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THE CITY OF NEW YORK

DEPARTMENT OF SANITATION

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Environmental Justice Informational Meeting

RE: Proposed East 91st Street Converted

Marine Transfer Station

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New York Blood Center

610 East 67th Street

New York, New York

April 19, 2007

6:45 p.m.

B e f o r e :

HARRY SZARPANSKI,

Assistant Commissioner,

Bureau of Long Term Export,

The City of New York

Department of Sanitation

ROY ALLEN & ASSOCIATES, INC., (212) 840-1167

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

3 For The City of New York Department of  
4 Sanitation:

5 Robert Orlin - Deputy Commissioner

6 Bureau of Legal Affairs

7 Sarah Dolinar

8 Vaughan Arnold

9 Walter Czwartacky

10 For Henningson, Durham & Richardson:

11 Joyce Mariani

12 Scott Mills

13 For Urbitran Consultants:

14 Robert Michel

15 ALSO PRESENT:

16 Greeley & Hansen Team

17 Ecology & Environment Team

18

19 The Media

20 The Public

21

22

23 Marc Russo

24 Reporter

25

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P R O C E E D I N G S

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MR. SZARPANSKI: Good evening.

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We're going to get started. Please  
find a seat.

7

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Good evening. My name is Harry  
Szarpanski. I'm Assistant Commissioner with the  
New York City Department of Sanitation Bureau of  
Long Term Export.

10

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Also with us tonight, starting at  
the far left, Walter Czwartacky, Vaughan Arnold  
and Sarah Dolinar with my bureau.

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To my right is Deputy Commissioner  
Robert Orlin. He's head of Legal Affairs. And we  
have Joyce Mariani with HDR, Henningson, Durham  
and Richardson.

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21

Also representing our consultant HDR  
is Dan Harkins. The HDR team did the  
environmental review for this project and for the  
other marine transfer stations.

22

23

24

Also with us is Harvey Brodsky and  
his team. They're with Greeley and Hansen, G&H  
and they did the design for this facility.

25

Just a few moments to discuss the

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format of this meeting.

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If you didn't sign in yet on your way in, please do so on your way out. We use this list for future mailings to notify you of our meetings that are going to be held in the future.

7

8

What I will do tonight is do a short PowerPoint presentation. And there are handouts as you walked in, copies of that presentation so make sure you have a copy.

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After the PowerPoint, I'm going to open it for you to ask questions, make statements, any comments, anything you want to say.

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If you do want to make any statements or ask questions, you need to sign in as a speaker. You'll get a number and I'll call out your name and number. And I apologize if I get your name -- if I mispronounce your name. Just tell me what it is the correct way if I make a mistake.

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Because of the size of the crowd I'm going to ask that we limit the time for each speaker to three minutes so hopefully we can get to everyone who signed up.

25

You can also submit any written



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2        comments tonight and we will make that part of the  
3        record. There's a microphone on each side of the  
4        aisle so as I call your number, the next person  
5        please come and stand at the mike so that we don't  
6        waste time.

7                        Hopefully we can answer all the  
8        questions you have either us up here or with the  
9        assistance of our consultants. And if for some  
10       reason we can't answer your questions tonight, we  
11       will answer them at a future date. We're going to  
12       have a transcript that includes the questions and  
13       answers.

14                      And there are several elected  
15       officials or their representatives here. We're  
16       going to allow them to go first when it comes time  
17       to make comments so that they can attend any other  
18       meetings that they have scheduled.

19                      I'll start the PowerPoint  
20       presentation.

21                      (Showing PowerPoint.)

22                      MR. SZARPANSKI:     A little about  
23       the objectives here. And I'm not going to read  
24       everything. You have a copy of it. I'm sure you  
25       don't want to hear me speak, you want to give us

1

2 your questions and comments.

3

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7

Basically we're here to talk to you and answer your questions about this particular project. We're going to talk about what the DEC's permit process is. We'll explain also how you can get comments to us.

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11

This is part of an EJ, Environmental Justice outreach plan. EJ requires a Public Participation Plan to be prepared, which we did. It's on our web site if you want a copy of it.

12

13

14

The DEC reviewed and approved the Public Participation Plan. This meeting is just one of the elements of the required plan.

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The plan itself identifies stakeholders and describes the outreach that we plan to do. It talks about the various EJ informational meetings that we have held.

19

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23

There are four marine transfer stations that are going to go into the permitting process and the other three EJ meetings took place this week and last week. This is the fourth of the series.

24

Okay. Next slide, please.

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A little background on the Solid

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2 Waste Management plan.

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The SWMP was issued -- a Draft of that SWMP was issued in October of '04. We also did a Draft Environmental Impact Statement. In April of '05 we issued the Final EIS. And the conclusions were that there would be no potentially significant adverse impacts from the construction or operation of these four facilities.

City Planning approved this facility as part of the ULURP process. The City Council then adopted the Solid Waste Management plan, including this facility, in July of '06. And the DEC, State DEC approved the plan in October of '06.

It may be hard for you to see this. This is a map of the City showing which community boards, which board's waste will go to each of the facilities being planned.

You can see the East 91st Street wasteshed in the red in Manhattan and you can see it's fairly small compared to the other wastesheds.

This is a site plan which shows

1

12

2 where the facility it is to be located.

3 Next.

4 Just to walk you through how the  
5 facility will operate.

6 Trucks will be entering through  
7 these roll-up doors. They'll be backing up and  
8 dumping from the tipping floor down to the loading  
9 floor. Front-end loaders will then push the waste  
10 into four openings in the floor. Under those  
11 openings containers will be sitting there.

12 The waste then will be tamped and  
13 all of this occurs within the enclosed building.  
14 Once the container is sealed, the containers then  
15 slide out and a gantry crane lifts the containers  
16 and puts them onto a barge.

17 This is the floor plan showing the  
18 same thing. The trucks come over a scale. They  
19 back up. They tip. Waste goes on the loading  
20 floor. Here you can see the gantry crane loading  
21 the barges.

22 One of the key elements of this  
23 facility and the other marine transfer stations is  
24 that the same wastesheds that existed before when  
25 the marine transfer station was operating and

1  
2 waste was going to Fresh Kills, the same  
3 wastesheds will feed this facility.

4 Those collection districts are 5, 6,  
5 8 and 11. The expected average daily throughput  
6 of this facility is 720 tons a day of Department  
7 managed waste and up to 780 tons a day of  
8 commercial waste. The permit will have a  
9 not-to-exceed limit both on a daily basis and on a  
10 weekly basis.

11 The old marine transfer station was  
12 permitted at 4,800 tons per day.

13 Some of the key features of the  
14 proposed facility.

15 All waste is going to be processed  
16 inside the building. The building will be under  
17 negative air pressure to prevent odors from coming  
18 out. There will be a system that neutralizes  
19 odors rather than masks them.

20 The waste will then leave the MTS in  
21 sealed, leak-proof containers. And as I mentioned,  
22 the results of the Final EIS found no significant  
23 impacts from this facility.

24 With respect to commercial waste,  
25 the amount of commercial waste was determined --

1  
2 that can go to the facility was determined based  
3 on limiting it to 780 tons a day based on avoiding  
4 noise impacts.

5 (Audience participation.)

6 MR. SZARPANSKI: Next.

7 (Audience participation.)

8 MR. SZARPANSKI: Excuse me.

9 You'll have a chance to speak when your turn  
10 comes.

11 (Audience participation.)

12 MR. SZARPANSKI: The proposed  
13 permit status, the Department submitted the permit  
14 to the -- three permits actually, to the State  
15 DEC.

16 There's what's called a Part 360  
17 Permit which deals with the solid waste aspects of  
18 the facility;

19 The 608-661 Permit deals with marine  
20 issues; and

21 A Part 201 Permit is a State  
22 Facility Air Permit for a minor source.

23 If anyone wants to look at the  
24 actual permits themselves - they're huge documents  
25 - they're available on our web page. They're also

1  
2 available at Community Board #8's office and the  
3 library at 96th Street.

4 The next three slides just provide  
5 more information about each of those permits. I'm  
6 not going to go into detail.

7 Okay.

8 In terms of the process itself, we  
9 are right now just before this first box here.  
10 The next thing that will happen is the State DEC  
11 will finish reviewing our permit applications and  
12 then hopefully the permit application is complete.

13 Once that happens, the Environmental  
14 News Bulletin will have a notice that the permit  
15 is complete. It will also tell you where you can  
16 provide comments and it will also disclose where  
17 the public hearings that the State will hold will  
18 be.

19 Starting with that notice, people  
20 can then submit comments. The State then holds the  
21 public hearing. At some point the State DEC will  
22 complete the hearing record and either issue or  
23 deny the permit.

24 The person, if anyone wants more  
25 details on the State permitting process, the

1  
2 person's name to contact is Michelle Moore and her  
3 number is below.

4 Next.

5 We will have a transcript of this  
6 public meeting sent to the DEC. We ask that you  
7 provide any comments that you have to us by April  
8 30th. My address is there. You can send comments  
9 to me. You can also fax your comments at the  
10 number listed there.

11 And at this point I'm going to open  
12 it up to people who sign up to speak starting with  
13 elected officials.

14 Okay. We have Councilmember Daniel  
15 Garodnick.

16 You might have to turn the mike on.

17 (Applause.)

18 COUNCILMEMBER GARODNICK: How is  
19 that? Is that on?

20 Good evening. Good evening,  
21 everybody.

22 My name is Dan Garodnick and I  
23 represent the Fourth Council District going from  
24 14th to 97th Street on the East Side.

25 I do not represent the specific area

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2 where the site would be located but just a couple  
3 of blocks in either direction.

4

I wanted to come to just make a  
5 comment generally and then I have a comment about  
6 the presentation to start.

7

The general comment, of course, is  
8 one that I've made repeatedly which is that I do  
9 not view it to be enlightened or sound public  
10 policy to put one of these garbage facilities into  
11 the heart of a densely populated, residential  
12 neighborhood --

13

(Audience participation.)

14

COUNCILMEMBER GARODNICK: But I've  
15 already cast my vote in that respect and I cast my  
16 vote against this facility. I was one of the  
17 Councilmembers, not many, but several  
18 Councilmembers who did. It passed through the  
19 Council and it was signed by the Mayor, the Solid  
20 Waste Management plan.

21

So we move to the next steps here.  
22 And what we need from the Department of Sanitation  
23 and its consultants is some sort of an  
24 understanding, a clear understanding of how you're  
25 going to address the so many issues. And you

1

18

2 don't even really know where to start when you  
3 think about the concerns that everybody in this  
4 room has about what it will mean to have a garbage  
5 facility immediately in their backyard.

6 They've lived through this before  
7 once already and suffered through all of the  
8 attendant circumstances which go along with it.

9 And then what I saw in this  
10 presentation was a vague discussion of process  
11 rather than any specific attempt to try to address  
12 the many significant concerns that are out there.

13 The one concrete fact that I saw  
14 about mitigation was on noise. And what you said  
15 in the presentation was that in order to alleviate  
16 noise, there will only be twelve hours of  
17 commercial trucks from 8 p.m. till 8 in the  
18 morning. That's 71 trucks and 780 tons.

19 Now, for me that does not speak to  
20 the concerns about noise. It does not address the  
21 issues of smell. It does not address the issues of  
22 the rodents. It does not address the issue of the  
23 traffic.

24 (Audience participation.)

25 COUNCILMEMBER GARODNICK: And so

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1  
2 I'm just here to say -- I really was here to make  
3 the general comment about the plan and also  
4 encourage you to address those issues. But having  
5 seen the presentation I really needed to add that  
6 additional point which was that we would expect  
7 that the Department of Sanitation -- and I know  
8 that there are a lot people you're going to hear  
9 from tonight who are going to say a lot of similar  
10 things and some in many greater, much greater  
11 detail in that they are the ones who actually live  
12 across the street from what is being proposed  
13 here.

14 So I just ask that you take those  
15 concerns into account also that you come back to  
16 this community with concrete mitigation plans that  
17 we actually can understand and we actually can  
18 look at and say this might help, this might not  
19 help.

20 Frankly, I was shocked that there is  
21 a Final Environmental Impact Statement which said  
22 that there would be no adverse impacts on this  
23 community as a result of putting something that  
24 will process, you know, 1,500 tons, at a minimum,  
25 of garbage every single day.

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So I really just wanted to come and  
add my voice to that. But I do thank you for being  
here and I thank you and everybody for showing up  
to this important meeting.

6

Thank you.

7

(Audience participation.)

8

MR. SZARPANSKI: Councilman, if I  
could just respond to a couple of the points you  
raised.

10

11

I don't know if you're aware, this  
is not the first time we've come to this community  
to talk about the project. We started early on in  
our process when we prepared a Draft Scoping  
document which would discuss what was going to be  
reviewed as part of the environmental review  
process. So we came here and made a presentation  
and asked people for comments and we got comments.

18

19

After that, when we had our Draft  
Environmental Impact Statement out there, we came,  
again, to the community. We gave people an  
opportunity to talk and yell at us.

22

23

And this is --

24

(Audience participation.)

25

MR. SZARPANSKI: And the third

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21

2 time was as part of the ULURP process. So we have  
3 addressed many of the issues, maybe not to the  
4 satisfaction of the community.

5 (Audience participation.)

6 MR. SZARPANSKI: Excuse me.

7 Excuse me.

8 And we had an Environmental Impact  
9 Statement that reviewed all of the issues of  
10 concern. So it's not as if we're ignoring these  
11 issues. They have been addressed.

12 VOICES: Answer the question.

13 There's no answer.

14 MR. SZARPANSKI: Okay.

15 (Audience participation.)

16 A VOICE: Where is this thing if we  
17 want to look at it?

18 MR. SZARPANSKI: Did I call you as  
19 a speaker?

20 A VOICE: No, but I'm asking --

21 MR. SZARPANSKI: I'm sorry.

22 The Environmental Impact is on our  
23 web page.

24 MR. SZARPANSKI: We have the next  
25 speaker. We have Jackie Ludorf representing

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2 Community Board #8.

3 (Applause.)

4 MS. JACKIE LUDORF: I was actually  
5 reminding everybody that on January 12 --

6 VOICES: Use the mike.

7 MS. JACKIE LUDORF: Oh, I'm sorry.

8 I'd like to remind everybody that on  
9 January 12, 2005 the Land Use Committee meeting of  
10 Community Board #8 made the following resolution  
11 with a vote of 31 in favor, zero opposed and four  
12 abstentions.13 And that vote was that Community  
14 Board #8 opposes the selection of the East 91st  
15 Street site for the construction of a new MTS  
16 based on the following: Now, I won't go through  
17 all of the following but some of the things have  
18 really increased in import since January 2005.19 And one comment was the proposed  
20 site is located in the middle of a densely  
21 populated residential neighborhood. That was true  
22 then. It's more true now.23 I think on a monthly, yearly basis  
24 you can see the density of our neighborhood around  
25 91st Street growing. We recently have found -- we

1

2 know now that two major buildings are going to be  
3 built on 86th Street which is really one of the  
4 routes for the trucks to come down. I think that  
5 you really have to look at that site again to see  
6 how congested things are between 9:00 and 5:00.

7

Those buildings will have  
8 deliveries. Those buildings, you know, will have  
9 people coming in and out and I think they'll  
10 increase the congestion.

11

The other thing is is that the  
12 Second Avenue Subway we know now is going forward.  
13 That definitely will have an impact on First  
14 Avenue and York Avenue traffic.

15

This second item that we had was  
16 that the new MTS will have a capacity of 4,290 to  
17 5,280 tons a day, which is four times the capacity  
18 that was handled by the former MTS. Now, you  
19 addressed that and you have addressed that on  
20 several occasions. And we appreciate your answer  
21 that you said this is for emergency use only, if  
22 there's a blizzard or if there's a hurricane and  
23 that's fine and good.

24

But we're concerned. What about if  
25 one of the other MTSS aren't built? Does that not

1  
2 create a crisis situation. Does that create an  
3 emergency. And we know that there are some  
4 problems with some of the MTSs on the West Side  
5 and the Hudson River special district.

6 The other thing is that the Mayor  
7 has said that in the next 30 years he would like  
8 -- he projects another million people in the City  
9 of New York. Obviously that's not all in our  
10 district, but will it have an impact without  
11 really an emergency situation. So we're really  
12 concerned that this extra capacity, once it's  
13 built, will be used not just for an emergency but  
14 sooner.

15 The other thing that really bothers  
16 us is that we have never seen a cost benefit  
17 analysis. It's kind of amazing to me in the City  
18 of New York we don't know the benefit of this. We  
19 say it will save money, but we've never seen --

20 (Applause.)

21 MS. JACKIE LUDORF: We've never  
22 seen any hard numbers.

23 Now, at the very first meeting that  
24 you -- that DOS held, probably in 2003, November,  
25 December, one of the comments that was made is



1  
2 that this site is being used because you don't  
3 want to buy any new property. And I propose to  
4 you that's really why this site is being used.

5 Why there's been no alternative  
6 analysis, why there's been no cost benefit  
7 analysis is because you don't want to buy new  
8 property. We feel that there is other property,  
9 we don't know where, that could be brought that  
10 would answer a lot of the City's problems for  
11 these issues, but that hasn't been done.

12 And lastly I would just like to tell  
13 you about our neighborhood. Yes, our neighborhood  
14 does have some, you know, people would have just  
15 moved into the neighborhood who have bought  
16 multimillion dollar apartments. It also has a low  
17 income population at Stanley Isaacs on First  
18 Avenue across from the MTS.

19 But most of the population in the  
20 91st Street district is composed of middle class  
21 people who have been living here for thirty or  
22 forty years who have probably rents of \$600 to  
23 \$1,200 a year because they live in rent control,  
24 rent stabilized houses or they bought their co-op  
25 so many years ago.

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So that I think we have to be careful when we say this is really a high net-worth district. It's really a middle class district and a lower class district with some higher income people living in it.

That's my comments.

Thank you.

(Applause.)

MR. SZARPANSKI: Thank you.

Just a couple of points.

With respect to the cost benefit analysis, we did make a presentation to the City council that disclosed the cost of this program versus other alternatives that we looked at. So we can make available to you that PowerPoint presentation if you'd like.

I want to hand it over to Walter Czwartacky to talk about what alternative sites we looked at.

MR. WALTER CZWARTACKY: This proposed project is a consequence of --

VOICES: Louder.

MR. WALTER CZWARTACKY: It's on.

This proposed project is a

1  
2 consequence of the Mayor's review shortly after he  
3 came into office and the progress the City had  
4 made in implementing its previous Solid Waste  
5 Management plan. It did not spring out of  
6 nowhere.

7 The Mayor found the plan, that we  
8 were pursuing at that time in 2002, wanting and  
9 that it really hadn't moved anywhere and would  
10 have left us under the control of one particular  
11 vendor.

12 Hence, he decided that we should  
13 pursue one of the alternatives to that plan which  
14 was actually analyzed in the EIS of the former  
15 Solid Waste Management plan, which was  
16 transforming our existing marine transfer system  
17 into facilities at which waste could be  
18 containerized so that it could be exported to any  
19 number of locations, was made ready to go.

20 To great public acclaim, in the  
21 middle of 2002, the Mayor announced that plan and  
22 directed us to go forward and try to implement it.  
23 It was supported by Council Members. It was  
24 supported by State people also at that time.

25 The Department, in accordance with

1  
2 environmental review and just good planning  
3 practices, began to develop designs for converting  
4 or changing over all eight of the City MTSs into  
5 facilities at which waste could be containerized.

6 Concurrently we looked at  
7 alternatives. We looked at alternatives that  
8 would involve, not doing certain MTSs, but perhaps  
9 depending on certain existing facilities and  
10 leveraging City investments to create, out of  
11 private facilities, places where waste could be  
12 containerized and exported by barge or rail,  
13 getting it out of trucks.

14 We also, with great -- well, we made  
15 a great effort to pursue a response to a very  
16 unrequitable situation that had grown up upon the  
17 closure of Fresh Kills, which was the City  
18 depended inordinately on certain -- two or three  
19 neighborhoods for the export of its waste.

20 As a result of those efforts we  
21 actually decided that we didn't need to convert or  
22 change over all eight MTSs, that we really only  
23 could -- needed to do four.

24 In the Bronx we decided that the  
25 existing facilities there could be relied upon to

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2 export waste by rail.

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In Queens -- in Brooklyn, instead of a facility at Greenpoint, one facility at Greenpoint, we found various private facilities with whom we could contract and they would instead of exporting by truck, convert to exporting by rail.

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For Manhattan we determined that the exiting situation which exists for a significant portion of the borough where collection trucks go to Jersey and use the waste and energy facility, should be sustained. Now, once that was decided, that left us with a decision as to what waste should go where in Manhattan.

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We looked at the 135th Street area and we said, gee, that neighborhood already has got the sewage treatment plant, which is one of the largest in the world, and two bus depots.

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23

We looked down at 59th Street which was in the Hudson River Park and by virtue of its odd design really couldn't be efficiently or cost effectively converted.

24

25

And we realized that 91st Street was the MTS left in Manhattan that made the most sense

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2 and would yield us the superior project.

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4 Additionally, it would prevent DSNY  
5 waste in Manhattan from driving from one wasteshed  
6 through another wasteshed to exit the Borough.

6

7 Concurrently with that we also, as a  
8 consequence of the adoption in 2000 of the old  
9 Solid Waste Management plan, did a study of  
10 Manhattan sites, four sites in particular. One up  
11 at 140th Street, one at Pier 42 on the Lower East  
12 Side, one at 30th Street and the Gansevoort MTS,  
13 which is in the Hudson River Park.

13

14 Three of those sites for technical  
15 reasons, size, lack of access to rail, lack of  
16 access to water we could use, were by no means  
17 superior to 91st Street. The last one, Gansevoort,  
18 in fact, became a component of the plan and we're  
19 now pursuing turning that into a place for the  
20 export of recyclable material.

20

21 A VOICE: We have access to rail on  
22 91st Street?

22

23 MR. WALTER CZWARTACKY: You have --  
24 you have access -- you have access to water on  
25 which we can put -- bring barges to put containers  
26 onto move them to rail. We don't -- the three

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2 sites, the other sites, one at 140th Street, one  
3 at West 30th, were suggested to us because there  
4 was rail nearby. The rail that's nearby is used  
5 for passenger rail. The track size, tunnel sizes  
6 and so on just really, they don't fit, plus  
7 they're really too small to fit in the size  
8 facility that we need.

9 MR. SZARPANSKI: We have a  
10 representative of another elected official. Jane  
11 Swanson is here representing Councilmember Jessica  
12 Lappin.

13 (Applause.)

14 MS. JANE SWANSON: Good evening.  
15 Is this on? Yes.

16 I'm sorry the Councilmember cannot  
17 be here tonight. She is on maternity leave having  
18 given birth on March 4th to a baby boy.

19 (Applause.)

20 MS. JANE SWANSON: I will read a  
21 statement on her behalf.

22 Excuse me. I'll ready quickly  
23 because I'd like to give others the opportunity --  
24 since she isn't here tonight, give the others the  
25 opportunity to ask questions.

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This is Councilmember Lapin's  
statement.

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I appreciate the opportunity to  
comment on the Bloomberg administration's  
ill-conceived proposal to reopen and expand the  
marine transfer station at East 91st Street as  
part of the City's 20-year Solid Waste Management  
plan.

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I voted against the Mayor's SWMP  
because it includes reopening this station. I  
voted against the SWMP even though I believe we  
need to use barges to get garbage off our streets  
and transport more of our waste by barge and rail.  
But doing so at the expense and the health and  
safety of the surrounding community is  
irresponsible public policy.

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The marine transfer station proposed  
for 91st Street has the capacity, the capacity to  
process 5,280 tons of waste per day, as Jackie  
mentioned, and is scheduled to operate 24 hours a  
day, six days a week.

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The air pollution, traffic and noise  
from this operation will be constant. It is  
ridiculous that the Environmental Impact Statement



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2       stated that there will be no significant impacts  
3       on the community.

4

5               A marine transfer station clearly  
6       belongs anywhere but in the heart of a densely  
7       populated residential neighborhood. Yet that is  
8       exactly what the administration proposes to put it  
9       in.

9

(Audience participation.)

10

MS. JANE SWANSON:     It will be a  
11       mere 300 feet away from residents. According to  
12       the last census, approximately 1,400 children live  
13       within five blocks of the site and 2,200 residents  
14       live in public housing just a stone's throw from  
15       the proposed site.

16

              The marine transfer station will  
17       devastate Asphalt Green, a park and residential  
18       facility which sees 675,000 visits a year and over  
19       20,000 public school children have been taught to  
20       swim at no cost.

21

              The proposed marine transfer station  
22       places that wonderful experience at risk. The  
23       access ramp for the garbage trucks to queue to get  
24       into the marine transfer station would bisect  
25       Asphalt Green creating noise and fumes and

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2 potential health and safety hazards for the  
3 children playing on either side of the ramp.

4 No neighborhood, no community should  
5 suffer these environmental assaults. No garbage  
6 dump should be located in any residential  
7 neighborhood. No parent should have to worry that  
8 the health and --

9 (Applause.)

10 MS. JANE SWANSON: -- safety of  
11 their child is at risk because the government  
12 failed to protect them.

13 I implore you to go back to the  
14 drawing board and come up with a different plan  
15 that keeps everyone safe.

16 And I'd just like to add, you know,  
17 unlike other public meetings, this is a question  
18 and answer forum. And with all due respect and I  
19 don't mean to be flip, I'd like to ask, would you  
20 like to live or have your children live over a  
21 garbage dump?

22 (Applause.)

23 MR. SZARPANSKI: Well, it's not a  
24 garbage dump.

25 (Audience participation.)

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MR. SZARPANSKI: Are there any  
other elected officials here?

(Audience participation.)

MR. SZARPANSKI: Please.

A VOICE: Answer the question.

MR. SZARPANSKI: It's a rhetorical  
question. You know it as well as I do.

(Audience participation.)

MR. ROBERT ORLIN: There are  
limited places in certain areas in this City to  
place --

A VOICE: Answer the question.

MR. ROBERT ORLIN: Give me --

(Audience participation.)

MR. ROBERT ORLIN: I mean -- I need  
to give background, please. I'll answer the  
question. Don't shout out, please.

There are various areas of the City  
that have transfer stations close, as close as  
this facility is to residential districts. There  
are three facilities in Jamaica, Queens all within  
400 feet of residential districts. One within 100  
feet of a park.

(Audience participation.)

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MR. ROBERT ORLIN: So -- and this  
is -- what we're doing here is trying to equitably  
distribute where transfer stations are located  
throughout the City.

(Audience participation.)

MR. ROBERT ORLIN: There are --  
there are fourteen transfer stations in one  
community district in Brooklyn. There are  
seventeen transfer stations in the South Bronx.

What this plan is trying to do is  
what happens is Manhattan's waste goes to these  
other districts. And so this facility operated  
for 60 years. It operated through November 1999.  
The area flourished with the facility here.

(Audience participation.)

MR. ROBERT ORLIN: Well, the  
population -- the population grew and --

(Audience participation.)

MR. ROBERT ORLIN: This is the  
reason for the Administration's decision to site  
the facility here.

A VOICE: You still haven't  
answered.

A VOICE: He didn't say yes or no.

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MR. WALTER CZWARTACKY: Yes. I

3

would move into this neighborhood in a heartbeat.

4

I'll trade with anybody. You can have my house.

5

I'll take your place, in a heartbeat.

6

A VOICE: How old are your

7

children?

8

MR. WALTER CZWARTACKY: Sixteen

9

and thirteen.

10

(Audience participation.)

11

MR. WALTER CZWARTACKY: You asked

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for an answer. I said yes.

13

(Audience participation.)

14

MR. SZARPANSKI: All right. If

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there are no other elected officials represented

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here, we'll go to the people who signed up.

17

Speaker No. 1, Monica Plimack.

18

And we'll start the timer.

19

MS. MONICA PLIMACK: I'm here as a

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resident of this community. I lived here since

21

1995.

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VOICES: Louder.

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MS. MONICA PLIMACK: I raised a son

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in this neighborhood. We enjoyed everything

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offered right here within a few blocks.

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I understand that our Mayor wishes  
Manhattanites to take care of our own garbage.  
Let me remind all of you, been there done that.  
When we were doing it, our park was infested with  
rats as big as dogs. York Avenue was double  
parked with garbage trucks from 91st Street to  
86th Street.

(Audience participation.)

MS. MONICA PLIMACK: My son  
actually attended Asphalt Green summer camp for  
two years. Many were the days when the smell of  
the trucks were so strong that they were we forced  
to go back home and many other days that summer  
camp was held indoors, especially in the mornings.

You've been trying to explain to us  
that this is our garbage. I'm here to tell you  
that if you're trucking this garbage across town,  
then it's not our garbage.

(Applause.)

MS. MONICA PLIMACK: These few  
blocks cannot possibly engender garbage of such  
magnitude that we need 24/7 salaries to get rid of  
it. What we need 24/6 is the creative, innovative  
minds that can come up with reasonable solutions.

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2 I personally feel the need by the  
3 Mayor's Office and by all the officials present  
4 here who apparently believe that the people who  
5 reside in this neighborhood lack the basic ability  
6 to read or understand what you are trying to  
7 impress us with, namely the miracles that have  
8 been created whereby trucks are now non-polluting,  
9 they create no smells, and lastly and the most  
10 difficult to make a lay person believe, quiet.

11 But, of course, quiet is what you  
12 want us to be. I'm here to tell you that won't  
13 happen unless you take your garbage, your  
14 pollution, your noise and your smell somewhere  
15 else. For once and for reason, been there done  
16 that and we have not forgotten it.

17 (Audience participation.)

18 MR. SZARPANSKI: If there was a  
19 question there about how this facility is going to  
20 be different than the old facility, we can answer  
21 that if people are interested in listening and  
22 hearing about it.

23 (Audience participation.)

24 MR. SZARPANSKI: All right.

25 Walter, do you want to --

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MR. WALTER CZWARTACKY: At

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previous meetings and in smaller sessions, we've

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acknowledged that the previous facility did, in

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fact, cause great queues on the ramp and not on

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the ramp, but down York Avenue.

7

It had to do, in part, with the

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design of the facility which could not handle the

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peak hour because the tipping floor was too small.

10

It also had to do with the condition of the ramp

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which could not support the trucks when they came

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to queue.

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Finally, the worst conditions, which

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occurred in the mid 80's, were a consequence of

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the fact that we were A, rehabbing the facility

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and narrowed the ramp down to one lane, which

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created a tremendous problem and shortly

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thereafter had to narrow the ramp down to one lane

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again, when they were building the aqua center. So

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the worst situations here, and they were the worst

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when trucks backed up all the way down York, were

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consequences of those two circumstances.

23

The facility we're building now

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would be able to queue trucks on the ramp instead

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of on York Avenue. Also, we'll have a tipping



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2 floor that can process up to thirty trucks an  
3 hour, which exceeds what we believe to be the peak  
4 hour arrival rate for trucks and what we plan on  
5 it being. That's discussed in the permit  
6 documents. That's also discussed in the EIS.

7 MR. SZARPANSKI: Thank you.

8 Our next speaker is Doctor Clifford  
9 Bluestein.

10 DR. CLIFFORD BLUESTEIN: I'm an  
11 Assistant Clinical Professor of Urology with 21  
12 publications, seven research awards and a patent.

13 I have reviewed the Environmental  
14 Impact Study created for the Department of  
15 Sanitation.

16 While the conclusions, which are  
17 always the opinion of the authors, report no  
18 impact, this conclusion has been based upon  
19 research methods that were altered to distort the  
20 truth.

21 First of all - and I quote from  
22 their own impact study.

23 The off site air quality analysis of  
24 processing DSNY managed waste at some of the  
25 converted MTS sites show that using the

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conservative assumption that peak hour conditions occur 24 hours per day under Tier I analysis resulted in unmitigatable environmental impacts for particulate matter less than ten microns and less than two-and-a-half microns in diameter.

In order to mitigate those things they decided to create a Tier II which is different than what they should have done, so they are able to mitigate their effects by creating a whole new analysis.

Number two, for the most important measure of pollution, the PM2.5 analysis, I say quote, incremental concentrations contributed by traffic related to the proposed facilities were modeled by not adding to the background levels.

So instead of adding the additional pollution from the garbage trucks, they created some modeling system which somehow mitigates the pollution.

Third, for the measurement of PM2.5 alone, the location of the measurement was changed from the property line to the center of the MTS.

Now, why was it that for all the other measurements of pollution they used the

property line, but for most important, for air quality pollution they decided to move it to the center of the MTS?

These changes are no different than a drug company that hides detrimental data from the public. And this is clearly distorting the truth to try and steamroll the MTS to go into our site.

(Applause.)

DR. CLIFFORD BLUESTEIN: Like I presented before when this was for the SWMP review, I have a petition signed by 138 physicians which states quote, we, the undersigned, are respected and accomplished members of the medical profession. It is our professional opinion that reopening the 91st Street Marine Transfer Station will create an unavoidable and disastrous public health crises.

Scientific studies prove that facilities like the one proposed creates serious short and long term health problems such as chronic bronchitis, asthma, cardiac arrhythmia, decreased lung function and premature death. Older adults and young children are particularly

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2 vulnerable to these health risks.

3

4 As elected officials, we ask all  
5 that is within your power to ensure that the Final  
6 Solid Waste Management plan does not include the  
7 91st Street Marine Transfer Station.

8

(Audience participation.)

9

MR. SZARPANSKI: Joyce Mariani with  
HDR will answer some of your questions.

10

MS. JOYCE MARIANI: To respond to  
11 your first point about Tier I versus a Tier II  
12 mobile air quality analysis.

13

A Tier I air quality analysis is a  
14 standard way to actually do any air quality  
15 analysis in the City of New York, which actually  
16 does over-predict what the potential effects would  
17 be to air quality from all of the trucks traveling  
18 to and from the facility.

19

And I say over-predict because I  
20 mean that it takes the peak hour number of  
21 vehicles, which at this facility is estimated to  
22 be about 28 or 29 trucks, and assumes that that  
23 many trucks will come there every hour of the day  
24 for 24 hours. And that's not the case here.

25

It will not be that high during any

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2 other hour of operation of the facility. So it's  
3 over-predicting it because you will not see 29  
4 trucks per hour for 24 hours per day. And you do  
5 that because if you find that you're okay with  
6 that number of trucks from an air quality  
7 standpoint, then your over-prediction shows that  
8 you'll be okay.

9 What we found when we did that  
10 over-prediction was that we had to go second level  
11 and look at the actual distribution of the  
12 vehicles that would be expected to arrive at this  
13 facility, not on your average day even. An  
14 average day would be 700 tons or so from DSNY  
15 managed waste. We looked at the peak day that  
16 happens to occur once per week.

17 Every Tuesday you might see a day --  
18 every Tuesday or Monday you would see a day when  
19 you'll have 20 or 25 percent higher waste coming  
20 from the facility after a weekend. The rest of  
21 the week that average number drops much lower.

22 So we did take that peak Tuesday  
23 analysis and looked at the actual truck  
24 distribution, which is a Tier II analysis, to  
25 determine whether we would have a potential

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2 impact.

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So it really is a very standard method. You'd see that probably done in any facility or for any facility or any transportation analysis for that matter.

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Your second point on the incremental PM2.5 analysis.

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Most air quality standards do have a requirement that you look at the background levels of a pollutant in your area and you add your facilities' impact to the background and you compare it to standards which are national standards across the industry.

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PM2.5 does not have that because New York City, in fact, has levels of PM2.5 that are monitored that are indicating that we would be in exceedance of a background standard, if I'm stating this correctly, Joel.

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So the DEP and New York City came up with a method that is used for all projects, again, that says you must look at the increment of your facility because this is done for power plants around the country. You look at an increment when you don't have a background level

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2 that you can add your impact to.

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So we did, in accordance with the standard, accepted practice, and so the incremental analysis showed we were below what the DEP has determined as the standard for the incremental PM2.5 allowable increase for any project in the City.

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I think there was another question of the property line on the center of the MTS. I wasn't too clear on what the question was.

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But in terms of the on-site analysis, and this is for air quality, noise and odors, we looked at these facilities operating, and in 91st Street, all of the equipment operating on the site and the maximum number of trucks queuing on the site.

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Again, we did this conservatively. We said let's assume 17 or 19 trucks are queuing on this site all the time. All the equipment is operating, the cranes are running, the redundant equipment is operating the facility, we call it the biggest bread box, to see if we have a potential impact.

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Because if we start there and

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2       there's a problem, we then would reduce it to see  
3       what's a more refined analysis, which is the  
4       actual operations. So I'm not sure if your  
5       question was that we moved something to the  
6       center.

7                       DR. CLIFFORD BLUESTEIN:     A couple  
8       of things.

9                       First, for the first point. Your  
10      tiered analysis, I understand why you did it, but  
11      you're looking at it from the basis of your  
12      assumption that you're only getting 130-some  
13      trucks a day. The reality is this has the  
14      capacity of over 400 trucks a day. So we don't --  
15      so when this is run at capacity, there will be  
16      clear environmental impacts, clearly, okay. That's  
17      based upon your own analysis.

18                      When it comes to the number of  
19      trucks queuing that you did your analysis, you  
20      analyzed one truck in queue for your analysis.

21                      MS. JOYCE MARIANI:        The one truck  
22      was on the outbound scale. We had the remaining  
23      16 trucks queuing on the ramp towards the inbound  
24      scale as well.

25                      DR. CLIFFORD BLUESTEIN:     We're in



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2 the building.

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MS. JOYCE MARIANI: No. And we

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also had trucks operating in the building. And

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one of the things that is a benefit of a project,

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that I'm not sure was mentioned, was the louvered

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fence that would be constructed on either side of

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the ramp which actually does help, and the

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Department did as a measure to help improve the

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shielding from potential noise effects, as well as

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the air quality on the project.

12

(Audience participation.)

13

MR. SZARPANSKI: Walter, you had

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something to add.

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MR. WALTER CZWARTACKY: We're

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probably going to hear a lot more questions about

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this before the end of the night, and it's this

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issue of the capacity of the facility and what is

19

the capacity of the facility.

20

You probably -- a lot of you

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probably own cars. And your car has the capacity

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to go a hundred miles an hour or ninety miles an

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hour. And when you need to, it's there and you

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can do it.

25

This facility has the capacity to

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2 process 5,200 tons of waste 24 hours if we run it  
3 to the wall. But it has that capacity because  
4 certain peak hour demands dictate that we run at  
5 that rate.

6 If you look at the permit document,  
7 which are on display in the back room, you will  
8 find what we want to permit this facility for is  
9 9,864 tons per week. Divide that number by six,  
10 that's the amount of waste that's likely to go to  
11 that facility on average everyday.

12 (Audience participation.)

13 MR. WALTER CZWARTACKY: Let me  
14 finish, please. Let me finish, please.

15 All right. If there's a holiday  
16 during the week and we only have five days to  
17 deliver what everybody generates in six, we will  
18 have a peak day. We will exceed the average on  
19 that day. And because that facility has that extra  
20 capacity, that ability to process it, we'll be  
21 able to do that without trucks queuing on York  
22 Avenue.

23 If there's an emergency in the City  
24 where we haven't collected garbage in a week  
25 because of snow or some other kind of emergency,

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1  
2 we have the ability to declare an emergency and  
3 operate this facility at that rate to protect the  
4 public health and safety and get the garbage off  
5 the street, which this City has done with its old  
6 MTSS in the past.

7 Now, the last thing. The facility  
8 that's there now is permitted at 4,800 ton per  
9 day, everyday, six days a week. That's 24,000  
10 tons.

11 A VOICE: Doesn't make it right.

12 MR. SZARPANSKI: Thank you.

13 Our next speaker is Tony Ard.

14 (Applause.)

15 MR. TONY ARD: Thank you,  
16 Commissioner.

17 As you know, I'm the President of  
18 the Gracie Point Community Council.

19 The GPPC is a neighborhood  
20 coalition. It's composed of citizens, many of  
21 whom, all of them are here tonight. They are here  
22 tonight as part of our group.

23 Business people, corporations,  
24 institutions are united by a common concern that  
25 what you propose to do threatens the quality of

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2 life and health of those who live in this  
3 vicinity.

4 You have heard and will hear more  
5 tonight, on why and how we're concerned. Such as,  
6 as, for example, the closest residential complex  
7 to the proposed plant is the Stanley Isaacs/John  
8 Holmes public housing complex who are represented  
9 here tonight.

10 You will hear that -- from others  
11 that there are concerns about pedestrian and  
12 vehicular traffic that we experience in real life  
13 is far more intense than your models predict.

14 And finally, you'll hear the concern  
15 over the lack of evidence, convincing evidence  
16 that the devices or procedures that you propose to  
17 deploy to mitigate the odors, the vermin, the rats  
18 and so on, will work as you've promised. There's  
19 been no evidence.

20 What are these devices? How will  
21 they work? Have they been tested? Have they been  
22 tested at the capacity that's proposed to be used  
23 at the station and so on?

24 Furthermore, we have concerns about  
25 the substances you propose to use to neutralize

1  
2 the odors and I assume to neutralize the  
3 proliferation of rodents which is bound to happen  
4 given the fact that you will have waste on the  
5 loading floor almost constantly. But those are  
6 issues that other people are going to cover.

7 I'd like to cover the focus of the  
8 larger issues, and that is it's my belief that  
9 while -- that you've failed to comply with the  
10 fundamental responsibility to consider the  
11 cumulative impact of all actions being approved  
12 and funded by the agency.

13 Specifically, you've not considered  
14 the cumulative impact of a proposed marine  
15 transfer station with the impacts of all of the  
16 current and proposed new Department garages and  
17 the re-working of the traffic patterns associated  
18 with that.

19 There are a number of new garages  
20 that are being proposed. The garage projects have  
21 not been considered together in a comprehensive  
22 manner nor have they been considered in  
23 conjunction with the cumulative analysis of all  
24 the new garages.

25 One last point, if I may, please.

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We're concerned that if you are not able to conclude an arrangement on the West 59th Street station, that there's no consideration of the impact of that and that that waste, which you cannot or may not be able to bring to that station, will have to flow here because we're the only other place in Manhattan to go. And this Environmental Impact Statement does not consider that possibility.

(Applause.)

MR. SZARPANSKI: Thank you for your comments.

Kathryn Edmunds?

(No response.)

VOICES: There's no response.

Answer the question, please.

MS. SZARPANSKI: I think Mr. Ard was just pointing out some issues that he has concerns about that other people will likely bring up; is that correct?

VOICES: Answer the question. There's bigger issues.

MR. TONY ARD: While I did specifically mention that there will be further

1  
2 opportunity to address questions with regard to  
3 those areas, the major point I was trying to make  
4 is that the cumulative effect of all the things  
5 the Sanitation Department is proposing and  
6 planning, that is, the transfer station plus the  
7 garages plus the changes in traffic, that those  
8 things together have not been submitted to the  
9 kind of analysis that gives you a true view of the  
10 environmental impact.

11 (Applause.)

12 MR. ROBERT ORLIN: Other projects  
13 that the Department has undertaken will undergo  
14 separate environmental review.

15 I mean the only project that I'm  
16 aware of that's in this community right now is  
17 that the garage at East 73rd Street is going to be  
18 rehabbed and reconstructed so that it can better  
19 handle the Department trucks there. It's East  
20 73rd Street by the River.

21 So it already exists and it's just  
22 going to made a more up-to-date facility. It's  
23 been there for 60 years and needs to be  
24 reconstructed so that it can handle -- better  
25 handle and better serve the community.

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A VOICE: What about subway  
construction, Second Avenue Subway?

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MR. ROBERT ORLIN: Well, I mean  
the environmental review was done. It was  
completed last year. We took into account -- and  
Joyce can speak to this better than I can, it took  
account everything that we were aware of at that  
time.

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And actually there are two separate  
lawsuits now challenging that environmental review  
which the Department and the New York City Law  
Department are defending in State Court, you know,  
challenging various aspects of the environmental  
--

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A VOICE: Louder.  
MR. ROBERT ORLIN: They were just  
challenging various aspects of the environmental  
review --

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21

And I'm sorry if I'm not loud  
enough.

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-- where the court has upheld the  
environmental review. There's another lawsuit  
that's still pending. And maybe Joyce can  
explain what we consider when we do the



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2 environmental review, what background we take into  
3 account.

4 MS. JOYCE MARIANI: Yes.

5 For the off-site analyses and  
6 on-site, but primarily off-site, we look at the  
7 existing conditions of the traffic in the area.  
8 We go out and we take full counts of traffic at  
9 major intersections along routes traveling to and  
10 from the facility.

11 We identified six intersections  
12 here, that I think we did a detailed analysis on  
13 for this MTS. I think it's six. Let me just give  
14 you not the wrong information there. Is it six,  
15 Bob or four? Four, we did four.

16 So we went out and we counted. We  
17 actually, you know, had several people out there  
18 count the vehicles for many days to determine what  
19 the existing traffic patterns were in the area  
20 during the weekday, a typical day of operation.

21 We had also been out there later on  
22 during the summer months to look at some of the  
23 other activities related to the busing of students  
24 to the -- and users of the aqua center, as well to  
25 see -- and users of the aqua center as well to see

1  
2 what that might -- to consider that as part of the  
3 analysis.

4 And then we take the existing  
5 conditions. We look at any planned developments  
6 or projects that are in the area of the site. We  
7 obtain the traffic data that's prepared for those  
8 projects from the people who are doing the  
9 environmental studies of those projects or any  
10 traffic projections that are available for that.

11 We include that in what we call the  
12 Future No Build Scenario. We take today's  
13 volumes. We take any new projects' volumes and  
14 add them to our volumes in the future. And then  
15 we also escalate our background traffic volumes to  
16 the Build year. We know that over time there will  
17 be growth and the projected traffic volumes in the  
18 area will change.

19 So we come up with a higher traffic  
20 pattern and higher quantities in the future at  
21 those intersection before we then look at the  
22 addition of all waste hauling vehicles at those  
23 same intersections during specific hours.

24 And we looked at morning peak hours  
25 when background traffic is at its highest. Your

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2       rush hour. We looked at a facility peak hour, we  
3       called it, which is usually after rush hour. It's  
4       about 9 or 10 a.m. in the morning when the most  
5       Department vehicles or DSNY collection vehicles  
6       will go to the facility.

7                       And then we did a PM peak analysis  
8       during background peak hours which is really your  
9       afternoon rush hour. So I mean that's the  
10      standard traffic analysis that's done everywhere.

11                     A VOICE: But we take the subway --

12                     A VOICE: Did it include 92nd  
13      Street between First and York Avenue where the  
14      buses idle?

15                     There are four or five buses every  
16      -- every day, all hours of the day that idle at  
17      that location, on 92nd Street side-by-side with  
18      Stanley Isaacs, one block from the proposed site  
19      one-and-one-half blocks from Asphalt Green.

20                     MS. JOYCE MARIANI: I'm going to  
21      turn that over to Bob from Urbitran Associates.  
22      They really did the very detailed traffic  
23      analysis. We also have a map that we can show  
24      them of -- do we have the map?

25                     MR. ROBERT MICHEL: Hi. I'm Bob

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2 Michel, as Joyce said.

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I work for Urbitran Associates and  
we did the traffic analysis.

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The analysis' intersections that we  
did along York Avenue were 86th, 91st and 90th.  
We also did a separate look at the bus patterns  
that occur in front of the aqua center, the school  
buses and we also counted the public buses there.

10

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Now, the traffic analysis that we do  
takes into account all the buses that are passing  
through these studied intersections and they're  
weighted especially heavy because they do  
interfere with the general flow of traffic.

15

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And then we, in essence, model the  
operations of the intersections using highway  
capacity manual techniques which are the  
techniques that are used by all the studies in the  
City and the only techniques that are, in fact,  
used.

21

22

A VOICE: You don't have the fact  
that --

23

24

25

A VOICE: If you go one block  
further to the north, you would be on 92nd Street  
between First and York. The number --

1 61

2 (Audience participation.)

3 MR. ROBERT MICHEL: But -- now,  
4 the reason we did not go one block further north  
5 is because, in fact, none of the buses -- none of  
6 the trucks to this transfer station are being  
7 routed through that intersection.

8 (Audience participation.)

9 A VOICE: The buses are idling  
10 there. They're contributing to the air pollution.

11 A VOICE: We're talking about air  
12 pollution.

13 MR. SZARPANSKI: I'm sorry. We  
14 have to go in order here.

15 Kathryn -- is Kathryn still there?  
16 Please come up.

17 A VOICE: I just want to ask a  
18 question of this man.

19 How many 86th Street buses turn in  
20 at 91st? I know, do you know?

21 MR. ROBERT MICHEL: Approximately  
22 thirty per hour in the peak. Approximately thirty  
23 buses per hour in the peak are from 86th Street.  
24 But you also have the -- during the morning rush  
25 you also have the express buses, the X90 and the

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2 X92 and you also have the M31 from York so.

3 A VOICE: Do you know how many buses  
4 there are, because I know?

5 MR. BOB MICHELE: I thought I just  
6 answered that. There are thirty buses per hour  
7 and --

8 (Audience participation.)

9 A VOICE: How many 86th Street  
10 buses alone without the other?

11 MR. ROBERT MICHEL: With the others  
12 it's 63. The 86 buses alone are the thirty.

13 A VOICE: Sixty-three --

14 MR. ROBERT MICHEL: Total, in a  
15 peak hour, in the peak hour.

16 A VOICE: How much does that add  
17 up to per day?

18 MR. ROBERT MICHEL: We only analyze  
19 the peak hour because that's the worst case  
20 condition.

21 A VOICE: Hundreds a day added to  
22 maybe 400 --

23 A VOICE: What about school buses  
24 down Asphalt Green?

25 MR. SZARPANSKI: All right. Thank

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63

2       you.

3                       Kathryn, you're next. Come on up.

4                       MS. KATHRYN EDMUNDS: I'm Kathryn

5       Edmunds.

6                       I'm a concerned resident and I'm

7       basically --

8                       MR. SZARPANSKI: Into the mike.

9                       MS. KATHRYN EDMUNDS. I'm Kathryn

10       Edmunds. And I'm a concerned resident and --

11                      VOICES: Louder.

12                      MR. SZARPANSKI: She's one of you,

13       please.

14                      MS. KATHRYN EDMUNDS: I'm Kathryn

15       Edmunds. And I'm a concerned resident that lives

16       in the area. And I'm basically repeating what I

17       said in December 2004. It's --

18                      VOICES: Can't hear you.

19                      MS. KATHRYN EDMUNDS: It's --

20       forget it.

21                      I won't -- I'm not going to say what

22       I had to say.

23                      This is what I have to say now. I

24       asked for that technical data on the

25       intersections. The data is collected in an

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inconsistent way and I think it needs to be

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reanalyzed. It's collected by different people

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doing -- assessing different things not consistent

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in assessing what's heavy-weight vehicle versus

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others and not taking into consideration the

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accurate number of pedestrians.

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(Applause.)

9

MR. SZARPANSKI: Thank you.

10

Philip Opher and after that will be

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speaker No. 6, if you can get ready.

12

MR. PHILIP OPHER: (Handing.)

13

MR. SZARPANSKI: Thank you.

14

MR. PHILIP OPHER: I'm Philip

15

Opher of 1725 York Avenue, facing the proposed

16

91st Street garbage station.

17

This is a summary of written

18

testimony and map which I have just submitted.

19

VOICES: Louder, please.

20

MR. PHILIP OPHER: A 2006

21

Hurricane map, by the New York City Municipality

22

shows, that the East 91st Street garbage station

23

in Manhattan, covering several blocks along the

24

East River, would front in its entirety, a zone

25

rated highest risk for hurricanes, Zone "A" "color



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2 orange."

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In spite of the Environmental Justice Law demanding transparency, Sanitation has not disclosed this material fact. I just looked at the documents in the entrance and I did not see this matter presented.

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13

People question what the New York City Mayor and what the New York City Council were told about it. A garbage station on the proposed location means flushing people's money down the drain as well as creating an environmental nightmare, New Orleans-style.

14

(Audience participation.)

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18

MR. PHILIP OPPER: The hurricane situation was discovered by neighbor Kathryn Edmunds. She's sitting here. She's the previous speaker.

19

(Applause.)

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21

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MR. PHILIP OPPER: Then neighbor George Morin superimposed the local hurricane Zone "A" "Color Orange" upon the garbage station blueprint at scale by Sanitation. The result is the magnified local hurricane map attached to this testimony. And this is the map (indicating.)

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(Applause.)

3

MR. PHILIP OPPER: Officials and

4

residents have long cautioned that the area's

5

stormy waters had earned it the name Hell Gate.

6

In the SWMP DEIS October 2004, the public

7

emphasized East River navigational hazards as well

8

as currents affecting barging operations.

9

Comment No. 5L cautions the that

10

East 90 -- I'm quoting. "The 91st Street MTS is

11

sited in a floodplain, to which the Sanitation

12

response was, I quote, "the elevation of the pier

13

level of the converted MTS is set six inches above

14

the 100-year flood elevation."

15

Presently the hurricane map test

16

says "A major hurricane could push more than 30

17

feet of storm surge into some parts of New York

18

City."

19

Six inches versus thirty feet

20

illustrates the gap between Sanitation prevention

21

and hurricane reality.

22

Now, we have seen in this meeting

23

that Sanitation, legitimately self-interested, is

24

not capable to have a follow-up meeting with us.

25

The Environmental Justice Law, which I have

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1  
2 summarized in the material presented to  
3 Mr. Szarpanski, asks that the Department of  
4 Environmental Conversation will have a hearing for  
5 us.

6 So this people will never give us  
7 justice. They are interested, even if they are  
8 willing, that they are prisoners of their job and  
9 they misunderstand their job.

10 (Applause.)

11 MR. SZARPANSKI: Thank you, Mr.  
12 Opher for your comments.

13 Since we just got this material,  
14 we'll review it as part of our written response  
15 and we will address your issue.

16 The next speaker, No. 6, Gormon  
17 Reilly.

18 MR. GORMON REILLY: Good evening.

19 I'm Gorman Reilly, President of  
20 CIVITAS Citizens, Inc.

21 We wish to submit our comments at  
22 this Environmental Justice meeting.

23 CIVITAS was founded in 1981. It's a  
24 not-for-profit, community-based, all volunteer  
25 organization of some 2,000 supporters concerned

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1  
2 with urban planning, zoning and quality of life  
3 issues affecting East Harlem and the Upper East  
4 Side of Manhattan.

5 The Solid Waste Management Program  
6 plan proposed by the Department of Sanitation has  
7 been approved by the City Council and signed by  
8 the Mayor. Now although litigation has been filed  
9 challenging the SWMP, and the DEC approval has yet  
10 to be, we believe the SWMP should be accepted as  
11 an existing fact and a reality to be dealt with.  
12 It is now time to listen to and act on the very  
13 legitimate concerns of the surrounding  
14 neighborhood at East 91st Street.

15 First and foremost is traffic.

16 The promise of no queuing on the  
17 streets must be guaranteed. As it stands now, the  
18 width of the proposed rebuilt ramp - and maybe  
19 that is correct and I would like to hear evidence  
20 on this - where it intersects with York Avenue  
21 does not seem to allow for two-way traffic. Thus,  
22 at peak hours a bottleneck will form.

23 It may be preferable to widen the  
24 ramp for its full length, which may cause some  
25 small incursion on the existing parkland and that

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would take state approval.

The presence of a Sanitation Department employee to manage traffic on the ramp will also be essential. It should be supplemented by police presence during peak periods at the intersection of York and 91st Street to ensure that all elements of traffic, including pedestrians, are safeguarded.

A second concern is protecting the surrounding neighborhood from deleterious impacts of noise, odors and toxic emissions, as you know, when the youngsters will be playing very close by in the adjoining parkland.

Consideration should be given to enclosing at least part of the truck ramp that leads from York Avenue to the MTS, with suitable ventilation systems incorporated into the design that will vent fumes away from the playing field and the Murphy Center.

In addition, measures must obviously be taken to ensure that foul smells and harmful emissions do not overwhelm the playing field and nearby streets.

The third concern is the visual

1

2 impact of the surrounding area.

3

4 At a minimum there should be a  
5 barrier between the ramp and the playing field to  
6 block out any view of the trucks making their way  
7 to the MTS. It could also serve to blunt noises  
8 and foul smells.

9

10 Given the care expended on the  
11 appearance of this recreation site, which is a  
12 jewel of this community, attractive plantings need  
13 to be integrated.

14 A final concern, if you will, refers  
15 to the program for handling commercial waste.

16 As you know, there's no significant  
17 commercial development north of 86th Street on  
18 York Avenue. So allowing a large number of  
19 commercial waste hauling trucks to ply their way  
20 during the hours from 8 p.m. to 8 a.m. seems to be  
21 unreasonable.

22 We suggest that the limit be set at  
23 ten or fifteen trucks per hour and the MTS be  
24 closed for the receipt of solid waste during the  
25 hours from 11 p.m. to 6 a.m. in the morning.

26 We thank you for taking our comments  
27 into your consideration.

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(Applause.)

MR. WALTER CZWARTACKY: Hello? I'm  
sorry.

The ramp is a two-lane ramp for its  
entire length. We've had this discussion several  
times before. We are more than willing to show  
you the drawings and plans.

It's absolutely -- we recognize from  
past problems we've had when we had a one-lane  
ramp that we absolutely need a two-lane ramp.  
This is a two-lane ramp for its entire length.

A VOICE: Why don't you show it in  
your drawings?

MR. WALTER CZWARTACKY: The  
drawings are -- you can look in the back of the  
room and on our web site. The permit applications  
are there and the drawings are in the permit  
application so you can look at them. We're not  
hiding anything.

So, one.

Two, we have and we've discussed and  
met with members of the community board about  
screening the ramp, the view of it. In fact, have  
incorporated into the design a louvered cast

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2 steel. It's called a charcoal green wall which is  
3 something we showed various alternatives to the  
4 community board. And that was the one that --  
5 well, I wouldn't say it was applauded, but it was  
6 the one that everybody said well, if you've got to  
7 do it, that's what you should do. And that's we  
8 have.

9 The air issues associated with  
10 covering the ramp, we've studied previously. We  
11 do believe that that has an advantage. We don't  
12 see that as an advantage in terms of moving air  
13 emissions away.

14 The Department has already  
15 committed, during the ULURP process and  
16 subsequently the Commissioner committed, to have a  
17 Sanitation officer on duty at the foot of the ramp  
18 to control traffic and ensure safety.

19 And I think that's all of your  
20 points.

21 And, as I said, moving forward we  
22 are about to go -- and the timeline we've shown  
23 shows us going before DEC, which is where we  
24 engage in kind of the discussions of these issues  
25 that DEC moderates over, and we work through and



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2       come up with an agreement on so that DEC, if it  
3       chooses, give us a permit.

4                       That's the next step and we look  
5       forward to that.

6                       A VOICE:   What about the polluting  
7       trucks going from --

8                       MR. WALTER CZWARTACKY:    Oh, the  
9       commercial waste haulers.

10                      Commercial waste haulers in this  
11       town operate at night and they operate at night  
12       because they simply can't move on the streets  
13       during the day.

14                      The criteria for defining the amount  
15       of commercial waste that goes to this facility are  
16       number one, programming commercial waste to go to  
17       this MTS.  And the others that we are proposing to  
18       build was something that the Council directed us  
19       to do in 2000.

20                      And we defined the quantity of waste  
21       to go to this facility based on an analysis of  
22       off-site impacts, limiting the numbers to those  
23       hours when they operate and to numbers that would  
24       not, based on the appropriate protocols and the  
25       appropriate mechanisms, cause traffic or noise

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2 impacts.

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(Audience participation.)

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MR. SZARPANSKI: Our next speaker,

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No. 7, Greg Costello.

6

(Applause.)

7

MR. SZARPANSKI: And if speaker 8

8

could get ready, please.

9

MR. GREG COSTELLO: Okay. Am I

10

loud? Good.

11

Picture this absurd, ridiculous

12

scenario I'm going to throw out at you here.

13

The Mayor of New York -- it belongs

14

on Saturday Night Live actually. The Mayor of

15

New York says we need a very large garbage

16

transfer facility. It's done. We just need it.

17

That's all -- that's the way it is. And we've

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studied this very carefully, as you can see and we

19

determined that there is only one location in all

20

of New York where this site would be feasible.

21

And that's where it's going to go. And that site

22

will be Washington Square Park.

23

We're going to build a large garbage

24

facility on the two sides of Washington Square

25

Park. Oh, and unfortunately we do have to build a

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2 ramp, a long, large ramp to put all of our  
3 fully-loaded garbage trucks on that ramp idling  
4 waiting to go into our facility. And  
5 unfortunately that ramp has to go right through  
6 the middle of Washington Square Park.

7 Laughable, right? It's a joke. I  
8 mean nobody would believe it. It's stupid. Nobody  
9 would propose such an idea, no one, or they'd be  
10 killed by the press. And it would never be  
11 adopted ever, ever in a million years. It's  
12 absurd.

13 Now, just to assure the people of  
14 Washington Square Park that they don't have to  
15 worry about something stupid like that happening,  
16 the Department of Sanitation is going to adopt a  
17 regulation whereby no private operator can receive  
18 a permit to operate a transfer facility within 400  
19 feet of a "sensitive receptor" or a park, like  
20 Washington Square Park. So they're safe.

21 Okay. Now we're going to move from  
22 this fantasy and to see how quickly fantasy can  
23 turn into a harsh reality.

24 Here we are today. We have this  
25 facility, that you're going to hear a lot about

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76

2 and you already know a lot about, called Asphalt  
3 Green. Talk about sensitive receptors, going to  
4 the density of human activity that takes place all  
5 day long, everyday and into the night at Asphalt  
6 Green on the fields, at the pool in the workout  
7 facilities, all of these people, most of them  
8 younger, accumulating in relatively small area.

9 I submit to you that Asphalt Green  
10 is an infinitely more sensitive receptor than  
11 Washington Square Park, is it not?

12 (Applause.)

13 MR. GREG COSTELLO: Or for any  
14 other park in New York City for that matter.

15 (Applause.)

16 MR. GREG COSTELLO: So what's  
17 going to happen now is that no private facility is  
18 going to be built at Asphalt Green because of the  
19 regulation. But the Department of Sanitation is  
20 going to put their own facility on that site.  
21 It's going to be not only within 400 feet of a  
22 sensitive receptor, but unfortunately we have to  
23 have this ramp (indicating) and we have to put all  
24 of our trucks on this ramp, idling, full of  
25 garbage waiting to go into the facility. Oh, and

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2       unfortunately that ramp is going to go right  
3       through the middle of the sensitive receptor.

4                       And so my question for the  
5       Department, and it's a rhetorical question is, how  
6       can the Department morally justify to all of the  
7       men, women and children who live in our  
8       neighborhood, building a facility that by your own  
9       regulation you would not allow a private  
10      contractor to build.

11                      (Audience participation.)

12                      MR. SZARPANSKI:       Before I call  
13      the next speaker, I just want to remind you --

14                      (Audience participation.)

15                      MR. SZARPANSKI:       Did you hear it,  
16      rhetorical question.

17                      (Audience participation.)

18                      MR. SZARPANSKI:       Hold on.

19                      MR. ROBERT ORLIN:     Under the  
20      Department's siting rules, there are existing  
21      facilities, facilities with permits that are less  
22      than 400 feet from residential districts or parks.

23                      As I mentioned before --

24                      (Audience participation.)

25                      MR. ROBERT ORLIN:     As I mentioned

1  
2 before, there are three of them in one community  
3 district in Jamaica, Queens. The Department of  
4 Sanitation has had a permit for this facility,  
5 East 91st Street, for over thirty years. It's  
6 operated the facility for thirty years. So  
7 therefore, in order to try to maintain some  
8 equitable distribution of solid waste facilities  
9 throughout the City, the Department's siting rules  
10 allow previously permitted facilities to maintain  
11 their permits and to continue operations.

12 A VOICE: It's not been operational  
13 though.

14 MR. SZARPANSKI: Just a reminder,  
15 we are being --

16 A VOICE: Answer the question.

17 MR. SZARPANSKI: Can I make this  
18 comment?

19 (Audience participation.)

20 MR. SZARPANSKI: If you want -- if  
21 you want to keep asking questions and have us  
22 answer the questions, I just want to remind you  
23 we're getting thrown out of here at 9:00. So if  
24 you want to take the time to listen to us or ask  
25 your questions and get your comments on record, I

1

2 think we should move a little faster.

3

4 A VOICE: I think you should answer  
our question. You haven't answered the question.

5

6 MR. WALTER CZWARTACKY: It's a  
very interesting scenario that was laid out to us.

7

8 But it should have been said,  
9 imagine you want to build a park and you have a  
10 piece of land. And on one side of the land  
11 there's a highway with 80,000 cars a day on it.  
12 And past that there's a garbage facility and to  
get to it there's a ramp.

13

14 But you really need a park so you  
15 build a playing field on one side. And kids come  
16 play and enjoy it and have a great time. They  
17 have such a great time that you get together later  
18 on and on the other side of the ramp you put up a  
swim center.

19

20 That's the situation that exists  
here. We would not be proposing to do this.

21

A VOICE: What a cop out.

22

23 MR. WALTER CZWARTACKY: It's not a  
cop out. It is a fact.

24

A VOICE: Cop out.

25

A VOICE: So because there's a ramp

1

2       there --

3

MR. WALTER CZWARTACKY: No. Because

4

-- because we know that these facilities have

5

co-existed in the past. We have done the analysis

6

to demonstrate they can co-exist in the future.

7

We would not be proposing this --

8

A VOICE: The park was called Rat

9

Park. And I grew up in that park, Rat Park, where

10

rats played and so did kids. We slide down

11

sliding boards and played with rats. And that's

12

not nice, that's not cute, that's not what we

13

want.

14

(Applause.)

15

MR. SZARPANSKI: Our next speaker

16

is George Morin.

17

MR. GEORGE MORIN: One, two,

18

three, four, five, six.

19

Hi. I'm George Morin. And I live

20

at --

21

VOICES: Louder.

22

MR. GEORGE MORIN: I'm George Morin

23

and I live at 1725 York Avenue, directly across

24

from the said transfer station park.

25

I'd like to define some terms. We

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1  
2 haven't defined the essential term of this  
3 meeting. We were told that this is what this  
4 meeting is about, environmental justice, and no  
5 one has defined that term.

6 Well, luckily the U.S. Environmental  
7 Protection Agency has. And let me read to you.

8 Environmental justice is the fair  
9 treatment and meaningful involvement of all  
10 people, regardless OF race, color, national  
11 origin, or income with respect to the development  
12 and implementation and enforcement of  
13 environmental laws.

14 It will be -- it will be achieved  
15 when everybody enjoys the same degree of  
16 protection from an environmental and health hazard  
17 and equal access to the decision-making process to  
18 have a healthy environment in which to live.

19 Now, that said, I want to  
20 congratulate of all of you for the hard work you  
21 have done trying to squeeze this transfer station  
22 into that area. That is a residential area so  
23 thick with residents that it just is one of the  
24 densest residential areas in the City.

25 I harken back to where you said that

1

82

2       you have -- you've already done this, you can do  
3       it again.   While you were doing it on the corner  
4       next to my building there was a Midas Muffler shop  
5       and today there's a residential building.

6                       On the other corners there is a gas  
7       station.   And today there's a residential  
8       building.   And on the street that the garbage  
9       trucks are going to go past, there was a vinegar  
10      factory, a real vinegar factory.   Now it's a food  
11      store.   That is not environmental justice.

12                     Now, take that a little further and  
13      compare -- you said that the 33rd Street thing is  
14      out of the question.   Well, I'll submit to you  
15      that it's out of the question because your  
16      Commissioner admitted to Community Board #8 that  
17      they never even bothered to look at other places.

18                     (Applause.)

19                     MR. GEORGE MORIN:    I was at the  
20      Auto Show the other week and I was waiting for the  
21      bus at 34th Street and 11th Avenue.   And I looked  
22      west on 34th Street.   That was a clean shot right  
23      into the River.   There was not an apartment  
24      building in sight.   There wasn't residents.   It  
25      was an industrial, commercial area.

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2

(Applause.)

3

MR. GEORGE MORIN: (Indicating)

4

Here is a satellite photograph of that area.

5

33rd Street, 34th Street, the West Side Drive, no

6

overpasses that the garbage trucks can't go under

7

as it is on the FDR. You would have total access

8

here.

9

You have been copping out saying you

10

haven't investigated that. This (indicating) is

11

-- this would be environmental justice. This is

12

the site, same site. I have one in my backyard,

13

same satellite picture of where you want to put

14

this. It's one of the most densely populated

15

residential areas in the City.

16

That is not environmental justice.

17

(Audience participation.)

18

MR. SZARPANSKI: Thank you.

19

Steven Nelson.

20

MR. STEVEN NELSON: My name is

21

Steven Nelson.

22

I've lived in the area for 32 years.

23

My children grew up in this neighborhood. And I

24

am more than familiar with the nature of the

25

previous efforts of the Sanitation Department to

1

84

2 transfer waste during the 1980's and it was  
3 shockingly horrible.

4 So let me just say that I'm late to  
5 this party. I'm embarrassed that I haven't  
6 participated earlier. But I sit here and listen  
7 to you folks, who are on our payroll, and I am  
8 shocked. You engage in deception that is  
9 laughable.

10 You have given us --

11 (Audience participation.)

12 MR. STEVEN NELSON: You give us a  
13 picture of this transfer station which is  
14 deceptive. The transfer station is going to be  
15 ten stories, 110 or 118 feet high. And if you  
16 look at the picture in your PowerPoint, it's  
17 amazing how the concrete factory and the Murphy  
18 Center dwarf that building. That's not reality.  
19 That's deception.

20 (Audience participation.)

21 MR. STEVEN NELSON: Second of  
22 all, you sat there and said well, we've sat at  
23 this meeting and we've sat at this meeting and  
24 we've sat at that meeting and we've listened to  
25 your comments.

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Sitting there doesn't mean you're listening. You have not responded in any meaningful way to the underlying fundamentals of this project. It is disgraceful. It is not dealing with reality. It is not dealing with four-year-old children. It is not dealing with rats, noise and dust. It is not dealing with fundamental issues.

Now, you do have alternatives, as suggested by the predecessor speaker. The entire West Side abuts a river, which is twice as wide, which has piers flowing into it, which has rail yards already existing, and which in the lower half of the West Side has absolutely no residential traffic on the extreme sides and is commercial and easy to develop.

So if you're talking about taking a parcel that has previously served as transfer of waste and just updating it, sure, this is easier but it doesn't -- it doesn't address the fundamental problem which is that this should be in a commercial area which has access to pre-existing piers and which doesn't sit in the middle of a park.

1

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2

(Audience participation.)

3

MR. STEVEN NELSON: And this

4

gentleman has the audacity -- rational guy, okay,

5

I spoke with him before, entirely rational, as all

6

you are. But you're public servants and you're

7

not listening. You've dug your heels in. You're

8

self-justifying. You are engaged in Alice In

9

Wonderland. Anybody who can say this plan has no

10

material adverse effect has got to be smoking its

11

own funny cigarettes. You can't believe this.

12

(Audience participation.)

13

MR. STEVEN NELSON: It's not

14

reality. So, please, I urge you, listen. Your

15

colleague had the audacity to say we had this

16

transfer station and it's your fault. You built a

17

park on one side and an aquatic center on the

18

other side. Are you listening to yourselves?

19

I am embarrassed that I'm late to

20

the party. I apologize to all of you. We should

21

be ashamed of ourselves that we haven't gotten

22

more involved, but you should be ashamed of

23

yourselves because all you're doing is going

24

through the motions. You've dug in your heels.

25

You're giving platitudes. You are lying to us and

1

2       you are lying to yourselves.

3

(Audience participation.)

4

MR. SZARPANSKI:     Thank you.

5

Our next speaker is Carol Tweedy.

6

(Applause.)

7

(Putting up poster.)

8

MS. CAROL TWEEDY:   My name is Carol

9

Tweedy and I'm the Executive Director of Asphalt

10

Green.

11

(Audience participation.)

12

MS. CAROL TWEEDY:   We are strongly

13

opposed to the opening of the marine transfer

14

station. And because of who we serve, we believe

15

it violates the principles of environmental

16

justice.

17

Our tag line - sports and fitness

18

for a lifetime - says it all. We address the issue

19

of \$70 billion of healthcare costs that are spent

20

in this country which would be saved if people

21

were fit.

22

Last year we served 47,000 New

23

Yorkers who came to us from all over the City.

24

(Applause.)

25

MS. CAROL TWEEDY:   Free services

1  
2 were given to 14,000 people. We reach out to  
3 communities at risk of diabetes, obesity and  
4 asthma. The majority are public school children  
5 who are our neighbors in East Harlem. Over 135  
6 different schools, businesses and other  
7 not-for-profits use Asphalt Green on a regular  
8 basis.

9 We were recognized by The New York  
10 Times for the ways in which we engage minority  
11 children in swimming, a group of special concern  
12 in the framework of environmental justice. The  
13 Times said, "... the overwhelmingly white world of  
14 swimming gets turned on its ear in places like  
15 Asphalt Green..."

16 (Applause.)

17 MS. CAROL TWEEDY: These users come  
18 to our unique 5.5-acre campus with gymnasiums, an  
19 AstroTurf field and a magnificent 50-meter Olympic  
20 standard pool. The ramp to the marine transfer  
21 station runs right through the campus. And I would  
22 suggest that the poster that I've presented gives  
23 you a better idea of the way in which the ramp  
24 comes right through the campus.

25 I want to say that the fact that

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2       your Final Environmental Impact Statement found no  
3       significant adverse impact from the MTS  
4       construction or operation just makes me  
5       incredulous.

6                       Let's just start with construction.  
7       I'm going to move away from the mike and show the  
8       one lane of the ramp up against the building.

9                       Tell me that in construction and in  
10      --

11                      (Adjusting microphone.)

12                      MS. CAROL TWEEDY:    Thank you.

13                      We've become old friends.

14                      This is the existing ramp  
15      (indicating.)  It's going to be widened in order  
16      that trucks can go both ways.  This edge of the  
17      ramp is right up against the building, the  
18      foundation wall of the aqua center.  The other  
19      side of the ramp is right against the edge of the  
20      field.  As it comes down here, it's right along  
21      the walkway through which people enter the aqua  
22      center.

23                      (Applause.)

24                      MS. CAROL TWEEDY:    This is the  
25      traffic across the ramp.

1

2

(Applause.)

3

MS. CAROL TWEEDY: It was

4

mentioned that louvers were presented as barriers

5

to the Asphalt Green campus and it was suggested

6

that that was approved by the community board. I

7

was at that meeting. It was described by the

8

community as lipstick on a pig.

9

(Audience participation.)

10

MS. CAROL TWEEDY: The land we are

11

on, the buildings, they're owned by the New York

12

City Department of Parks. Since the Asphalt Green

13

partnership began in '83, the City itself has

14

invested \$17 million in capital funds to support

15

that plant. And neighbors have spent twice as

16

much as that and millions in operational support.

17

All of these investments are at risk.

18

Our huge field, which is on the

19

south side of the ramp, is a busy playground.

20

Children and the elderly, the disabled, they use

21

our facilities throughout day and evening. There

22

are school buses, vans for the disabled.

23

The traffic at York and 91st is

24

terrible already.

25

As an organization committed to

1  
2 health, we cannot support this. We have a very  
3 good idea about how damaging it will be. We know,  
4 as was stated by other people giving testimony,  
5 that children were nauseated by the smells in the  
6 past. And they will again be subjected to the  
7 environmental assault. And ironically, the  
8 masking agent for the smell is an irritant for  
9 asthmatics and people with allergies.

10 Over thirty years ago the City  
11 agreed that it was important to encourage activity  
12 and exercise, and the deserted Asphalt Plant was  
13 transformed into a magnificent recreational  
14 facility. What happened between then and now when  
15 43 of all public school children kids are  
16 overweight and obese?

17 This, among so many other realities,  
18 makes the plan to develop a garbage dump at 91st  
19 Street completely incomprehensible.

20 (Applause.)

21 MR. SZARPANSKI: Thank you.

22 Speaker No. 11, Anne McCorry.

23 A VOICE: Do you have any reaction  
24 to any of this?

25 MR. SZARPANSKI: I heard it all.

1

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2

A VOICE: Especially about the  
walkway, how you're going to handle that when you  
have 70 trucks.

5

MR. SZARPANSKI: I've heard the  
comments before. We addressed our answers in  
Chapter 40 of the EIS. I urge you to look at our  
answers.

9

Thank you.

10

A VOICE: Can you brief me on it  
right now?

11

12

MR. SZARPANSKI: No.

13

Speaker No. 11.

14

A VOICE: What about masking --

15

MR. SZARPANSKI: Is speaker No. 11  
here?

16

17

MS. ANNE MCCORRY: I'm here.

18

MR. SZARPANSKI: Oh, I'm sorry.

19

A VOICE: Ask about the irritants.

20

MS. ANNE MCCORRY: I'd like you to  
answer their questions. I'd be willing to yield  
my three minutes so that you would answer their  
questions.

23

24

(Applause.)

25

MR. SZARPANSKI: That's fine.

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The irritants, we mentioned earlier that we're not using a masking agent, we're using a neutralizing agent. If you want to see how that works, come out and see the Staten Island Transfer Station where it's in use.

Thank you.

Next speaker.

A VOICE: What is it?

A VOICE: Can you describe it us so that we understand what it is and how it works?

MR. SZARPANSKI: Dan Harkins from HDR will talk about it.

MR. SCOTT MILLS: We have sheets with --

MR. SZARPANSKI: I'm sorry. Why don't you come up to the microphone.

Scott Mills is with HDR. He can talk about that.

MR. SCOTT MILLS: The odor and neutralizing agent is -- sorry. There's a copy of the MS sheet and the Part 3 permit application. It describes it as a non-toxic agent.

A VOICE: What's it called?

VOICES: What is it?

1

2

MR. SCOTT MILLS: It's got a trade

3

name. But I can open up the book in the back and

4

have the MS sheet there.

5

I'll go get it?

6

MR. SZARPANSKI: Anotec 0307,

7

somebody's telling me.

8

A VOICE: Just give us a name.

9

MR. SZARPANSKI: We just did.

10

A VOICE: What it is?

11

MR. SZARPANSKI: Anotec 0307.

12

We'll provide all these answers and answers to

13

other questions that you raised in writing.

14

MS. ANNE MCCORRY: My name is Anne

15

McCorry. I've been a resident in the area for

16

over twenty years.

17

I'm a member of Asphalt Green and

18

I've also taught at Stanley Isaacs in the evening,

19

adult education classes for immigrants who are

20

looking to improve their knowledge of English and

21

for people who are looking to get GEDs and improve

22

their reading and writing.

23

I do this during the same time that

24

you are expecting 780 tons of commercial waste to

25

be trucked up in the same area where these other

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2 activities are.

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I have very little to add to what has been said already. It is irresponsible. It is unimaginable that you would actually conceive a plan and invest the amount of money -- the deal is in the air, people. We can see it.

The amount of money spent on a project where you will put that amount of infestation, toxic fumes and dirt into an area that is filled with highly, highly populated -- a highly populated area, so not only will the children, but senior citizens, families, a thriving neighborhood.

I have very little else to say other than go back to the Mayor and do your job. Tell the Mayor it's the wrong project for this place.

(Audience participation.)

MS. ANNE MCCORRY: And one more thing. That whole -- that whole discussion about the Rail Yards at 34th Street. Well, the deal is in the air about that, too. Someone's going to make a lot of money and they don't want garbage in their area. Or whatever is going to be built there so that they conduct a deal, will not be

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anything like what's being put into an area that's  
already a residential area.

                  This is a wrong, bad idea. Do your  
job. Go back and tell the Mayor and the  
administration you've got to find another place.

(Audience participation.)

MR. SZARPANSKI: Thank you.  
Doctor Arthur Livingston. Is he  
here?

(No response.)

MR. SZARPANSKI: Okay. Patricia  
Livingston?

A VOICE: She left with him.

MR. SZARPANSKI: She left with  
him, okay. Thank you.

Suzanne Lukas.

And the next speaker after that, No.  
15, Hugh Smyser.

MS. SUZANNE LUKAS: I'm afraid I  
will be repetitious because the previous speaker  
addressed the same issue I was going to say.

I realize that there was a permit  
for the 91st Street Transfer Station before 1991.  
It was a bad idea at that time. It has become a



1

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2 worse idea. And just because a mistake was  
3 remedied in 1999 there is no justification to  
4 bring it back just because it was there in the  
5 past.

6 (Audience participation.)

7 MS. SUZANNE LUKAS: And this is  
8 what -- I repeat what the other speakers said just  
9 before me, there are areas in the City that have  
10 not been developed, that are industrial,  
11 commercial or just plain undeveloped like on the  
12 West Side, along the Hudson, and the lower part of  
13 Manhattan.

14 There are well-connected,  
15 deep-pocket developers would have their eyes on  
16 that and they certainly don't want their  
17 prospective investment to be depreciated by  
18 putting this facility there.

19 It could be done before they buy it.  
20 It could be done and arranged that it will be  
21 there. It could be well designed. It could be  
22 separated and shielded for where they want to do  
23 their office building, apartment complexes built  
24 so that it would not destroy the real estate  
25 there.

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But here, in this limited area, we really don't have the ability to do that kind of shielding. I don't know what you think when all night commercial garbage trucks will be going on this ramp both ways idling, dumping whatsoever.

I live on East End Avenue, 45 East End Avenue. There is a grocery store across the street from me, a Gristedes. And a few times a week the garbage truck comes there at night. I know very well that the garbage truck, the commercial garbage truck picks up at night and I know it every time when they stop there.

(Laughter and applause.)

MS. SUZANNE LUKAS: So if I have 80 of them in my block, I certainly would know about it now matter what kind of ramp you build on the site.

(Applause.)

MR. SZARPANSKI: Thank you.

Hugh Smyser.

MR. HUGH SMYSER: Yes. I'm right over here.

I want to bring up another environmental dimension that was overlooked.

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1  
2 With 24-hour operations at the  
3 planned stations, these facilities will never be  
4 completely cleared of raw garbage. It's going to  
5 create a huge breeding ground for rodents, vermin  
6 and other vectors. Now I know that's already been  
7 commented on a lot.

8 Sanitation has proposed application  
9 of copious amounts of rodenticides and pesticides  
10 at each of the new transfer stations including  
11 East 91st Street and Southwest Brooklyn. And as  
12 the City applied these rodenticides and pesticides  
13 within the MTS, they will either be transferred  
14 into the sewage system or they run off into the  
15 adjacent waterways or both. But there hasn't been  
16 cumulative citywide consideration of the  
17 environmental impact on water quality and marine  
18 ecology.

19 (Applause.)

20 MR. HUGH SMYSER: Rodenticide and  
21 pesticide residues will also be picked up by the  
22 tires of the hundreds of public and private trash  
23 trucks. The residues will also enter the  
24 waterways carried in urban runoff from the street  
25 nearby. They also will be carried and tracked

1

2 into the community.

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Here at 91st Street that means trucks rolling 24/6 across the 91st Street sidewalk spurting serious toxins into the community across the paths of thousands of children and seniors as well adults across the driveway to enter Asphalt Green. It will have a serious environmental impact.

10

11

12

13

In closing I'd also like to say I'd like to comment a bit about, I think some of the sort of -- some of what's going on and why this process has been working the way it is working.

14

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18

Essentially repeating what this gentleman said, nobody seems to hear us. We speak and speak. You speak and speak. You know, we're the ones who are being affected by it and nobody seems to hear us.

19

20

21

You're convinced of your rightness and you're supporting this as a fundamental belief at Sanitation and you don't take us seriously.

22

23

24

25

Essentially the developers have the railroads pretty well set up, but not entirely, as the lady just before me pointed out. However, you're trying to ram this down our throats. And

1 101

2 you're probably under -- you probably recognize  
3 that there is some at ACD and in the  
4 administration, there is a strong feeling that the  
5 far West Side should be developed and nothing  
6 should interfere with that.

7 Well, we're not going to let you.  
8 We'll fight you until we win.

9 (Audience participation.)

10 MR. SZARPANSKI: Robin Forman,  
11 speaker No. 16.

12 A VOICE: Can you comment on the  
13 rat poison? There's no comment that you'll make?

14 MR. SZARPANSKI: Yes. I'll comment  
15 on that.

16 The way the facility is designed the  
17 trucks dump from the tipping level. Garbage then  
18 goes down into the processing level, the next  
19 level. The comments about the tire trucks picking  
20 up any of this material is not valid, okay. The  
21 tires never touch the area where the garbage gets  
22 dumped into.

23 A VOICE: Yeah, right.

24 MR. SZARPANSKI: All right. Thank  
25 you.

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A VOICE: There's garbage on the  
street.

A VOICE: It just goes in the  
River.

A VOICE: The times that we had them  
on York Avenue as they -- the trucks were driven  
on York Avenue. There was garbage, there was  
water on the street. That's where the garbage is.  
That's where it's brought into the home and that's  
where it gets into --

MR. SZARPANSKI: Robin Forman.

MS. ROBIN FORMAN: My name is  
Robin Forman. I'm a mother of two kids. I live  
two blocks from where you proposed to put this  
facility.

I'm very concerned about the  
commercial waste trucks coming up York Avenue at  
night. I understand from people who work in the  
Sanitation trucks that the trash guys I talk to  
every morning tell you that these trucks do not  
have to meet the same standards as DSNY trucks and  
that's why they leak garbage. They're  
overstuffed. Noxious, possibly poisonous crap  
drops out of the back of these things.

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(Audience participation.)

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MS. ROBIN FORMAN: And yet you're proposing that 71 of these trucks should come up York Avenue every night. I want to know, are there going to be standards imposed on these carters, standard likes the ones DSNY asks itself to meet or are my children just going to be sacrificed to commercial greed?

(Audience participation.)

MR. ROBERT ORLIN: Beginning in 2007, the Federal Clean Air Act requirements require new diesel trucks to have new, improved technology. So any truck that's operating that it was purchased in 2007 and after will be substantially cleaner than older trucks. Obviously a truck that's older than that may not meet the same clean air standards.

We understand your position and it's something we can consider going forward.

MS. ROBIN FORMAN: But it's not so much the diesel that I'm talking to you about, although I'm very concerned about particulate matter, but it's the stuff leaking out of the back of the trucks that leaves liquid garbage on the

1  
2 street. You live -- if you live in Manhattan, you  
3 know what I'm talking about. These guys overstuff  
4 their trucks and they leak.

5 MR. ROBERT ORLIN: As I said, this  
6 is something we can consider going forward as we  
7 move through the permit process about --

8 (Audience participation.)

9 MR. ROBERT ORLIN: -- what  
10 controls may be placed --

11 A VOICE: Can you address the West  
12 Side issue, please.

13 (Audience participation.)

14 MR. SZARPANSKI: I thought we  
15 already discussed the alternate sites that we  
16 looked at and why they weren't feasible.

17 A VOICE: Go back to the drawing  
18 board.

19 MR. WALTER CZWARTACKY: The  
20 properties available, the properties as before --  
21 the proposal to address our Solid Waste Management  
22 needs and the long term reuse of the MTSs was --  
23 that was at the core element of it.

24 A VOICE: Why?

25 MR. WALTER CZWARTACKY: I -- you



1

2 want to answer, wait. Just wait. You need the  
3 context, okay.

4

A VOICE: We're not waiting.

5

MR. WALTER CZWARTACKY: In 2000 the  
6 plan called for use of the MTSs and certain other  
7 measures. Those measures didn't work. The  
8 alternative was we construct the MTSs so we could  
9 go anywhere. It was chosen, after due  
10 consideration and environmental review, to pursue  
11 that strategy and to focus on the wastesheds that  
12 existed that served the MTSs.

13

Concurrent with that we looked at  
14 other sites. We looked at the West Side. We  
15 looked at West 30th Street. We looked at what are  
16 called Rail Yards in that location. The sites  
17 available to us were not large enough to support  
18 the transfer of this amount of waste without  
19 causing queuing on the street, without causing --

20

(Audience participation.)

21

MR. WALTER CZWARTACKY: Without  
22 causing --

23

(Audience participation.)

24

MR. WALTER CZWARTACKY: You asked  
25 us if we analyzed this. We did analyze this.

1 106

2 A VOICE: Who owns the property?  
3 Why isn't it available?

4 A VOICE: The ships go there.

5 MR. WALTER CZWARTACKY: The  
6 property was privately held. The property was  
7 privately held. It connects to the West Side Rail  
8 Line. It runs up the West Side of Manhattan.

9 That rail line is also used by Metro  
10 North and Conrail. It is not available all the  
11 time for the movement of waste. That was a second  
12 problem with it.

13 We assessed another rail yard at  
14 140th Street. These are discussed and described in  
15 one of the appendices to the EIS, they dealt with.  
16 Both of those sites were too small.

17 A VOICE: So make two.

18 (Audience participation.)

19 MR. SZARPANSKI: Look, we have --

20 MR. STEVEN NELSON: I'd just like  
21 to follow-up. I'd just like to ask you.

22 MR. SZARPANSKI: Can you come to  
23 the microphone, please. It's on record.

24 MR. STEVEN NELSON: Sure.

25 The Port Authority was willing to

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1  
2 build a stadium on the West Side and the High Line  
3 is being built on the West Side. And all the rail  
4 yards are being sold as part of a development plan  
5 on the West Side.

6 So to sit here and to talk about one  
7 parcel of land that was privately owned ignores  
8 the fact you've got twenty or thirty other square  
9 blocks which might have more suitable alternatives  
10 than this one.

11 What you're really saying is the  
12 Mayor decided it would be better for us to have  
13 the old transfer stations than to come up some  
14 kind of meaningful, constructive plan. And you  
15 are marching an order one after the other like  
16 little mice. And I use that term advisedly.

17 (Audience participation.)

18 MR. SZARPANSKI: Next, speaker  
19 No. 18, Kitty Wesley. Is Kitty Wesley here?

20 (No response.)

21 (Audience participation.)

22 MR. SZARPANSKI: Seymour Roth.

23 A VOICE: I'm No. 17.

24 MR. SZARPANSKI: Is Seymour Roth  
25 here?

1 108

2 A VOICE: I'm 19.

3 A VOICE: I'm 17.

4 MR. SZARPANSKI: You're 17. I'm

5 sorry.

6 MS. JUDY KLINGON: And I'll be very

7 brief.

8 MS. SZARPANSKI: Judy Klingon?

9 MS. JUDY KLINGON: Yes.

10 MR. SZARPANSKI: I'm sorry, Judy.

11 MS. JUDY KLINGON: My interest in

12 all of this is what can we do with that space?

13 And I'm suggesting here that we make it a world

14 children's center for the study of the environment

15 and particularly global warming.

16 (Applause.)

17 MR. SZARPANSKI: Thank you.

18 No. 19, Seymour Roth.

19 A VOICE: Are you taking 18?

20 MR. SZARPANSKI: I think we had --

21 Kitty Wesley was No. 18 and -- oh, are you here?

22 I called your name before. I'm sorry.

23 Would you come up, please? No, I

24 think I did. All right, okay. Seymour, why don't

25 you speak now and Kitty Wesley will be next.

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MR. SEYMOUR ROTH: All right. My

name is Seymour Roth. I live in the immediate  
neighborhood of the disaster area.

(Laughter.)

MR. SEYMOUR ROTH: New York City  
has the highest rate of asthmatic and allergic  
kids. That's a fact that you can't escape from.  
The reason for this unusually high number is rat  
and rat control.

VOICES: Louder.

MR. SEYMOUR ROTH: Rat control.  
Nobody has ever beaten a rat, as far as I know.  
If you can tell me that you are going to keep rats  
away from that station as it is rebuilt, I'll  
laugh at you. It's ridiculous. You will never  
triumph over a rat with the system of ramps that  
you have, never. I guarantee that.

Now, it's a fact that environmental  
standards for air quality depend on the  
temperature. The higher the degree of exertion in  
exercise, which is -- lowers the tolerable amount  
of air quality, air quality aspects.

I submit that there's that field now  
and as the sun is coming down, kids are playing

1  
2 there. They work up a good sweat, as it would be  
3 nice to have. However, that same sweat lowers  
4 their resistance to the air quality pollutants.  
5 Has this been figured in? I don't think so.

6 Finally, if, God forbid, this  
7 project goes into construction, is the Department  
8 of Sanitation willing to pay a fine if air quality  
9 standards have been violated? Right, exactly.

10 Thank you very much.

11 (Applause.)

12 A VOICE: Do we answer the  
13 question?

14 MR. ROBERT ORLIN: The Department  
15 facility would be regulated by the State  
16 Department of Environmental Conservation. They  
17 have air monitors. If there was a violation,  
18 obviously the Department would pay any penalty, if  
19 there were one. So, you know, the City is  
20 regulated by the State and Federal Governments.  
21 And actually New York City DEP, Department of  
22 Environmental Protection also would monitor air  
23 emissions from various facilities throughout the  
24 City.

25 MS. JOYCE MARIANI: And also for

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1  
2 the environmental review that was conducted, what  
3 we had to do is look at the effects of the  
4 emissions from all of the on-site operations - the  
5 buildings, the trucks and all the equipment at the  
6 property boundary.

7 So we had fence line receptors along  
8 the entire perimeter of the ramp and the facility.  
9 And if we met the standard there, we would meet  
10 the standard past that, the children in the lots  
11 and the playgrounds and in the facilities. And we  
12 did meet all the air quality standards at the  
13 fence line of the facility and the ramp.

14 A VOICE: How about the noise  
15 levels. Are they going to be monitored?

16 MR. SZARPANSKI: Kitty Wesley,  
17 please come up.

18 MS. KITTY WESLEY: Good evening.

19 I, too, shall try to be brief.

20 It is true and I'm sure most of us  
21 would agree, that each borough should be  
22 responsible for its own garbage. But the marine  
23 transfer station is not the right place to bring  
24 the garbage and wait to have it placed on barges  
25 for export.

1  
2                   The traffic, the noise, the odor and  
3 vermin will be unbearable. The reality is that  
4 you cannot mitigate these impacts, now especially  
5 with the construction of the Second Avenue Subway.

6                   These factors will be compounded in  
7 a highly residential area, in a community that has  
8 many children, day care and after school programs  
9 and the Isaacs Senior Center has close to a  
10 thousand members. Has this been taken into  
11 consideration?

12                   I lived in Peekskill prior to moving  
13 back to New York. And Peekskill had the misguided  
14 advice to locate the Westchester County Resource  
15 Center Plant at the Charles Point Industrial Park.  
16 Now, remember, that is an industrial park. In  
17 other words, it was a garbage disposal plant.

18                   The garbage trucks by the dozen  
19 lined the streets, idling waiting to be unloaded.  
20 The stench and the noise was quite unbearable and  
21 this was an industrial center. There was not very  
22 much the citizens could do.

23                   We don't want the same things to  
24 happen here. It is one of the most beautiful  
25 residential areas of the City. Its gorgeous,



1  
2 well-attended Carl Schurz Park graced by the  
3 magnificent East River enjoyed by thousands of  
4 children, hundreds of seniors and untold residents  
5 in attractive houses.

6 Thank you very much.

7 (Applause.)

8 MR. SZARPANSKI: Thank you.

9 No. 20, Mort Gerard. You won't be  
10 speaking out of turn now.

11 MR. MORT GERARD: My name is Mort  
12 Gerard.

13 I've been a resident of this area  
14 for over forty years. And I think our concern is  
15 primarily that in the past, and tonight your  
16 presentation is, to say the least, not straight  
17 and honest. I'm just holding your own document  
18 and it sort of misses things.

19 On page eleven you say expected  
20 average daily throughout is 720 tons of DSNY waste  
21 and 780 tons of commercial waste. Right on. You're  
22 telling us what it is.

23 Then on thirteen in big, bold  
24 letters you said acceptance of commercial waste.  
25 You go on to tell us that the trucks will go

1  
2 between 8 and 8 on the shift. No mention of  
3 Department of Sanitation. However, if we go back  
4 to the April 14th document, you say your  
5 restriction on the number of related DSNY  
6 collection vehicles delivering waste to 92nd  
7 Street, let's say, during certain hours will  
8 mitigate estimated off-site noise impacts at  
9 receptors along the routes of these facilities  
10 between 2 and 5 a.m.

11 That gives us a three-hour sleep  
12 because between 5 and 2 you have your Department  
13 of Sanitation trucks. Unless I'm missing  
14 something. But you do talk about commercial waste  
15 trucks, but you have nothing about DSNY trucks and  
16 the hours that they're going to be going.

17 Did somebody miss something or was  
18 it intentional? You know, it's one of the  
19 questions I have.

20 The second was, I know on your  
21 environmental study, do you use Department of  
22 Sanitation trucks or commercial trucks? Because  
23 the Department Sanitation has told us before that  
24 they have no control over commercial trucks at the  
25 present time.

1  
2 And if we have to wait to 70, how  
3 many garbage collectors buy new trucks. I mean  
4 they have them ten, fifteen years old. What's  
5 going to happen with these guys. Who's controlling  
6 it? How do we get that in?

7 Thank you.

8 (Applause.)

9 MS. JOYCE MARIANI: To respond to  
10 the question on the analysis and how it was  
11 prepared related to the Department of Sanitation's  
12 vehicles or commercial vehicles.

13 We looked at both in all of the  
14 analysis. What we did was first look at the  
15 Department of Sanitation's collection vehicles and  
16 their pattern of delivery. And I have a table  
17 here in front of me that you cannot see at the  
18 moment, but basically the Department's truck  
19 arrival pattern would have them arriving over  
20 between 5 p.m. -- let me see. I'm sorry, starting  
21 -- there are some relays between 8 a.m. and 4 p.m.  
22 is when the majority of the Department's  
23 collection vehicles will arrive.

24 There's a few hours of three a.m.  
25 and six a.m. and seven a.m. where there will be

1

2 some Department collection vehicles also arriving  
3 on relay shifts.

4

On top of that we looked at how much  
5 additional waste could be received, commercial  
6 waste, between 8 p.m. and 8 a.m. without having  
7 any impacts. And the majority of the impacts you  
8 would see from this is the noise. We know they  
9 are noisy. They travel on routes by your homes.  
10 And what we needed to do was look at the standards  
11 that require us to say how many trucks could drive  
12 by and along this route without causing a noise  
13 impact.

14

So we actually did an hour-by-hour  
15 analysis to look at what that number could be  
16 without an impact. There were higher numbers we  
17 could have added that would have had impacts. So  
18 we do have a table that shows both numbers and the  
19 total of the combined trucks.

20

(Audience participation.)

21

MR. MORT GERARD: But did you see on  
22 page ten.

23

MR. SZARPANSKI: Mort, can you go  
24 back to the microphone, please.

25

MR. MORT GERARD: Yes. I'm sorry.

On page ten of their April 14th report they're talking about 21 hours of service with commercial trucks. 21 hours. I don't know how you can ideally pick what's going where.

MS. JOYCE MARIANI: I think the hour you're talking about is actually -- there are two summaries there. One is a restriction on -- one of the hours there was a potential effect of Department of Sanitation vehicles being relayed to the facility. This is the commercial. The commercial waste is --

MR. MORT GERARD: Oh, I'm sorry. I had the reverse.

MS. JOYCE MARIANI: Right. And the Department of Sanitation had to modify the relay shifts to avoid impacts as well.

A VOICE: How does 71 trucks avoid noise, period? I don't understand it. Zero trucks --

MS. JOYCE MARIANI: It's -- yeah, the 71 trucks is over a 12-hour period. The maximum number of commercial waste during any hour would be - I'm looking at the table here - 14. The majority of them are under seven or eight in

1  
2 any given hour.

3 A VOICE: How does that avoid  
4 noise?

5 MR. SZARPANSKI: All right. Thank  
6 you. I think we answered the question.

7 (Audience participation.)

8 MR. SZARPANSKI: Vivian Dominguez.

9 MS. VIVIAN DOMINGUEZ: Can you guys  
10 hear me?

11 Hello, everyone. My name is Vivian.  
12 I'm 19 years old.

13 We have come from our offices and  
14 homes to express our discontent with the plans to  
15 build a garbage dump in our community. So for our  
16 concern for the fabric and welfare of our  
17 neighborhood, I thank those local residents in  
18 attendance.

19 Also, I would like to thank the New  
20 York State Department of Environmental  
21 Conservation for allowing us to venue -- for  
22 allowing us this venue to constructively express  
23 our disdain for this project.

24 I have lived in the Isaacs Homes  
25 Towers all my life. And in those years I have

grown to love the neighborhood I call my home. It is the most beautiful space in the entire Borough of Manhattan.

Clearly, I am showing my bias but nonetheless, it is a great place to grow up. I remember waiting for the crosstown bus as a high school student and smelling the scent of freshly baked bread from the bakery and it was doorsteps to Asphalt Green for a pickup softball game. My childhood memories are forever tied to these experiences - the sights, the sounds, smell, taste and feelings of my past.

My fear is that my children will not have these vivid, rich memories because instead of smelling delicious baked goods, they will smell the rancid odor of tons of trash. And instead of sprinting to Asphalt Green they will be leading their lives as Sanitation trucks release the pollutants of increased traffic. It is unfortunate.

(Applause.)

MS. VIVIAN DOMINGUEZ: It is unfortunate that this one project could cause me to no longer want to raise my future children in

1

2 the community I truly love and call my home.

3

4

5

6

I hope that this policy decision is  
thoroughly evaluated with the concerns of  
residents at the forefront because we are the ones  
mostly deeply impacted by this decision.

7

Thank you very much.

8

(Applause.)

9

10

MR. SZARPANSKI: Thank you for  
your comments.

11

12

Next speaker, No. 22, Chevron, is  
that Sheron?

13

A VOICE: She had to leave.

14

MR. SZARPANSKI: She left. Okay.

15

No. 23, Robert Klingon.

16

And if speaker 24 can get ready,

17

Karen Lapidus.

18

MR. ROBERT KLINGON: Thank you.

19

20

21

22

My name's Robert Klingon. And as  
I've been sitting here through the meeting I  
thought of how to summarize it and I thought it  
would be something like this:

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25

I never thought that I would see a  
garbage transfer station as environmentally benign  
as a tree. The things that's underlying the whole



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2

-- I should say I have a history as an

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environmental lawyer. And one of the problems I

4

saw with the environmental, especially the

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environmental review laws, was that they are long

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on process and short on substance.

7

And what I'm seeing here and

8

experiencing here - and I'm new to this process. I

9

just moved into the neighborhood a couple of

10

months ago - is a lot of obvious distrust.

11

And one of the reasons is that my

12

sense is you guys are coming to us saying this is

13

going to be clean, don't worry about. There's no

14

environmental impact. There will be no smells.

15

You don't even notice the trucks. There's no

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noise, et cetera, et cetera.

17

And what we're experiencing is

18

something very different. If you came to us and

19

said this is mess, we're going to get it as clean

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as we can, but it's a mess and it has to go

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someplace. And we've looked everyplace else. And

22

this is the only place it can go, then you'd have

23

a much better dialogue.

24

My sense is that that has not

25

happened and perhaps that was swallowed up in a

1  
2 political process when your environmental process  
3 began.

4 But if you think about it, this  
5 environmental process has been based on a  
6 grand-fathered facility that has been there for  
7 many, many years. I'm not sure when it was built  
8 but it was at least thirty years ago; is that  
9 correct?

10 MR. ROBERT ORLIN: 1940.

11 MR. ROBERT KLINGON: 1940.

12 The neighborhood was vastly  
13 different then and the environmental standards  
14 were vastly different then. Obviously everything  
15 has changed. Some things have changed even in the  
16 last eight years since the facility was closed.

17 But to say that this is the best  
18 facility or we're not looking at other locations  
19 or focusing on the existing MTS site, is to say  
20 that well, back in 1940 it was a good idea and  
21 we're going to rely on that now in 2007.

22 But now we know a lot of different  
23 things. I just remember an article that I saw in  
24 The Times in the fall about the NYU Environmental  
25 Medical Department doing a study of particulate

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2

matter and the effect on children in the South

3

Bronx. And they were saying that that was the

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reason, a major reason for the high incidence of

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asthma there.

6

And it was a pity because of Robert

7

Moses and all the highways that were put in,

8

there's nothing that can be done about it. But

9

there is something that can be done about this.

10

We're talking about putting this

11

facility and a ramp and the particulate matter in

12

the middle of the only open space, the only

13

playing field on the East Side of Manhattan north

14

of the 4TH Street playground. There's nothing in

15

between.

16

So if you take that away from the

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kids or you make the kids -- or put the kids at

18

risk for playing there, there's really, for many

19

kids, no place to go. And for that reason I just

20

think you've got to go back to the drawing board

21

and really think through alternative locations and

22

then come back to us and say there really isn't

23

any other place to put this.

24

(Applause.)

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MR. SZARPANSKI: If I could just

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make a couple of comments on your remarks.

It seems to me that people have the impression that this is the only facility we're focusing on. This is one of four marine transfer stations and one of at least eight facilities that we will contract with throughout the City. So it's not the only location.

Secondly, on the issue of particulates.

When we conducted our environmental review, we used very conservative or overly predicative numbers. You should know that by 2012 the Department's entire fleet will have particulate filters. And if we were to do the analysis based on emissions using these particular filters, it would yield ten percent of the number in terms of particulates as was analyzed in the EIS. So it's one-tenth the number, okay?

MR. ROBERT KLINGON: Is there any -- just a quick question. Is there any effort in the Department to --

I guess there are two questions. One, is there any effort to follow the Department of Transportation and move your trucks over to

1

2 natural gas, which would avoid the problem  
3 altogether.

4

And the second was said to me just  
5 as I was getting up by the young woman sitting in  
6 front of me, and that is what about the private  
7 trucks.

8

(Applause.)

9

MR. SZARPANSKI: I can't tell you  
10 about the analysis we did in terms of switching  
11 to natural gas. We are using ultra-low sulfur  
12 diesel.

13

MR. ROBERT ORLIN: The Department  
14 is testing natural gas trucks. They have some  
15 operational issues. But the Department's actually  
16 in the forefront of testing out alternative fuels  
17 and alternative technologies. So we are actually  
18 testing them out.

19

And if it becomes something that  
20 works well for us, we might switch over to that. I  
21 mean I don't foresee that happening in the near  
22 future because they said their operational issues  
23 need to be longer. But it's something the  
24 Department looks at.

25

A VOICE: Next question.

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2

MR. SZARPANSKI: There are a lot

3

of other people waiting to being called so I think

4

we need to move on.

5

A VOICE: What about the commercial

6

trucks.

7

MR. SZARPANSKI: I'm sorry. The

8

commercial trucks.

9

Look, the commercial trucks can only

10

come if we allow them to come to this facility.

11

We can impose certain restrictions to make sure

12

that they are not -- they're not just playing by

13

their own rules. They can be made to comply with

14

the same standards that we would hold our own

15

trucks to.

16

A VOICE: And what plans are being

17

made to do that?

18

MR. SZARPANSKI: At this point

19

there's capacity for commercial trucks to come to

20

this facility. We have not contracted or allowed

21

any commercial trucks the right to come. That's

22

something that we would need to work out.

23

We hope that they will be induced

24

based on economics that if they are collecting

25

nearby, that they'll come to this facility for

1

2 their own self interest.

3

Okay. Let's move on.

4

No. 25, Margaret McGlynn.

5

MS. MARGARET MCGLYNN: Can you

6

hear me?

7

MR. SZARPANSKI: Yes.

8

MS. MARGARET MCGLYNN: I live on

9

74 -- 88 East 88th and York Avenue and I've lived

10

there since 1974. And before that I lived on East

11

85th Street so I've been up in this neighborhood a

12

long time and I finally arrived at the senior

13

citizen thing.

14

I want to say that I'm so proud of

15

this community for the information that's come

16

forth.

17

First of all, the way that cars

18

idled on York Avenue was unbelievable. It went on

19

and on and on. It was all day long. It was

20

beyond 86th Street even and they wind up to go

21

into the ramp, running their motors. It is

22

disgusting and it went on for years and years and

23

years and it finally was able to be stopped. But

24

this is a very bad thing.

25

I don't care what clean burning

1  
2 engine you put in whether you think there's going  
3 to be tax money to pay for that, I don't believe  
4 it.

5 In addition, the condition of the  
6 City, if you want to see, go over to Carl Schurz  
7 Park now. Someone referred to it as being  
8 beautiful. Look at how dirty, how broken up the  
9 concrete is. Take a look at what's around. Maybe  
10 you haven't been at Carl Schurz Park for awhile.  
11 But if you look at the condition there and then  
12 think of them doing -- spending our money building  
13 this thing, it's unbelievable.

14 Also, the man who spoke about the  
15 hurricane threat. That's a very real threat. And  
16 I don't know what year it happened, but the water  
17 came up from the East River onto the FDR Drive and  
18 flooded the cars. They were stalled in there,  
19 came up all the way on to East End avenue and down  
20 into the garages.

21 I don't know whether you considered  
22 that during this time but this is the condition.  
23 It's right where this garbage dump is. I'm  
24 telling you, these are things that maybe you don't  
25 know but it really happened.



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And the amount of water was  
incredible. And it wasn't a hurricane, it was  
just -- that's what it was. And when that map  
came out, it showed what can happen in this area.

In general, I'm very proud of what I  
heard here tonight, but I've seen this before. We  
have to get together and we have to go to the  
Mayor, who is just going on, and the City Speaker  
Christine Quinn, to see that we -- we're not just  
rich people who will lose the area. I lived here  
a very long time and I'm just an ordinary person  
and I don't have much income and I'm now finally a  
senior citizen.

But we shouldn't be left to fend for  
ourselves. And if you go over to Carl Schurz  
Park, you can see the Mayor doesn't live there  
except he has fund raisers, whatever he has, that  
cook there.

But really, we have to get together  
on this and try to stop it because it's a very,  
very serious thing. And we people who have lived  
here know about this traffic. And I don't believe  
one word you're saying about how there is going to  
be no pollution.

1 130

2 Thank you.

3 (Audience participation.)

4 A VOICE: Next number.

5 MR. SZARPANSKI: State your name,  
6 please.

7 MS. ELLEN DIAMOND: Hi. I'm Ellen  
8 Diamond and I live on 93rd Street across from  
9 Stanley Isaacs.

10 I find myself sitting there and  
11 wanting to ask each one of you one at a time if  
12 the 91st Street building was not already there,  
13 would you pick this place?

14 Ms. Mariani?

15 MR. SZARPANSKI: I don't think  
16 we're engaging in hypothetical situations and  
17 questions here.

18 A VOICE: Bullshit.

19 MR. SZARPANSKI: Yes, it is.

20 MS. ELLEN DIAMOND: Okay. If you  
21 can't answer, I understand. But I'd like you to  
22 each think about. I'd like you to each think of  
23 it.

24 Thank you.

25 (Applause.)

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2 MR. SZARPANSKI: Thank you.

3 Brendan Ryan, No. 26.

4 MR. BRENDAN RYAN: Thank you.

5 I'm not going to repeat much of  
6 what's been said.

7 The sad thing about this I think is  
8 it's an enormously frustrating process for  
9 everybody. For you all sitting there, for us  
10 sitting here. We live in a democracy. We're  
11 being barraged with scientific data.

12 I'm not a scientist, I'm not an  
13 environmentalist, I'm not an engineer. It's all  
14 rubbish. I don't understand any of it and I don't  
15 really care.

16 I have common sense. I do have  
17 common sense. And if you asked anybody with an  
18 ounce of common sense with putting this giant  
19 thing in the middle of this neighborhood, in the  
20 middle of this park, on a York Avenue that is  
21 already traffic clogged up with the FDR Drive, the  
22 buses, the trucks, the school buses, you wouldn't  
23 in a million years do it.

24 And what's frustrating is in a  
25 democracy what is driving this is politics. It's

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politics.

(Applause.)

MR. BRENDAN RYAN: And it's a City Council -- in my judgment it's a City Council that is trying to be either politically correct or screw this neighborhood and is going forward with this. And you all, probably well-intentioned, but recognize you do work for this cabal, are no -- cannot not be influenced by that.

And it's really, I don't know what to do about it and most of these people here don't either. It's like we come to this meeting. We try our best to express points of view in a rational way. But it just defies rationality. It's stupid. It's just a dumb thing and I don't know what to do about it.

One -- two other thoughts.

There's an old phrase, build it and they will come. Anybody who tells me that this City, that has a capacity to -- by four-fold what we're guaranteeing we're going to be doing, is not going to get filled up over time is not a City resident. That's nonsense. It's just going to happen.

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(Applause.)

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MR. BRENDAN RYAN: So that's really  
it. The rest has been said.

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I would request -- I've noticed  
this, this photo. This should never be used again  
(indicating.) This is blatant deception. It's  
trick photography, which you can do. That's a ten  
-- you were there when I came roaring in the door.

10

11

MR. SZARPANSKI: I heard you,  
yes.

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MR. BRENDAN RYAN: And then went  
like, what the shit. And I lost it before I was  
in the building because that is really not a fair  
photo. This is a ten-story monster that's going  
in there and this would look like it's tucking in  
nicely behind Asphalt Green. It's not going to  
happen.

19

Thank you.

20

(Applause.)

21

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23

MR. SZARPANSKI: All right. I've  
been told by the people who run this facility that  
we cannot stay. We have to leave.

24

25

I urge you all, those who didn't get  
a chance to speak, to submit your comments or

1  
2 questions in writing. And I also urge you to come  
3 and show up at the State DEC permit hearing.

4 Thank you.

5 (At 9:04 p.m., the proceedings were  
6 concluded.)

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C E R T I F I C A T I O N

STATE OF NEW YORK )

SS.

COUNTY OF NEW YORK )

I, MARC RUSSO, a Shorthand  
(Stenotype) Reporter and Notary  
Public within and for the State of  
New York, do hereby certify that the  
foregoing pages 1 through 135 taken  
at the time and place aforesaid, is  
a true and correct transcription of  
my shorthand notes.

IN WITNESS WHEREOF, I have  
hereunto set my name this 3rd day  
of May, 2007.

\_\_\_\_\_  
MARC RUSSO

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