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3 PUBLIC HEARING ON

4 THE COMPREHENSIVE COMMERCIAL WASTE

5 MANAGEMENT STUDY

6 -----X

7 Queens Borough Hall

8 Kew Gardens, New York

9

10 November 19, 2002

11 7:16 P.M.

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13 MINUTES of PUBLIC HEARING, held at

14 the above-mentioned time and place before

15 Stefanie Gerber, a Notary Public of the State

16 of New York.

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2 A P P E A R A N C E S:

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4 PANEL MEMBERS:

5 Harry Szarpanski, Assistant Commissioner,

6 Department of Sanitation

7 Steven Lawitts, Deputy Commissioner,

8 Department of Sanitation

9 Sarah Dolinar, Department of Sanitation

10 Daniel Harkins, HDR

11 Walter Czwartacky, Department of

12 Sanitation

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2 MR. SZARPANSKI: I think we're  
3 going to get started. Good evening. My  
4 name is Harry Szarpanski. I'm the  
5 Assistant Commissioner for the Bureau of  
6 Long-term Export with the New York City  
7 Department of Sanitation.

8 I welcome the opportunity to appear  
9 before you tonight to let you know about  
10 the comprehensive study on commercial  
11 waste management in the City of New  
12 York. The study will be undertaken by  
13 the Department with the assistance of our  
14 solid waste management plan consultant,  
15 Henningson, Durham & Richardson  
16 Architecture and Engineering, PC, also  
17 known as HDR.

18 I am joined by representatives of  
19 HDR right here, Dan Harkins, as well as  
20 Steven Lawitts on my left, Deputy  
21 Commissioner for Administration, and  
22 members of my staff, Walter Czwartacky  
23 and Sarah Dolinar.

24 My comments tonight will be brief.  
25 The real focus of this public meeting is

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2 your comments on commercial waste  
3 management issues that affect your  
4 communities.

5 In a nutshell, the commercial waste  
6 study will move forward in the following  
7 way. The Department, through HDR, will  
8 develop a scope and conduct a study. The  
9 broad outlines of the study are set forth  
10 in the Administrative Code as it was  
11 amended by Local Law 74 of 2000. If you  
12 are not familiar with it, a copy of Local  
13 Law 74 is available as a handout  
14 tonight.

15 Also available tonight are copies  
16 of a preliminary report, issued by the  
17 Department in June of this year, which  
18 contains the data necessary to perform  
19 the analyses required in the commercial  
20 waste study.

21 The commercial waste study will  
22 perform the tasks outlined in Local Law  
23 74, including analysis of the  
24 effectiveness of procedures and criteria  
25 for the issuance and/or renewal of

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2 operating permits for putrescible and  
3 non-putrescible solid waste transfer  
4 stations in minimizing potential adverse  
5 environmental, economic and public health  
6 impacts on the communities in which they  
7 are located; the manner in which  
8 regulations relating to transfer station  
9 operations, private carter and long-haul  
10 transport vehicles are enforced; the  
11 means and potential effects of limiting  
12 the number and capacity of transfer  
13 stations in the city; the size and type  
14 of vehicles that should be authorized to  
15 transport solid waste to or from transfer  
16 stations and fuel-type requirements for  
17 such vehicles; whether transfer stations  
18 and city-owned marine transfer stations  
19 should receive and process both  
20 residential and commercial solid waste  
21 and the options for transporting such  
22 solid waste to and from such transfer  
23 stations, including an analysis of  
24 potential adverse impacts; and potential  
25 adverse impacts on communities in which

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2 large numbers of transfer stations are  
3 located.

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As part of the study, the  
5 Department and the HDR team are required  
6 to and will solicit and consider the  
7 views of the elected officials, the  
8 city-wide recycling advisory and borough  
9 solid waste advisory boards and the  
10 public, including residents of the  
11 affected communities, environmental  
12 advocacy organizations, transfer station  
13 operators, private carters, business  
14 entities and academicians, and respond to  
15 substantive issues raised.

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To obtain these views, we have  
17 scheduled a public meeting in each  
18 borough as well as a meeting with the  
19 Citywide Recycling Advisory Board and the  
20 five borough Solid Waste Advisory  
21 Boards. We will also reach out to the  
22 other groups listed above.

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We will conduct these outreach  
24 efforts between now and December 16. For  
25 this reason, we ask that we receive all

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2 written comments that you would like to  
3 be considered as part of the scoping  
4 process on or before 5:00 p.m. on Monday,  
5 December 16.

6 All written comments should be  
7 mailed or faxed to me at 44 Beaver  
8 Street, 12th floor, New York, New York  
9 10004, and the fax number is  
10 212-269-0788. This contact information  
11 has been printed on the comment and  
12 question cards that are available here  
13 tonight.

14 Based on all the comments received,  
15 HDR is expected to complete the draft  
16 scope for the study by the end of  
17 December. The draft scope will appear on  
18 Sanitation's web-site and a comment  
19 period will be established to obtain  
20 comments on the draft scope that will be  
21 considered before a final scope is posted  
22 on the web-site.

23 The study itself and an  
24 accompanying report are expected to be  
25 completed in March of 2004 and issued to

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2 the Mayor and City Council. It's  
3 important to note that the commercial  
4 waste study will be designed to meet a  
5 number of planning goals.

6 The study will enable the city to  
7 assess and plan for management of both  
8 the residential and commercial waste  
9 streams and will assist the Department in  
10 developing a new solid waste management  
11 plan. Equally important will be the  
12 recommendations developed in the report  
13 on ways to minimize the potential adverse  
14 impacts on the city's residential and  
15 business communities and the  
16 environment.

17 So we can hear from everyone who  
18 wants to speak tonight, we ask you to  
19 keep your statements to three minutes,  
20 but I'm not going to hold you to that  
21 considering the size of the crowd.

22 If you do not wish to speak but  
23 would like to provide us with written  
24 comments, please complete one of the  
25 comment cards we have provided for your



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2 use.

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4 We have a stenographer keeping the  
5 record of the testimony, so please state  
6 your name clearly. And if there are  
7 elected officials, they will have an  
8 opportunity to speak first.

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10 So thank you for coming out  
11 tonight. The first speaker is Mr. Robert  
12 LoPinto.

13

14 SPEAKER: Good evening. My name  
15 is Bob LoPinto. I am a licensed  
16 professional engineer and president of  
17 Shapiro Engineering, an environmental  
18 engineering consulting firm. Over the  
19 past 14 years we have done various  
20 projects for over 25 different solid  
21 waste facilities.

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23 I am also the chairperson of the  
24 Queens Solid Waste Advisory Board and a  
25 member of the steering committee of the  
Citywide Recycling Advisory Board. I am  
the vice chairperson of Queens Community  
Board seven where I also chair the  
environmental committee.

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2 I mention this because these  
3 activities provide an insight into my  
4 background. Tonight I am speaking as  
5 citizen Bob with experiences from all  
6 these activities.

7 I must first state that I was  
8 somewhat confused as to why New York City  
9 would put a moratorium on permitting all  
10 private transfer stations. Based on a  
11 preliminary report that states, and I,  
12 quote, "some of the data is erroneous and  
13 inconsistent," end quote. We know that  
14 the present interim solid waste  
15 management plan will be in existence for  
16 at least five more years before the  
17 long-term plan can be implemented.

18 A large portion of the DOS  
19 collected residential garbage in Queens  
20 is now transported by white sanitation  
21 garbage trucks to Long Island and New  
22 Jersey. This is because there is not  
23 enough private transfer capacity in  
24 Queens.

25 This is a costly expense that the

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2 city cannot afford, besides the  
3 environmental consequences of so many  
4 trucks traveling long distances through  
5 the borough and outside the city.

6 The long-term plan envisions the  
7 use of eight of the existing city marine  
8 transfer stations to ship containerized  
9 waste by barge to some yet to be located  
10 transshipping location to ship that waste  
11 to out of state landfills by rail or  
12 barge.

13 It was the Citywide Recycling  
14 Advisory Board that suggested this plan  
15 and requested that DOS study this  
16 possibility. It was also the CRAB's  
17 thought that any excess residential  
18 capacity could be used by the commercial  
19 sector for their disposal of putrescible  
20 waste.

21 However, for this to happen the  
22 following must be considered. First,  
23 presently many smaller waste generators  
24 do not sort separate their recyclables  
25 but rely on the carter to do so after

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2 collection. This must be performed at a  
3 transfer station before the waste would  
4 be delivered to the MTS.

5 If separate collections are  
6 mandated, collection costs to these  
7 establishments will need to go up. Two,  
8 no construction and demolition debris can  
9 be delivered to the MTS.

10 Three, rates for disposal must be  
11 reasonable or like when DOS increased  
12 their fees for disposal at Freshkills in  
13 the late '80s, the carters will still  
14 arrange for their own out of state  
15 shipment.

16 Four, the increase in truck traffic  
17 around the MTSs caused by commercial  
18 trucks must be compared to any decrease  
19 in truck traffic around transfer stations  
20 and the intended environmental affects  
21 analyzed.

22 Everyone makes garbage but no one  
23 wants it handled in their backyard.  
24 That's what we have manufacturing zones  
25 for and properly sited, constructed and

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2       operated private transfer stations will  
3       always be required, especially for  
4       construction and demolition degree and  
5       fill materials.

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      Proper planning for both DOS  
7       managed waste and privately managed waste  
8       will result in an efficient, cost  
9       effective solution to this city's garbage  
10      and fiscal problems. Thank you.

11

      MR. SZARPANSKI: Thank you for  
12      your comments.

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      SPEAKER: I put a copy in the  
14      box.

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      MR. SZARPANSKI: Okay. Our next  
16      speaker is John Okun.

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      SPEAKER: Thank you. Good  
18      evening. I'm John Okun. I am the  
19      director of the New York Waste Management  
20      Program and for the Industrial Technology  
21      Assistance Corporation.

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      We are a non-profit materials  
23      exchange program funded with city and  
24      state monies and fees from companies. We  
25      have an on-site waste reduction and waste

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2 management component that deals with  
3 industrial, commercial, institutional  
4 organizations.

5 I'm also the member of the Queens  
6 Solid Waste Advisory Board and on the  
7 Citywide Recycling Advisory Board and  
8 several other sustainable youth  
9 organizations, which I won't go into.

10 I didn't prepare any written  
11 comments. I have an overall general  
12 question and comment on the commercial  
13 waste study, and I notice missing from it  
14 is composition data, composition waste  
15 stream data by type of material, type of  
16 industry, cross referenced by type of  
17 industry.

18 The reason I mentioned that is back  
19 in '89 I believe it was, the previous  
20 commercial waste study we had that data,  
21 and that data was critical to me being  
22 able to work in the field of waste  
23 prevention, working with industries to  
24 source reduce waste to help them improve  
25 recycling separation processes, divert

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2 materials, geographically manage, and I  
3 guess the other point I want to make is  
4 that cross referencing it, since you have  
5 geographic breakouts here by broad sector  
6 of putrescible and non-putrescible, by  
7 being able to break it out by industry  
8 specific categories and material specific  
9 categories creates a methodology to be  
10 able to manage more effectively and  
11 efficiently solid wastes coming out of  
12 various industries in the city.

13 We set up a project called Wood  
14 Wise New York where we have gone into  
15 numerous industrial firms, surveyed their  
16 wood waste generation rates and  
17 composition types, and we have been able  
18 to set up recycling programs and in some  
19 cases help them implement technology  
20 approaches to source reduce some of the  
21 wood waste they are generating on-site.

22 That composition data seems to me  
23 to be critical in designing and  
24 fulfilling the mandates of Local Law 74,  
25 designing an efficient management plan

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2       that's going to minimize impacts on  
3       industry and residential communities.  
4       That's my major comment.

5               I was kind of shocked not to see it  
6       in there, and I'm not sure if it's going  
7       to be forthcoming or if that data was  
8       even surveyed as part of the process.  
9       That's my question or comment. Thanks.

10              MR. SZARPANSKI:     Thank you. At  
11       one point we did look into doing a  
12       comprehensive study of the component in  
13       the solid waste stream including  
14       commercial waste. I'm not sure -- well,  
15       it's certainly not part of this  
16       commercial waste study, but it may be  
17       under a separate contract that we're  
18       looking into right now.

19              SPEAKER:     Okay.

20              MR. SZARPANSKI:     Anybody else  
21       with any comments? If not, the meeting  
22       is adjourned. Thank you.

23              (TIME NOTED:     7:31 P.M.)

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## CERTIFICATION

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I, STEFANIE GERBER, a Notary Public

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in and for the State of New York, do hereby

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certify:

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THAT the witness(es) whose

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testimony is herein before set forth, was duly

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sworn by me; and

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THAT the within transcript is a

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true and accurate record of the testimony

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given by said witness(es).

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I further certify that I am not

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related either by blood or marriage, to any of

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the parties to this action; and

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THAT I am in no way interested in

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the outcome of this matter.

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IN WITNESS WHEREOF, I have hereunto

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set my hand this 9th day of December 2002.

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STEFANIE GERBER