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THE NEW SOLID WASTE MANAGEMENT PLAN
DEIS PUBLIC HEARING
FOR THE PROPOSED STATEN ISLAND
MARINE TRANSFER STATION
HELD AT: 460 Brielle Avenue
Staten Island, New York
December 1, 2004, 6:10 p.m.

Reported by:
MARC RUSSO
Job#: 167210

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 SARAH DOLINAR, DEPARTMENT OF SANITATION
11
12 BRIJ SHRIVASTAVA, DEPARTMENT OF SANITATION
13
14 PUBLIC SPEAKERS: PAGE:
15
16 Councilman Oddo 17
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18 Barbara Warren 35
19 John Arntzen 55
20 Helen Bialer 56
21 Mr. Valentin 60
22 Nick Dmytryszyn 62
23
24
25

1
2 MR. SZARPANSKI: Good
3 evening. My name is Harry
4 Szarpanski. I am the Assistant
5 Commissioner for the Bureau of Long
6 Term Export at the New York City
7 Department of Sanitation.
8 I welcome the opportunity to
9 appear before you tonight. I am
10 joined by Walter Czwartacky, Brij
11 Shrivastava and Sarah Dolinar of my
12 staff and Susan Raila from
13 Henningson, Durham & Richardson
14 Architecture, HDR. HDR is the firm
15 that is responsible for preparing
16 this draft environmental impact
17 statement which is the subject of
18 tonight's hearing.
19 Representatives of the firm
20 of Ecology and Environment, who
21 helped organize this meeting, are
22 also here tonight.
23 As you may know, in October
24 of 2004, the Department of
25 Sanitation issued a New York City

1
2 Comprehensive Solid Waste
3 Management Plan for the next 20
4 years. As required, the new SWMP,
5 as we refer to it, was submitted as
6 a draft to the City Council. The
7 new SWMP is proposed to replace the
8 current SWMP and must be approved
9 by the Council before it can be
10 submitted to the New York State
11 Department of Environmental
12 Conservation for final approval.
13 The new SWMP plans for the
14 management of all of the solid
15 waste generated in the City over
16 the next 20 years and is supported
17 by a draft environmental impact
18 statement or draft EIS on which we
19 will take comments this evening.
20 My comments tonight will be
21 brief. I will make a short power
22 point presentation before the
23 public portion of the meeting
24 begins. Copies of my statement and
25 presentation will be available at

1
2 the end of the meeting.
3 Because the real focus of
4 this public hearing will be your
5 comments, if you plan to make a
6 statement for the record, please
7 take a moment to fill out a speaker
8 sign up sheet and submit it to the
9 individuals sitting at the table in
10 the back. You will then be
11 assigned a number and I will call
12 your name when it is your turn to
13 speak.
14 Note that elected officials,
15 who may be attending many meetings
16 on behalf of their constituents on
17 any given night, will have an
18 opportunity to speak first.
19 We are interested to make a
20 complete record of your comments.
21 Please state your name clearly and
22 spell it for the stenographer.
23 This is where I tell
24 everybody that in order to hear
25 everybody you can limit comments to

1
 2 three minutes, but I think we can
 3 dispense with the three-minute
 4 limit tonight, I don't see that
 5 many speakers.
 6 If you do not wish to speak,
 7 but would like to submit a written
 8 comment, please complete a comment
 9 card that we have provided for you
 10 use. Thank you for coming. I will now
 11 begin my short power point
 12 presentation.

13 (Showing slides) as I
 14 mentioned, this is a public hearing
 15 on the City's DEIS for the SWMP.
 16 Both the new SWMP and DEIS were
 17 issued by the New York City
 18 Department of Sanitation.

19 These documents are also
 20 available on our website and at
 21 various repositories on Staten
 22 Island and in the other boroughs.

23 And if any of you are taking
 24 notes, you will have a complete
 25 copy of this later.

1
 2 And the City Council is
 3 planning to hold public hearings on
 4 the new SWMP I think in January.

5 The draft SWMP has three
 6 broad categories: It covers
 7 recycling, DSNY-managed waste and
 8 commercial waste.

9 On the recycling front, the
 10 goals are to hold down the cost of
 11 recycling and expand barge
 12 transport of recyclables.

13 We're looking to meet a 25
 14 percent goal for the DSNY Curbside
 15 Program by the year 2007, and a 35
 16 percent recycling goal for all
 17 DSNY-managed waste, not just the
 18 Curbside Program by 2007.

19 I apologize, I think the
 20 dates may not be correct, but I'll
 21 check on that.

22 The specific initiatives
 23 that we are looking to offer, the
 24 first one is to enter into a
 25 20-year contract with a company

1
 2 called Hugo Neu for metal, glass
 3 and plastic processing and
 4 marketing, and for a new facility
 5 that they will build at the South
 6 Brooklyn Marine Terminal.

7 We are looking to enhance
 8 composting and waste prevention
 9 programs; develop an electronics
 10 recycling program and establish a
 11 recycling education and recycling
 12 and acceptance facility at the
 13 Gansevoort Peninsula or an
 14 alternative site in Manhattan.

15 Gansevoort is the site of
 16 the former marine transfer station
 17 just below 14th Street on the West
 18 Side of Manhattan.

19 Just some specific points in
 20 recycling on Staten Island. Weekly
 21 recycling collections began in July
 22 of 2004, they restarted.

23 We had an electronics
 24 recycling event in October of 2004
 25 and collected more than five tons

1
 2 of materials. And the composting
 3 of leaves, yard waste and Christmas
 4 trees will continue at the Fresh
 5 Kills Compost Facility. And full
 6 funding was given to the Staten
 7 Island Botanical Garden for
 8 composting information programs.

9 With respect to DSNY-managed
 10 waste, the goals are: To end the
 11 use of long-haul trucks for waste
 12 transport and export more waste by
 13 barge or rail.

14 We're looking to stabilize
 15 waste export costs. We realize
 16 that the new plan will not reduce
 17 our current cost, but will help
 18 stabilize those costs over time.

19 We're looking to distribute
 20 waste transfer facilities
 21 throughout the City and
 22 containerize waste to get more
 23 transport and disposal options.

24 The specific components of
 25 the long term export plan here on

1
2 Staten Island is to complete the
3 transfer station and begin export
4 of Staten Island waste by rail.
5 And let me just say a couple of
6 words on the transfer station here.

7 As you know, the transfer
8 station is under construction right
9 now. We expect that construction
10 will be completed in March of next
11 year. It's a facility that's
12 permitted to take only Staten
13 Island waste. No waste from the
14 other boroughs will come to this
15 facility.

16 Some of the other elements
17 are: To use private transfer
18 stations for barge and rail
19 export of containerized waste from
20 the Bronx and from the Brooklyn and
21 Queens communities previously
22 served by the Greenpoint and the
23 Bronx, South Bronx Marine Transfer
24 Station.

25 We issued RFPs that

1
2 expanded transfer stations in
3 communities where these facilities
4 are already concentrated. We're
5 looking to establish new
6 operational regulations to reduce
7 noise, odor and dust at private
8 transfer stations.

9 We're going to study how to
10 lessen waste truck transport on
11 truck routes through residential
12 areas; expand barge and rail export
13 of commercial waste from
14 DSNY-contracted transfer stations.

15 And again, just to explain
16 what that means, when we entered
17 into a contract with a private
18 transfer station to receive our
19 waste, in return, any waste that
20 goes to that transfer station,
21 including commercial waste, will
22 have to go out by barge or rail.
23 We will not enter into a contract
24 with a company and still allow them
25 to truck or to use long-haul trucks

1
2 resulted in a proposal that we
3 received which again resulted in us
4 recommending in this plan that
5 rather than converting the South
6 Bronx MTS and Greenpoint MTS, we'll
7 rely on contracts with private
8 companies to dispose of that waste.

9 We're also looking to enter
10 into a long term contract with
11 disposing part of Manhattan waste
12 at the Essex County Resource
13 Recovery Facility in New Jersey.
14 That facility right now is taking
15 most of Manhattan's, or a large
16 portion of Manhattan's waste.

17 And we're looking to build
18 four marine transfer stations, the
19 East 91st Street one in Manhattan,
20 the North Shore Facility in Queens
21 and the Hamilton Avenue and
22 Southwest Brooklyn Marine Transfer
23 Stations in Brooklyn.

24 On the commercial waste
25 front, we're going to limit new or

1
2 to export that waste. And once the
3 MTSs are converted, we're looking
4 to export some of the commercial
5 waste through those marine transfer
6 stations.

7 At West 59th Street, that's
8 a marine transfer station that we
9 own. We're looking to negotiate
10 some agreement with the private
11 sector and we offered that up to
12 the commercial sector to use that
13 facility to export commercial waste
14 generated in Manhattan. And that
15 will have the advantage to
16 communities that are now receiving
17 a lot of Manhattan commercial waste
18 and then the material will have to
19 go to areas where these transfer
20 stations are concentrated, areas
21 like Brooklyn Community Board One
22 and Bronx Two.

23 The DEIS looks at the
24 environmental consequences of sites
25 and facilities that are, or may be

1
2 part of the proposed action in the
3 new SWMP. We included not just the
4 alternatives that are chosen in the
5 proposed SWMP, but alternatives
6 were evaluated before we actually
7 focused on which marine transfer
8 stations were going to be
9 converted. So there's more in the
10 DEIS than what is being proposed in
11 the SWMP.

12 The DEIS identifies the
13 things that the City could do to
14 avoid potential significant adverse
15 impacts. Things like putting
16 traffic lights or changing some of
17 the configurations of the
18 intersections, et cetera.

19 Meets the City and State
20 environmental review requirements.
21 And, as you know, the transfer
22 station on Staten Island was
23 already approved, it's an element
24 of the current SWMP, as part of the
25 SWMP modification we did in

1
2 generated on Staten Island, this
3 allows for future growth. The
4 original design actually had a
5 third compactor as part of the
6 design. We did not build the third
7 compactor so there are only two
8 compactors at that facility.

9 The EIS that we did for the 2000
10 SWMP also considered this facility and it
11 allows us to move waste by truck
12 until the rail link is completed.
13 The rail link is being worked on
14 right now. There's rail only on
15 our transfer station site.

16 The DEC is working on
17 putting a rail or fixing up some
18 of the rail that is going through
19 the Con Ed property that goes
20 through the RRF and the Port
21 Authority is actually doing the
22 work on the New Jersey side to help
23 complete the rail link and connect
24 it to the Chemical Coast Line in New Jersey.

25 This is a just a map showing

1
2 November of the year 2000.

3 This is just a map that
4 shows the various wastesheds and
5 the transfer stations that will be
6 proposed, that we propose
7 to convert and also that the
8 private facilities that we propose
9 to negotiate and contract with.

10 A City-owned facility, the
11 Staten Island transfer station
12 that's under construction right
13 now, we're looking at completing
14 that construction in the spring of
15 2005 and it consists of a
16 70,000-square foot processing
17 building. The waste will be
18 compacted and containerized. The
19 permit allows us to bring up to
20 1,250 tons a day of
21 Department-managed waste generated
22 on Staten Island only.

23 Some of you have pointed out
24 that it seems to be oversized and
25 right now it's more than what is

1
2 where the landfill is, where the
3 transfer station is on the
4 landfill.

5 And just to wrap it up, you
6 can provide comments to us on the
7 DEIS and the SWMP. You can give us
8 verbal comments or you can fill out
9 a comment sheet and give it to us,
10 submit it to us in writing
11 or if you want to mail

12 comments to us, there are two
13 addresses there and we ask that
14 you mail it by January 24, '05.

15 Thank you and I will now
16 call on the speakers who signed up.
17 Councilman Oddo.

18 MR. ODDO: I will be as
19 brief as I can.

20 Just a couple of things, and
21 some things that I'm going to
22 say might fall on some of the
23 technical issues tonight, but I
24 can't miss the opportunity to get
25 on record yet again, certain

1
2 circumstances that we actually
3 have.
4 Some of the things I'm going
5 to say, this will probably be,
6 officially the 6,247 time that
7 either I or Chairman McMahon is
8 saying these things. But again,
9 when it comes to this issue, I
10 think we believe that belts and
11 suspenders are a bad idea.
12 The first thing I want to
13 say is that I'm thrilled to see
14 that the seeing a new resistance towards
15 the borough-based concept that was
16 voiced before Chairman McMahon
17 committed back in March of 2002 no
18 longer exists in this plan. And
19 with all due respect to the folks
20 on the Upper East Side of Manhattan
21 who are having to deal with the reality
22 of solid waste in New York City,
23 welcome to the era of borough based self-
sufficiency.
24 With that said, I still am
25 concerned that we go on record at

1
2 every opportunity to make sure,
3 despite the comments that are made,
4 that in fact this facility that is
5 to be the first one on line, is in
6 fact, intended to handle only
7 Staten Island's waste.
8 Back in 2001/2002 with the
9 help of Jim and Tricia, we got
10 special and very specific language
11 placed in the special conditions
12 section permit from DEC and it in fact
13 said that.
14 Our concern I think at this
15 point is we haven't been able to
16 get an answer back as to the
17 question if that permit expires at
18 any point. We've actually written
19 to the State and we'd like a
20 response to that.
21 And also specifically that
22 while it says that the facility
23 will be City-owned, if the decision
24 is made that it's to be
25 run by a private entity, there

1
2 needs to be language in the
3 specific contract between the City
4 and that private entity that, again
5 explicitly states that this would
6 be for Staten Island waste only.
7 The other, the only other
8 point I would like to make is that
9 during the period when Commissioner
10 Doherty testified back in October, I didn't
11 hear it mentioned in the
12 presentation, you know, the
13 emphasis is that we want to get
14 trucks off the road. And going
15 back several years, we mentioned to
16 the administration, to the
17 Commissioner, that we are concerned
18 that when the trucks tip at the new
19 waste transfer station, that they will
20 use the streets of Travis to get
21 back to their destination. And to
22 see and to imagine lots of DOS
23 trucks rambling on narrow Victory
24 Boulevard in front of the little
25 red schoolhouse on P.S. 26 is very

1
2 troubling. And at the time we
3 asked the administration and DOS to
4 aggressively explore using
5 internal roads within the landfill
6 to be able to access Sanitation garage
7 two, I guess it is.
8 So we would like to
9 reiterate that point tonight as
10 we're trying to get trucks off the
11 roads across the City, I don't want
12 to see trucks rumbling and rambling
13 down Victory Boulevard and if we
14 can continue to work aggressively
15 towards that.
16 Other than that, I just want
17 to thank you and thank Staten
18 Island for showing up and thank my
19 colleagues and chairman of the
20 solid waste management community
21 and City Councilman McMahon does a
22 great job being the eyes and ears
23 of Staten Island. So I thank you.
24 MR. SZARPANSKI: Thank you
25 for your comments.

1
 2 Council McMahon.
 3 MR. MCMAHON: Thank you
 4 Mr. Szarpanski and everyone else
 5 who is here from DOS and thank you
 6 for agreeing to hold this hearing
 7 on Staten Island.
 8 And I just want to say to
 9 the diehards, Joe Carroll and
 10 Barbara Warren and Trish and Jim
 11 Oddo and all the environmentalists
 12 who are here, look how far we've
 13 come. And what good news it is
 14 that we're not in a room filled
 15 with 500 people demanding the
 16 closure of Fresh Kills Landfill.
 17 And that's good news, and that's
 18 something that Staten Islanders
 19 have to be grateful for to prior
 20 administrations, to the current
 21 administration, to the people who
 22 are currently working in the
 23 Department of Sanitation, but most
 24 importantly, to the people who are
 25 here. Especially seeing Barbara

1
 2 Warren who has worked so hard
 3 through all the years to get the
 4 message across, that Staten Island,
 5 that the environmental injustice,
 6 if you will, environmental justice
 7 has its origins or began in Staten
 8 Island.
 9 Because now, within other
 10 parts of the city, that is the
 11 dialogue in other neighborhoods and
 12 the other communities that are
 13 suffering from environmental
 14 injustice, if you will. We're
 15 having that discussion and that
 16 dialogue, but it's something we
 17 knew about for 50 years. And
 18 because of the hard work of all the
 19 people who are here and the people
 20 of Department of Sanitation, that
 21 we are now moving forward and we
 22 are working on a 20-year blueprint
 23 to make sure that there will never
 24 be pressures to re-open the Fresh
 25 Kills Landfill again and that's

1
 2 marvelous news.
 3 Of course the devil is in
 4 the details and we at the City
 5 Council are committed to working
 6 with the Department of Sanitation
 7 to make sure that the final plan is
 8 one that spreads the burden of
 9 garbage equally out to the City of
 10 New York. And as Jim said, the
 11 idea of borough-based
 12 self-sufficiency is critical and
 13 there's a lot of reference to it
 14 in this document. And me and the
 15 councilman will work hard to make
 16 sure that the specific language is
 17 in here. And if not, at the same
 18 time, we have legislation pending
 19 that if we can't get it in here, then
 20 we'll try to pass a bill that will
 21 require it by 2012 Barbara? I think
 22 by the year 2012, that every
 23 borough must handle its own
 24 garbage, because the critical
 25 element is here.

1
 2 But we're on the right path,
 3 we can't lull ourselves into a
 4 sense of security, but we are on
 5 the right path.
 6 And I just want to say that
 7 the, with the idea of the third
 8 compactor coming into Staten Island
 9 and with Tricia and Jim even before
 10 I was even elected, such a great
 11 job with that. An Steven and thank
 12 Jim Oddo as well and they deserve a
 13 lot of credit because it was a
 14 little sneaky trying to get in
 15 there and you understand the
 16 concerns we have.
 17 And certainly we are the
 18 first facility coming on line, that
 19 is clear, we'll be the first
 20 facility in the new era to come on
 21 line and we continue to be
 22 concerned about if politics on the
 23 Upper East Side of New York or
 24 politics in Brooklyn or politics in
 25 also in Queens, take such a turn

1
 2 that the pressure is on to come back to
 3 Staten Island. But we're here to
 4 let you know and to let Staten
 5 Islanders know, that we will fight
 6 with every breath that we have to
 7 make sure that that doesn't happen.
 8 And they certainly deserve a lot of
 9 credit for that.

10 And also, the folks here
 11 should know that the City Council
 12 put the money in this year's budget
 13 to the tune of 140 thousand dollars
 14 to hire our own consultant to help
 15 us go through all of the technical
 16 data involved with the
 17 environmental impact study. And
 18 that person should be hired soon
 19 within notice of the City record
 20 this week and Carmen Cognetta is counsel for
 21 the committee, will continue to
 22 work with us. See, we have a real
 23 partnership, we really do, although
 24 sometimes we get into battles over
 25 issues, we're partners with the

1
 2 Department to make sure that when
 3 you're old and when John Doherty is
 4 retired and well, he'll never
 5 retire, but when Mike McMahon
 6 retires or Jim Oddo is perhaps
 7 working up in the Capital in
 8 Albany, that this plan will be one
 9 (indicating) and this is where I
 10 get a promotion or a demotion, but
 11 this plan is one that will work.
 12 It's important that we have
 13 these hearings and these
 14 discussions so that you can hear
 15 from the community and things that
 16 concern us.

17 I know that it's not so much
 18 you're going to take, but I would
 19 like to ask just if you can go into
 20 a little more detail, the status of
 21 the rail connection. Because it is
 22 true that the plan is good, but
 23 while those trucks will continue to
 24 go in, the DOS trucks continue to
 25 go in and the hauling trucks

1
 2 continue to come out, we have to
 3 resolve a major problem which is
 4 the trucks on the road in the City.
 5 And so how soon can we expect to
 6 see the rail on line?

7 MR. SZARPANSKI: We are
 8 working closely with EDC on the
 9 rail connection. EDC tells us that
 10 by the end of 2005 the
 11 interconnection between the
 12 coastline as well as all the other
 13 components on Staten Island will be
 14 complete.

15 MR. MCMAHON: So by the end
 16 of 2005?

17 MR. SZARPANSKI: Yes.

18 MR. MCMAHON: And are we
 19 running the trash out by, at that
 20 point by rail?

21 MR. SZARPANSKI: The
 22 construction will be completed on
 23 the transfer station early March of
 24 2005.

25 MR. MCMAHON: And so we'll

1
 2 be running the trash out by the end
 3 of 2005?

4 MR. SZARPANSKI: Well, it's
 5 not clear yet, because we still
 6 have to finalize negotiations for
 7 the contract for actually either
 8 operating the facility or us
 9 operating and a private company
 10 transporting and disposing of the
 11 waste.

12 So there may not be a long
 13 period of time where trucks are
 14 moving waste off Staten Island.

15 MR. MCMAHON: And so, but
 16 again, urgency I think is important
 17 enough. I would restate the
 18 position that I stated at City Hall
 19 is what I believe the Department
 20 should maintain control over this
 21 facility and I think it would be a
 22 mistake to issue a contract with a
 23 private entity to maintain it for a
 24 lot of reasons.

25 Control is obvious, we also,

1
2 we think that the men and women who
3 work for the Department of
4 Sanitation do a much better a job,
5 not to say that they're not a responsible
6 private entity.
7 But could you also just
8 explain to the folks a little bit,
9 the plan that we're looking at in
10 many ways is sort of a
11 transportation plan or movement of
12 the trash through the City, out of
13 the City and a lot of people are
14 going to say to me, "Where will it
15 go?" And what is the end result.
16 Can you explain where we are in the
17 process? If you have already I
18 apologize, if you can just go over
19 it again.
20 MR. SZARPANSKI: No, we
21 haven't, but I'll give you some
22 general comments, but if we can
23 hold that type of discussion for
24 when the Council holds hearings and
25 questions the Department.

1
2 approves the new SWMP, we will be
3 at the point of having negotiated
4 those contracts, because we can't
5 enter into any contracts until the
6 SWMP is approved.
7 So some time in the middle
8 of next year we think we will able
9 to reach agreement with those
10 companies.
11 MR. MCMAHON: And just so
12 the folks understand that there are
13 private companies who were sent proposals to
14 the City in response to the request
15 for proposals and they're willing
16 to take a certain amount of containers
17 per day and ship it to either a
18 landfill or a site outside of the
19 City of New York. That's basically
20 where we are.
21 Has the date ended to
22 receive any proposals?
23 MR. SZARPANSKI: Yes, the
24 proposal due date has come and
25 gone. There's a limited number of

1
2 MR. MCMAHON: You know, I
3 don't mean to pigeonhole you as to
4 give me the answers, but just
5 explain where we are in the
6 process.
7 MR. SZARPANSKI: We will --
8 THE AUDIENCE: Which I think
9 is a fair question. Just explain
10 where we are in terms of issuing --
11 MR. SZARPANSKI: We did
12 issue, in addition to issuing the
13 RFPs that I mentioned where we did
14 the contract with the private
15 facilities to receive our waste, we
16 issued an RFP for companies to
17 propose to take containers from our
18 converted marine transfer stations
19 and move those containers to its
20 ultimate disposal location.
21 We have proposals, we have
22 started discussions with those
23 proposals. We haven't gotten into
24 any detailed negotiations. We hope
25 that by the time the Council

1
2 proposals that are going to be part
3 of our negotiations.
4 MR. MCMAHON: Okay. But are
5 there certainly some that are
6 realistic and doable and we're
7 optimistic that we can succeed on
8 that end of the plan?
9 MR. SZARPANSKI: Yes, that's
10 correct.
11 MR. MCMAHON: That's a
12 softball, that was a good one.
13 MR. SZARPANSKI: Should we
14 change seats?
15 MR. MCMAHON: Yes, yes,
16 okay. Because I mean, that's the
17 question that we always get and I
18 think people have to understand,
19 we can't tell yet, we don't know
20 because we understand it's a
21 process, that's all we're getting
22 at Harry.
23 MR. SZARPANSKI: Why don't
24 we ask you questions. When you're
25 over here it's nice.

1
 2 MR. MCMAHON: Definitely.
 3 Just a total aside, can we just
 4 give everybody the status on the
 5 North Shore garage?
 6 MR. SZARPANSKI: The garage?
 7 I don't know.
 8 MR. CZWARTACKY: The marine
 9 transfer station?
 10 MR. MCMAHON: No, the garage
 11 number one. This is totally
 12 unrelated to the 20-year plan, just
 13 the status because I know that Joe
 14 Carroll was --
 15 MR. SZARPANSKI: Oh.
 16 MR. MCMAHON: The new garage
 17 siting.
 18 MR. SZARPANSKI: I'm
 19 questioning my own people here, we're not
 20 working on the garage so I don't
 21 know, we can get back to you.
 22 MR. MCMAHON: Okay, very
 23 good. Again, we look forward to
 24 continuing working for you.
 25 MR. SZARPANSKI: We look

1
 2 forward to working with you and
 3 again council members with the new
 4 SWMP. Thank you.
 5 Our next speaker is Barbara
 6 Warren.
 7 MS. WARREN: "Good evening.
 8 My name is Barbara Warren.
 9 As many of you know, I have been
 10 involved in solid waste management
 11 issues in New York City for over 20
 12 years now. It really dates me but
 13 at different times, I have been a
 14 representative for Staten Island
 15 Citizens for Clean Air, for the
 16 Staten Island Solid Waste Advisory
 17 Board, the Citywide Recycling
 18 Advisory Board, the Consumer Policy
 19 Institute of Consumers Union and
 20 the Organization of Waterfront
 21 Neighborhoods, a citywide coalition
 22 of groups working on a responsible
 23 way to handle our trash.
 24 As part of this work, I
 25 prepared and released a report in

1
 2 2000: Taking out the trash, a New
 3 Direction for New York City's
 4 Waste. That report was the first
 5 to call for sustainable waste
 6 management addressing three areas:
 7 The environmental soundness,
 8 economic cost effectiveness and
 9 social responsibility or equity.
 10 Key elements of that report
 11 were waste reduction and recycling,
 12 retrofit or reconstruction of the
 13 city's marine transfer stations to
 14 accomplish export and improvements
 15 to the inequitable burden of
 16 substandard waste transfer
 17 stations.
 18 This year after pulling
 19 together about 40 groups from
 20 around the City and forming the New
 21 York City Zero Waste Campaign, we
 22 prepared and released Reaching for
 23 Zero: The Citizens Plan for Zero
 24 Waste in New York City and I know I
 25 have a copy of this plan.

1
 2 This zero waste plan was
 3 supported by Consumers Union, was
 4 funded, was prepared to help the
 5 City to develop a more sustainable
 6 solid waste plan for the next 20
 7 years.
 8 In our plan, we called for
 9 setting a 20-year zero waste goal;
 10 the construction of needed
 11 infrastructure and expansion of
 12 programs in waste prevention,
 13 reuse, recycling and composting,
 14 along with major improvements in
 15 support programs like education,
 16 economical development and
 17 research.
 18 We identified three time
 19 periods: Immediate through 2009,
 20 intermediate through 2014 and long
 21 term through 2024 and provided
 22 detailed implementation schedules
 23 for all proposed programs.
 24 We modeled a lot of our work
 25 on the City's comprehensive solid

1
2 waste management plan of 1992, an
3 extensive effort that I was also
4 involved in that, actually produced
5 many volumes of analyses and
6 information for planning, some of
7 which I still have. It's quite
8 voluminous, it's many boxes of
9 information.

10 Tonight I will primarily
11 address the issues of importance to
12 the Zero Waste Campaign and
13 Consumers Union that are contained
14 in the SWMP, while touching on
15 issues of importance to Staten
16 Island.

17 Please note there will be
18 many others testifying in days to
19 come on behalf of OWN and the Zero
20 Waste Campaign. And written
21 comments will be submitted in
22 January.

23 So, I am very, bottom line,
24 I'm very disappointed in this
25 so-called comprehensive solid waste

1
2 In 2000, the Department said
3 that the SWMP they produced had to
4 be focused on long term export
5 portion because of the critical
6 time constraints. At that time,
7 the Department promised that the
8 next SWMP, the next solid waste
9 management plan would be more
10 comprehensive, focusing on real
11 analysis of various alternatives to
12 export like waste reduction,
13 re-use, recycling and composting.

14 That 2000 SWMP became an
15 immediate failure because of the
16 predominate reliance on the
17 proposal in Linden and the enclosed
18 barge and unloading facility.

19 Once again in 2004, we are
20 presented with a so-called
21 comprehensive solid waste plan that
22 focuses almost exclusively on
23 disposal and an EIS that fails to
24 adequately examine the viable
25 alternatives.

1
2 management plan and draft EIS. The
3 City has failed since 1996, when
4 the closure of Fresh Kills was
5 announced, to ever produce an
6 analysis of alternatives to export
7 for disposal. Such an analysis
8 sorry, of alternatives is required
9 by the State Solid Waste Management
10 Act. Yet since 1996 despite the
11 work of all five boroughs and the
12 City Council in completing more
13 comprehensive plans of their own,
14 the Department of Sanitation has
15 been almost entirely focused on
16 plans for export and disposal.

17 This is in total violation
18 of the state act, its intent and
19 DEC implementing regulations. The
20 whole point of the Act requiring
21 municipalities and other entities
22 in the state to do comprehensive
23 planning for solid waste, is that
24 such analysis and planning makes
25 environmental and economic sense.

1
2 Other than the promise of a
3 new recycling processing facility
4 in Brooklyn, the SWMP lays out
5 almost no new programs and plans to
6 get us out of the dumps. Not only
7 do we have detailed, do we not have
8 detailed plans for environmentally
9 sound waste management method
10 beyond Hugo Neu, but the plan does
11 not even offer a road map of how
12 the City will plan for sound
13 alternatives in the future.

14 Unlike the voluminous 1992
15 SWMP, this plan is so vague,
16 lacking in detail on expanded and
17 new programs that might be
18 considered zero waste programs,
19 that I have started referring to it
20 as SWMP-Lite, like Bud Lite.

21 The stated goal in the plan
22 of 70 percent recycling by 2015, is
23 actually more ambitious than the
24 zero waste campaign's goal for that
25 date, but with no supporting

1
2 substance, no aggressive plans to
3 improve any of these alternatives
4 and therefore, the stated goal of
5 70 percent rings hollow.

6 So let's look at some of the
7 most serious issues. I'm going to
8 talk mostly about sustainability.

9 Is the plan sustainable? In
10 June, when we released our report,
11 we pointed that total disposal
12 costs including transfer costs had
13 risen by 91 percent since the City
14 first started exporting garbage.

15 We pointed out in terms of
16 economics, this represented a clear
17 unsustainable situation. Earlier
18 in 2000, we described the
19 considerable consolidation in the
20 waste industry with two major
21 multinational companies owning the
22 majority of disposal capacity and
23 potential for ever-increasing cost.

24 DSNY acknowledged this
25 problem of self-interest and

1
2 exporting, why does the City want
3 to perpetuate this problem by
4 planning to serve up almost ten
5 thousand tons per day of waste to
6 these companies which could have a
7 stranglehold on the City in the
8 future.

9 If self-interest and lack of
10 competition are a concern of the
11 City's as it relates to the
12 management of recyclables, why
13 would we see the same problem with
14 the other 75 percent of the waste
15 stream that you are planning to
16 send for disposal?

17 In 2000, the City prepared a
18 generic analysis of costs; we are
19 asking for this same kind of
20 analysis now. It is not there
21 currently in the documents we
22 received. We're also asking for
23 clarification concerning these long
24 term contracts for disposal. Will
25 they be written as "put or pay"

1
2 inadequate competition associated
3 with these waste companies, only as
4 it relates to the handling and
5 processing of recyclables. This
6 was in the recyclable processing
7 and marketing report that was
8 issued with the SWMP.

9 Simultaneously, DSNY is
10 planning to award private contracts
11 for the entire
12 residential/institutional waste
13 stream.

14 Some of these contracts will
15 go to private transfer stations,
16 some to companies to manage and
17 receive the waste at the MTSSs, and
18 one will go to a private manager,
19 at least according to the SWMP, to
20 the Staten Island facility. Only
21 the contract with the Newark
22 incinerator will be handled
23 differently by the Port Authority.

24 If disposal costs have risen
25 91 percent since we first started

1
2 contracts that will prevent the
3 City from developing and expanding
4 the sound alternatives like
5 composting and recycling, because
6 they will require that the City pay
7 for 10,000 tons of waste, whether
8 or not you deliver that amount to
9 the private contractors?

10 A major theme of our
11 Reaching for Zero Report was that
12 the City should consider the merits
13 of investing dollars within New
14 York City, creating industries that
15 use our waste materials to
16 manufacturer new products, adding
17 jobs and fueling our economy,
18 instead of sending dollars out of
19 the City along with our mixed
20 waste. This plan, this long term
21 proposal contract invests
22 elsewhere, depriving the City of
23 these dollars.

24 Is it environmentally
25 sustainable? Well, the plan

1
2 includes the development of a
3 recycling center in Brooklyn under
4 a 20-year contract agreement with
5 Hugo Neu. This portion of the plan
6 is laudable and we're very happy
7 about that. However, this facility
8 will not be completed until 2007
9 and while this a positive
10 development which we have been
11 waiting for a very long time, DSNY
12 and the City have not learned the
13 needed lessons.

14 The City's 1992 SWMP called
15 for the development of 3000 tons
16 per day of recycling processing
17 capacity in the City since 1992.
18 12 years later, plans today, plans
19 are underway for Staten Island
20 recycling processing facility which
21 the Department cancelled those
22 plans deciding that the private
23 sector could be relied on to manage
24 recycling even though there was
25 almost no modern recycling

1
2 learn is that public policy demands
3 comprehensive and thoughtful
4 planning and follow through on
5 those plans.

6 So if you have truly learned
7 the lesson that VISY and Hugo Neu
8 should have taught you, this solid
9 waste management plan will offer
10 the promise of a more sustainable
11 future and economically and
12 environmentally, by recommending
13 the construction of composting and
14 resuse facilities and by expanding
15 economic development activities
16 focused on the remanufacture of
17 waste materials, and by expanding
18 waste prevention alternatives in
19 programs.

20 How long will the City talk
21 about studying composting at Hunt's
22 Point, the Hunt's Point Market
23 without developing any new
24 facilities?

25 The very small Rikers Island

1
2 facilities in the City.

3 This Staten Island Borough
4 President and the Staten Island
5 SWAP supported this facility.
6 Citywide, the environmental
7 community also supported the
8 building of recycling
9 infrastructure.

10 So it was not a surprise
11 then when the big waste company
12 raised the prices for handling
13 recyclables, some processing
14 equipment had even been removed in
15 order to handle the City's export
16 contracts.

17 So 15 long years after the
18 original plans in '92 for adding
19 the, adding the recycling
20 processing facility, Hugo Neu
21 might actually be up and running,
22 that's supposed to be in the year
23 2007 and saving the City money.

24 So the lessons that the
25 Department and the City should

1
2 Project was supposed to be your
3 test facility with commercial scale
4 facilities to follow.

5 So sustainability; is the
6 plan socially responsible and
7 equitable? The Mayor clearly has
8 attempted to address equity with
9 this plan. We support the efforts
10 to reconstruct the City marine
11 transfer stations system as more
12 equitable and to move waste by
13 barge as less polluting in terms of
14 air quality.

15 However, the plan has a
16 number of problems when you get to
17 the facilities to handle disposal and
18 export. This becomes apparent when
19 we look at the actual plan for
20 Manhattan.

21 For Manhattan's residential
22 and institutional waste, the plan
23 proposes only the construction of
24 one marine transfer station,
25 that's at the East 91st Street

1
2 station, to containerize waste.
3 Despite the magnitude of waste
4 generated in Manhattan, this MTS is
5 proposed to handle the smallest
6 amount of waste of any of the
7 reconstructed MTSSs, only 720 tons
8 per day of residential waste with a
9 possibility of including some
10 commercial waste for a total of
11 1644 tons.

12 The largest amount of
13 residential and institutional
14 waste, about 1600 tons, will be
15 continued to be trucked on
16 congested streets and through
17 tunnels and over bridges to the
18 Newark incinerator in New Jersey.
19 The environmentally unsound interim
20 trucking plan would become a long
21 term plan for Manhattan.

22 Manhattan with a large
23 number of offices and institutions,
24 produces large quantities of waste
25 from the commercial sector and the

1
2 the State legislation creating a
3 park on the West Side, we don't
4 know whether this facility can
5 succeed. And we appreciate the
6 Department's and EDC's efforts to
7 develop this facility.

8 In summary, the need for
9 adequate waste infrastructure in
10 Manhattan is extremely critical.
11 This was made crystal clear when
12 the City tried to cope with the
13 movement of millions of tons of
14 waste after the World Trade Center
15 disaster. We just hope Staten
16 Island doesn't become Manhattan's
17 means of handling waste and that is
18 a concern.

19 On the issue of commercial
20 waste handling. The substandard
21 conditions at commercial transfer
22 stations and their concentrations
23 in certain communities are
24 addressed only indirectly in this
25 plan, with a few details. There

1
2 majority of the City's commercial
3 waste. Yet Manhattan has almost no
4 infrastructure for processing and
5 transporting this waste out of the
6 City. Instead, waste is picked up
7 and taken over bridges to other
8 boroughs.

9 The City is proposing to
10 allow the use of the West 59th Street marine
11 transfer station by commercial
12 carters during nighttime hours. We
13 support that.

14 While the use of 59th Street
15 to handle the commercial waste is a
16 good idea, there is no plan to
17 reconstruct 59th Street to make it
18 more efficient and to enable
19 containerization.

20 The suggestion of a
21 recycling receiving facility at the
22 Gansevoort Peninsula is a good one
23 that I wholeheartedly support, but
24 this proposal is in the earliest
25 stages of development. Because of

1
2 are no concrete plans for actually
3 reducing capacity in communities
4 overburdened by the transfer
5 stations and the City is not
6 proposing to create a commercial
7 franchise system in order reduce
8 vehicle miles traveled as opposed
9 to improving commercial waste
10 services.

11 Now, turning to Staten
12 Island, we have the only brand new
13 transfer station in New York City.
14 And it is designed and built at
15 three times the capacity needed for
16 Staten Island's waste.

17 Our facility included
18 compaction equipment. None of the
19 new marine transfer stations are
20 planned to have compacting
21 capability, only containerization.
22 Why not and where is the analyses
23 supporting this?

24 We have always supported
25 sound alternatives to disposal and

1
 2 have recommended testing certain
 3 high tech options for processing
 4 organic waste. Now I would like to
 5 recommend that the Staten Island
 6 transfer station be used to
 7 accommodate one or more
 8 state-of-the-art composting tunnels
 9 with computer controls for
 10 regulating air and moisture and
 11 temperature. This is the kind of
 12 technology the Department should be
 13 exploring. The Department has
 14 failed to so far study anything
 15 more than static pile composting
 16 which limits the efficiency of that
 17 option.

18 So we urge the Department to
 19 improve its current solid waste
 20 management plan and we will be
 21 advocating for more sustainability
 22 with the City Council as the next
 23 step. Thank you."

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

1
 2 of marine transfer stations in the
 3 other boroughs, more compaction and
 4 containerization in those stations.
 5 And again, my background is marine
 6 transportation, and any time the
 7 city can take trucks and cars off
 8 the road and put it on the water
 9 which is an extremely cheap method
 10 of transportation, that they should
 11 do that.

12 Thank you for the
 13 opportunity to speak tonight.
 14 MR. SZARPANSKI: Thank you
 15 for your comments.

16 Helen Bialer.

17 MS. BIALER: Good evening,
 18 my name is Helen Bialer and I'm
 19 representing the Staten Island
 20 Citizens for Clean Air.

21 SICCA has been involved with
 22 the solid waste issues since the
 23 closure of Penn and Fountain Landfills. We
 24 have always been strong advocates
 25 of handling solid waste responsibly

1
 2 Barbara, do you have a copy of your
 3 comment that you can leave us?

4 MS. WARREN: Yes.

5 MR. SZARPANSKI: Thank you.
 6 We have two more speakers. The
 7 next speaker is John Arntzen.

8 MR. ARNTZEN: John Arntzen,
 9 it's A-R-N-T-Z-E-N. I'm with ACTA,
 10 Maritime Development Corporation.
 11 I'm a resident and my background is
 12 marine transportation and just as a
 13 Staten Island resident, I want to
 14 wholeheartedly support your
 15 efforts. I feel that there's
 16 plenty of room in your plan for
 17 improvement, but I'm glad to see
 18 that the efforts that you made
 19 towards this end and I think all of
 20 Staten Island should be very
 21 supportive of your plan in that
 22 you're taking not only Staten
 23 Island waste, that's just a great
 24 boon for our borough. And I would
 25 encourage the further development

1
 2 through waste reduction, reuse,
 3 recycling and composting.

4 While we supported the
 5 initiative of exportation of solid
 6 waste as a means of closing the
 7 horrific Fresh Kills Dump, we have
 8 lost sight of our goals to promote
 9 and increase the City's recycle
 10 world.

11 This City is always focused
 12 on the quick and easy methods of
 13 ridding ourselves of our solid
 14 waste from dumping at Fresh Kills,
 15 out of site, out of mind, to
 16 wanting to incinerate the garbage
 17 on the floors and the impacts to
 18 the communities, to exportation.
 19 Again, out of site, out of mind.

20 The Department of Sanitation
 21 always criticizes relying on the
 22 recyclables and they used cost as a
 23 reasons for avoiding this process.
 24 Now, if current expenses involved
 25 with the exportation the City needs

1
2 to strongly review that whole
3 process.
4 The current homes of our
5 solid waste, Virginia,
6 Pennsylvania, Ohio, will not
7 tolerate the never-ending flow of
8 our garbage coming into their
9 communities, would you? We need to
10 act responsibly and address the
11 solid waste through waste
12 reduction, reuse, recycling and
13 composting and bring New York into
14 the 21st Century. Thank you.
15 MR. SZARPANSKI: Thank you
16 for your comments.
17 Mr. McMahon.
18 MR. MCMAHON: I want to
19 amend what I said before and talk
20 about the unsung heroes who work so
21 hard to get the Fresh Kills
22 Landfill closed, I didn't recognize
23 Helen sitting here and certainly
24 here we are and S-I-C-C-A, we're
25 together with Barbara and on the

1
2 solid waste advisory board, they're
3 visionaries and all of the stars
4 aligned correctly and they deserve
5 a lot of credit, I just wanted to
6 add that to what I said before.
7 Thanks (applause.)
8 MR. SZARPANSKI: Thank you.
9 Is there anybody else here
10 who wishes to make a statement?
11 MR. VALENTIN: I just like
12 to ask some questions. Are we
13 looking for --
14 MR. SZARPANSKI: Can you
15 please stand up and state your name
16 for the record.
17 MR. VALENTIN: My name is
18 Joe Valentin.
19 MR. SZARPANSKI: I'm sorry,
20 it's not an opportunity to ask
21 questions that we will respond to
22 on the spot, but you can certainly
23 make a comments and ask that we
24 answer the question.
25 MR. VALENTIN: This is

1
2 something that we did together, I
3 think I was part of this group for
4 20 years. As Barbara said, you
5 know, we're trying to build up and
6 we finally succeeded on it, but one
7 of --
8 MR. SZARPANSKI: Just spell
9 your name.
10 MR. VALENTIN: My spelling?
11 V-A-L-E-N-T-I-N, Valentin.
12 MR. SZARPANSKI: Thank you.
13 MR. VALENTIN: One of the
14 reasons, one of the reasons I got
15 here, I wanted to find out one of
16 the questions that was asked
17 basically is, I don't think there
18 was any answers, I didn't hear it,
19 are you finding out better ways to
20 recycle, you know, re-use garbage
21 that, instead of. And also instead
22 of shipping out a certain amount of
23 garbage out, is there any other way
24 to, are we finding other ways to
25 recycle other things other than the

1
2 items that we already have on the
3 recycle, you know, improving the
4 recycling. Because I think that's
5 one of things that we want to see
6 in addition to having Barbara and
7 Helen making that point of it. But
8 I don't know, if the agency is
9 looking for ways or they have
10 already.
11 We still -- I mean, just
12 what we're looking for in the
13 future?
14 MR. SZARPANSKI: Just as a
15 point of information, I would urge
16 you to look at appendix F to the
17 SWMP. It looks at the need to look at
18 emerging technologies, we have
19 consultants do an analysis of
20 whatever is out there, we are aware
21 of. The council I think is holding
22 a hearing on the 8th of December on
23 that specific subject so read that
24 and the council hearing we will
25 know.

1
 2 MR. VALENTIN: Thank you.
 3 MR. SZARPANSKI: Thank you.
 4 Is there any other -- Nick.
 5 MR. DMYTRYSZYN: Good
 6 evening, Nick Dmytryshyn,
 7 environmental engineer to the
 8 Borough President.
 9 D-M-Y-T-R-Y-S-Z-Y-N.
 10 I didn't plan on saying
 11 something this evening but I just
 12 want to pass a couple of comments
 13 along that I think kind of captures
 14 kind of what you're hearing this
 15 evening, both from a global to a
 16 local, from an unbiased to a
 17 biased.
 18 The fact that, as has been
 19 mentioned earlier that the City has
 20 rethought that garbage has to be
 21 basically handled by the borough,
 22 it's nice to see that that has kind
 23 of come back, that it's not being
 24 looked at the way we had the,
 25 originally it was going to be five

1
 2 in each borough handling its own,
 3 and then it was going to be this.
 4 So we're glad to see that, because
 5 from my boss's standpoint,
 6 everybody has to share the burden
 7 and that's what we call the City's
 8 fair share. Not like the way it
 9 was in the bad old days.
 10 But from a very narrow kind
 11 of perspective, if the State begins
 12 with its solid waste management
 13 plan, then I think that it should
 14 be implemented, in fact, I don't
 15 recall reading that there is no
 16 plan in the 20-year plan and an
 17 ultimatum. There is no such thing
 18 like that, and I think it will
 19 behoove the City to put that in
 20 there, because at a minimum, the
 21 administrations come and go, but
 22 the fact still remains that we have
 23 a lawsuit that basically allows
 24 Staten Island to go back into court
 25 without prejudice. And we're not

1
 2 asking to put that in the plans,
 3 but I think an acknowledgement of
 4 the fact that the landfill is not
 5 part of any reconsideration. If a
 6 statement like that's not in there,
 7 then at a minimum we request that
 8 the statement be put in there.
 9 And lastly, Jim Oddo made a
 10 couple of good points about the
 11 truck traffic. While I know that
 12 the garbage plans is not
 13 necessarily ready to go through the
 14 minutia of where trucks go in each
 15 borough, but now this is a little
 16 biased aspect.
 17 I'm not certain, I know it's
 18 difficult to ask the Department to
 19 tell me the trucks routes,
 20 where they're going to go. But I
 21 think it will be worth studying
 22 that wherever a truck route ends
 23 from picking up garbage from Staten
 24 Island to bring it to the transfer
 25 station, if it is next to a

1
 2 highway, don't use local roads, use
 3 the expressway, use the West Shore,
 4 but don't use the local roads. And
 5 also leave the transfer station by
 6 using the highway. To go through
 7 the Travis area, Victory Boulevard,
 8 Arthur Kill Road or wherever the
 9 trucks are allowed to go where they
 10 can get perhaps easily by the
 11 highway aspect, I think it should
 12 be part of that consideration.
 13 And I thank you very much.
 14 MR. SZARPANSKI: Thank you.
 15 Any final comments by anybody?
 16 Thank you all for coming.
 17 There will be copies of my
 18 statement as well as copies of my
 19 presentation in the back.
 20 Thank you.
 21 (Time noted: 7:03 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 December 1, 2004.

12 I further certify that I am not related

13 to 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 20th day of December, 2004.

19

20

21 _____
MARC RUSSO

22

23

24

25