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THE CITY OF NEW YORK
DEPARTMENT OF SANITATION

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Environmental Justice Informational Meeting
RE: Proposed Hamilton Avenue Converted
Marine Transfer Station

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St. Michael's Church
Ford Auditorium
371 43rd Street
Brooklyn, New York

April 12, 2007
7:00 p.m.

B e f o r e :

HARRY SZARPANSKI,
Assistant Commissioner,
Bureau of Long Term Exports,
The City of New York
Department of Sanitation

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

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4 For The City of New York Department of

5 Sanitation:

6 Sarah Dolinar

7 Vaughan Arnold

8 Walter Czwartacky

9

10 ALSO PRESENT:

11 Henningson, Durham & Richardson Team

12 Greeley & Hansen Team

13 Ecology & Environment Team

14 The Public

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23 Mary E. Santiago, Reporter

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I N D E X O F S P E A K E R S

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Executive Director - UPROSE	

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P R O C E E D I N G S

MR. SZARPANSKI: Good evening.

My name is Harry Szarpanski. I'm Assistant Commissioner for the Bureau of Long Term Export at the Department of Sanitation.

Welcome to the Environmental Justice Informational Meeting for the proposed Hamilton Avenue Converted Marine Transfer Station.

I am joined tonight by Vaughan Arnold and Sarah Dolinar of the Department of Sanitation.

We also have present with us representatives of the HDR Team. They conducted the environmental review for the project. The HDR team includes, Dan Harkins, Joyce Mariani, Elo Comfort, Nok Siriphonlai and Cade Hobbick.

The project design team, Greeley and Hansen, are represented this evening by Harvey Brodsky and Jay Lovelass.

Let me take just a few minutes to discuss the format of this meeting.

If you didn't sign in yet on your way in, please do so on your way out. We use the

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sign-in sheet for mailings so we can notify you of future hearings and meetings about this project.

What I'm going to do is I'm going to make a short PowerPoint presentation on the proposed project. Make sure you get one of the handouts at the front desk as you came in that contains my presentation and background information. We also have copies in Spanish and Mandarin Chinese.

After the PowerPoint, I'm going to open up the meeting to your statements and questions and answers.

To make a statement or ask questions, you'll need to sign up at the table as you came in and have a copy of the speaker sign-in form.

Has anyone not picked up a speaker form who does want to speak? Okay, we have several speakers.

I'll call out the number and the name. And forgive me if I mispronounce your name just correct me when you come up to the microphone.

We normally -- if this was a large

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2 crowd, we limit each speaker to about three
3 minutes but I see no need to limit the time each
4 speaker takes tonight.

5 We're here to answer your questions
6 about the project and if there's something that we
7 can't answer and we can't turn it over to our
8 consultant team with an answer, we will follow up
9 with a response after the meeting.

10 If any elected officials are here
11 and want to speak, I don't see any right now, but
12 we will give them the courtesy of coming up when
13 they arrive so that they can make other meetings
14 they may have scheduled.

15 We are keeping a transcript of your
16 statements and our answers to your questions. We
17 have a reporter here so if at times for any reason
18 the stenographer doesn't quite get what you said,
19 we may ask you to say it more clearly or repeat.

20 Basically, I'm going to start with a
21 short PowerPoint presentation before we turn it to
22 over to your comments.

23 (Showing PowerPoint.)

24 MR. SZARPANSKI: We talked a little
25 about the objectives of the meeting. It's about

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the converted marine transfer station we're proposing.

We're going to talk about the New York State Department of Environmental Conservation permit process. We'll explain to you how you can provide comments both to us, DSNY, and the DEC in the future and we will answer your questions.

The EJ, Environmental Justice plan, calls for the preparation of a public participation plan. The DEC has already approved the public participation plan that we prepared both for this project and the three other proposed converted marine transfer stations.

This meeting is just one of the elements of the plan and we are looking to do the same kind of outreach program for each of the other three converted MTSs.

Now, what the public participation plan is all about, it's basically to identify the stakeholders in the project, organizations or individuals who have some sort of involvement in what we're planning to do; describes the information on the proposed project. I mean I'm

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not going to go through every line here, I think some of these things are self-explanatory. You have it in your brochure.

Basically, it's an opportunity to reach out to everyone who may be interested in the project and provide them with the opportunity to review what we're proposing to do and then to provide us with input and have us answer any questions that they may have.

Some of the key dates leading up to today include the issuance of the Solid Waste Management Plan or SWMP, as we call it, back in October of 2004.

We did a Draft Environmental Impact Statement (DEIS) in October of '04 and a Final EIS (FEIS) was prepared in April of '05.

This came up before Community Board #7 as part of the ULURP, Uniform Land Use Review Process. And Community Board #7 voted for the project. The Borough President endorsed the project, the plan, which included this project and then the City Planning Commission approved the ULURP actions for all four MTSs.

We then had SWMP adoption by the

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City Council in July of 2006 and after that the plan was submitted to the State DEC. And the DEC approved the SWMP in October of 2006.

I'm sure you can't see the slide from where you're sitting. It's a very busy slide, but it's in the handout. And basically, it shows the various wastesheds, which community board waste will go to which facilities.

If you look at the bottom there in Brooklyn, the blue area is the wasteshed for the proposed Hamilton Avenue Marine Transfer Station.

This is the site plan. On the upper right end is the Gowanus. The facility is laid out so that part of it is over water and part of it is on land. And I think the Home Depot is just below it.

This is what a typical marine transfer station cross section looks like. Off on the right there, those two dark areas, are the doors where trucks will drive into the facility. Once the trucks are in the facility, everything is enclosed. No handling of waste occurs out in the open.

The trucks drive onto what's called

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the tipping floor. That's the highest level and you'll see a little truck there in yellow or gold dumping its waste to the next level which is the loading level.

On the loading level you have equipment front-end loaders which manage the pile and basically push waste through four openings in the floor.

Under each opening there's a container. Waste goes into the container. Then with the waste still within the building, the container is moved to the left in the diagram here where the lidding of the container occurs. Once the container is totally sealed, the container then moves outside. And this is the pier level where the containers are then picked up by a gantry crane and placed onto a barge.

This is just an overhead view of the same operation. You can see on the right is the tipping floor. The center section is where waste is loaded into the openings, pushed into the openings to be put into the containers.

To the left of that gray area is where the gantry crane picks up those containers

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and places them onto a barge.

The proposed capacity for the Marine Transfer Stations.

One of the basic elements of the plan that was agreed to by both the Council and the administration, was to make sure that the wastesheds for each of the converted MTSs remain the same as the wastesheds for the previous Marine Transfer Stations that were operated at that site.

The wastesheds listed there are the historical wastesheds that were used when the Fresh Kills Landfill was being barged.

We expect a daily throughput to be about 1,900 tons a day of Department, DSNY managed waste and the capacity there for up to 1,240 tons of commercial waste.

There are going to be limits set in the permits on daily tonnage that can arrive and be processed there, and weekly limits. And those are shown.

There is also a built-in twenty percent allowance for seasonal variability and for growth in the wasteshed in the future.

There is a proposed maximum peak day

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limit -- the most that can ever go through at a facility on a daily basis -- of 3,500 tons, and the maximum peak day limit is really to take care of post holiday days, if for instance, there's a holiday on a Monday and we don't collect waste on a Monday, on a Tuesday we need to be able to handle the previous two days' waste. And the peak days are designed to be able to allow for that processing.

Just to put it in perspective, when we operated the old Marine Transfer Stations, the permit for each of those was 4,800 tons per day.

Some key features of the Marine Transfer Station.

Everything is processed within an enclosed area inside the building. And there's what's called "negative air pressure" to prevent odors from going out. What that means is that fans basically draw air into the facility. The air then is treated and neutralized before it comes out so that you don't have any air that's in the building escaping through doors without being treated.

I mentioned that all waste is in

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2 sealed, leak-proof containers. And the Final EIS
3 found that there were no significant adverse
4 impacts from the MTS construction or its
5 operation.

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Commercial waste.

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8 The plan calls for each of the
9 Marine Transfer Stations to have a certain
10 capacity to handle commercial waste at those
11 facilities.

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13 The limit on how much commercial
14 waste can be sent to each of these facilities is
15 based on the hours that they come. And commercial
16 waste will only be allowed in these facilities
17 between eight p.m. and eight a.m. And that
18 matches the collection methodology used by
19 commercial haulers and it's limited so that there
20 is no impact from noise.

21

22 There's probably more capacity at
23 each of these facilities to process commercial
24 waste, but the limitation is that we did not want
25 to exceed any noise thresholds in the community so
there's a limit on how much commercial waste can
go to each of these facilities.

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Where we are in terms of the

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permits.

We submitted to the State DEC basically three permit applications for each of these facilities. There's what we call a Part 360 Permit which deals with the solid waste components.

There is the Part 608/681. These are related to marine aspects of the project, has to do with protecting the waters.

And the third part is the State Facility Air Permits for a minor source.

There isn't any burning or anything going on at this facility but there are pieces of equipment inside. And all the emissions from any equipment goes out through a vent or stack and that needs to be permitted.

We have several places where the public can view these particular permit applications. The applications themselves are pretty big. One set is at the Community Board #7's office . There's another set at the Sunset Park Library. The permit applications are also on the Department's web site.

This just gives a little more detail

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on what each of those permits are, what a solid waste facility permit looks at. And it has to do with the construction and operation of the facility, and there has to be an engineering report as part of the requirement.

The marine related permits deal with the construction that goes on in the water, over the water, any platforms and bulkhead construction and any dredging that's associated with the project.

The Part 201 State Facility Air permit deals with emissions resulting from the facility.

This is another busy slide and probably difficult to see from the audience. But you can, at your leisure review it. It's in the handout. It basically traces the steps that the DEC will be taking once our process gets to the point where we have a complete permit application.

The first box basically shows that once the DSNY gets a Notice of Complete application from the State DEC, the DEC will then put out a notice and it will probably be one notice that includes the three items: Notice of

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Complete Application, a notice of the public comment period, and when the public hearing will actually take place.

There'll be an opportunity for people to comment as soon as this notice is out. People can write to the DEC. And we have information about how you can do that and the DEC will then hold the actual hearings for each of the facilities.

We will be discussing the location of those hearings. It may very well be at the same location as you are here for today for the Hamilton Avenue facility and the locations where we're going to hold the actual public meetings, EJ meetings, for the other facilities.

The step after that is there will be maybe one or two nights or maybe more of DEC public hearings. Then there'll be a date by when all the comments have to be in. The record for the public hearings will be complete and the DEC will make a decision on whether to issue or deny a permit for the facility.

On your handout at the bottom you have the name of the person at the DEC. And it's

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Michelle Moore. And she's the designated person to receive any calls or any questions about the DEC process.

In terms of how your comments will be addressed, we are going to keep a transcript of this meeting and forward a copy to the State DEC. We ask that any comments you have be submitted to us by April 30th.

The record of all of this will be on our website and you can look up anything related to this process. You also have my address here where you can mail comments to me and my fax number, if you want to fax those comments.

There is more than these slides in your PowerPoint, in your handout. Some of them relates to other parts of the Solid Waste Management Plan, about the recycling component, the waste component.

At this point, I will open the floor to questions and answers. And we have several speakers who signed up and I'll call the first speaker.

Mr. Henry Charles Marahan.

MR. HENRY MARAHAN: Thank you.

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I'm a resident of the area for so many years.

Today we are faced with a paramount health problem. Our Center for Disease Control, located in Atlanta, Georgia, our Food and Drug Administration centered in the Foghorn capital of the United States and our Agricultural Department, are all totally dysfunctional.

We have a Katrina Disaster of epic proportions in the making, of our land, as well as our political hacks who are appointed to our New York State and City Department of Health.

The greedy politicians want to use compactors to push human trash into steel containers and transport the human detritus elsewhere aboard steel barges.

Never forgot for one moment that we had a mental giant for Mayor of the City of New York, who ran and won by the name of John V. Lindsay. This genius required, back in the late 1960's, the total elimination of apartment house incinerators. As a direct result we got two hundred and fifty-plus rats -- euphemistically called rodents per human inhabitant.

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Each rodent eats twenty-five pounds-plus per rodent of our human waste, which is now required by law to be in plastic bags. Rodents eat wood, plastic and even ingest glass particles and survive.

We use huge blocks of green and blue Warfarin, and we have managed to make the rodent superior to the fictional character in America's DC Comic Book, Superman.

The writer of this speech would love to see the garbage transfer station established on Fifth Avenue and 71st Street in Manhattan and have the apartment house demolished in line with eminent domain.

No one ever mentions how the Japanese eliminated not only grass through combustion, but even hazardous waste through incineration.

Our term-limited flunkies give out contracts to gangsters who build these compactors according to substandard health codes.

Vegetable matter, meat and fruit juice and fruit fiber bring in cockroaches that rival the European Airbus 380, and can accommodate

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raccoons, who are far more fastidious in their
culinary habits than we humans.

We have managed to virtually
annihilate the wolf in the Lower 48 States but are
now trying to bring them back. With all our
intelligence and cunning, we cannot eliminate the
coyote. This mammal is now in our five boroughs
and is here to stay. Perhaps we can get the NYPD
to fire one hundred thousand bullets in hope of
eliminating only one poor creature.

We have an asthma epidemic
nationwide, not only amongst children but also
adults. The writer of this speech wants mustard,
phosphine and chlorine and VG released into the
atmosphere at 17th Street and Hamilton Avenue.

Have you, my friends, looked at the
health records of City employees working in sewer
treatment plants? It is indeed a very grim
record.

Take a careful look at your
near-empty paint cans. We have eliminated lead
paint except for ships, bridges. But we now have
replaced lead with chrome dust and toluenyl, which
is used to decaffeinate tea and coffee and used in

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explosives. And paints in sufficient quantities can give the appearance of nitro-glycerin effects -- a drunken stupor that causes permanent neurological damage.

You get rid of one element and you bring in a mass carcinogen. Do you people ever look at how the City, State and Federal Government maintain their facilities?

Go to Europe and Japan, not England. England is another giant trash heap. Just look at how your local sanitation department and private trash companies operate.

How can a nation survive on crass stupidity and greed? We have lost the war in Iraq and Afghanistan. And we have Spitzer, Bloomberg chomping at the bit for money from taxpayers pockets.

We need a water barrier to protect the five boroughs, not blather. Already the North Atlantic has risen two feet. It means our beloved rats will have to vacate New York City leaving our stupid citizens to fend for themselves, as in Katrina.

Maybe we can hire Blackwater

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Corporation to fire at our rent-free rodents at better than a thousand dollars per day. We truly need Eric Prince to run our City and be guaranteed a financial taxpayer bill. A dollar-year man, making billions at the expense of New York residents. All this City has had from colonial times is murderous, greedy caricatures of Mr. Abramoff.

MR. SZARPANSKI: Thank you.

Our next speaker is Elizabeth Yeampierre.

MS. ELIZABETH YEAMPIERRE: Buenas noches. Good evening.

My name is Elizabeth Yeampierre and I'm the Executive Director of UPROSE. It's Brooklyn's oldest Latino community-based organization. We are an intergenerational organization committed to environmental social justice. We are Sunset Park's environmental justice organization.

I'm also the Chair of the New York Committee of Environmental Justice Alliance. And I sit on the US EPA National Environmental Justice Advisory Council. And I share all of those things

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with you because I'm here where we have a number of rats.

As co-founder of the organization which, as you know, is the City-wide coalition that was responsible for helping getting the SWMP passed, we are relieved that coming up with an equitable plan that would reduce garbage in New York City's most environmentally burdened community was the way to lead forward.

We understand that most of the garbage coming out of Manhattan goes to three communities of color in New York City, and so as such, UPROSE, a community-based organization in Sunset Park, decided that it's necessary to support fair share, to fight for borough self-sufficiency and to ensure that the plan that's passed was one that was equitable.

It's important tonight to tell you what environmental justice is as this is called an Environmental Justice Hearing.

Environmental justice is the disparate siting of garbage in the communities of color. It also speaks to something else. It speaks to building community power and consensus

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around environmental justice issues.

So for the former I would say that we were actually concerned that you were holding an environmental justice hearing in East 91st Street, which is one of the most privileged communities in New York City, because it is not an environmental justice community but a community like Sunset Park is.

For the latter, I think that we should not be, that technically, there are not a lot of community people here, should not lead you to think that there are not some concerns regarding the retrofit of the Marine Transfer Station in Sunset Park. While we supported it, and we supported the siting of it, the people in this community because we thought that it was necessary for infrastructure and that it would reduce truck traffic throughout the City of New York.

We are also a community -- and in this EJ community we've got over a hundred and twenty-two thousand people; thirty-five thousand people under the age nineteen, and less than a quarter acre of open space for every one of the

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people living here. And we have a sludge treatment plant, a highway, a power plant and all of the environmental burdens that you find in communities of color.

Our organization has been working hard for over ten years to try to address those environmental burdens in addition to fighting the siting of a power plant in this community.

We have led the community in fighting a three-lane thruway. And we helped pass, let's say, the first sound piece of legislation.

We've worked with the community as partners to have a waterfront park and we basically train our young people to be organizers in this community.

And I share this with you because I'd like you to consider the fact that there are concerns that need to be addressed.

When we decided that we were going to support this plan, we were also told by the administration that there would be assurances, that there would be things that would be provided to address our concerns about capacity, about the

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number of trucks, about pollution emissions.

And so we want to make sure that you did not misunderstand that the fact that the people are not here does not mean that there is a consensus. And while we have been really useful and helpful and making sure that we've got that consensus, we've gotten political support, we've gotten support from large community departments. There's also a consensus about the fact that those needs need to be addressed.

We want to thank you for being here with so many people, with so many consultants, particularly because there are so few community people here. We see that as a sign of respect for our community and we do appreciate that.

We also want to say that whatever you do to move forward in Sunset Park, it should be consistent with the main decision -- at least as it is being articulated on the sustainability and long-term planning work that we have been doing for the past few months, and that if the assurances that this community received are not realized, or are not consistent with that plan, it will really undermine the work that the Mayor is

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doing to address issues of stability of carbon emissions around the City of New York, and you first have to look at those communities since those are the ones that have the highest number of environmental burdens.

I'm going to be brief. I've been working on this plan for ten years and so there isn't anything about this plan that we don't know but we are concerned about Sunset Park's Marine Transfer Station and others.

We are in a very different situation, as I mentioned. I can't say that enough. This is an EJ community that accepted it in the interest of justice and fair play. And so in that regard, we expected to be treated in-kind and if not, then we will have to revisit our tactics and ways and provide support and handle this issue very differently.

The community board - I don't know if anyone from the community board is here - has a bunch of organizations. They include setting up community advisory committees, turning over the unused 52nd Street Pier and the Bush Terminal Park Plan; relocated the BK10 garage to its own

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district. Working towards the closure of IESI on 50th Street.

And I would also like you to work with IESI so that they can consider using the Marine Transfer Station so that we can stop all of the queuing of all those trucks in our community.

Some people in the community have suggested the retrofit of local tug fleets with cleaner engines. And the BK 7 should be relocated off the waterfront.

And another suggestion that has been made by members of our organization is that Sanitation trucks traveling to and from the facility minimize routes on residential streets and the facility should maximize water delivery.

Then, as you know, we have suggestions about what to do regarding reserve capacity, throughput and the increase in that.

Those are the technical things that we're going to be expecting. And we're hoping that we can get those assurances in time that will make it possible for us to move forward on not only working with the Mayor's Office in good faith, but being able to deliver a message to New

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York City that, in fact, it does work in those communities and does understand what environmental justice is.

We really believe that when the Mayor decided to push the Solid Waste Management plan, we thought that it was a victory for the environmental justice community. How you treat the community will be a reflection of whether or not those promises are kept.

Muchas gracias.

MR. SZARPANSKI: Thank you very much for your comments.

I also want to thank you for your ongoing support of the Solid Waste Management Plan. We really appreciate that and we are committed to keep on working with you to try to improve the situation and make this facility not a burden to the community.

Thank you.

Is there anyone else here who wants to speak? Are there any questions?

Mr. Marahan.

MR. HENRY MARAHAN: There are thousands of toxins emitted from collecting

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garbage: Formaldehyde, toluenyl, alcohol, nitro-glycerin, amino nitrates, you name it. The list goes on to forty thousand industrialized carcinogens that affect human beings. With this fact, tryptone is used in your ordinary kitchen utensil. You ingest this. It's a killer. It causes cancer. You people better use your brains if you have any.

MR. SZARPANSKI: Anybody else?

(No response.)

MR. SZARPANSKI: We're going to stay for a little longer. If you want to stay, you're welcome to stay. Maybe some other people will join us.

But I thank you all for coming.

(At 7:35 p.m., the hearing was temporarily suspended.)

(At 8:50 p.m., the proceedings were concluded.)

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C E R T I F I C A T E

I, MARY E. SANTIAGO, a Notary Public
within and for the State of New York, do
hereby certify:

That the witness(es) whose testimony
is hereinbefore set forth was duly sworn by
me, and the foregoing transcript is a true
record of the testimony given by such
witness(es).

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

MARY E. SANTIAGO