



**The City of New York
BUSINESS INTEGRITY COMMISSION**

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Daniel D. Brownell
Commissioner and Chair

***Minutes of a Meeting of the
Trade Waste Advisory Board***

Date and time: December 7, 2017 at 10:00 a.m.

Location: New York City Business Integrity Commission,
100 Church St., 20th Floor, New York, NY 10007

Attendees:

Business Integrity Commission

Daniel Brownell, Commissioner and Chair
Noah Genel, Deputy Commissioner of Legal Affairs and General Counsel
Salvador Arrona, Director of Policy
David Mandell, Deputy General Counsel for Regulatory Enforcement
Elise Ryan, Senior Legal Analyst (notes)

Industry

Ron Bergamini, CEO, Action Carting Environmental Services, Inc.
Michele Van Orden, General Counsel, Cardella Trucking Co. Inc.
Peter Toscano, CFO/CLO, Mr. T Carting Corp. (for Tom Toscano)
Steven Changaris, Regional Manager, National Waste & Recycling Association (NWRA)
Kendall Christiansen, Executive Director, New Yorkers for Responsible Waste
Management (NYRWM)
Andy Moss, Government Affairs Manager, Waste Connections
Nino Tristani, COO, GPB Waste NY, LLC
David Biderman, Executive Director and CEO, Solid Waste Association of North
America (by phone)

Not Present

John DiNardi, Secretary and Treasurer, D&D Carting Co. Inc.

Discussion Items

1. Safety

- a. BIC testified at the City Council hearing on November 27, 2017. BIC is continuing with its safety initiatives along with the Vision Zero Task Force.
- b. BIC is reviewing its rules and is considering the promulgation of new rules and changes to its section of the Administrative Code to address safety in the industry.
- c. Mr. Brownell stated that BIC is taking the lead on safety by working together on ideas for essential best practices and establishing a minimum safety standard. He

encourages all licensees and registrants to adopt their own safety program. Mr. Brownell requested feedback from the industry on safety initiatives.

- d. Mr. Christiansen commented that NYRWM members have been supportive of BIC's role in advancing safety in the industry. He noted that the use of data at the City Council hearing was inaccurate, and he supports BIC's efforts to obtain and use data that is accurate so that future discussions regarding safety can be informed by facts.
 - e. Mr. Moss commented that the Universal Safety Manual would be best used as a compliment to existing safety protocols, rather than as a substitute for existing practices.
 - f. Mr. Moss raised questions for BIC about the Interagency Review Panel that was mentioned at the hearing.
 - i. Mr. Genel informed that the panel (composed of City agencies) will meet after the NYPD has concluded its investigation of a collision involving a trade waste vehicle. The purpose of the panel is to learn what happened and how the crash might have been prevented and what improvements could be made.
2. Enforcement of Recycling Rules
- a. BIC is actively enforcing its recycling rules.
 - b. Mr. Brownell informed that BIC is working closely with DSNY and encourages drivers to report customers or waste generators who they know are commingling.
 - c. Mr. Christiansen requested to have a meeting with all involved agencies regarding recycling rules. For example, there may be a misunderstanding regarding whether waxed cardboard should be considered to be a recyclable material. Waxed cardboard does not have a market in the paper market or encompassing markets.
 - d. Mr. Bergamini commented that it is not plausible for helpers to inspect bags at the curb for recyclables that have not been properly source separated.
 - e. Industry members commented that it is in the industry's interest to have clean, non-contaminated recyclables so that they can get the materials to market.
3. Trucks Parked on Side of Roads
- a. The Mayor's Office is investigating possible ways to handle trucks parked on the side of roads at night in the City. Mr. Genel asked members if there is a trade waste industry issue with this conduct.
 - b. Mr. Bergamini stated that it has been a long-standing issue in the long-haul trucking industry, but it is not a solid waste industry issue.
4. Glass Recycling Discussion
- a. BIC informed members that BIC staff spoke with the Mayor's Office of Sustainability regarding the issue of glass recycling. There are uses for glass in the construction industry, including as a substitute for materials in the production of concrete. There is a plant near Albany that accepts glass for these uses. Perhaps the government and private industry could collaborate to bring a similar plant to New York City. In 2018, BIC would like to put together a group to discuss this further.
 - b. Mr. Moss informed that the research and development on glass in concrete is far along. The City is already using recycled glass in Brooklyn sidewalks. He also

- suggested that the distributors of glass bottles should be required to take the used glass back from customers.
- c. Mr. Bergamini suggested that until there is a place for glass, the City should consider suspending glass as a designated recyclable material.
5. Data Requests
- a. Emissions Law (NYC Local Law 145 of 2013) Compliance Survey
 - i. In January 2018, BIC will conduct a survey of licensees/registrants regarding their compliance plans, ahead of the 2020 deadline.
 - b. Sideguards Survey
 - i. In 2018, BIC will conduct a survey of licensees on the total number vehicles that have sideguards installed, ahead of the 2024 deadline.
 - ii. Mr. Bergamini projected that 100% of Action's fleet will have sideguards installed by the first quarter of 2018.
 - c. Dangerous Intersections Follow-up
 - i. Mr. Genel requested that industry members send more details on dangerous intersections. It is more helpful to DOT when they have a description of why a particular intersection is problematic.
 - ii. Industry members commented that the bike lane at the intersection of Greenpoint and Review Avenues continues to be dangerous.
6. Intro 495 Activity (NWRA)
- a. Industry members informed that there is long-standing industry opposition to Intro 495. The waste industry is opposing Local Law 495 in any form. The industry has not seen an environmental assessment from DSNY.
7. Recycling Markets (NYRWM/NWRA)
- a. Industry members informed that cardboard theft is still a problem.
 - b. BIC responded that they are meeting with other solid waste enforcement partners in 2018 and will be discussing cardboard theft.
8. Impact of Safety Symposia on Trade Waste Industry (NYRWM)
- a. Mr. Christiansen took an anecdotal survey from industry members and found that companies are rising to the safety culture challenge promulgated by the Commissioner at the Third Safety Symposium in October. The symposia are having a significant impact in the industry.
 - b. Mr. Arrona will schedule a conference call to talk about the Spring Safety Symposium on April 11, 2018.
9. The next TWAB Meeting will take place on Thursday, January 25, 2018.