 evolve of the last several years to address new  
5 challenges. Collecting and transporting trade waste  
6 particularly in New York City is a dangerous and  
7 strenuous job. The collection trucks are huge and  
8 must share the road with many other motor vehicles  
9 along with cyclists and pedestrians. As a result,  
10 this administration has made safety in the industry  
11 and down city streets a priority. Our jurisdiction  
12 over safety in the trade waste industry is limited,  
13 but we work within our powers to improve safety on  
14 our streets. Since 2016, BIC has been an integral  
15 members of the Vision Zero Task Force, which part of  
16 Mayor Bill de Blasio's Vision Zero Initiative to end  
17 traffic deaths and injuries in New York City. Vision  
18 Zero was founded on the—the assertion that every  
19 death or serious injury involving a motor vehicle in  
20 New York City is one too many. The focus is on  
21 protecting the life of everyone who lives in, works  
22 in, and visits our city. BIC is doing our part to  
23 achieve this goal. In the fall of 2018 we passed  
24 addition safety related rules for the trade waste  
25 industry. Trade waste companies now must notify BIC

2 of all crashes in which their vehicles are involved,  
3 and must maintain written policies and procedures  
4 regarding compliance with all relevant laws, rules  
5 and regulations of federal, state and local  
6 government authorities. Additionally, the new rules  
7 require the companies to increase the minimums on  
8 various business related insurance policies. BIC  
9 also continues to promote the Universal Trade Waste  
10 Safety Manual that was created in 2018 along with  
11 some of our partner agencies, and members of the  
12 trade waste industries, and I would also indicate  
13 also the organized labor helped us in that project as  
14 well. To date, we have distributed hundreds of  
15 copies of the manual, which is also available on our  
16 website. We are currently working on second edition  
17 of the manual and on instructional videos to go along  
18 with it. On January 14<sup>th</sup> of 2019, BIC hosted a  
19 workshop on the Safety Manual termed *A Train the*  
20 *Trainers Event*. A represent—a representative of the  
21 city's Department of Transportation led the training  
22 for managers, drivers and helpers from numerous trade  
23 waste companies to assist them in providing more  
24 effect strategies to train their workers in various  
25 safety practices and procedures. The event was a

2 great success with approximately 80 attendees. We  
3 intend to host similar events in the future. In  
4 addition, BIC has prioritized traffic safety for the  
5 trade waste industry conducting a number of joint  
6 enforcement operations with the NYPD targeting  
7 unlawful operation of trade waste trucks. We thank  
8 the NYPD for helping us address the problems of  
9 speeding, running, and running red lights and other  
10 vehicle and traffic law violations by trade waste  
11 trucks. Since last summer the NYPD and BIC have  
12 conducted approximately 15 joint operations, which  
13 have resulted in the issuance of more than 1,100 NYPD  
14 summonses along with more than 80 BIC administrative  
15 violations. The majority of the BIC violations were  
16 for undisclosed drivers comingling recyclables with  
17 garbage and license plates not properly affixed to  
18 the trucks. Perhaps most importantly 19 unsafe trade  
19 waste trucks were put out of service on the spot and  
20 towed. BIC looks forward to continuing to work with  
21 the NYPD on this Initiative. Lastly, with respect to  
22 safety, in January 2019, BIC hired a Safety Data  
23 Analyst. This is a new created position at the  
24 agency, and demonstrates our commitment to safety.  
25 This analyst reports directly tot the First Deputy

2 Commissioner and General Counsel, and is tasked with  
3 compiling all safety related data at the agency, and  
4 helping us make good use of it to improve safety in  
5 the trade waste industry. The goal is for BIC to be  
6 more proactive in terms of safety trying to find  
7 patterns and trends in the data to help inform our  
8 policies. One of BIC's focuses this year is  
9 continuing to educate companies on the requirements  
10 set forth in Local Law 145 of 2013, which the New  
11 York—which is New York City's Vehicle Emissions Law  
12 relating to the trade waste industry. This law  
13 requires all heavy duty trade waste vehicles to be  
14 equipped with either an EPA certified 2007 or later  
15 engine or utilize specific retrofit technology on  
16 2006 or older vehicles. The compliance date is  
17 January 1<sup>st</sup> of 2020. So far the industry in general  
18 has been slow to make the necessary changes to the  
19 fleets. Compliance cannot be achieved overnight  
20 particularly for larger companies. BIC has been  
21 issuing frequent directives to the industry to  
22 provide them with further information and resources  
23 regarding the implementation and effects of this law,  
24 and we are working closely with DEP to organize a  
25 resource fair to connect companies with the various

2 vendors that provide retrofits, but the bottom line  
3 is that time is growing short, and it is the  
4 company's responsibility to comply with the Vehicle  
5 Emissions Law. BIC is empowered to deny license and  
6 registration applications for failure to comply with  
7 that law, and BIC will use its authority to take a  
8 strong stand against companies that flout this  
9 important environmental initiative. BIC has begun  
10 issuing administrative violations to companies that  
11 have not provided vehicle information to BIC as  
12 directed. Organized unions have been a key partner  
13 in improving safety in the trade waste industry.  
14 Understanding the needs of workers in the industry,  
15 their jobs and the challenges they face is an  
16 essential to making industry and the city as a whole  
17 safer. Last month I testified in front of this  
18 committee in favor of three bills relating to unions.  
19 I am pleased that on February 28<sup>th</sup> the City Council  
20 passed them. We have a strong relationship with a  
21 number of other agencies that enforce labor laws, and  
22 have been speaking to them about this new  
23 legislation. We will continue to collaborate with  
24 them, and hopefully establish new relationships with  
25 other agencies to help empower workers in the trade

2 waste industry. Additionally, we are working with  
3 the Department of Consumer and Worker Protection as  
4 we develop the Workers Bill of Rights for the trade  
5 waste industry. The PMMR is a measure of BIC's  
6 accomplishments, efforts and goals in carrying out  
7 our law enforcement and regulatory duties preserving  
8 a competitive and fair environment in the industries  
9 we oversee. BIC fulfills its mandate through  
10 various—through vigorous background investigations,  
11 criminal and administrative investigations, and the  
12 development and enforcement of our regulations. With  
13 respect to administrative violation, BIC issues  
14 significantly more violations to our licensed and  
15 registered trade waste companies this fiscal year  
16 compared to the same four-month period last fiscal  
17 year. This increase is primarily due to trade waste  
18 companies failing to comply with Commission  
19 directives such as providing BIC with vehicle data as  
20 it relates to the Vehicle Emissions Law. Regarding  
21 enforcement in the city's public wholesale markets,  
22 the number of violations issued remains consistent  
23 with the same four-month period a year ago. This  
24 year BIC issued 22 violations in 2018 compared to 23  
25 violations during the same period of 2019. While

2 improving the efficiency in the application process  
3 continues, BIC must maintain its high standard of  
4 background review and investigation for all of our  
5 applicants. These investigations are dynamic  
6 depending on the available intelligence and some can  
7 become quite complex and lengthy. That being said,  
8 BIC strives for balance between the competing goals  
9 of a thorough background investigation process and  
10 improved productivity. Approval time on market  
11 applications has improved overall. The average age  
12 of a pending market application has decreased by 31%.  
13 The average time to approve such an application has  
14 decreased by 45% due in part to the high renewal  
15 application cycle for trade waste applications for  
16 applicants. The number of pending trade waste  
17 hauling applications has increased by 41% in the  
18 first four months of Fiscal Year 2019 compared to the  
19 same period of Fiscal 2018. The average time to  
20 approve a trade waste renewal application has  
21 increased by 19%. In addition to the renewal cycle,  
22 there were also a number of investigations and other  
23 project that required increased attention from BIC's  
24 staff including attorneys, investigators and  
25 auditors. Those matters took staff time away from

2 processing applications. Despite these challenges  
3 because we prioritize reviewing new trade waste  
4 applications as opposed to renewals, the average time  
5 to approve a new trade waste hauling application has  
6 remained steady. This is an--this is important  
7 because new applicants cannot operate unless their  
8 applications are approved. While companies  
9 submitting renewal applications can continue to  
10 operate while their applications are under review. In  
11 conclusion, this summarizes our recent work because  
12 looking forward to the challenge so the year ahead  
13 including continuing to approve safety the trade  
14 waste industry and ensure compliance with the Vehicle  
15 Emissions Law. I look forward to your questions.

16 CHAIRPERSON REYNOSO: Thank you  
17 Commissioner. In your testimony I just wanted I  
18 guess to another policy question, and I wanted some  
19 of you to help me just clarify what our goal is.  
20 With the 15 joint operations, which resulted in 1,100  
21 summonses and over 80 BIC administrative violations  
22 my concern has always been that these businesses  
23 force their drivers to operate under, you know,  
24 terrible circumstances--

25 COMMISSIONER BROWNELL: Uh-hm.

2 CHAIRPERSON REYNOSO: --and when they do  
3 that, and the NYPD stops them, the ticket goes to the  
4 driver, and this driver that makes very little money  
5 and is getting, you know, is held accountable by  
6 bosses trying to ensure the bottom line, I just get  
7 concerned we're going after the wrong people. Can we  
8 just have a I guess, you know, how you--how you feel  
9 policy wise about how--on who we should be going after  
10 I guess, and my concern that I'm not necessarily  
11 proud of the 1,100 summonses that are to these  
12 drivers that I think are, you know, are going there  
13 forcefully. Like they're not--they're not, you know,  
14 I guess their trucks don't have a license plate.  
15 It's not their truck. It's the business' truck and  
16 so froth, but they're being held accountable for the  
17 ills of their bosses. So, I just want to have a  
18 conversation with you about what you think about that  
19 policy.

20 COMMISSIONER BROWNELL: So, why don't I  
21 let--Noah is the one that actually oversees that, and  
22 then I'll probably have something because I  
23 definitely have a view on this.

24 CHAIRPERSON REYNOSO: Alright.

2 GENERAL COUNSEL GENEL: So, first with  
3 respect to the administrative violations that BIC  
4 issues those go to the company, and so and then with  
5 respect to the summonses it is true that the  
6 summonses are going to the drivers, but for example  
7 if you're running a red light, I understand that some  
8 of them work very densely populated routes, and they  
9 are rushing to get to—from stop to stop, but in the  
10 end you're driving what can be a very dangerous  
11 vehicle on very crowded streets. And things like  
12 running a red light and other VTL, Vehicle and  
13 Traffic Law violations are very serious, and so  
14 that's why we paired with the NYPD to try and  
15 increase the enforcement on that because as the  
16 Commissioner said, we have 11 total investigators,  
17 and so we need—it's very helpful to pair with the  
18 NYPD to do those—that kind of enforcement.

19 CHAIRPERSON REYNOSO: So—so while I don't  
20 disagree with you that running a red light is running  
21 a red light, and we have to enforce it, let's say you  
22 give just any driver, you give them 10 points on a  
23 license. If you give a business 10 points and say if  
24 your driver runs a red light, you lose a point. I  
25 guarantee the routes will change. There will be less

2 people rushing, and 1,400 stops won't be a thing of  
3 the norm or you will build in systems by which an  
4 owner would encourage good behavior. This happens in  
5 TLC. TLC holds the bases accountable for any  
6 violations that the drives accumulate. So, that if  
7 you have five bad drivers that you get held  
8 accountable as a base not only the driver, and this  
9 helps change behavior because then those bases either  
10 fire their drivers or tell the drivers that they need  
11 to improve, and then the violations go down. Do we  
12 have—I see and then the administrative violations are  
13 they independent of the drivers or of the situations  
14 that happen with the drivers or--? For example, you  
15 found a driver that has—that ran a red light, are the  
16 BIC administrative violations tied to it, and I guess  
17 for budgeting reasons is the reason why I would ask  
18 this for budget. I just want to know how much  
19 resources you're spending on going after drivers as  
20 opposed to the businesses and how—how that's shared.

21 GENERAL COUNSEL GENEL: So the  
22 administrative violations are issued at the time of  
23 the traffic stop, but they are separate from the  
24 reason for the traffic stop. So, for example if it's  
25 comingling, which, you know, has been a main—has been

2 a focus of ours over the last couple of years, if  
3 they're stopped for example running a red light or  
4 some other reason, if the NYPD stop them, our  
5 investigators are looking for something different.  
6 And so if we see comingled recyclables with  
7 putrescible garbage in the back of the truck that's  
8 the kind of thing that they're--be issued by our  
9 investigators.

10 CHAIRPERSON REYNOSO: Okay. So, I'm  
11 going to be looking at a legislative change. I think  
12 that, of course, with rezoning a lot of this stuff  
13 becomes a moot point or is not necessarily important,  
14 as important, but for right now while we're having  
15 this conversation, I want to make sure that hold the  
16 business accountable who I think are putting the  
17 drivers through this situation. Now, remember the  
18 drivers are not getting paid anything, and they've  
19 got to pay these fines. It--it hurts their bottom  
20 line, and the people that are not being affected are  
21 again like the businesses. I just want to make sure  
22 that we put that--put it in its perspective and  
23 balance, and it shouldn't be equal, but businesses  
24 should be being held more accountable than the  
25 drivers.

2 GENERAL COUNSEL GENEL: Great so--

3 CHAIRPERSON REYNOSO: [interposing] Now  
4 if you have a bad driver the businesses can regulate  
5 and fix that, but if a bad driver has a bad-if a  
6 driver has a bead employer, it's very near, that  
7 person can do job security.

8 COMMISSIONER BROWNELL: So, if I can just  
9 chime in a little.

10 CHAIRPERSON REYNOSO: yes.

11 COMMISSIONER BROWNELL: I think the  
12 responsibility has to be both-with both the companies  
13 and the drivers. First of all, you don't have to  
14 convince me that there are far too many companies in  
15 this industry that basic-that essentially work their  
16 drivers and helpers into the ground. We just had  
17 one, of course, that occupied a good bit of this  
18 summer and fall who is thankfully no longer in  
19 operation. So again, you don't have to-and that I  
20 hope is the extreme example in this industry, but  
21 there are other companies that do that far to excess.  
22 That having been said, it's the driver who's the one  
23 behind the wheel, and we have to hold the drives  
24 responsible as well when they do dangerous things  
25 like run lights, speed, go the wrong way on one-way

1 streets. You've seen some of—I'm sure you've seen  
2 some of the footage. I think—what is it? Inside.  
3 Edition had some fairly horrifying videos that looked  
4 like, you know, Sixth Avenue in Midtown in a—in a  
5 garbage truck going literally from one side of the  
6 street, you know, crossing five or six lanes to the  
7 other side. I mean that is just crazy. So, as I  
8 said, I think both have to be addressed in terms of  
9 the responsibility, and hopefully soon with the—with  
10 the Commercial Waste Zone Bill, the—the—what we're  
11 calling the Safety Bills will be considered. One  
12 really enables us to hold the—the companies much more  
13 liable because we can create many more rules with  
14 regard to safety. For me the thing that I've  
15 learned, you know, to a—to a large extent with the  
16 help of—of good organized labor, who sat down with  
17 us, if we look at this one statistic along, which is  
18 the length of time they have, those drivers out on  
19 the road, for me that tells me everything I need to  
20 know about the way that company operates. Because if  
21 they're excessive, then they're—they're basically  
22 screwing their workers every other way that they can  
23 in addition to having them out on the road too long.  
24 And then the other part of that bill, which I know is  
25

2 a little bit of a touchy part, where—where we would  
3 license drivers. I think that's also critical. We  
4 do it in TLC, and we do it in another industry, which  
5 was really screwed up, which is the tow truck  
6 industry. And so, I think both of those are really  
7 critical, but as you've indicated, I certainly agree  
8 with you that it's a balance between the companies  
9 and what, you know, how long the routes are that they  
10 have to do, and what—and how much time they have to  
11 do it, and, of course, the drivers that are actually  
12 behind the wheel.

13 CHAIRPERSON REYNOSO: Yeah, it's been—the  
14 power dynamic has been so one-sided that while I get  
15 that we need to make sure everyone is—is held  
16 accountable, we really need to ring out—reign—reign  
17 in these companies, and I guess we're taking it one  
18 step at a time, and the after that, we'll have  
19 another conversation.

20 GENERAL COUNSEL GENEL: So, if I can—so  
21 this is I think one of the challenges for you and I  
22 or us and you guys is we've got to figure out a way  
23 and we—there are some federal preemption issues that  
24 are—that are a little tricky to mandate or put a cap  
25 on the number of hours that drivers can be out on a

2 shift, and the number of hours that they can be out  
3 in a week. If we can get that to manageable amount  
4 and, of course, we'll want to have DSNY's good  
5 counsel on what they do, you know, for their agency.  
6 I think that's going to go a long way to improving  
7 safety.

8 CHAIRPERSON REYNOSO: I agree 100%. I  
9 think we've had that conversation offline a couple of  
10 times, but I agree. I wish we had more control as to  
11 how--how many hours a vehicle operator is allowed to--  
12 to--

13 COMMISSIONER BROWNELL: Exactly.

14 CHAIRPERSON REYNOSO: --to-to operate.  
15 So, I--we are on the same page then. I'm looking  
16 forward together to try to try to figure that out.  
17 So, you have budgeted headcount of 93 personnel, but  
18 what see and actual headcount of 79 but they say that  
19 you're budgeted for 93. Can--my big concern there is  
20 that given the pegs that the Mayor is proposing here,  
21 what ends up happening is that they go after the  
22 agencies that didn't fill in their headcount, and  
23 even though my might have a need there, they cut you  
24 off because it's easier to not have--to--to cut what  
25 you don't have than it is to agencies that do have

2 something. So, I just want to know where you're at  
3 with that, and I want to make sure I protect your  
4 headcount.

5 COMMISSIONER BROWNELL: So, I'll let Ms.  
6 Haskins start and then I'll probably chime in after  
7 that.

8 ASSISTANT COMMISSIONER HASKINS: [off mic]  
9 Well, as you said, it is [on mic] a—we are working  
10 with OMB. It is a new budget reality and, you know,  
11 we're making difficult choices, and we're doing what  
12 we can with what we have right now.

13 CHAIRPERSON REYNOSO: So—so am I right  
14 that you have a headcount, an actual headcount—a  
15 budgeted headcount for 2019 of 93?

16 ASSISTANT COMMISSIONER HASKINS: 92 plus  
17 1 federal line.

18 CHAIRPERSON REYNOSO: But the actual  
19 headcount right now is 79?

20 ASSISTANT COMMISSIONER HASKINS: That's  
21 correct.

22 CHAIRPERSON REYNOSO: Is it an issue of  
23 hiring? Like what—why is it that we can't get to the  
24 92 plus 1?  
25

2 ASSISTANT COMMISSIONER HASKINS: The—once  
3 the freeze was put in place we're at 79 and we're  
4 working with OMB to see what we can do.

5 CHAIRPERSON REYNOSO: So there was a—so,  
6 there was freeze put in place where you can't even  
7 increase your 79 and now there'd going to be peg that  
8 puts it so that that 9, that 93 headcount might be  
9 eliminated, and that's concerning. I want to have a  
10 conversation with OMB when they're—when they return  
11 about that. It puts you at a—at a huge disadvantage  
12 here especially when I'm asking you to do a lot. I  
13 think the public is asking you to do a lot, and we're  
14 not matching that level of responsibility and urgency  
15 with a headcount that's appropriate so that you can  
16 do your job. So, we're paying attention to that. I  
17 didn't know it was because of the freeze. I just  
18 thought you were having trouble hiring people or  
19 finding good people, but that's not the case. You've  
20 been—your hands are tied behind your back. You don't  
21 need to say much. I—I got it, Commissioner. We do  
22 have here the Preliminary Plan includes \$195,000 in  
23 Fiscal Year 2019 going to \$298,000 in 2023 to hire  
24 four safety enforcement personnel to work with—in  
25 BIC's Investigative Unit. What was your original ask

2 to OMB to fill these positions, and how much did you  
3 actually get? So, I—I want to know what it looks like  
4 internally when you're negotiating with OMB. Was it  
5 more than four that you asked for?

6 ASSISTANT COMMISSIONER HASKINS: It was.  
7 It was 21.

8 CHAIRPERSON REYNOSO: Okay. So, you asked  
9 for 21 and you get 4.

10 ASSISTANT COMMISSIONER HASKINS: We did  
11 have a lot of conversations from the 21 to the 4. We  
12 were asked to prioritize them. I prioritized the  
13 people. Ultimately, we did get 2 Investigators, a  
14 Safety Data Analyst and a Programmer, and we did hire  
15 three of those people already.

16 CHAIRPERSON REYNOSO: So, I—I fortunately  
17 passed Intro 1329 in the City Council and it's  
18 probably going to be signed by the Mayor. My concern  
19 now if you're hiring freeze and the potential pegs is  
20 that this new responsibility of having to investigate  
21 union—union officials or union—I'm sorry. [background  
22 comments] Union officers, right you're going to need  
23 more people to do that job. I'm giving you more  
24 responsibility and now I'm concerned that you might  
25 not be able to fulfill your responsibility because of

2 the lack of employees. How much—how much—how many  
3 new personnel do you think you need to—to fulfill the  
4 responsibilities of Intro 1329?

5 ASSISTANT COMMISSIONER HASKINS: We are  
6 working with OMB on that. We've already had  
7 conversations with them, but it's preliminary, and,  
8 you know, whatever we do, we're going to make it  
9 work. So, we'll just continue to talk with them.  
10 We've got some time before 1429 is—is enacted. I  
11 don't know if that's the right word, but we have been  
12 talking to OMB about it so--

13 CHAIRPERSON REYNOSO: Don't worry. I  
14 fumble words all the time. [laughter] So, given  
15 your previous negotiations from like let's say an  
16 example of 20 to 4, 20 employees to 4 employees,  
17 again I'm concerned that you're going to get, you  
18 know, your hands are going to be tied behind your  
19 back again when I want you to do your job. On the  
20 legislation that I passed, you know, I'm going to  
21 again be holding hearings, holding you accountable  
22 for how you're doing this job, and, you know, you  
23 didn't give me a number about how many—regarding how  
24 many people you think would be necessary to do this  
25 job, but you say you're going to negotiate with OMB.

2 I feel like OMB has a level of disconnect on exactly  
3 the type or work you're doing, and while they're  
4 looking at numbers, they're not, you know, it's hard  
5 to. I guess overall I'm just concerned that you guys  
6 don't have the personnel to do the job you're supposed to  
7 be doing.

8 ASSISTANT COMMISSIONER HASKINS: Well, I  
9 know that when we knew this was going to pass I did  
10 send them some information. They reviewed the  
11 legislation. They've come back with a lot of  
12 questions. We started responding to them, and that's  
13 where it is right. [pause]

14 CHAIRPERSON REYNOSO: So, when we had  
15 conversations initially, with OMB related to the  
16 legislation independent of our conversations with  
17 BIC, they said that it would probably take 5 to 10  
18 employees to do this work, and just want you to know  
19 to--well, I'm hoping that when they get back to us,  
20 that we see something close to 5 to 10, but this  
21 freeze and this--this peg is really putting us in a  
22 position where we might again see a reduction in  
23 services in the work that you're doing, and it's  
24 extremely concerning. But this is more questions for  
25 OMB because you have no say in that obviously. You

2 get to negotiate as best you can, but ultimately  
3 they-they're the decision maker. Do we have any  
4 violations issues?

5 COMMISSIONER BROWNELL: No, sir, if I can  
6 just--So, I did have a meeting with Deputy Mayor that  
7 I report to earlier this week, and also with OMB.  
8 I'll remind you I think we have like what is it? 120  
9 days before the law goes into effect. So, I know,  
10 and I've been guaranteed by OMB and City Hall that we  
11 will be sitting down to have conversations about how  
12 we're going to do this. And I have to tell you that  
13 in my experience in 4-1/2 years that we've had a very  
14 good working relationship with OMB in terms of  
15 listening. We don't--we don't necessarily get  
16 everything we want, but I think they listen and they  
17 do their best to give us what we need, and I  
18 anticipate that's going to happen here.

19 CHAIRPERSON REYNOSO: Okay. I'm going to  
20 do my part. There's a lot of talk about how this  
21 Administration cares deeply about the workers in the  
22 private sanitation industry, and this is not putting  
23 their money where their mouth is.

24 COMMISSIONER BROWNELL: Right.

2 CHAIRPERSON REYNOSO: They can say a lot  
3 of things. If they're not supporting you through  
4 staff, then don't they really care.

5 COMMISSIONER BROWNELL: Right.

6 CHAIRPERSON REYNOSO: So, I'm going to  
7 make that I hold them accountable through that. So,  
8 so while I appreciate your relationship with OMB, I  
9 think I'm going to be publicly doing my part so you  
10 can get as much as you can.

11 COMMISSIONER BROWNELL: No. That's fine,  
12 and just so you know, we've already had some  
13 conversations with both federal labor IGs and other  
14 investigators, and also with the State's Attorney  
15 General, and so in our general plan going forward  
16 that as much as possible I want BIC investigators to  
17 be the ones that are going to be interacting directly  
18 with the workers because first of all, we understand  
19 the industry better than anybody else.

20 CHAIRPERSON REYNOSO: Oh, yeah.

21 COMMISSIONER BROWNELL: And whenever we  
22 talk to a worker about one particular issue or  
23 problem, we always find out there are more.

24 CHAIRPERSON REYNOSO: Yeah.

2 COMMISSIONER BROWNELL: And as I said,  
3 we're the ones to best appreciate where to do that,  
4 and the other thing that I want to thank you for, and  
5 I'm not going to name the local number, but you  
6 connected us with a local that I had never spoken to  
7 with. We had a great meeting two weeks ago. We're  
8 having another meeting next week with some other  
9 federal law enforcement people and I think there are  
10 a number of investigations we're going to be able to  
11 initiate.

12 CHAIRPERSON REYNOSO: Right. I'm glad--  
13 I'm glad I could be helpful. A lot of folks come to  
14 me and I'm happy to connect them to, but you've had a  
15 very strong and improved relationship with a lot of  
16 the locals that I deal with--

17 COMMISSIONER BROWNELL: [interposing]  
18 Yeah.

19 CHAIRPERSON REYNOSO: --but I think it's  
20 important. We can all work better if we're all on  
21 the same page trying to root out this corruption and  
22 the crime that we think is happening.

23 COMMISSIONER BROWNELL: Yeah. So keep  
24 that coming. We appreciate it.

2 CHAIRPERSON REYNOSO: Okay then the  
3 violations issued to legally operated private waste  
4 haulers has gone from \$34 to \$121 in Four-Month  
5 Actual from FY18 to FY19. Is this related to these  
6 things, these operations of NYPD?

7 COMMISSIONER BROWNELL: I think--

8 CHAIRPERSON REYNOSO: [interposing] And  
9 why?

10 COMMISSIONER BROWNELL: -some of them are  
11 also--we--because of Local Law 145 and other things,  
12 we've had a number of commission directives where  
13 companies have to provide us with certain data. First  
14 of all, with regard to Local Law 145, if we don't  
15 know what--that the state of play is with regard to  
16 trucks currently on the road, we can't hope to be  
17 able to effectively regulate it and be in compliance  
18 with the law. So, it's been--it in some ways, the  
19 response by some companies--too many as far as I'm  
20 concerned has been abysmal--but we've issued them a  
21 number of violations. There's no excuse why they  
22 can't respond to us especially after we give them  
23 several chances to do so.

24 CHAIRPERSON REYNOSO: So, that's--that's--  
25 actually, I'd like to see an increase when it comes

2 to that because it, and I don't necessarily think  
3 compliance is improving. I just think that when I  
4 see the numbers go down, I actually just think that  
5 we're doing less when it comes to oversight.

6 COMMISSIONER BROWNELL: Right.

7 CHAIRPERSON REYNOSO: So, if you're doing  
8 and the numbers are increased for—are increasing, for  
9 me I feel like we're doing the work. With respect to  
10 PMMR reporting, would—we have—I guess I want to know  
11 where you're investigators are or where inspections  
12 are conducted of private carters. I don't want it—  
13 here it's asking from—for it to be disaggregated by  
14 borough, but it depend on where these Sanitation  
15 companies are, but I guess I just want to know where  
16 these investigations and our inspections are being  
17 conducted.

18 COMMISSIONER BROWNELL: Well, we—we  
19 wouldn't really do inspections on our own. We really  
20 don't have inspectors. They're investigators, but we  
21 work often with federal monetary (sic) people,  
22 obviously with the PD and no one has the, you know,  
23 initiated that particular relationship, and—and so—  
24 and for us you know, one of the big priorities is  
25 going to be unlicensed activity. And we haven't

2 really gotten to 145 yet, but with regard to he  
3 Hardship Waiver, which the deadline to submit those  
4 to us was at the end of December. We to very few.  
5 It's—it's really not an issue, but there's a big  
6 issue, and the bit issue is we still have far too  
7 many trucks, and I think I indicated in my written  
8 testimony that are not in compliance. So, what I  
9 don't know is companies just aren't going bother  
10 submitting a waiver, and they—they may plan to lose  
11 their license and operate without a license. I'm not  
12 sure what it is, but I can tell you that I have huge  
13 concern that come January 1<sup>st</sup> of 2020, we're still  
14 going to have hundreds and hundreds of trucks that  
15 are improperly on the road in violation of Local Law  
16 145. So, we're starting to figure out how we're  
17 going to deal with that.

18 CHAIRPERSON REYNOSO: Yeah, hat's very  
19 telling. We should talk more about that, and we  
20 don't have a lot of applications even though we know  
21 a lot of trucks haven't been converted or up to date.

22 COMMISSIONER BROWNELL: Yes.

23 CHAIRPERSON REYNOSO: So, I would love to  
24 maybe have a hearing or do something to bring  
25 attention to it.

2 COMMISSIONER BROWNELL: [interposing]

3 Well, let us get—let us gather more data so that we  
4 can have a more useful hearing, but right now it  
5 doesn't looking.

6 CHAIRPERSON REYNOSO: Yeah, and then my  
7 concern becomes do we have the capacity to the folks  
8 that are doing the conversions are abiding by Local  
9 Law 145 to take on the businesses of those that are  
10 not. So, then it is—it gets even more complicated.  
11 We might see an extreme reduction in companies doing  
12 this work in the city of New York even before we get  
13 to weight zoning so--

14 COMMISSIONER BROWNELL: Exactly.

15 CHAIRPERSON REYNOSO: Yep. I always  
16 expected that, but I'm actually done with my  
17 questioning, Commissioner. I really appreciate your  
18 time. I'm very concerned about your headcount and  
19 again the peg and the—the hiring freeze--

20 COMMISSIONER BROWNELL: Right.

21 CHAIRPERSON REYNOSO: --and the demands  
22 on you are forever and ever increasing, and it  
23 doesn't seem like your—your headcount is matching  
24 that, but again, I appreciate you protecting workers  
25 and protecting the public. So, I'm very happy with

2 the work that you're doing. So thank you so much for  
3 your time.

4 COMMISSIONER BROWNELL: And the only  
5 other thing I would say and I'm glad you didn't as  
6 about it, there have been some things in the news the  
7 last couple weeks about some companies. It's not  
8 something that I would want to testify to in open  
9 investigations, but as always, I'm happy to come over  
10 and sit down with you, and provide you with  
11 information in terms of—that I can in terms of what's  
12 going on.

13 CHAIRPERSON REYNOSO: Look, there's  
14 always opportunities for growth, but that—that I  
15 guess investigation is—is a breath of fresh air, and,  
16 you know, that this is not a one-off that we might  
17 need to do a lot more work here--

18 COMMISSIONER BROWNELL: [interposing] Yep.

19 CHAIRPERSON REYNOSO: And that's what—  
20 that's why I'm, you know, I'm pleased and I'm looking  
21 forward to how that investigation unfolds, but thank  
22 you for your work.

23 COMMISSIONER BROWNELL: Thank you so  
24 much.

2 CHAIRPERSON REYNOSO: Thank you. [pause]

3 So, now we're going to have our public testimony

4 portion of it. We have Jacqueline Ottman, Joanna

5 Espinoza, Eric Goldstein and Melissa Ichan. [pause]

6 Is there someone missing? Oh, yes. Hello. [pause]

7 Good afternoon. Thank you so much for being here.

8 This is like the—the Captain Planet Panel here. So,

9 please in—in any way that you want to start from left

10 to right, we can go ahead. We can start the other

11 side. Yeah. [background comments] We're not going

12 to put a—put a clock up, but if you guys get out of

13 hand [background comments] we'll turn it on. Okay.

14 [pause]

15 CHAIRPERSON REYNOSO: You can begin.

16 JACQUIE OTTMAN: Thank you. Good

17 afternoon, Chairman Reynoso. My name is Jackie

18 Ottman, and I'm the Chair of the Manhattan Solid

19 Waste Advisory Board, Manhattan SWAB, he Brooklyn

20 SWAB and the Queens SWAB Organizing Committee. I

21 have also co-signed their testimony. I'm attaching

22 to our testimony a copy of a letter that the

23 Manhattan SWAB is sending to Mayor today underscoring

24 our request for continued support and expansion of

25 the Organics Group Site Collection Program, something

2 that we believe is essential to achieving our zero  
3 waste as well as climate goals. I am specifically  
4 testifying today to ask the City Council to support  
5 the full funding of DSNY's Fiscal Budget request of  
6 \$55 million for waste prevention, reuse and  
7 recycling, and in particular to underscore our  
8 support for an incremental \$2.5 million request for  
9 mass education and outreach efforts to bolster  
10 citizens' participation in recycling and other ways  
11 for prevention activities. Here's why we believe a  
12 bolstered campaign is necessary. The Mayor's OneNYC  
13 Plan introduced in 2015 called for increasing the  
14 diversion rates of mandatory residential recyclables  
15 like metal, glass, plastics and paper and cardboard  
16 through a number of measures including introducing  
17 financial incentives, shifting to single stream  
18 collection, creating Zero Waste schools and require  
19 collection in commercial offices. It also included  
20 new voluntary programs to make it easy for residents  
21 to divert a host of other recyclable items from the  
22 waste stream, clothing and textiles, electronics and  
23 organics among them. Much to our disappointment, some of  
24 these initiatives have failed to be implemented, and  
25 the residential diversion rate upticked only slightly

2 to 20% while a full 77% of the waste stream is  
3 recyclable. Your chart earlier illustrated this gap.  
4 This level of recycling is not sustainable. It's not  
5 in line with the city's environmental and climate  
6 goals, and it puts the city at finance-significant  
7 financial risk given that we must export our waste at  
8 great cost. Clearly something new and bold need to  
9 be done to help ensure that we achieve the city's  
10 goal of zero waste to landfill by 2030. A \$2.5  
11 million increment to out public education and  
12 outreach efforts can help foot this bill. Recycling  
13 infrastructure and enforcement efforts along cannot  
14 guarantee active compliance and participation in the  
15 city's recycling programs. New York's 8.6 million  
16 residents must be motivated to adopt the day in and  
17 day out habit of recycling, and take other steps to  
18 reduce their waste. A massive education and outreach  
19 campaign can help make Reduce, Reuse and Recycle the  
20 core value within our city's consumption culture  
21 necessary to reach our goal. Planning for such a  
22 campaign must begin with an updated understanding of  
23 what New Yorkers know and feel about the city's  
24 Recycling Program. No large market--no large scale  
25 market research to track New Yorkers' recycling

1 related awareness, attitudes, understanding and  
2 habits has been conducted since 2005. In a city as  
3 transient as New York, awareness of the need to  
4 recycle supplemented by the knowledge of what, where  
5 and how to recycle must be constantly cultivated. To  
6 enforce the daily habit, reminders to recycle must be  
7 constant and ever present in the media and in the  
8 public spaces, transit stations, workplaces, schools  
9 and other places where most New Yorkers can be  
10 reached. Furthermore, much has changed since 2005.  
11 Many more items are not being collected for  
12 recycling. This includes a full range of plastics,  
13 plastic bags and film in supermarkets are New York  
14 law as well as the aforementioned clothing  
15 electronics and organics. Meanwhile a new generation  
16 of recyclers has grown up without the social force of  
17 a public campaign about why and how to recycle, and  
18 as result of the OneNYC Plan, 400,000 NYCHA residents  
19 now have access to recycling, but very little  
20 relevant education. Also, attitudes have changed  
21 within the population at large further underscoring  
22 the need for compelling messaging. Skepticism now  
23 runs high among Americans particularly among the  
24 Millennials our largest generation and future leaders  
25

2 that whatever is collected for recycling will  
3 actually be recycled into new materials. This is  
4 what Councilman Espinoza referred to earlier. As  
5 depicted in the chart developed by members of our  
6 Residential Recycling Committee that I am including  
7 with our testimony the Department of Sanitation's  
8 2017 Waster Characterization Study revealed that 71%  
9 of what's winding up in the trash, the residue after  
10 recyclables are diverted from the waste stream is  
11 fully recyclable within the city. This suggests high  
12 levels of confusion about what exactly can be  
13 collected. Clearly, education is critical to  
14 imparting an appreciation for the need to recycle and  
15 its appropriate role within the waste management  
16 Reduce, Reuse and Recycle hierarchy. There's hope.  
17 We here in New York City are blessed to be the home  
18 of the world's leading community of marketing  
19 communications, media and outreach experts. This  
20 community possesses in abundance the expertise  
21 necessary to develop a compelling communications  
22 program for a fraction of the \$412 million requested  
23 allocation for Fiscal 2020 to export our waste. Our  
24 advertising and media community is capable of tapping  
25 into New Yorkers' pride and beliefs that theirs is

1 the greatest city in the world. A long running I  
2 Love New York campaign is just one example. The  
3 creativity and environmental passions of today's  
4 Millennials could be enlisted to create cost-effect  
5 viral videos. Hashtags, images and more that could  
6 make the daily and sometimes unseemly aspects of  
7 sorting our waste cooler. (sic) An effective campaign  
8 can start by convening a high level Zero Waste  
9 education and outreach advisory board composed of  
10 senior, active and retired executives and major  
11 communications firm. The SWAB stands ready to assist  
12 with creating of such a board as well as provide  
13 additional ideas and support for a much needed  
14 education and outreach effort on behalf of Zero  
15 Waste. Thanks for your time to submit this testimony  
16 today. I'd be happy to take any question you may  
17 have.

18  
19 CHAIRPERSON REYNOSO: Thank you. I'm  
20 going to allow for everyone to make their statement  
21 and then we'll have a conversation, and we'll talk  
22 about it a little bit, but thank you for your  
23 testimony. Alright.

24

25

2 ERIC GOLDSTEIN: Good afternoon Mr.  
3 Chairman. My name is Eric Goldstein from the Natural  
4 Resources Defense Council.

5 CHAIRPERSON REYNOSO: It's a handwritten  
6 testimony.

7 ERIC GOLDSTEIN: That's correct, which I  
8 will summarize into the hour.

9 CHAIRPERSON REYNOSO: Well, my list—  
10 you're rubbing off on my list as well now. Look at  
11 you. [laughter]

12 ERIC GOLDSTEIN: First, we're pleased to  
13 hear of the continuing progress in the implementation  
14 and funding of the city's proposed Commercial Waste  
15 Zoning Proposal. Indeed, NRDC and our partners, New  
16 York City Environmental Justice Alliance, the  
17 teamsters, NYLPI and ALIGN believe that  
18 implementation of an exclusive Commercial Waste  
19 Zoning Plan represents the most—single most important  
20 solid waste reform to be implemented by this city  
21 since the adoption of the Curbside Recycling Program  
22 30 years ago. We thank you, Mr. Chairman for your  
23 leadership on this issues and look forward to working  
24 with you to enact such a plan in the weeks and months  
25 ahead. Our joy about the progress on Commercial

1 Waste Zoning is tempered, however, by the  
2 administration's latest in a continuing series of  
3 disappointments on the issue of organics handling.  
4 Simply stated, the city's FYP 2020 Preliminary Budget  
5 by once again failing to fund the continued expansion  
6 of curbside organics collection has placed the city's  
7 entire Zero Waste strategy on the critical list.  
8 Organics represents the single largest portion of the  
9 municipal waste stream, as you know over 30%. Mayor  
10 de Blasio's number one initiative in his Zero Waste  
11 strategy set forth in the OneNYC Plan was to "Expand  
12 New York City Organics Program to serve all New  
13 Yorkers by the end of the 2018. Breaking this  
14 promise in 2018, and failing to fund continued  
15 expansion or curbside organics in the Proposed Budget  
16 represents nothing less than an unraveling of the  
17 Zero Waste commitment, and a significant blot on the  
18 Administration's overall sustainability record, and  
19 we hold City Hall not the Department of Sanitation  
20 responsible for this situation. So we urge you and  
21 your Council colleagues to seek to restore funding  
22 for curbside organics expansion as the budget  
23 negotiations unfold in the weeks to come. It's hard  
24 to see a more important environmental priority in the  
25

1 current budget process. Finally, we're concerned  
2 about the economics of the city's residential  
3 recycling program. As you know, municipal recycling  
4 operations around the nation received a jolt last  
5 year when China effectively closed its doors to  
6 receiving recyclables from the United States. But  
7 even that is not as threatening to the economic  
8 viability of New York City's Curbside Recycling  
9 Program as the well intended, but ill-conceived State  
10 Budget Proposal to expand the Bottle Bill by adding a  
11 five cent deposit on non-alcoholic beverages such as  
12 sports drinks and ready to drink coffees and teas.  
13 This state legislation would remove millions of these  
14 containers from the city's residential waste stream  
15 every year, but these containers are made from PET,  
16 HDPE, that's plastics 1 and 2 and aluminum for which  
17 strong markets exist. \$800 a ton for HDPE for  
18 example. We've long supported bottle bill  
19 legislation in New York and around the country to  
20 jump start recycling programs, and we would support  
21 an expanded Bottle Bill with even a 20 or 25%  
22 deposition for wine and liquor bottles because these  
23 containers are 99% glass, which is problematic for  
24 curbside recycling programs. But to enact state  
25

2 legislation that would deprive municipal recycling  
3 programs a valuable PET, HDPE and aluminum is simply  
4 nuts unless your goal is to erode the economic  
5 foundation of curbside municipal recycling. New York  
6 City should be leading the charge against this  
7 legislation and at the present time, your leadership  
8 and that of your Council colleagues is more important  
9 than ever. Thank you for your attention.

10 CHAIRPERSON REYNOSO: Thanks, Eric. next.

11 MELISSA ICHAN: Alright. Good afternoon.

12 I will be brief. My name is Melissa Ichan. I am a  
13 Senior Staff Attorney at New York Lawyers for the  
14 Public Interest, and NYLPI is one of the founding  
15 members of the Transform Don't Trash Coalition, which  
16 Eric mentioned the members of. We are a coalition of  
17 environmental justice, environmental community and  
18 labor organizations working together to try and  
19 transform the way commercial waste is processed in  
20 the city of New York. Today, I'm here thank the  
21 Department of Sanitation for their thoughtful  
22 stakeholder process that they invested in over two  
23 years and thank the Council for supporting that  
24 process, which led to the detailed Commercial Waste  
25 Zone Implementation Plan that they released in

2 November of 2018. We look forward to robust  
3 budgetary support for the first phase of  
4 implementation of transformative commercial waste  
5 policy, and the continued opportunity to work  
6 together collaboratively with the Council and the  
7 Administration to ensure that the Zone system and  
8 transition phase works smoothly and embodies the  
9 equity and sustainability goals our coalition shares  
10 with Council Member and the Administration. Finally,  
11 we are thrilled that the final Marine Transfer  
12 Station is set to open later this month, and two, the  
13 Department of Sanitation's efforts to finally turn  
14 the SWAMP's goals into reality. With the MTS's all  
15 fully operational, we look forward to working  
16 together to think about ways to incorporate these  
17 state-of-the-art facilities into the city's  
18 commercial waste processing system, and urge the  
19 Council to think about creative budgetary ideas to  
20 address or even incentivize this, which would bring  
21 us even closer to true environmental justice as a  
22 city. Thank you.

23 CHAIRPERSON REYNOSO: Thank you, Melissa.  
24 Adrianna.

2 ADRIANNA ESPINOZA: Good afternoon. My  
3 name is Adrianna Espinoza. I am the Director of the  
4 New York City's Program at the New York League of  
5 Conservation Voters. NYLCV represents over 31,000  
6 members in New York City, and we're committed to  
7 advancing a sustainability agenda that will make our  
8 people, our neighborhoods and our economy healthier  
9 and more resilient. I'd like to thank Chair Reynoso  
10 for the opportunity to testify here today, and to be  
11 on the Captain's Plan---Panel as you called it.  
12 NYLCV supports the passage of a city budget in Fiscal  
13 Year 2020 that secures progress on many of the  
14 environmental, transportation and public health  
15 priorities of Mayor Bill de Blasio that he's called  
16 for in OneNYC and beyond. Our city is staring down a  
17 crisis of existential importance, and it's incumbent  
18 upon our elected leaders to invest our tax dollars in  
19 climate action and climate pollution. The Department  
20 of Sanitation's Preliminary Fiscal Year 2020 Budget  
21 invests heavily in personnel, exporting waste and  
22 general administration. However, only a fraction of  
23 the department's Preliminary Budget \$55 million or  
24 about 3.1% is dedicate to waste prevention, reuse and  
25 recycling. This number represents a 9% decrease-

2 decrease from the Fiscal Year 19 Adopted Budget, and  
3 is in stark contrast with the 23% of the Budget being  
4 used to export our waste. Moreover, these figures  
5 are inconsistent with the city's stated of zero waste  
6 for landfills by 2030. In Fiscal Year 19, the total  
7 curbside and containerized recycling diversion rate  
8 was 17.6 or as DSNY just testified today, 20.9, which  
9 is great, which is a—it's between 2 and 5% increase  
10 from Fiscal Year 14. If we continue at this pace as  
11 diversions citywide will be adjusted now based on the  
12 20.9%, and 32% in 2030. That's very far from the 90%  
13 goal. DSNY's Waste Prevention Budget must reflect a  
14 more aggressive attempt to achieve the Zero by 30  
15 goal. Reaching the city's zero waste goal will  
16 require work from all New Yorker, cooperation of city  
17 officials, private industry and buy-in from the  
18 general public. If we are to reach of Zero Waste,  
19 NYLCV believes the city should invest \$10 million in  
20 public engagement around the Organic Waste and  
21 Recycling Programs available to residents. It is  
22 imperative that New Yorkers know not only the options  
23 available to them, but also the environmental  
24 significance of participation. Current marketing for  
25 Vision Zero, a goal which has the focus and budget

2 indicative of a serious policy priority should—should  
3 serve as a template. This outreach to inform New  
4 Yorkers of the programs available and teach them how  
5 to properly sort recyclables and organics, but  
6 focusing on the what and how is not enough. The  
7 campaign should explain why these changes are  
8 necessary and make a direct connection to climate  
9 change and the city's sustainability goal. In  
10 addition to traditional marketing, the city should  
11 expand its targeted outreach in particular  
12 maintenance staff in large buildings should be seen  
13 as key ambassadors for Zero Waste goals.

14 Sustainability training for this sector could have an  
15 exponential impact on diversion rates, and finally  
16 child and youth engagement is key. The earlier we  
17 can instill the importance of eco-friendly behavior  
18 the more likely they are to carry it into adulthood.  
19 The city should continue to expand its educational  
20 programs in schools and encourage better source  
21 separation in cafeterias particularly of organic  
22 waste. Diverting organic waste from landfills is  
23 perhaps the most critical component of Zero by 30 as  
24 organics represents 31% of the residential waste  
25 stream. Further, when this waste ends up to—in

1 landfills it release significant quantities of  
2 methane, as it decomposes. Methane is a potent  
3 greenhouse gas. It absorbs heat from the sun at 32  
4 times the rate of carbon dioxide, trapping that heat  
5 in atmosphere and contributing significantly to  
6 global warming. Unfortunately, instead of growing  
7 the Residential Organics Program to keep more of this  
8 waste from landfills, last year DSNY paused their  
9 expansion and to date—well, I guess today we have an  
10 answer. To date, advocates have not been told when  
11 the program will resume. Before the expansion was  
12 paused, New York City's Organics Program was already  
13 the largest of its kind in country. We recognize the  
14 complexity in the sustaining and growing a program of  
15 this size. However, if Zero Waste is truly a goal of  
16 this Administration, the Budget figures should  
17 reflect an investment significant enough-enough to  
18 bring the Organics Program to scale citywide and  
19 stimulate the demand in the market for regional  
20 processing capacity of this waste. I, too, again  
21 thank Chair Reynoso and the Committee on Sanitation  
22 for the opportunity to testify, and for your  
23 leadership on this issue. Thank you.

2 CHAIRPERSON REYNOSO: Okay. Thank you. A  
3 lot—a lot said in all—all four testimonies. So, I'm  
4 going to try to go through it, and we should just  
5 have a conversation more than anything else. So, you  
6 mentioned the media and outreach concerns, and in a  
7 city where we can be so creative and we can get this  
8 message across, why is that we're falling short? I—I  
9 personally think it's---it's a culture within the  
10 Department of Sanitation. They do something one way,  
11 and that's the only way they know how to do it.

12 It's—we need to bring about creative—creative minds  
13 in there but I did ask for an increase actually to  
14 \$2.5 million. I found out that their budget is \$2.5  
15 million right now. I think we should double it, but  
16 I also did research and we found out that the budget  
17 for Vision Zero was actually not \$10 million, but it  
18 was \$2.5 million. So, I think this would—this is  
19 relative to another campaign that the city's  
20 aggressively moving forward with, but the \$2.5  
21 million for Vision Zero is exclusively just for  
22 Vision Zero. So, maybe we should have an exclusive  
23 budget for Zero Waste, and that's why I asked for the  
24 \$2.5 million for the outreach. So, I just wanted to  
25 respond to that mainly because Jacquie, you asked—

1 you—you obviously are thinking creatively about the—  
2 the media and outreach and how we dos that with  
3 hashtags and—and so forth, and how we've fallen  
4 short. The Bottle Bill, Eric, I really want you to  
5 stay. After this we have panel of candidates that  
6 are going to be talking about the Bottle Bill—they're  
7 probably going to be talking about the Bottle Bill.  
8 I would like for you to stay to hear them out as  
9 well, and I want to talk about our Coalition. You  
10 know, maybe expanding or having a conversation about  
11 how we work together to figure this solution out  
12 because I agree with you. What we need to do is  
13 encourage for folks to take the things we don't want  
14 out of the recycling stream, and the way we do that  
15 is that we put a high price tag on that, and the  
16 thing that we do want in the recycling stream we keep  
17 in side. It will help us in many ways because the  
18 city would have—would stop subsidizing Sims at such a  
19 high rate if they were getting the products that they  
20 want let's say, but also allow for the canners to  
21 assist us in removing the tings we don't want out of  
22 it, and—and sort it more appropriately. So-so I  
23 think it's the best thing to do, but I'm excited to  
24 hear from them to get their take on what they think  
25

1 is—is best, and we should be listening to the folks  
2 that do that everyday. So, I appreciate your concern  
3 and I have the same concern on the Bottle Bill. You  
4 saw that the city seems to be paying attention, but  
5 it hasn't really asked us to get too involved yet,  
6 and that concerns me because it will—it will pass  
7 tomorrow and very never gotten involved. And just  
8 the commercial waste for DSNY. So, we have this—we  
9 have waste zoning that we're hoping comes about soon,  
10 and I want to see how that plays out. Well, my only  
11 fear is just the city continuing to subsidize for a  
12 lot of the work that we're doing here when it comes  
13 to trash in the city, and that if they come into a  
14 city based facility, it's going to cost. So, we just  
15 want to have that conversation more intently. But,  
16 also just want to wait for the rezoning to happen  
17 before we like really talk about starting diverting  
18 some trash from—from private carting—from private  
19 carting to—to the city. You disagree. Well, it's a  
20 conversation so you're all going to open it up and we  
21 could have that conversation, and then the Reuse  
22 Recycle. So the reason they dropped the budget  
23 they're saying is because they stopped buying organic  
24 bins, and the organic bins in procurement were the \$5  
25

1 million that they spent. They're not buying more  
2 bins so they don't need the money, but it doesn't  
3 mean we can't keep the money inside that--that line  
4 item and use it for something else. It's not like  
5 it's a ton of money. I think it's like \$55 million--  
6 --\$55 million and now we have \$50 million. We're not  
7 supposed to be going down in that area. It should be  
8 going up, and we should be looking to reduce budget--  
9 reduce the budget in other locations where we think I  
10 doesn't serve the purpose of reaching Zero Waste.  
11 So, even if they have a justification for why the  
12 money is gone, or why they don't need to spend the  
13 money the same way, we should have still fought to  
14 make sure it stays in that category or that line  
15 items so that we can push the items that we think are  
16 valuable to actually achieving Zero Waste. So,  
17 that's like my assessment of all your testimonies,  
18 but it's just snippets of it. I know it was a lot  
19 more comprehensive than that, but just I wanted to  
20 let you know I'm listening and we just--so, yeah.

22 JACQUIE OTTMAN: [off mic] You make great  
23 points.

24 CHAIRPERSON REYNOSO: The mic, yes.

25 JACQUIE OTTMAN: You make great points.

2 CHAIRPERSON REYNOSO: So just so we  
3 clarify, the DSNY's outreach-outreach budget is  
4 \$250,000 not \$2.5 million. So, just to put it in  
5 perspective. I said \$2.5 and I was doubling it. No,  
6 it's increasing by what ten times the way we're  
7 looking at it the \$2.5. So, obviously we think that  
8 they're falling short on that, but the Commissioner  
9 did say, too, he said \$2.5 million. So, in the next  
10 budget I'll clarify. We needed these numbers to be  
11 more-more clear--

12 ERIC GOLDSTEIN: Yes.

13 CHAIRPERSON REYNOSO: --as well.  
14 Alright. [pause] Yeah, there is-the entire budget is  
15 \$2.5 million of which \$250,000 is used for waste-for-  
16 for Zero Waste. So they're using 10% of their budget  
17 for Zero Waste. So, that's the clarification to  
18 that.

19 JACQUIE OTTMAN: Just to respond to one,  
20 Chairman, when you mentioned that this is the  
21 Department of Sanitation's culture. Of course the  
22 Department of Sanitation is a logistics agency. They  
23 know how to move things from one place to another and  
24 do it well and efficiently. However, that they had  
25 the ability in the past to do a very memorable

2 campaign. All of us who are, you know, over 40 years  
3 old remember the Dueling (sp?) blue and green bin  
4 recycling campaign that's embedded in our brains.

5 CHAIRPERSON REYNOSO: I'm younger than 40  
6 and I remember it.

7 JACQUIE OTTMAN: Yes.

8 CHAIRPERSON REYNOSO: So, I want to be  
9 clear. I remember the Dueling (sic) bins.

10 JACQUIE OTTMAN: Yeah, so, and that came  
11 straight out Department of Sanitation. It was run by  
12 Bob Wine who was the Chairman of the—head of the  
13 Recycling Division. So they do have that capability  
14 and they can get it again with staffing of the right  
15 people. It's also the reason why I mentioned in my  
16 testimony starting the Zero Waste Outreach and  
17 Education Board just by recruiting just like we have  
18 a Manhattan SWAB where we represented citizens, we  
19 can recruit people right out of Madison Avenue.  
20 We've got the talent right here. Also, we have to  
21 remember that the Green NYC Campaign and quite  
22 frankly I'm not sure that the exact status of that  
23 is, but they were active at one—at one point,  
24 actually runs out of the Mayor's Office. So this may  
25 be something that we do in conjunction with other

2 agencies and offices and let the Department of  
3 Sanitation continue to do what they do well.

4 CHAIRPERSON REYNOSO: Yeah, I think I  
5 need to sit down with the city and the Administration  
6 and just talk about this in a more holistic way.  
7 You're right because right now it's like banging my  
8 head against a wall to talk to talk to them about  
9 increasing funding for any initiative that they want  
10 to accomplish in 10 years. It's—it's beyond me how  
11 they expect to do that without educating the public.  
12 So, maybe I do need to have a different approach, and  
13 it's a conversation with the Administration as  
14 opposed to DSNY or exclusively there somewhat. So,  
15 yeah, I'll take into account for sure.

16 JACQUIE OTTMAN: Good.

17 ADRIANNA ESPINOZA: Just to—to respond to  
18 that point. Maybe—maybe that does make sense. Maybe  
19 you can talk to the Mayor's Office of Sustainability  
20 about doing Zero Waste outreach through their office.  
21 However, by going back to Vision Zero I don't think  
22 that DOT has much of a hard time getting, you know,  
23 their budget item for Vision Zero, which is also part  
24 of the Mayor's OneNYC.

2 CHAIRPERSON REYNOSO: And that—and you  
3 know and I want to make sure that we, you know, it's—  
4 --it's not apples to apples. It is orange—apples to  
5 oranges when it come to Vision Zero. We're—they're—  
6 they're literally saving lives. I think we're so—  
7 we're doing it as well in-in like a climate change  
8 format, and so in long term we don't see the effects  
9 immediately. So—so we, you know, then our numbers  
10 are a little different, but just still it's a—it's  
11 long term for this—the survival of our planet has  
12 value. So, you're right, the Mayor's Office of  
13 Sustainability is where the—the One Plan and One Plan  
14 NYC was where we talked about the Zero Waste. So,  
15 maybe that's the place we should be going to just  
16 have a better conversation about marketing for sure.  
17 Are you going to stay for the Bottle Bill, Eric for  
18 the testimony on the Bottle Bill?

19 ERIC GOLDSTEIN: Absolutely.

20 CHAIRPERSON REYNOSO: Are they a part of  
21 the coalition right now: Sure We Can or Canners?

22 ERIC GOLDSTEIN: No, they're not.

23 Although I think we're familiar with their views, but  
24 we'll be happy to—

25 CHAIRPERSON REYNOSO: [interposing] Good—

2 ERIC GOLDSTEIN: --just listen to that  
3 message.

4 CHAIRPERSON REYNOSO: Yes, good. I'm  
5 glad, I'm glad. Good?

6 ADRIANNA ESPINOZA: Yes, thank you.

7 CHAIRPERSON REYNOSO: But Melissa, you  
8 were looking at me funny when I said we don't need to  
9 do the commercial waste for DSNY just yet or was it?  
10 Were you like confused or something?

11 MELISSA ICHAN: No, we can talk about it,  
12 and-and continue the conversation. You know  
13 commercial waste zones aren't going to be fully  
14 implemented for a few years and the MTSs are all  
15 online and operational as of the end of this month.  
16 The Solid Waste Management Plan, as you know,  
17 contemplated that there would be one MTS exclusively  
18 for commercial, which has not even been a part of the  
19 conversation, and given that that's not, we as a city  
20 have the obligation to think of how do we rectify the  
21 situation and continue to bring equity into the  
22 conversation? Passage of the Waste Equity Law was a  
23 huge piece of it, but it was only the beginning.

24 CHAIRPERSON REYNOSO: No, you're right. I  
25 hear that 100% of that.

2 MELISSA ICHAN: I know you share my  
3 opinion of that.

4 CHAIRPERSON REYNOSO: [interposing] You  
5 said equity—you said equity so you actually  
6 [laughter] -you're pulling the-the strings of my  
7 heart. So, thank you so much for your testimony, and  
8 then the next group is Pierre Simmons, Anna Martinez,  
9 Chicago Crosby. Please come up and this is the last  
10 panel. So this has been the Mariana Rivera of the  
11 hearing. [pause] Hello, sister. Hi. How do you  
12 guys want to do the testimony? Anyone start of—Okay,  
13 okay. So please, you can—make sure the light is on.  
14 Is the light on?

15 CHICAGO CROSBY: Is it on?

16 CHAIRPERSON REYNOSO: Okay.

17 CHICAGO CROSBY: City Council Okay. Why  
18 New York city needs to support the suspension of the  
19 Returnable Containers Act, all testimony: Sure We  
20 Can.

21 MARLA SIMPSON: Please identify yourself  
22 for the record.

23 CHICAGO CROSBY: City Council Yes, I am.  
24 Okay. My name is Chicago Crosby, and next to me is  
25 Anna Martine—Martinez De Luco the Co-Founder of Sure

2 We Can and Mr. Pierre Simmons who was a canner and a  
3 Sure We Can Vice President. Good afternoon Chair  
4 Reynoso and other members of the Sanitation and Solid  
5 Waste Management Committee. As I said before, my  
6 name is Chicago, and I'm a Canner from Bed-Stuy,  
7 Brooklyn and I do business with Sure We Can three,  
8 four times a week. Sometimes more than that. We are  
9 not here today to ask for money. Rather, we are here  
10 to ask for your support for the proposed Bottle Bill  
11 expansion. We heard from some city leaders that the  
12 New York State Bottle Bill is in conflict with the  
13 New York City Recycling Programs operated by Sims  
14 Corporation. Yet, in 2009 the city Department of  
15 Sanitation testified in favor of the Bottle Bill  
16 Reform BBBB, and until late 2017 the Department of  
17 Sanitation's website reported that the Bottle Bill  
18 reduces litter by 70%, saves more than 52 million  
19 barrels of oil and eliminates 200,000 metric tons of  
20 greenhouse gas each year. We are quite sure that the  
21 Sanitation Committee has received reports proving  
22 that the highest recycling diversion rates are a  
23 direct result of the deposit system. In 2018 alone,  
24 Sure We Can received and turned to distributors for  
25 recycling 785 tons of glass, 80 tons of plastic PET

2 and 65 tons of aluminum cans, close to a thousand  
3 tons of containers. This is just a fraction of the  
4 amount of containers that are thrown away in the city  
5 each year. This waste diversion is accomplished  
6 without a penny of the city's money.

7 ANNA MARTINEZ DE LUCO: For the past 11  
8 years we have received overwhelming public support and  
9 appreciation for our work. Although there has been  
10 some lack of clarity around the question of whether  
11 the work of canners is illegal or legal, Commission  
12 Garcia was kind enough to clarify that when canning is  
13 done on foot or bicycle using carts as we do it, it  
14 is legal. Despite the legality of our work and the  
15 important contribution we make to New York City by  
16 diverting recyclable materials from the trash, the  
17 Office of Management and Budget have expressed  
18 concern that canners cause the city to lose money.  
19 We ask: How can the city lose money because of our  
20 work? If the five cent deposition is paid by the  
21 consumers and the handling fee is paid by the  
22 distributors so spending (sic) produces  
23 responsibility. Nothing is for the city. We want to  
24 make the point that canners are not responsible for  
25 revenue losses in the city recycling program. We are

2 all familiar with contract that we-that was signed in  
3 2008 between Sims and the Department of Sanitation.

4 We have been told the Department of Sanitation is  
5 committed to deliver to Sims a quota of valuable  
6 recyclables. When they fail to do so, the City is  
7 required to compensate Sims. We're hear today about  
8 subsidies, what they are. As you know, the contract  
9 was based on the Waste Characterization study done on  
10 25-2004 and 2005, the darkest year for recycling and  
11 canners. It was my first year of doing canning.

12 Since the only redemption center We Can, closed that  
13 year, and that gave birth to Sure We Can because that  
14 was not the way to do. The contract has become  
15 effective--the contract that became effective the  
16 very same year as the reformed Bottle Bill includes  
17 the following provision: If the stat enacts a Bottle  
18 Bill change, a recyclable stream composition study  
19 shall be performed. They gave even 24 months for  
20 that. Today, we ask: Was such as study ever done?  
21 The city has been losing a lot of money for the past  
22 nine years not due to us canners, but because the  
23 recycling stream compensation or study was never  
24 completed as far as we know, and we have researched  
25 it, believe me. Therefore the Board (sic) is

1 required to deliver to Sims have never been adjusted  
2 down from that based on 2004-2005 study even in  
3 response to really increase city sends participation  
4 recycling through the deposit system. Due to our  
5 financial crisis of 2008-2009, as well as the  
6 opportunities the bottle reform or affect. There  
7 were many more canners who lose their job so they  
8 went to canning, and there were many more who lose  
9 their business and went to redemption centers. From  
10 2009-10 to 2011, we grew up after 50 redemption  
11 centers in the city, but that gave a lot of jobs to  
12 many people.

14           PIERRE SIMMONS: We—we the canners—we—we  
15 the canners are thousands of New York City residents  
16 walking the streets day and night to earn our nickels  
17 by picking up the containers left behind by others,  
18 in trash cans, in recycling bags, in bars and  
19 restaurants, in parks on the ground. As Francesca  
20 Balardi (sp?), a journalist said: The great majority  
21 of canners collect any returnable container they find  
22 in their path and help the streets clean. Some wait  
23 outside restaurants and bars. Others have agreements  
24 with superintendents of buildings so they—so that  
25 they can go in the basements to sort the residents'

1 waste. They don't simply pick up bottles and cans  
2 from clear bags, they sort everything saving  
3 thousands of container from black—from black bags.  
4 Two, the lobby knows well how canners work and where  
5 they work. Through the—through her—through her year-  
6 long reporting project on canners documented on the  
7 website [cannersnewyork.org](http://cannersnewyork.org). As she and others well  
8 know, we canners perform a service. Are we stealing  
9 from the city by carrying out the mandate of the  
10 Bottle Bill? Beyond its environmental and economic  
11 benefits to the city, the Bottle Bill has created  
12 thousands of jobs and income for so many thousands of  
13 people this city, people like me who for many reasons  
14 are—are not able to obtain other kinds of jobs. Some  
15 may receive a disability check, but who can live in  
16 this city on disability alone? We survive thanks to  
17 the Bottle Bill. A study done by Eunomia, employment  
18 and economic impact of container deposits shows that  
19 the deposit system in New York has created a robust  
20 industry of workers due to infrastructure that  
21 supports the system. The perceives that a Bottle  
22 Bill modernization will result in much greater  
23 employment, rate and economic benefits for all the  
24 attached in the summary of the report.  
25

2 CHAIRPERSON REYNOSO: Can I—sorry to  
3 interrupt you. So, I want to—I guess I want to start  
4 by saying—Yeah, go ahead, go ahead finish your  
5 testimony.

6 CHICAGO CRSOBY: [off mic]

7 MALE SPEAKER: You gotta--

8 CHAIRPERSON REYNOSO: Turn on the mic,  
9 turn on the mic, the microphone.

10 CHICAGO CROSBY: [on mic] I talk loud  
11 naturally, don't I? Bill de Blasio's plan for a  
12 strong and just city known as OneNYC lays out a  
13 commitment to creating a dynamic inclusive economy, a  
14 healthier environment. Despite his documented  
15 environmental benefits, there is indication that the  
16 Bottle Bill has a place in the Mayor's vision for a  
17 green future, and although the Department of  
18 Sanitation of New York City rebuilt their website and  
19 removed all information regarding the Bottle Bill, it  
20 is abundantly clear that the bottle—that the deposit  
21 system is actually very effective for achieving these  
22 goals. [pause]

23 PIERRE SIMMONS: We know—we know that  
24 there may not presently be a process for formally  
25 incorporating our grassroots work into the

2 infrastructure of Solid Waste—Solid Waste Management,  
3 as it—as other big cities around the world have  
4 already done. We know that neither canners nor Sure  
5 We Can will receive funding from this budget. All we  
6 ask from you present here today is to support the  
7 proposed Bottle Bill expansion that many of us are  
8 committed to that lead in and in need of. Please do—  
9 do not side with private industry, which is already  
10 opposing the bill expansions. Sims has issued a mill  
11 of opposition of the proposed bill expansion. Last  
12 Monday it was presented to the Brooklyn SWAB as the  
13 city—as—as the city's position to the Governor  
14 proposed Bottle Bill expansion. Sims is not the same  
15 as the city. Sims works for the city, but we work  
16 for the city, too. Sims receives multi-millions from  
17 the—from the city budget. We receive unfair  
18 accusations such as we're stealing. Sims Metal  
19 Management is the world's largest listed metal and  
20 mining corporations with over 250 facilities and more  
21 than 4,800 employees globally with an annual net  
22 income of more than \$100 million or \$120 million last  
23 2017 to be shared among a handful of millionaires.  
24 We are part of a global alliance of waste pickers.  
25 Millions of human beings present on all continents

2 [www.globalwreck.org](http://www.globalwreck.org) We are—we are developing a  
3 popular economy making a living out of what others  
4 discard while also making our city and the planet  
5 better for everyone. Today we plead you, support the  
6 Bottle Bill expansion. Do the study the contract  
7 provides for then adjust the quota so that the city  
8 we taxpayers will not lose so much money for  
9 recycling but increase its diversion rate. Thank  
10 you.

11 CHAIRPERSON REYNOSO: Thank you for your  
12 testimony. I really appreciate it. So, I want to  
13 ask a couple of questions and get some clarifying  
14 points I guess. What is your—what is your take on  
15 what the Bottle Bill the, Bottle Bill expansion is-is  
16 requesting, and how do believe what the new Bottle  
17 Bill is doing benefits you?

18 ANNA MARTINEZ DE LUCO: We were longing  
19 that—oh, thanks. We were longing that the Bottle  
20 Bill will be open for the new world reform whatever,  
21 but we were feeling we can't anything. I mean even  
22 the handling fee was increased ten years from 2 cents  
23 to 3-1/2 cents. In ten years in this city everything  
24 has grown and increased 100%. So, we cannot move  
25 with 3-1/2 cents by itself. The 5 cents deposit at

1  
2 60, 70 even before the Bottle Bill in—in New York,  
3 there was a deposit and it's 5 cents. 100 years ago  
4 it 3 cents put by Coca-Cola themselves. So, we  
5 always long for some reform, but we are helpless  
6 unless somebody from the government—government open  
7 it. So, when the Governor announced on June—on  
8 January 13<sup>th</sup> that for an expansion, that was a great  
9 news for all of us. It's not only the expansion but  
10 it is to open the door for any other kind of  
11 improvement of that law after 10 years. So, now I  
12 continue that even before you were asking me. I know  
13 the proposal of Sims. I was with them two nights  
14 ago, and he was very happy to say no they royalties  
15 (sic) that you get—already has and the plastics and  
16 the cans are for us. Very good, very generous, and  
17 because of that I ask today Anita to sit down right  
18 here with us. She's very afraid that I will ask her  
19 to talk, but I said no, you just let us [speaking  
20 foreign language]

21 CHAIRPERSON REYNOSO: [Speaking Spanish]

22 ANNA MARTINEZ DE LUCO: [Speaking  
23 Spanish] It's light and it's much easier to carry,  
24 much easier to work on it even as redemption centers  
25 all that we do with glass we don't cover even the

2 label because it's double label and aluminum in there  
3 is. But because Sims is equal to the city, and they  
4 believe and it seems that it is true the rest of the  
5 city we don't have anybody here.

6 CHAIRPERSON REYNOSO: So, can I—so can I  
7 say [Speaking Spanish]

8 ANNA MARTINEZ DE LUCO: Yes. Gracias,  
9 gracias.

10 CHAIRPERSON REYNOSO: [Speaking Spanish]  
11 Summarize okay. [Speaking Spanish] Okay? [Speaking  
12 Spanish] So, Sims is not the city, but Sims has a  
13 contract with the city. The contract obligates the  
14 city to provide Sims with a certain amount of goods  
15 so that they can—to cover a quota. Once that quota  
16 is met, the city doesn't—is not responsible for  
17 paying them, but, you know, is it helping achieve  
18 it's goal of having higher recycling rates, right.  
19 So, you are right that Sims is not the city, but they  
20 have a contract with the city and are operating under  
21 that contract, and that's important for us to note  
22 that we have an obligation to them that we have to  
23 achieve. So, part of what they want are the valuable  
24 recyclables. Outside of the valuable recyclables,  
25 you know, the commodities are extremely low and-and

1 so forth and glass seems like the least—the least  
2 valuable product that we have here in the city of New  
3 York. But if we were to raise the price on glass for  
4 example, extremely high like 25 cents a bottle for an  
5 alcoholic bottle for example 25 cents as opposed to  
6 it being nothing right now, and lower the cost or—or  
7 maybe even eliminate the cost of what it costs to—for  
8 the valuable items that we need to send to Sims where  
9 we achieve a level of income that can be generated  
10 from a smaller number of bottles by the—by the  
11 canners. So they can continue to have a livelihood,  
12 but we remove the things we don't want, but it can  
13 still be sorted and actually be more valuable if  
14 they're sorted appropriately, and then allow for Sims  
15 to get the rest of the items. Is—is there a—I guess  
16 that's not the solution, but is there a conversation  
17 to be had in allowing for you guys to be play an even  
18 bigger role, an even larger role in being able to  
19 assist us with managing our recycling here in the  
20 city?  
21

22 ANNA MARTINEZ DE LUCO: Okay, I will. I  
23 start with the other way. The city has a contract  
24 with Sims to help I guess recycling better. No? That  
25 was I guess the purpose of that contract. It's all

2 pricing that seems to be a multi-national  
3 corporation. It's only with New York City who has  
4 the recycling program. The rest is mining and metal.  
5 But anyway, for whatever reason they were able to get  
6 that contract and you are happy with it. Now, when  
7 we talk and at this place also, but—and we have  
8 conversations with Sanitation, we talk as if the only  
9 problem that we have is to make sure that Sims make  
10 money. I mean if that is the main priority of all of  
11 us, you tell us.

12 CHAIRPERSON REYNOSO: All we want is that  
13 Sims meets its—that the city meets its contractual  
14 obligations to Sims--

15 ANNA MARTINEZ DE LUCO: Okay, now--

16 CHAIRPERSON REYNOSO: --no more, no less.  
17 That's our goal.

18 ANNA MARTINEZ DE LUCO: I read from—from  
19 the contract that you did or whoever did with—with  
20 Sims. At 18 (sic) the composition favors based on a  
21 study: Bottle Bill Changes.

22 CHAIRPERSON REYNOSO: And is that—what is  
23 that that you're reading?

24 ANNA MARTINEZ DE LUCO: The contract.  
25

2 CHAIRPERSON REYNOSO: The contract for  
3 Sims and the City?

4 ANNA MARTINEZ DE LUCO: For Sims and the  
5 City.

6 CHAIRPERSON REYNOSO: Okay.

7 ANNA MARTINEZ DE LUCO: Okay, here it  
8 says clearly that if the bottle is the State and not  
9 a Bottle Bill change, which could happen hopefully  
10 this year again, but this was in 2008. Then as soon  
11 as practicable in light of the time required for the  
12 effect of such action--action to be reflected in  
13 collections, but not even--not in no event later than  
14 24 months as the effective date of the changes, a  
15 recyclable stream composition study shall be  
16 performed with respect to the MGP recycling stream.

17 CHAIRPERSON REYNOSO: So, the city is  
18 responsible--

19 ANNA MARTINEZ DE LUCO: [interposing]  
20 Yes.

21 CHAIRPERSON REYNOSO: --for doing a study  
22 24 months after the bill is passed.

23 ANNA MARTINEZ DE LUCO: Yes, within--  
24 within these 24 months. Now--

2 CHAIRPERSON REYNOSO: Of-of-within the 24  
3 month after the bill is passed?

4 ANNA MARTINEZ DE LUCO: After the bill is  
5 passed.

6 CHAIRPERSON REYNOSO: So, the state has  
7 to pass the new Bottle Bill--

8 ANNA MARTINEZ DE LUCO: Yes.

9 CHAIRPERSON REYNOSO: --and then we have  
10 to have a study 24 months after that?

11 ANNA MARTINEZ DE LUCO: Yes.

12 CHAIRPERSON REYNOSO: Okay.

13 ANNA MARTINEZ DE LUCO: That's--this was  
14 not done I 2009 to 2011, which it changes totally  
15 the--the--the character--characterization of 2004-2005.  
16 So, the real reason is that somebody did not do that  
17 job because if that job was done, I mean it seems we  
18 don't like people to recycle better, but at the same  
19 time, we talk about city waste, and--and so--

20 CHAIRPERSON REYNOSO: So, can you explain  
21 to me what you think the--and--and I just want to be--I  
22 want you to inform me what you think the value of  
23 that study would be that's in the--the study that  
24 you're talking about that the city is obligated do--

2 ANNA MARTINEZ DE LUCO: [interposing]

3 Yes, yes.

4 CHAIRPERSON REYNOSO: --if there's a-if  
5 there's a-if there's a change to the Bottle Bill, can  
6 you explain to me what you think the-why is that  
7 valuable?

8 ANNA MARTINEZ DE LUCO: [interposing]

9 Well, I think--

10 CHAIRPERSON REYNOSO: Why-why would that  
11 important?

12 ANNA MARTINEZ DE LUCO: Lets see-let's  
13 see that-that this bill passes this year, not only  
14 passes expansion, but passes many other things, which  
15 people were working on it. Now, the quota that you  
16 are obliged to Sims, we have to change because people  
17 will recycle it much more and, in fact, the highest  
18 rate of diversion rate is the one through the  
19 deposit, and you know, and it's not just people  
20 getting from the Bronx. It's people from-from our  
21 neighborhoods.

22 CHAIRPERSON REYNOSO: Yeah, but you're  
23 saying that the contract. So, I just-I never read  
24 that, and now that you have it, I will read it.

25 ANNA MARTINEZ DE LUCO: Thank you.

2 CHAIRPERSON REYNOSO: I will read it.  
3 It's interesting. What you're saying is that if we  
4 do a study, the study would allow us to be informed  
5 as to what's being recycled and that the city's  
6 obligations to Sims will be modified--

7 ANNA MARTINEZ DE LUCO: [interposing]  
8 Yes.

9 CHAIRPERSON REYNOSO: --according to  
10 what's being recycled?

11 ANNA MARTINEZ DE LUCO: Yes.

12 CHAIRPERSON REYNOSO: Okay.

13 ANNA MARTINEZ DE LUCO: Because there is  
14 another part who says here, yes.

15 CHAIRPERSON REYNOSO: So, sister, what  
16 about if, and I'm just going to give an example.

17 ANNA MARTINEZ DE LUCO: [interposing] Let  
18 me read the last thing.

19 CHAIRPERSON REYNOSO: [interposing] But  
20 your--your problem is with Sims, and I don't want it  
21 to be with Sims. I want your--I want you to just--

22 ANNA MARTINEZ DE LUCO: [interposing]  
23 But--

24 CHAIRPERSON REYNOSO: --take care of the  
25 people that you're representing--

2 ANNA MARTINEZ DE LUCO: [interposing]

3 When Sims--

4 CHAIRPERSON REYNOSO: --outside of Sims.

5 ANNA MARTINEZ DE LUCO: When Sims--when  
6 Sims said the other day this is the city's position,  
7 I believe, and the way you talk is exactly--I mean two  
8 nights ago Sims represented--they was telling me that  
9 of glass exactly the same, but today it is told  
10 again.

11 CHAIRPERSON REYNOSO: [interposing] Right  
12 because we--but I want to--

13 ANNA MARTINEZ DE LUCO: [interposing]

14 Believe that Sims is idea for--

15 CHAIRPERSON REYNOSO: [interposing] So,  
16 look Sims--so forget about Sims. Now, we're talking  
17 now, right. I want to get a good position, right. I  
18 don't want to get Sims' position. In my head it  
19 makes a lot of sense to encourage canners to take the  
20 thing that we don't want in the system out, and get  
21 paid for that so--

22 ANNA MARTINEZ DE LUCO: [interposing] Who  
23 is--who is we don't want? Who is we don't want? The  
24 we?

25

2 CHAIRPERSON REYNOSO: The city wants to  
3 achieve--

4 ANNA MARTINEZ DE LUCO: Right.

5 CHAIRPERSON REYNOSO: --its obligation--

6 ANNA MARTINEZ DE LUCO: [interposing]  
7 Yeah.

8 CHAIRPERSON REYNOSO: --to Sims.

9 ANNA MARTINEZ DE LUCO: Forget about Sims  
10 you said. Forget about Sims.

11 CHAIRPERSON REYNOSO: No, no, no. So, I-

12 -

13 ANNA MARTINEZ DE LUCO: [interposing]

14 Forget about Sims.

15 CHAIRPERSON REYNOSO: Your not--you're not  
16 understanding I have an obligation to Sims.

17 Unfortunately, I want to be honest with your, right.

18 I care--I care about you deeply, sister, but the

19 obligation contractually is to Sims is important. We

20 have to meet that so that we're not spending money.

21 Like it might be a bad contract, but it's a contract.

22 We have a lot bad contracts in the city.

23 ANNA MARTINEZ DE LUCO: [interposing] The  
24 contract that can be modified, and from day one has a

2 provision that if the Bottle Bill changes, it can be  
3 modified, and--

4 CHAIRPERSON REYNOSO: If the Bottle Bill  
5 changes what?

6 ANNA MARTINEZ DE LUCO: It can be  
7 modified, the contract. Especially for that.

8 CHAIRPERSON REYNOSO: [interposing]  
9 Right. So, you're saying that forget about Sims.  
10 They'll be able to--we'll be able to take care of them  
11 after the modification of the--

12 ANNA MARTINEZ DE LUCO: [interposing] All  
13 because you said you are obliged to Sims, and because  
14 of that you want remove Sims--

15 CHAIRPERSON REYNOSO: [interposing] Yes,  
16 we are obliged

17 ANNA MARTINEZ DE LUCO: --or in order to  
18 give the obligations that. But I am saying that  
19 instead to do, why don't you--why don't you fight?

20 CHAIRPERSON REYNOSO: [interposing] Well,  
21 what value does it have for you? Sister, what does  
22 it matter if--it's all about money for you, right?  
23 Like we want to make sure--

24 ANNA MARTINEZ DE LUCO: [interposing] For  
25 us less money--

2 CHAIRPERSON REYNOSO: [interposing] No,  
3 listen to me.

4 ANNA MARTINEZ DE LUCO: --but less is  
5 much more--

6 CHAIRPERSON REYNOSO: [interposing] It's  
7 not about--

8 ANNA MARTINEZ DE LUCO: -- for Sims  
9 maybe--

10 CHAIRPERSON REYNOSO: [interposing] Oh,  
11 my God. Yes.

12 ANNA MARTINEZ DE LUCO: --but less is  
13 much more.

14 CHAIRPERSON REYNOSO: No. I want to make  
15 sure that the canners make as much money as possible.

16 ANNA MARTINEZ DE LUCO: No, no you are  
17 not. Okay, so go ahead.

18 CHAIRPERSON REYNOSO: So, you might  
19 disagree that what I'm saying is doing that. I agree  
20 with that.

21 ANNA MARTINEZ DE LUCO: Yes, yes.

22 CHAIRPERSON REYNOSO: So, I'm trying to  
23 learn so that I can help you achieve your goal of  
24 getting more money for canners. What about if we do  
25 save the--the 5 cents for aluminum, the 5 cents for

2 plastics and then 25 cents for this heavy glass so  
3 that we added and then we expanded the Bottle Bill,  
4 but are giving a higher price to the thing that we  
5 want out of the stream to a group of people that do a  
6 very good job at sorting that. So that you can still  
7 make your money off of aluminums and off of plastics  
8 your five cents that you're used to, but now there's  
9 another item that's included in the bill that it  
10 costs a lot more than both of those combined.

11 ANNA MARTINEZ DE LUCO: You know that?

12 CHAIRPERSON REYNOSO: So, now what we're  
13 doing is we want to encourage the removal of this  
14 glass from the system by-by incentivizing canners to  
15 take that product because it's the more valuable  
16 product. How is--so, all we did in this--in my  
17 scenario, and I'm just making it up now in my  
18 scenario. All we did was add another product to the  
19 stream at a much higher rate. How is that not  
20 helpful? So, you could continue to do your plastics  
21 and your--and your aluminums.

22 ANNA MARTINEZ DE LUCO: But not to add a  
23 part, not the expansion?

24 CHAIRPERSON REYNOSO: What expansion are  
25 you're--not to add? You're saying--

2 ANNA MARTINEZ DE LUCO: It's expansion of  
3 the Governor's Proposal.

4 CHAIRPERSON REYNOSO: I just—I just told  
5 you we expanded to include this new glass, this—the—  
6 the alcoholic beverage glass for 25 cents let's say?

7 ANNA MARTINEZ DE LUCO: No, but the  
8 proposal is to expand sweet water, cider a lot of  
9 other things that were not necessarily in that.

10 CHAIRPERSON REYNOSO: Yeah, we—I think we  
11 should. Yeah, we should—yeah we should—I'm not  
12 saying we shouldn't expand. I think what we should  
13 be doing, though, the money, right? So, I—I, look,  
14 it's not about expansion. It's about using the money  
15 to—to let things go one way or let things go the  
16 other way not using money to—to eliminate your jobs  
17 or to help Sims. It's like what do we want in the  
18 recycling stream. Let's make sure that that number  
19 is lower than what we don't want in the stream, and  
20 let's make that higher. You could expand it across  
21 the board. Whatever we want recycled, we should  
22 maybe have a monetary tie to it, but--

23 ANNA MARTINEZ DE LUCO: [interposing] And  
24 again it's--

2 CHAIRPERSON REYNOSO: Why not charge more  
3 or give more in the deposit--

4 ANNA MARTINEZ DE LUCO: [interposing] Yes.

5 CHAIRPERSON REYNOSO: For things that we  
6 don't want in the stream that you will get paid for.

7 ANNA MARTINEZ DE LUCO: When--when you  
8 said we don't what, who are we? I-I ask--

9 CHAIRPERSON REYNOSO: [interposing] So,  
10 exactly. So, let's the market. There you go.

11 ANNA MARTINEZ DE LUCO: [interposing] Who  
12 are they?

13 CHAIRPERSON REYNOSO: But it has a  
14 market, and it's valuable. We want--the city of New  
15 York wants to keep that. If it is not valuable, and  
16 it doesn't have a market, they want that to be out of  
17 the stream.

18 ANNA MARTINEZ DE LUCO: The city? Who is  
19 the city of New York? Who is the city of New York?

20 CHAIRPERSON REYNOSO: The--the market.

21 ANNA MARTINEZ DE LUCO: The market is the  
22 city. Okay.

23 CHAIRPERSON REYNOSO: No, no, no.

24 ANNA MARTINEZ DE LUCO: Okay, it is a  
25 matter of this whole thing.

2 CHAIRPERSON REYNOSO: [interposing]

3 Sister, you're not-it's the market.

4 ANNA MARTINEZ DE LUCO: Yes.

5 CHAIRPERSON REYNOSO: What-is aluminum  
6 more valuable than-than glass? I want to ask you.  
7 You tell me about the market. Is aluminum more  
8 valuable than glass?

9 ANNA MARTINEZ DE LUCO: I don't ever sell  
10 neither aluminum or glass so I don't know.

11 CHAIRPERSON REYNOSO: So, okay so-so then  
12 that's-that's a big problem then.

13 ANNA MARTINEZ DE LUCO: [interposing] It  
14 needs to be--

15 CHAIRPERSON REYNOSO: Sister, that we  
16 should have a conversation about because what we're  
17 saying is whatever has market value actual market  
18 value, right that we put a lower value to that so  
19 that is stays in the stream and the bad guys at Sims  
20 could get it. What we're saying is it doesn't have  
21 any market value, there's not real value to it  
22 because we can't resell it somewhere. We can't  
23 recycle it. It can't be re-used and if it does, it's  
24 at a high-it's at a low cost. What we want to do is  
25 take those out of the stream because it's just heavy

2 but it doesn't have any value to it, and it  
3 definitely doesn't have any value if it's all mixed  
4 in. So, what we're saying is if doesn't have any  
5 market value that we increase the value for a deposit  
6 so that you can take it out of the stream, get paid  
7 more for taking that out, right. So, now the city  
8 doesn't need to worry about it, and then the consumer  
9 responsibility that the folks that are—you're still  
10 going to get your money. So, we're—it's not about—  
11 it's a market. We just want to make sure that we're  
12 playing to that, and that you guys can help us play  
13 to that, and still make money.

14 ANNA MARTINEZ DE LUCO: No, we cannot  
15 tell you that.

16 CHAIRPERSON REYNOSO: The city--?

17 ANNA MARTINEZ DE LUCO: I really cannot  
18 tell you that, and I tell you.

19 CHAIRPERSON REYNOSO: You can't what? I  
20 can't what?

21 ANNA MARTINEZ DE LUCO: No, we cannot  
22 help you with that.

23 CHAIRPERSON REYNOSO: You can't help us  
24 with that?

25 ANNA MARTINEZ DE LUCO: No, no.

2 CHAIRPERSON REYNOSO: Why is that?

3 ANNA MARTINEZ DE LUCO: First, because at  
4 least for me I'm so appealing to know that you--you  
5 as Chairperson of Sanitation Committee are worried  
6 and thinking about the value of the recyclables.

7 When you fact--most of the people who talked today  
8 maybe one or two not, they were talking about doing  
9 all the possible ways so that people will cycle, but  
10 they will divert better, and now you are calculating  
11 where there is more value. So, two years ago the  
12 paper was value. This today the paper has no value.  
13 So, maybe canners would credify the paper. Three  
14 years ago it was--nine years ago the only value well  
15 for Sims was cans--aluminum cans. They were really  
16 after that. Now, no they found a market for the--for  
17 the paper, and you will tell me you are not talking  
18 as Sims. You talk exactly the same than Sims, and I  
19 am so sorry to see that.

20 CHAIRPERSON REYNOSO: [interposing] Then,  
21 so then maybe--so--so okay. So maybe my--my thoughts  
22 about how we achieve this are aligned with Sims.

23 ANNA MARTINEZ DE LUCO: That--why don't  
24 you believe that if the sponsoring is real and yes  
25 increase--increase the handling fee--increase the

2 deposit, why don't you believe that many more people  
3 won't throw us. Some that save and they, and they  
4 refuse any recyclable. Anything that has value  
5 people—people of our neighborhoods do not throw to—to  
6 garbage. So, even in Manhattan if there is a great  
7 value, many more things will be recyclable, and even  
8 the recyclables that—and again, it's proven and you  
9 have heard it from Eunomia that the highest recycle  
10 rate is because of the deposit and it's well worked.

11 CHAIRPERSON REYNOSO: We agree with that.  
12 We agree with that.

13 ANNA MARTINEZ DE LUCO: So, now why do  
14 you like to keep some for Sims, but the others we can  
15 recycle?

16 CHAIRPERSON REYNOSO: You can recycle  
17 both of them. Let's say we don't have a zero,  
18 there's no zeroes--

19 ANNA MARTINEZ DE LUCO: In counting the--

20 CHAIRPERSON REYNOSO: [interposing] -you  
21 could continue to recycle the way you do with the  
22 cans and the plastics, but if there's more value on a  
23 different product, I feel like you're canners are  
24 going to go after that product that has more value.  
25 Not—not value to the market, value through the

2 deposit. Forget about the market. They're going to  
3 go after the value of the deposit. If we say that  
4 cup is worth \$1.00, the canners will be paying  
5 attention to that product.

6 ANNA MARTINEZ DE LUCO: Canners won't see  
7 this.

8 CHAIRPERSON REYNOSO: What do you mean?

9 ANNA MARTINEZ DE LUCO: If you say this  
10 is \$1.00 value--

11 CHAIRPERSON REYNOSO: [interposing] If  
12 that's true, then the people will throw it out  
13 because it will have its value.

14 ANNA MARTINEZ DE LUCO: Do you remember  
15 the--the Metro Cards were all around the ground? The  
16 moment they are \$1.00 value, you didn't see.  
17 Sometimes you lost your own and you cannot find it.  
18 You have to buy one. So, even when you said the  
19 bottle, the wine or whatever, 25 cents, you will  
20 bring you brother and sister. I mean all of us will  
21 bring our own bottles if its 25 for bottle.

22 CHAIRPERSON REYNOSO: [interposing] But--  
23 but that's not happening with the--with the aluminum  
24 cans and the plastic bottles. They do have value,  
25 but it's not happening.

2 ANNA MARTINEZ DE LUCO: Because it's five  
3 cents, because it's five cents--

4 CHAIRPERSON REYNOSO: Right.

5 ANNA MARTINEZ DE LUCO: --but if is 25  
6 cents the bottle of--the can Coca-Cola, you will see  
7 how everybody will return, and--and that is nothing  
8 bad. It's--it's good. I mean we don't mind that and  
9 we don't mind that people will return more, but why  
10 that kind of so this is value for this? And again, I  
11 believe and you said yourself you never read this  
12 contract.

13 CHAIRPERSON REYNOSO: No, I did not.

14 ANNA MARTINEZ DE LUCO: I understand.  
15 It's 400 pages, I believe. Yes, but these pages, and  
16 I can give you, is just to tell us that if only--I  
17 mean you don't need to pay any subsidy, anything  
18 special to--to Sims if you were able to do this, which  
19 is the Bottle Bill change 10 cents, 15 cents  
20 everything even--even containers, water containers  
21 whatever has deposit. Many people will recycle much  
22 better. Now, you addressed the quota because this is  
23 what the recyclable (sic) says.

24 CHAIRPERSON REYNOSO: It will allow us to  
25 adjust the quota?

2 ANNA MARTINEZ DE LUCO: Yes, and they  
3 said--

4 CHAIRPERSON REYNOSO: And that's a good  
5 thing.

6 ANNA MARTINEZ DE LUCO: And they said,  
7 imagine they said in the case of a Bottle Bill  
8 enhancement increase the diversion of aluminum that  
9 so from curbside collections to redemption centers,  
10 the contractor shall be compensated beyond the effort  
11 of the new Recyclable Stream Composition Study. So,  
12 when this is--whatever reform and the biggest the  
13 better, in--in the 24 months continues do the study,  
14 and only whatever comes with the study you are  
15 committed to 2 cents. Now, if suddenly that is not  
16 the--

17 CHAIRPERSON REYNOSO: [interposing]  
18 Sorry, sorry. I'm just--I just want you to clarify for  
19 me. So, what you believe that does is that once the  
20 study says in our stream we only have plastic  
21 bottles.

22 ANNA MARTINEZ DE LUCO: Yes.

23 CHAIRPERSON REYNOSO: So, our obligation  
24 now constitutes that we only have to give you plastic  
25

2 bottles because that's what's in the stream. For  
3 that 20--that--that allows you to modify--

4 ANNA MARTINEZ DE LUCO: [interposing]

5 Yeah.

6 CHAIRPERSON REYNOSO: --your obligation to  
7 them to only giving them what's in the stream?

8 ANNA MARTINEZ DE LUCO: Yes, yes and the  
9 value that's in the study. That is something that--

10 CHAIRPERSON REYNOSO: [interposing] So,  
11 what I'm going to do is I want to take some so we're  
12 not here all day.

13 ANNA MARTINEZ DE LUCO: Yeah.

14 CHAIRPERSON REYNOSO: I'm going to take  
15 time to read that contract so that we could  
16 understand it better with the committee, but I guess  
17 what I'm trying to tell you that no one is against  
18 you right now. It feels like that. I get it and I  
19 want to be clear. It feels like because people are  
20 listening to Sims because they're the big bad wolf  
21 in--in the room and they're not listening to you, but  
22 that is not the goal, right? The goal is not to make  
23 Sims happy. The goal I believe is ultimately to  
24 begin the process of removing non-valuable items from  
25 the recycling stream. That's what I--and I'm talking

2 about non-valuable in the market. Now, if you don't--  
3 you don't believe it that's fine, but we are going  
4 to--that's what we're fighting for, that's what I'm  
5 fighting for.

6 ANNA MARTINEZ DE LUCO: And I feel sorry  
7 because there is no we. I-I would like to hear--

8 CHAIRPERSON REYNOSO: [interposing] I told  
9 you Antonio Reynoso.

10 ANNA MARTINEZ DE LUCO: --I would like--I  
11 would hear the--the whole committee.

12 CHAIRPERSON REYNOSO: [interposing]  
13 Council Member Antonio Reynoso--

14 ANNA MARTINEZ DE LUCO: [interposing]  
15 That's right, yes.

16 CHAIRPERSON REYNOSO: --is trying to  
17 figure out a way that we do something that is  
18 productive for us to get our recycling rates up, but  
19 also allowing for us to remove things in recycling--in  
20 the--in the stream that we don't want, and if you have  
21 an opportunity to do that in your system, then we  
22 want to figure out a way to pay you for that. So,  
23 we--I want to have a conversation with you so that  
24 we're on the same page. What I don't want is that I  
25 can't advocate on your behalf because you've drawn a

1 very clear line. So, if you line is Sims versus us,  
2 and that's it then we're—we're—you're going lose and  
3 we can't do that. What we need to do is [coughs] is  
4 build a coalition where we come to a compromise that  
5 works for everyone and that's what I'm trying to do  
6 here. I'm trying to understand you. I'm not trying  
7 to dictate anything to you. I'm trying to explain to  
8 you the logic behind why people are doing what  
9 they're doing, and I feel like you think it's  
10 exclusively doing it to try to satisfy Sims. I don't  
11 think that's it. There are Environmental Justice  
12 people that don't care about Sims. They care about  
13 the environment, and they want to do something could  
14 help the environment, and if they can help the  
15 environment by modifying how we recycle, that's what  
16 they're going to try to do outside of Sims thought.  
17 They just want to help the environment, and if in  
18 helping that environment you can continue to make  
19 your money or make more money, and that's like an  
20 added benefit. That's what we want to do. So, I  
21 just want you to know that's the premise, the  
22 foundation about where we're coming. Now, if you  
23 believe how we're talking isn't too Simscentric, then  
24 we'll have a conversation so we could be better at  
25

2 it. I con—I consider you the foremost recycling like  
3 canning expert. So, I want to make sure that you're  
4 a part of that conversation. I hope you heard my  
5 testimony and my conversation with Sanitation about  
6 listening to you, bringing you to the table. That's  
7 real and I want to do that. With all my advocacy,  
8 that's very hard for it to happen. So, I just want  
9 you to know that I'm on the same team and the same  
10 page. I know you don't feel like that right now, but  
11 as I learn and I get informed, I think we're going to  
12 get closer to you where you want to get to.

13 ANNA MARTINEZ DE LUCO: This morning came  
14 this—this article—I mean this study of the Bottle  
15 Bill Expansion and the benefits. So, I will also give  
16 to you. You—you could find in the press, but I will  
17 give to you. I bring a copy.

18 CHAIRPERSON REYNOSO: And that's a—and you  
19 feel like that's a strong—like explain—explain or  
20 where you stand.

21 ANNA MARTINEZ DE LUCO: But it, yeah. No,  
22 it explains very well the jobs, the recycling levers,  
23 everything because of the expansion. So, even the  
24 actual one this much more will be expanded. So, at  
25 least those of us who are in there by the mental mind

2 and economics of the people. We agree with all of  
3 this, but I will—I can give to you.

4 CHAIRPERSON REYNOSO: Okay. So, thank  
5 you.

6 ANNA MARTINEZ DE LUCO: Right.

7 CHAIRPERSON REYNOSO: Thank you for that.  
8 Thank you for your testimony, by the way. I really I  
9 appreciate you taking the time to get here.

10 PIERRE SIMMONS: Thank you.

11 CHAIRPERSON REYNOSO: I'm going to just  
12 try my best to summarize it in Spanish very quickly  
13 so we could close the hearing. [Speaking Spanish]  
14 Thank you so much for everyone being here. I think  
15 we're at the end. I didn't think we would get to  
16 5:00, but we got to 5:20, longer than I expected it,  
17 but it's always—it's always good. Thank you so much  
18 for today, and have a good day. We're adjourned.

19 [gavel] [background comments/pause]

20 CHAIRPERSON REYNOSO: [Speaking Spanish]  
21  
22  
23  
24  
25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date April 11, 2019