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THE NEW SOLID WASTE MANAGEMENT PLAN
PUBLIC SCOPING MEETING
FOR THE ALTERNATIVES TO THE PROPOSED
SOUTH BRONX CONVERTED
MARINE TRANSFER STATION
HELD AT: ALFRED E. SMITH HIGH SCHOOL
Bronx, New York
June 23rd, 2004, 5:56 p.m.

Reported by: MARC RUSSO
Job#: 161263

1
 2 A p p e a r a n c e s :
 3
 4 HARRY SZARPANKSI, P.E., Assistant Commis-
 sioner,
 5 DEPARTMENT OF SANITATION, 44 Beaver Street,
 12th
 6 floor, New York, New York 10004
 7
 8 WALTER CZWARTACKY, DEPARTMENT OF SANITATION
 9
 10 VAUGHAN F. ARNOLD, DEPARTMENT OF SANITATION
 11
 12 SARAH DOLINAR, DEPARTMENT OF SANITATION
 13
 14 ALSO PRESENT: JORGE FREIRE, HOWARD FREIRE,
 15 Spanish Interpreters
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

1
 2 MR. SZARPANSKI: Good evening
 3 everybody, my name is Harry Szarpanski,
 4 I'm assistant commissioner for the
 5 bureau of long term export at the New
 6 York city Department of Sanitation.
 7 With me tonight are Sarah
 8 Dolinar, Vaughan Arnold and Walter
 9 Czwartacky also with the Department.
 10 Also we have Dan Harkins and Susan
 11 Raila with the firm Henningson, Durham
 12 and Richardson, HDR; they are the firm
 13 responsible for conducting the
 14 environmental review of the
 15 Department's projects.
 16 Also representatives of the
 17 firm of Ecology and Environment are
 18 here, they helped us organize the
 19 meeting tonight.
 20 As you know, the Department of
 21 Sanitation is preparing a new
 22 comprehensive solid waste management
 23 plan to replace the plan that will
 24 expire at the end of October this year.
 25 The new plan, or as we refer to

1
 2 PUBLIC SPEAKERS: PAGE:
 3
 4
 5 Carlos R. Alicea 17
 6 Vincent Alta Panama 31
 7 Elena Conte 38
 8 Harry J. Bubbins 48
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1
 2 it, the new SWMP, will plan for the
 3 management of all of the solid waste
 4 generated in the City of New York over
 5 the next 20 years. We expect to issue
 6 a draft of the new SWMP in September;
 7 it will need to be approved by the City
 8 Council and by the State. The new SWMP
 9 will be supported by an environmental
 10 impact statement.
 11 The new SWMP will rely on
 12 current programs to recycle, compost
 13 prevent or reduce waste; a key
 14 component of new SWMP is the long term
 15 export of the solid waste managed by
 16 the Department of Sanitation through
 17 state of the art marine transfer
 18 station facilities that are proposed to
 19 be built at the City's eight existing
 20 marine transfer stations sites in
 21 Brooklyn, Manhattan, Queens and the
 22 Bronx.
 23 These facilities will
 24 containerize waste and transport it by
 25 barge for disposal. The proposed South

1
2 Bronx converted MTS would containerize
3 the Department-managed waste from the
4 Bronx only. This program to build new
5 marine transfer stations is called the
6 MTS conversion program.

7 We are before you tonight to
8 hear your comments specifically on the
9 facilities that are being evaluated as
10 alternatives to the proposed South
11 Bronx converted MTS.

12 One or both of these facilities
13 under long-term contract with the City,
14 would export the Department-managed
15 waste from the Bronx by rail. These
16 alternatives are at 98 Lincoln Avenue,
17 at the Harlem River Yards and 920 East
18 132nd Street, a facility that proposes
19 to send out rail cars from Oak Point
20 Yard.

21 If these alternatives are
22 selected, the South Bronx converted MTS
23 will not be built. In addition, we
24 seek your comments on all of the
25 proposed actions, including the MTS

1
2 Because the real focus of this
3 public meeting will be your comments,
4 please make sure to take a moment to
5 complete a speaker sign up sheet if you
6 plan to make a statement for the
7 record. You will be assigned a number
8 and I will call your name when it is
9 your turn to speak.

10 We're interested to make a
11 complete record of your comments, so
12 please state your name clearly and
13 slowly for the stenographer.

14 So that we can hear everyone
15 who wants to speak, we normally ask
16 that people take three minutes, but
17 seeing that it's a small group tonight,
18 we'll be a little more lenient on the
19 time.

20 If you do not wish to speak but
21 would like to provide us with written
22 comments, please complete one of the
23 comment cards we've provide for your
24 use.

25 Thank you for coming tonight

1
2 conversion program and alternatives
3 that were outlined in the draft scoping
4 document we issued on May 17th.

5 The draft was mailed to all of
6 the elected officials and community
7 boards as well as to environmental
8 organizations and to our regulators.
9 It was placed on the Department's
10 website and in public repositories in
11 your community and nine other
12 communities that are the proposed sites
13 for the new marine transfer stations or
14 for the alternatives.

15 My comments tonight will be
16 brief; I will make a short power point
17 presentation before the public portion
18 of meeting begins.

19 Copies of my statement and
20 presentation will be available at the
21 end of the meeting out at the front
22 desk. Headsets are available at the
23 sign-in desk for those who require
24 Spanish translation of tonight's
25 meeting.

1
2 and I will begin my short presentation.
3 (Showing slides) the
4 initiatives included in the solid waste
5 management plan will be the long-term
6 export of waste, new recycling
7 facilities in the City and the plan
8 will address how to handle commercial
9 waste.

10 In order to receive your
11 comments on the scoping document, we
12 can receive them verbally tonight, you
13 can fill out a comment sheet that we
14 have up front or you can submit a
15 written statement or, you can mail
16 material to us no later than July 9th
17 to me at the above address or to our
18 consultant and this information's going
19 to be contained in the handout that you
20 can pick up.

21 The draft EIS for the long-term
22 export program is for the proposed
23 action which is converting the eight
24 marine transfer stations and for
25 alternatives being evaluated; those

1
 2 alternatives include: Rail or barge
 3 export of waste from private transfer
 4 facilities in Bronx, Brooklyn and
 5 Queens; rehabilitating the existing
 6 marine transfer stations to barge waste
 7 to an out-of-city unloading facility or
 8 delivering waste in collection vehicles
 9 or barges to an out-of-city disposal
 10 facility.

11 This map shows the locations of
 12 all our marine transfer stations in the
 13 Bronx there's one existing marine
 14 transfer station at Hunts Point and in
 15 the Bronx there are also two
 16 alternatives being considered; one is
 17 at 920 East 132nd Street, as I just
 18 mentioned the other is 98 Lincoln
 19 Avenue.

20 The plan will evaluate
 21 developing the converted marine
 22 transfer stations in four of the
 23 boroughs, three in Manhattan, three in
 24 Brooklyn, one in Queens, one in the
 25 Bronx and also the reactivation of the

1
 2 in the floor.
 3 Just below those four openings
 4 we will have containers and the waste
 5 will fall into the containers and then
 6 tamped down. Once those containers
 7 have waste in them, they'll be moved
 8 over to the lidding operation area and
 9 this is still all within the enclosed
 10 building; the lids will be placed on
 11 the containers and the containers will
 12 be sealed, and once the containers are
 13 sealed, they will go outside of the
 14 building where a gantry crane will pick
 15 them up and place them on to a barge.

16 The odor control system that's
 17 being provided includes a ventilation
 18 system that prevents air from escaping
 19 from the processing building when the
 20 doors are open to let the trucks in and
 21 out; rapid roll-up doors so that the
 22 doors remain open for less time; an
 23 interior water misting system inside
 24 the building to reduce the dust in the
 25 exhaust air; a state-of-the-art odor

1
 2 52nd Street Barge staging area in
 3 Brooklyn.

4 The objectives of this program
 5 are: To export waste by barge and/or
 6 rail; reduce the in-city transfer
 7 trailer traffic; utilize more
 8 economical disposal capacity and
 9 provide more transport and disposal
 10 options.

11 This is a map showing the
 12 wastashed that's going to be handled.
 13 The wastashed is all of the Bronx and
 14 it also shows the locations of the
 15 marine transfer station and two
 16 alternatives being considered.

17 What you're seeing here is a
 18 typical cross-section of the Bronx,
 19 converted Bronx marine transfer
 20 station. Trucks will go up a ramp and
 21 then back up on the tipping floor; you
 22 can see the sanitation truck up there.
 23 The waste will be off-loaded on to a
 24 loading floor where front-end loaders
 25 will push the waste into four openings

1
 2 control system that not just masks the
 3 odors, but neutralizes them in the
 4 building, in the building exhaust air
 5 so that no detectable odors will result
 6 at sensitive receptors.

7 This map shows the location of
 8 the proposed South Bronx converted
 9 marine transfer station. It shows the
 10 nearest receptor, sensitive receptor
 11 which is the prison barge and it also
 12 shows the New York City DOT truck
 13 routes.

14 The truck queuing issue will be
 15 addressed by having access ramps that
 16 are longer so that no trucks wind up
 17 queuing on the street. The ramps are
 18 designed to support the weight of the
 19 truck so they can queue on the ramp
 20 itself, and at the South Bronx MTS, 17
 21 collection vehicles can queue on site.

22 Inside the building there are
 23 spaces for six trucks to unload. This
 24 aerial photo shoes the existing marine
 25 transfer station that's going to be

1
2 demolished and that's in white. And
3 over right on top of that in the shaded
4 area is the proposed layout of the new
5 converted marine transfer station.

6 The containerization operation
7 includes specially-designed intermodal
8 containers; the containers have
9 leak-proof seals, they're lidded inside
10 the building and then they're loaded on
11 to the flat bed barges so that no waste
12 is exposed outside the building.

13 This shows a typical piece of
14 equipment that's used for lifting these
15 containers.

16 Now, the alternatives for the
17 MTS conversion are: Rehabilitation of
18 the existing MTS to barge waste to an
19 out-of-city unloading facility;
20 contracting to containerize waste at 98
21 Lincoln Avenue which is the Harlem
22 River Yards for export by rail or
23 containerizing Bronx waste at 920 East
24 132nd Street, that's a facility
25 operated by Allied and draying those

1
2 containers to Oak Point Yard, and
3 exporting it by rail.

4 To give you a rough idea of
5 what we estimate the timeline for the
6 public review process and involvement
7 is from this point on, we're conducting
8 a total of ten public scoping meetings,
9 this happens to the fifth one and they
10 will continue through July 1st of this
11 year.

12 Comments on the draft scoping
13 document are due by July 9th if you're
14 going to mail them to us or July 11th
15 if you want to fax them to our office.

16 We then anticipate issuing a
17 final scoping document July 14th and
18 draft EIS on August 6th. Since the DEC
19 is also involved, we anticipate that
20 they will hold Part 360 permit hearings
21 between September 8th and September
22 28th, and also that the council will
23 hold a hearing on the draft SWMP some
24 time in September.

25 Comments on the draft EIS will

1
2 be received between August 6th and
3 October 8th and we anticipate
4 publishing the final EIS on December
5 9th. We've also established a
6 hot-line, telephone call in hot-line,
7 toll free number is, 888-NYC-SWMP. The
8 review documents are available at
9 various public repositories and there
10 are two in this community.

11 I will now open the floor to
12 comments. And the first speaker is
13 Carlos Alicea. And I think we're going
14 to have simultaneous translation in
15 Spanish?

16 **MR. CARLOS R. ALICEA:** Yes.

17 **MR. SZARPANSKI:** Thank you.

18 **MR. CARLOS R. ALICEA:** (Through
19 the interpreter) Good afternoon, I have
20 a question first before I start my
21 comments. If you could send me an
22 electronic copy of this presentation,
23 it would be very useful and besides,
24 and besides we won't be destroying the
25 trees because we are using paper, we

1
2 will not be using paper.

3 There are several levels of
4 comments that could be done about this
5 document. My comments this afternoon
6 will be based in the essence of the
7 public policy that the City of New York
8 is implementing in this process.

9 We recognize that a public
10 policy that is based on the
11 transportation of solid waste using
12 marine ways, which are so abundant in
13 this City, is in theory, a proposal
14 that would diminish environmental
15 impacts due to the management of waste.

16 Nevertheless, as this plan is
17 presented and is written, we believe
18 that the idea that the marine transfer
19 stations is used as a strategy to hide
20 the true public policy of this
21 administration, which is the
22 privatization of the handling of
23 garbage in the City and returning to
24 incineration.

25 It looks to us that this plan

1
2 will not only create environmental
3 injustice among the City counties, but
4 it will also create unjust
5 environmental problems relating to
6 other communities within the region.
7 This is so, due to that this plan is
8 based on a public policy of exporting
9 garbage.

10 As we say in Naranjito, the
11 town where I was born, this is the same
12 candy with a different wrapper. We
13 affirm so because the foundation of
14 this document is not based upon public
15 health and community protection.

16 The DEC calls this proposal a
17 new plan; nevertheless, in the
18 description of such plan, they are
19 contradicting themselves, exporting
20 garbage towards incineration is nothing
21 new.

22 If this was really something
23 new, this plan should be founded a
24 public policy of zero garbage
25 generation, reuse and recycling.

1
2 If the public policy of zero
3 generation is good to obtain, the
4 Olympic Games in New York City, it
5 should be good enough for the whole
6 city and it should be the primary
7 guideline for public policy towards
8 handling solid waste within the City.

9 MR. CARLOS R. ALICEA: You say
10 that I only have three minutes, no?
11 THE INTERPRETER: I only had
12 three minutes you said?
13 MR. SZARPANSKI: You can
14 continue by all means.

15 MR. CARLOS R. ALICEA: (Through
16 the interpreter) Now this public policy
17 has a basis, a series of parameters in
18 order to become effective. We are not
19 going to accept that use in the name of
20 environmental protection. Our
21 communities should be opposed to
22 accepting industries that may have
23 problems of contamination and health;
24 we already in the Bronx, we are
25 suffering the consequences of such

1
2 environmental decisions, when in order
3 to follow the law of not throwing water
4 residuals into the sea, we will oppose
5 NYOFCO that, they have a history of
6 abuse and contamination in our City.
7 This occurs when environmental groups
8 evaluate public policies against
9 contamination without integrating
10 social aspects and politics in
11 developing those environmental laws.

12 In order for a public policy of
13 zero generation of re-use and recycling
14 may function, it should be based on the
15 -- upon the following parameters: The
16 infrastructure that might be necessary
17 and it might be believed to use
18 reusable items and recycling, cannot be
19 concentrated in communities that
20 already have serious contamination
21 problems and already have a high
22 concentration of facilities that handle
23 waste in the City.

24 For example, we already know
25 that the interim contract to restart

1
2 the recycling program within the City,
3 has been granted to a company that has
4 one of the facilities in the Bronx. We
5 already know that this company is
6 thinking in the possibilities of
7 building a recycling plant in the
8 Bronx. Why is it always the Bronx
9 people and people inside poor
10 communities saturated from
11 contamination already, the ones that
12 have to suffer consequences of the
13 green campaigns of the rest of the
14 communities in the City?

15 The second parameter is that
16 the transitory policies of reusable --
17 recycling and re-using, it has to be
18 based in just distribution and that
19 each county should dispose and handle
20 their own waste.

21 And third, that exportation of
22 solid waste be completely prohibited
23 outside of the State of New York among
24 the cities -- the counties within the
25 City and among neighborhoods.

1
 2 This plan lacks from an
 3 environmental justice analysis since it
 4 doesn't take into consideration that
 5 exportation of waste depends on this
 6 positions in sanitary refilling in
 7 other communities which probably are
 8 communities that are already suffering
 9 from environmental injustices, poor
 10 communities, and where the majority of
 11 people is not white. And an
 12 environmental analysis is not for us to
 13 be invited at some public hearings to
 14 mention some type of comments about
 15 proposals already pre-determined, that
 16 hide and take dressings like if they
 17 were like some type of environmental
 18 justification in order to favor private
 19 corporations.

20 Environmental injustice
 21 analysis requires that alternatives
 22 presented to the community be truthful
 23 and that these alternatives may
 24 eliminate and minimize potential
 25 environmental consequences in handling

1
 2 solid waste.
 3 The possibility that this plan
 4 opens the opportunity to combine
 5 commercial waste just as it's presented
 6 in this plan, will justify
 7 environmental injustices that are
 8 already in existence in the City
 9 respecting to localization of transfer
 10 station for waste.

11 These communities again, are
 12 poor communities and not white. This
 13 proposal therefore, as far as I
 14 understand, simply means the
 15 legalization of environmental racism
 16 that already exists in the City of New
 17 York.

18 This plan leaves the door open
 19 for privatizing all solid waste
 20 programs within the City and not only
 21 that, we believe -- we believe that the
 22 language in this document tends to
 23 create political justification to favor
 24 a private company in particular,
 25 therefore, make it easier to give

1
 2 control of the waste business to Waste
 3 Management, Inc.

4 This will bring serious
 5 environmental problems, economic
 6 problems and labor problems to the City
 7 and to the community. Why do we say
 8 that? Waste Management, it's a company
 9 that is not community-friendly; for
 10 example, Waste Management was disposing
 11 solid waste without -- without having
 12 anything to consideration that would
 13 measure the amount of waste that were
 14 being processed in their facilities.

15 Besides that, they are under
 16 contract with Ms. Alvarado, as a public
 17 relations for the community, who was
 18 forced to leave her post within the
 19 board of community -- community board
 20 because of conflicts of interest in
 21 relation to NYOFCO.

22 Waste Management does not have
 23 a clean record. Not only this country,
 24 but also in several places all over the
 25 world where they do business.

1
 2 In the United States, this
 3 company, in coordination with Bronx
 4 various industries, was found guilty of
 5 working in agreement to fix prices that
 6 they were charging their operation
 7 which cost the State of California and
 8 taxpayers millions of dollars.

9 Waste Management is the same
 10 company that in order to be able to
 11 keep control on monopoly of the
 12 railroads for the business, practically
 13 tore the access for train tracks from
 14 Waste Services forcing hundreds of
 15 trucks from these companies, I'm
 16 talking about Waste -- Waste Services
 17 have to go out and transport garbage,
 18 increasing air contamination in our
 19 communities.

20 We make a clarification that we
 21 do not pretend in this comment to favor
 22 one company over another one since they
 23 both use trucks and they make their
 24 money upon -- by exporting waste.

25 Waste Management treats the

1
2 workers with discrimination paying
3 different type of salaries to workers
4 within the City in comparison with
5 workers in other communities.

6 For example, Waste Management
7 pays lower salaries to workers that
8 work in the Bronx facilities. As a
9 matter of fact, let me clarify, that's
10 the facility that you are proposing as
11 an alternative site.

12 They pay them such in
13 comparison with workers that work in
14 Westchester County. Besides, they
15 don't concern themselves about the
16 workers when they force them to jump
17 inside garbage containers in order to
18 clean them, and besides the union
19 guidelines, they did not change their
20 style until one of their workers
21 fracture both his arms.

22 How do you expect for us to
23 take into consideration seriously any
24 of these alternatives for the Bronx
25 that you have presented when the DES is

1
2 justifying this company that certainly
3 is not a community-friendly company?

4 I'm taking too much time so I'm
5 going to jump to the last page.

6 The last important comment that
7 I would like to do is referring to a
8 section within the document where there
9 is evaluated supposed alternatives for
10 handling of the garbage in comparison
11 with the re-construction of the marine
12 stations of the City.

13 In the section that says
14 timing, we are -- we are concerned
15 about the language used in this section
16 because the way we interpret that, it
17 indicates that it is justified because
18 it's going to save time, the fact that
19 all waste should be sent to an
20 incinerators which infamoustically
21 (sic) could be called -- which they
22 call them so infamoustically,
23 facilities that transform waste into
24 energy. We do not solve our own
25 problems, this waste-to-energy is just

1
2 a beautiful word that means
3 incineration.

4 In this following section, in
5 the section called increase waste and
6 barge transfer waste, there is
7 additional evidence there that
8 indicates to us that the true policy
9 behind this plan is to favor Waste
10 Management, because like I said before,
11 they control the areas for the train
12 tracks in the Bronx and other parts of
13 the City are controlled by Waste
14 Management. No other company does
15 that.

16 In the section for cost of
17 living, we are told, and that's
18 additional evidence to justify the
19 privatization of favoring Waste
20 management. And why do we say that?
21 Historically, this administration
22 already said that due to the fiscal
23 crisis there is no money available to
24 rebuild marine transfer stations.

25 So if we put together these

1
2 three sections of the document, saving
3 money, to increase the capacity of the
4 railroad and send solid waste to
5 incinerators in order to save time,
6 there's no doubt that a public policy
7 that is going to come out with this
8 document, is a policy based on two
9 objectives: One, the City's going to
10 favor the monopolistic control from
11 Waste Management for garbage that the
12 City already handles; and second, that
13 this garbage will be sent to
14 incinerators in -- in places nearby the
15 Tri-state region.

16 The document clearly states
17 that one of these facilities is located
18 in New Jersey. So the question that
19 comes out of this is: Why this theatre
20 today when alternative and public
21 policy have already been determined?

22 We know through history that
23 when corporations and the government
24 get together to establish public
25 policies, the only one that's going to

1
2 win are corporations. And this
3 document very slightly is bringing
4 these public policy, dressing it up as
5 an alternative, environmental
6 alternative.

7 I have a message for you: The
8 Bronx community and communities for
9 environmental justice in all of the
10 City of New York will not allow that.
11 Prepare for a long war, because we will
12 use any means necessary to stop this
13 public policy. Thank you very much.

14 **MR. SZARPANSKI:** Thank you for
15 your comments (applause.) Our next
16 speaker is Vincent Alta Panama.

17 **MR. VINCENT ALTA PANAMA:** I'm
18 going to be a lot briefer because I
19 don't have to counter anything that
20 Carlos Alicea has said.

21 For the record, I am both a
22 community activist and a union delegate
23 for Laborers Local 108 and I represent
24 workers in both facilities which you
25 are here considering.

1
2 I represent workers both at
3 Waste Management and the Harlem Rail
4 Yard and at the Waste Services
5 facility. Let me say that four years
6 ago, my local took the workers of Waste
7 Management out on strike at the Harlem
8 Rail Yards. At that time, Waste
9 Management tried to seduce the workers
10 away from the union and to come and
11 break and to cross the picket line to
12 come back to work on the basis that
13 they would have a long future with
14 Waste Management because, and they
15 pulled out the blueprints of the marine
16 transfer station. This was four years
17 ago.

18 Four years ago Waste Management
19 Harlem Rail Yards had blueprints about
20 how to links their rail to marine
21 transfer. So you please forgive me and
22 us if we find this a little, this
23 hearing a little bit incredulous, you
24 know.

25 It is evident and we've been

1
2 looking at the plan where people talk
3 about marine transfer; Waste Management
4 has Review Avenue which has rail and
5 marine accessibility. Waste Management
6 has Varick Street which has rail and
7 marine accessibility. Waste Management
8 has Harlem Rail Yards which are out in
9 the Bronx, which have marine and
10 potential marine and rail accessibility
11 also, okay.

12 Interestingly enough, they
13 literally yanked the rail spur off the
14 ground that we had given Waste Services
15 both the marine and rail accessibility
16 which is a condition that you have in
17 order for the facility to really be
18 considered for the possibility of
19 replacing the retrofitting of the Hunts
20 Point Station.

21 So, it seems very evident to us
22 that Waste Management is in and
23 everybody else is out, see. So in case
24 you look to us like this is a farce for
25 all the reasons that I have said, I

1
2 think that you need to take into
3 account that whatever you saying about
4 the containment of garbage
5 borough-by-borough, Waste Management,
6 you know, was operating under an
7 emergency permit for months, bringing
8 garbage from other boroughs into the
9 Harlem Rail Yard. While it was doing
10 that, by the way, their scale, the
11 scale that weighed the train cars from
12 which they ship the garbage from nearby
13 rail, was down four months and the
14 Department of Sanitation failed to look
15 at that situation for many months.

16 In addition to that, they have
17 a 3000-ton permit existing which is
18 beyond what the Bronx produces in solid
19 waste on a daily basis, yet they have
20 an application from a permit expansion
21 for an additional 3000 tons. 3000 tons
22 or 2000 tons? 1000 tons, sorry. One
23 thousand tons.

24 Interestingly enough, what they
25 offered the City of New York and what's

1
2 being considered by the City of New
3 York and the State of New York, is the
4 transfer of a thousand-yard permit,
5 okay that they have for gravel and C&D
6 to be added as solid waste, thousand
7 tons a day.

8 You need to know that the yard
9 that they're referring to, that permit
10 is useless because that yard sits
11 empty, it has maybe one delivery a day,
12 if that many. But the City of New York
13 and the State of New York chooses to
14 consider the request. Now, if they
15 have the additional thousand ton a day,
16 okay and they already have a permit
17 that exceeds what the Bronx produces in
18 solid waste, we are to expect that that
19 yard in the way they get the contract
20 is going to be abused the way it has
21 been abused, and that that abuse will
22 be overlooked the way it has been
23 overlooked.

24 I also took Waste Management
25 workers out on strike at the Truxton

1
2 refers to, I had to work into the
3 Harlem Rail Yards one day when one of
4 my members, okay, fell jumping off a
5 lid on top of a train car on to the
6 tipping floor. I had said to them 20
7 times, "somebody's going to get killed
8 here," until the guy jumped off, busted
9 both of his arms (indicating) okay, and
10 then they wanted to come up with every
11 cockamamy way of getting the operation
12 to continue to operate when I
13 instructed the members of Local 108
14 that they were not to jump into any
15 more cars, and this thing was over.
16 Okay, every -- at the end of
17 three-hour standoff, it was me that
18 finally came up with a logical
19 suggestion as to how they could, in the
20 interim of building, okay a folding
21 stairs and have safety harness and rail
22 built so that men could work safely
23 because they were so moronic that
24 safety people and transfer station
25 managers, okay, couldn't come up with a

1
2 Street Facility when their -- their --
3 their base of cust -- the customer base
4 begun to dwindle. They began to bring
5 trucks from Upstate New York full of
6 C&D; We have video of this, they still
7 have the stickers, asbestos stickers
8 stuck on the side to be dumped in the
9 Truxton Street Facility. And we
10 notified the Department of Sanitation.
11 Nobody did anything.

12 It seems to us really clear,
13 okay that Waste Management has an
14 inside track; we know for sure they
15 have a lot of political clout, okay and
16 it is not my job to come here and
17 promote one corporation over the other.
18 I am in the employee of neither, Waste
19 Services nor Waste Management, okay.
20 And it seems to us that you're stuck
21 between a rock and a hard place but
22 that hard place is a lot more difficult
23 and that hard place is Waste
24 Management, okay.

25 I am the person that Carlos

1
2 safe way of having its employees
3 strapped in this -- in the train track,
4 in the train cars.

5 I don't think that from the
6 workers' standpoint, from the
7 environmental standpoint, from the
8 community standpoint, Waste Management
9 being considered as a possible site for
10 you to ship your solid waste out of the
11 Bronx, is -- is a smart thing. I will
12 leave it at that and I thank you very
13 much.

14 **MR. SZARPANSKI:** Thank you very
15 much for your comments.

16 Our next speaker is Elena
17 Conte.

18 **MS. ELENA CONTE:** Good evening
19 everybody, forgive me, I have a little
20 bit of a cold.

21 My name is Elena Conte and I am
22 the solid waste and energy coordinator
23 for Sustainable South Bronx. I gave
24 comment last night and I'm going to try
25 not reiterating too much. And

1
2 specifically refer to the topic tonight
3 which is the so-called proposed
4 alternatives to the marine transfer
5 station re-opening and retrofit.

6 I have to begin by saying that
7 it seems to me absurd that you can say
8 that this is a hearing on the
9 alternatives, when you've really not
10 been provided with any information
11 about what those alternatives are going
12 to entail. You can say well, it's
13 either going to be Waste Management or
14 Waste Services or the MTS, but nobody
15 in the community has any information
16 about exactly what that will entail in
17 terms of truck traffic, in terms of the
18 other commercial contracts that are
19 held in the Bronx in terms of borough
20 self-sufficiency, there's no way for us
21 to comment intelligently on something
22 that we haven't seen and that there --
23 that we haven't seen and haven't been
24 offered to see and this process coming
25 up in the foreseeable future for us to

1
2 really get a look at that.

3 We understand that the RFPs
4 went out, that they came back in;
5 negotiations are going on as we speak
6 and that's a process that you've
7 decided is closed and doesn't involve
8 the community in any way. It doesn't
9 lend any credibility to a hearing like
10 this since you're already making that
11 decision and giving us just an
12 opportunity to stand at the microphone.
13 You're going to make that decision any
14 way, it appears and decide to include
15 them in the SWMP regardless of what
16 anyone has to say in any of the
17 neighborhoods and that is to say the
18 least, not really in good faith from
19 our perspective of the way that we've
20 been approaching trying to craft the
21 solid waste management in an
22 economically, environmentally-sound way
23 that is equitable for all of the City's
24 people.

25 Beyond that, I want to say that

1
2 our concern about the alternatives is
3 the way that they involve private
4 companies, whichever one it may be and
5 hopefully it will be neither and it
6 will be done publicly.

7 This City's expressing now that
8 it has issues with shutting down the
9 land-based transfer stations because it
10 doesn't know if it has the legal
11 authority to interfere with private
12 companies and their contracts.

13 That seems to be the argument
14 that we've been hearing and by
15 stalling, and at a juncture like this,
16 when the City has a clear opportunity
17 to take more control and to live up to
18 its responsibility to deal with the
19 City's garbage and to manage it,
20 considering the alternative of just
21 tossing it over to private companies,
22 seems like you're further shirking that
23 responsibility and you're putting
24 yourself in a position where you're
25 throwing up your hands and you're

1
2 saying that you just can't do anything,
3 that you stepped sort of further in
4 that direction.

5 And I think history has shown
6 extremely clearly about the
7 proliferation of land-based transfer
8 stations that happen, the pattern it
9 happened in and the neighborhoods that
10 were affected, the devastating impacts
11 and under regulation all of that which
12 happened due to the closing of the
13 Freshkills Landfill and the way in
14 which the City just decided to let
15 private companies and the market
16 regulate itself. That doesn't work
17 from the perspective of a quality of
18 health, of economic feasibility for the
19 City or for sustainability.

20 So it would be a mistake to
21 continue along that path by not really
22 changing anything and letting private
23 companies continue to do another
24 version of what they're doing already.

25 In particular, some of the

1
 2 impacts that we are concerned about is
 3 in the proposal for Waste Management
 4 and Waste Services is the question of
 5 rail. Few years back there was a study
 6 done on rail capacity in the Bronx and
 7 you can say, oh, it would be great if
 8 it's environmentally-sound, it's gonna
 9 got out on rail, that we really don't
 10 have any proof or evidence that there
 11 is going to be sufficient capacity for
 12 the cars to be moving in a way that
 13 they're safe. If there isn't that
 14 capacity and the cars of going to have
 15 to sit there sitting in the sun baking,
 16 that's a major health hazard. And if
 17 they're going to be sitting there for a
 18 few days and they're not going to be
 19 able to move and you're going to send
 20 your trucks in, then you're not really
 21 sending it by rail and that's a major
 22 concern that we have.

23 Because of the incident with
 24 Waste Management and Waste Services, we
 25 know that Waste Services doesn't have

1
 2 viable rail access. And I think the
 3 word that you're using in your
 4 presentation is that you're going to
 5 dray it to another location? It's my
 6 understanding that's basically trucking
 7 it to the rail head at Oak Point which
 8 involve trucks traffic that in a
 9 community that's right nearby. We
 10 don't have any way to know what this is
 11 going to look like because none of it
 12 is open. So those are just some
 13 concerns that we have about that.

14 There's also a concern that by
 15 doing it with a private company, you're
 16 sort of creating an escape hatch. So
 17 if everything goes wrong in Manhattan
 18 and if the folks at 91st Street have
 19 their way and they oppose their
 20 station, you don't open it up, or other
 21 problems occur, then Manhattan isn't
 22 forced to deal with its fair share;
 23 you're setting up a system whereby one
 24 of those companies is going to be able
 25 to leave a mega exporter of garbage.

1
 2 And so you're setting the Bronx up to
 3 be this escape hatch to violate borough
 4 self-sufficiency and that is completely
 5 untenable to us from the perspective of
 6 equitable treatment.

7 You know, we feel like there
 8 should be borough self-sufficiency for
 9 transfer of waste in every category,
 10 construction, demolition, fill,
 11 commercial and non-commercial, it's
 12 just whatever the borough makes, they
 13 should deal with it.

14 And it also goes to that
 15 question of closing down the land-based
 16 transfer stations with the methods that
 17 we talked about in other venues.

18 The flow control and the
 19 franchising, current steps that
 20 Sanitation has talked about and the
 21 City's talked about as ways to
 22 incentivize private haulers to use the
 23 public infrastructure.

24 By giving this to a private
 25 company, you're further taking away

1
 2 your power to incentivize and control
 3 what's going on and that is again, one
 4 extreme concern.

5 So a suggestion that I would
 6 have for you all if you really do want
 7 to consider alternatives is that you
 8 would subject these private bids to a
 9 similar public process as you are the
 10 MTS alternatives; that you would do
 11 analysis of the impacts that's similar
 12 to the rigor of what you have done for
 13 the marine transfer stations and you
 14 would make that public and that you
 15 have actual hearings where people could
 16 substantively comment on what the
 17 possibilities are and understand how
 18 that might work and not just slip it in
 19 to the SWMP and have them evaluated in
 20 the fall.

21 So, just like to say a couple
 22 of more things: Our bottom lines are
 23 what we want is for the marine transfer
 24 stations to be open, all of them
 25 throughout the city, including

1
 2 Manhattan and then you can open the one
 3 in the Bronx. And you got to lay out a
 4 plan very soon about how you're going
 5 to shut down the land-based transfer
 6 stations and how these private
 7 companies, whether they be the ones
 8 that you're considering in the Bronx or
 9 Brooklyn or in Queens, are going to fit
 10 into that picture in a way that it's
 11 used the goals that you have said that
 12 you embrace.

13 And then finally in terms of
 14 alternatives, I really just want to
 15 highlight the comments that Resa Dimino
 16 made yesterday with regard to the
 17 People's Plan for Zero Waste and they
 18 also touched on what on Carlos was
 19 saying.

20 I know that this isn't a
 21 pleasant experience for folks in the
 22 Sanitation Department to be wrangling
 23 in different neighborhoods about this
 24 export problem; export is a real
 25 problem, but it doesn't have to be if

1
 2 the City would just get smart and
 3 aggressive about its planning; get with
 4 the 21st century.

5 If you embrace a comprehensive
 6 policy to move towards zero waste,
 7 similar to what's laid out in the plan
 8 for the next 20 years, and you make
 9 that an integral part of your solid
 10 waste management plan, the problems
 11 that you have going forward are only
 12 going to sort of disintegrate or
 13 diminish as time goes on and will
 14 produce less and you can have
 15 phenomenal impacts in terms of jobs
 16 created and quality of life impacts for
 17 the City so I would encourage you to
 18 think along those lines. Thank you.

19 **MR. SZARPANSKI:** Thank you for
 20 your comments. We have an additional
 21 speaker. Harry, is it Bubbins?

22 **MR. HARRY J. BUBBINS:** Thanks a
 23 lot, I just came from gardening and my
 24 name's Harry Bubbins, I'm the director
 25 of friendsofbrookpark.org and this is a

1
 2 carrot that we were growing
 3 (indicating) in the park on 141st
 4 Street and some other greens we have.

5 So, we really support
 6 composting by DSNY, it's been, you
 7 know, gone, we don't get compost
 8 anymore so when you include compost in
 9 recycling and so forth, in outlining
 10 your plans, it would be good to see it
 11 actually occurring and I see firsthand
 12 that it's not occurring.

13 You know the Mayor has cut it
 14 and so on and so forth, but even before
 15 evaluating or implementing the macro
 16 plans and visions, you should be
 17 implementing compost immediately, it's
 18 a great way to reduce waste and cost
 19 and it has a great benefit.

20 It's also been done for
 21 commercial gain on the Lower East Side
 22 by the Lower East Side Ecology Center
 23 where they're actually making money
 24 doing it so I think I really support
 25 composting even before addressing these

1
 2 macro conditions.

3 Number two, as I walked in late
 4 I met the consultants retained by DSNY
 5 to do outreach, the outreach was
 6 horrible, as the out -- the turn out
 7 shows, but I'm on the local community
 8 board, I've attended City Council solid
 9 waste hearings and I didn't get any
 10 notice whatsoever, I got an e-mail from
 11 one of the activist organizations that
 12 were here earlier so I don't understand
 13 how that occurs yet again.

14 I've gone to many public
 15 hearings in the South Bronx and that's
 16 like repeated ad nauseam about outreach
 17 and somehow or another I'm usually in
 18 the loop to get info, so I wonder if
 19 you all like believe people or not, but
 20 there was no outreach at all and I'm
 21 someone really active like I said, I've
 22 been to City Council solid waste
 23 hearings; we got thrown out when we
 24 tried to get Mr. McMahon to respond to
 25 our letter which he never responded to

1
2 for like five months when were opposing
3 Waste Management's expansion and I
4 wasn't informed of this meeting until
5 today.

6 We're against, Downtown Bronx
7 Ecodevelopment Corporation is against
8 the use of the trucks and rails at the
9 Lincoln Avenue facility and the 132nd
10 Street facility. We were adamantly
11 opposed to the recent increase in
12 tonnage permitted by DEC and DSNY; the
13 city and state agencies are failing
14 horribly to protect the environment and
15 evaluate comprehensively, the impacts
16 that Waste Management has been having.

17 Waste Management has prevented
18 the community from having any kind of
19 waterfront access on that site. I
20 would also encourage DSNY to explore
21 the leaseholding arrangement whereby
22 Waste management is the sublessor from
23 the state DOT; it's a totally corrupt
24 deal that the City is subsidizing and
25 that whole situation on the Harlem

1
2 it, the trucks don't follow the route.
3 You know, they're down, up and down the
4 main commercial strip where we're
5 trying to revitalize the area and the
6 trucks don't adhere to the routes so
7 DSNY should partner with DEP and the
8 Police Department to at least enforce
9 the traffic regulations and routes
10 because that's not happening.

11 Furthermore, trucks are idling,
12 you can go past the Chase Bank on
13 Lincoln Avenue and 132nd Street any day
14 in the morning and you'll see three or
15 four sanitation trucks lined up idling
16 while the guys are eating. I know it's
17 not their fault, but that's just
18 indicative of a lack of concern for the
19 neighborhood in general from the top
20 down.

21 So, in conclusion I hope DSNY
22 will implement composting immediately
23 for great benefits and really be fair
24 about the siting. I mean, it's obvious
25 that you all are not going to put stuff

1
2 River Rail Yards needs some real
3 attention from the Commissioner or from
4 the Mayor or from Dan Doctoroff
5 (phonetic) or someone because what's
6 going on there is not an efficient use
7 of the resources for DSNY, contracting
8 with Waste Management or for the City
9 with the myriad economic opportunities
10 that could be implemented there which
11 will have increased tax revenues, offer
12 DSNY more money for your budget.

13 So, wherever you do these
14 things, what's going on in the South
15 Bronx already is horrible.

16 Like I said, we were against
17 the expansion, Waste Management was
18 allowed to expand, they've been
19 violating their permit, and the
20 community is under horrible attack from
21 the diesel trucks that increase the
22 asthma, which is the highest rate in
23 the nation; I'm sure people mentioned
24 all that stuff already.

25 I don't know if they mentioned

1
2 near Gracie Mansion or equally
3 throughout the City, that's, you know,
4 historically American racism and
5 injustice that we're not going to stop,
6 but I don't want you all as human
7 beings, there's no elected officials
8 here, our elected officials pretty much
9 have abandoned us, you know, so I hope
10 you all in your hearts can somehow
11 reach out to me or other people off the
12 record, or whatever and give us ideas
13 as to how we can get more justice
14 because we're not getting the
15 representation, that's why these kind
16 of things are forced down our throats
17 and the kids are really suffering, you
18 know. I just came from the garden with
19 kids, like I said, the trucks all
20 around, there's not enough greenery,
21 they can't go to the River, why not?
22 Because of the land-use decisions made
23 by large-scale city agencies.

24 So, thank you very much for
25 your good work, you know, no one wants

1
2 to handle the shit, it's the most
3 important aspect of society and I hope
4 that we can work towards zero waste,
5 reducing waste and I would also
6 encourage DSNY to seek innovative ways
7 of reducing waste.

8 I know in Europe they have in
9 stores and commercial enterprises,
10 customers have the right to leave the
11 packaging at the store and the store
12 then becomes responsible for that which
13 leads to the producers to reduce the
14 waste. And if that happened in New
15 York City that would be really amazing.
16 So thank you very much.

17 MR. SZARPANSKI: Thank you for
18 your comments. Is there anybody else
19 hear who would like to speak?

20 Well, thank you all for coming.

21 (Time noted 7:16 p.m.)

22
23
24
25

1
2 C E R T I F I C A T E
3 STATE OF NEW YORK)
4 : ss.
5 COUNTY OF NEW YORK)
6

7 I, Marc Russo, a Notary Public
8 within and for the State of New York,
9 do hereby certify that the within is a
10 true and accurate transcript of the
11 proceedings taken on June 23rd, 2004

12 I further certify that I am not related to
13 any of the parties to this action by
14 blood or marriage and that I am in no
15 way interested in the outcome of this
16 matter.

17 IN WITNESS WHEREOF, I have hereunto set my
18 hand this 28th day of June, 2004.

19
20 _____
21 MARC RUSSO

22
23
24
25

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