



**The City of New York**  
**BUSINESS INTEGRITY COMMISSION**  
100 Church Street · 20th Floor  
New York · New York 10007

**DECISION OF THE BUSINESS INTEGRITY COMMISSION DENYING THE CLASS 2  
REGISTRATION RENEWAL APPLICATION OF MDC SERVICES, INC. (BIC #4497)  
TO OPERATE AS A TRADE WASTE BUSINESS**

**I. Introduction**

On March 6, 2015, MDC Services, Inc. (BIC #4497) applied to the New York City Business Integrity Commission to renew its exemption from the Commission’s trade waste licensing requirements to operate a trade waste business “solely engaged in the removal of waste materials resulting from building demolition, construction, alteration or excavation” (the “Instant Application”).<sup>1</sup> Local Law 42 of 1996 (“Local Law 42”) authorizes the Commission to review and make determinations on such exemption applications. See Title 16-A, New York City Administrative Code (“Administrative Code” or “Admin. Code”) § 16-505(a).

After a review of an exemption renewal application, if the Commission determines that renewal of the exemption from the Commission’s trade waste licensing requirements is appropriate, the Commission will renew the applicant’s Class 2 registration. See id. at § 16-505(a)-(b). The Commission’s review of an exemption application (or a renewal of such an application) focuses on a determination of whether the applicant possesses business integrity, *i.e.*, the traits of good character, honesty and integrity. See Admin. Code § 16-504(a) (empowering the Commission to issue and establish standards for issuance, suspension, and revocation of licenses and registrations); Admin. Code § 16-509(a) (authorizing the Commission to refuse to issue licenses to applicants lacking “good character, honesty and integrity”); Title 17, Rules of the City of New York (“RCNY”) § 1-09 (prohibiting numerous types of conduct reflecting lack of business integrity, including violations of law, knowing association with organized crime figures, false or misleading statements to the Commission, and deceptive trade practices).

On January 5, 2017, the Commission’s staff personally served the principal of MDC with the Commission’s Notice to the Applicant of the Grounds to Deny the Class 2 Registration Renewal Application of MDC Services, Inc. to Operate as a Trade Waste Business (the “Original Notice of Denial”). MDC had 10 business days to respond, until January 20, 2017. See 17 Rules of the City of New York (“RCNY”) § 2-08(a). The Commission received no response from MDC. On January 30, 2017, the Commission’s staff personally served the principal of MDC with the Commission’s First Amended Notice to the Applicant of the Grounds to Deny the Class 2 Registration Renewal Application of MDC Services, Inc. to Operate as a Trade Waste Business

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<sup>1</sup> “Trade waste” or “waste” is defined at Admin. Code § 16-501(f)(1) and includes “construction and demolition debris.”

(the “Amended Notice of Denial.”) MDC had 10 business days to respond, until February 13, 2017. See id. Again, MDC did not submit a response.

The Commission has completed its review of the Instant Application, having considered the Amended Notice of Denial and MDC’s lack of response. Based on the record, the Commission denies the Instant Application based on the following three independently sufficient reasons:

- 1. The Applicant provided false information on its applications to the Commission;**
- 2. The Applicant’s principal provided false information during sworn testimony;  
and**
- 3. The Applicant failed to pay fines for administrative violations related to the Applicant’s business for which judgment has been entered by the Environmental Control Board.**

## **II. Background and Statutory Framework**

Every commercial business establishment in New York City must contract with a private carting company to remove and dispose of the waste it generates. Historically, the private carting industry in the City was operated as a cartel controlled by organized crime. As evidenced by numerous criminal prosecutions, the industry was plagued by pervasive racketeering, anticompetitive practices and other corruption. See, e.g., United States v. International Brotherhood of Teamsters (Adelstein), 998 F.2d 120 (2d Cir. 1993); People v. Ass’n of Trade Waste Removers of Greater New York Inc. et al., Indictment No. 5614/95 (Sup. Ct. N.Y. Cty.); United States v. Mario Gigante et al., No. 96 Cr. 466 (S.D.N.Y.); People v. GNYTW, 701 N.Y.S.2d 12 (1st Dep’t 1999).

The Commission is charged with, *inter alia*, combating the pervasive influence of organized crime and preventing its return to the City’s private carting industry, including the construction and demolition debris removal industry. Instrumental to this core mission is the licensing scheme set forth in Local Law 42, which created the Commission (then known as the “Trade Waste Commission”) and granted it the power and duty to license and regulate the trade waste removal industry in New York City. Admin. Code § 16-505(a). It is this licensing scheme that continues to be the primary means of ensuring that an industry historically plagued with corruption remains free from organized crime and other criminality, and that commercial businesses that use private carters can be ensured of a fair, competitive market.

Local Law 42 provides that “[i]t shall be unlawful for any person to operate a business for the purpose of the collection of trade waste . . . without having first obtained a license therefor from the [C]ommission.” Admin. Code § 16-505(a). Before issuing such license, the Commission must evaluate the “good character, honesty and integrity of the applicant.” Id. at § 16-508(b). The New York City Administrative Code provides an illustrative list of relevant factors for the Commission to consider in making a licensing decision:

1. failure by such applicant to provide truthful information in connection with the application;

2. a pending indictment or criminal action against such applicant for a crime which under this subdivision would provide a basis for the refusal of such license, or a pending civil or administrative action to which such applicant is a party and which directly relates to the fitness to conduct the business or perform the work for which the license is sought, in which cases the commission may defer consideration of an application until a decision has been reached by the court or administrative tribunal before which such action is pending;
3. conviction of such applicant for a crime which, considering the factors set forth in section seven hundred fifty-three of the correction law, would provide a basis under such law for the refusal of such license;
4. a finding of liability in a civil or administrative action that bears a direct relationship to the fitness of the applicant to conduct the business for which the license is sought;
5. commission of a racketeering activity or knowing association with a person who has been convicted of a racketeering activity, including but not limited to the offenses listed in subdivision one of section nineteen hundred sixty-one of the Racketeer Influenced and Corrupt Organizations statute (18 U.S.C. §1961 et seq.) or of an offense listed in subdivision one of section 460.10 of the penal law, as such statutes may be amended from time to time, or the equivalent offense under the laws of any other jurisdiction;
6. association with any member or associate of an organized crime group as identified by a federal, state or city law enforcement or investigative agency when the applicant knew or should have known of the organized crime associations of such person;
7. having been a principal in a predecessor trade waste business as such term is defined in subdivision a of section 16-508 of this chapter where the commission would be authorized to deny a license to such predecessor business pursuant to this subdivision;
8. current membership in a trade association where such membership would be prohibited to a licensee pursuant to subdivision j of section 16-520 of this chapter unless the commission has determined, pursuant to such subdivision, that such association does not operate in a manner inconsistent with the purposes of this chapter;

9. the holding of a position in a trade association where membership or the holding of such position would be prohibited to a licensee pursuant to subdivision j of section 16-520 of this chapter;

10. failure to pay any tax, fine, penalty, or fee related to the applicant's business for which liability has been admitted by the person liable therefor, or for which judgment has been entered by a court or administrative tribunal of competent jurisdiction.

Id. at § 16-509(a)(i)-(x). Additionally, the Commission may refuse to issue a license or registration to any applicant who has “knowingly failed to provide information or documentation required by the Commission . . . or who has otherwise failed to demonstrate eligibility for a license. Id. at § 16-509(b). See also Elite Demolition Contracting Corp. v. The City of New York, 4 N.Y.S.3d 196, 125 A.D.3d 576 (1st Dep’t 2015). The Commission may refuse to issue a license or registration to an applicant when such applicant was previously issued a license which was revoked or not renewed, or where the applicant “has been determined to have committed any of the acts which would be a basis for the suspension or revocation of a license.” Id. at § 16-509(c). Finally, the Commission may refuse to issue a license or registration to any applicant where the applicant or its principals have previously had their license or registration revoked. Id. at § 16-509(d).

An applicant for a trade waste license or registration has no entitlement to and no property interest in a license or registration and the Commission is vested with broad discretion to grant or deny a license or registration application. Sanitation & Recycling Industry, Inc., 107 F.3d at 995; see also Daxor Corp. v. New York Dep’t of Health, 90 N.Y.2d 89, 98-100, 681 N.E.2d 356, 659 N.Y.S.2d 189 (1997). Admin. Code § 16-116.

### **III. Statement of Facts**

As fully described below, the Applicant has violated the Commission's rules and regulations in several respects. Firstly, the Applicant has provided false and misleading information to the Commission regarding the involvement of the Applicant's principal's family in the business and the Applicant's roster of vehicle operators. See infra at 4-8. Secondly, the Applicant (through its principal) presented or reiterated this false information under oath during an interview with members of the Commission's staff. Id. Lastly, the Applicant has substantial debt outstanding in the form of unresolved judgments payable to the Environmental Control Board as a result of several administrative violations. See id. at 8.

#### **1. The Original Application**

On December 20, 2012, the Applicant submitted an application for an exemption from the Commission's licensing requirement for removal of construction and demolition debris, also known as a Class 2 registration application. See Applicant's 2012 Class 2 Registration Application (the “Original Application”). At the bottom of every page, the Applicant set forth its tax identification number as 20-5566251. See Original Application. The bottom of the first page of the Original Application contains the following phrase printed in bold: “\* (Asterisk) denotes material information on the application. Any change in material information must be reported to

the Business Integrity Commission, in a notarized writing, within ten (10) business days of the change.” See id. at 1.

Question 18 of the Original Application, directed the Applicant to list “Operators of Vehicles” on Schedule D, stating that “for each employee or principal who will operate a vehicle transporting trade waste for the applicant’s business, provide the operator’s name, driver’s license number, license class and expiration date in Schedule D.” See id. at 4. Question 18 denotes that Schedule D calls for material information. On Schedule D of the Original Application, the Applicant disclosed only its principal, Michael D. Colasanto (“Colasanto”), as a vehicle operator. See id. at 12.

On page 14 of the Original Application, titled “Certification,” the Applicant was instructed that “this certification must be completed by the applicant and all of its current principals before a notary public.” See id. at 14. The certification was signed by Colasanto’s father, Michael Colasanto, Sr., rather than Colasanto (the sole disclosed principal). See transcript of testimony of Michael Colasanto, Jr., dated May 18, 2016 (“Colasanto Tr.”) at 36:5-20 (acknowledging that the signature is his father’s). This fact was not clear to the Commission at the time the Applicant submitted the Original Application because the signatory merely indicated that “Michael Colasanto” was signing; it did not distinguish between Junior and Senior. Michael Colasanto, Sr. was not disclosed on the Original Application in any capacity, much less as a principal with the authority to certify the Original Application.

The Commission approved the Original Application and issued the Applicant a Class 2 Registration order, effective March 15, 2013. See Applicant’s Class 2 Registration Order. Pursuant to the Commission’s rules, a registrant must disclose any vehicle operators that start working for the registrant during the term of its registration within 10 business days of hiring. See 17 RCNY § 2-05(b)(iii). During the term of the March 2013 registration order, the Applicant did not disclose any new vehicle operators to the Commission.

## **2. The Instant Application**

On March 6, 2015, the Applicant filed the Instant Application. See Instant Application at 1. As in the Original Application, the first page of the Instant Application bears the following instruction, printed in bold: “\* (Asterisk) denotes material information on the application. Any change in the material information must be reported to the Business Integrity Commission, in a notarized writing, within ten (10) business days of the change.” Id.

Question 7 of the Instant Application (denoted as containing material information) asks, “Has the applicant or any of the applicant’s principals, employees, or affiliates been arrested, convicted of, or been the subject of any criminal charges in any jurisdiction?” The Applicant answered this question in the negative. See id. at 3.

The Applicant disclosed four employees and five vehicle operators on Schedules C and D of the Instant Application. See id. at 10-11. Schedule C contains the heading, in bold lettering, “For All Licensees and Registrants: Please list ALL current employees, excluding drivers (drivers will be listed on Schedule D). Place an asterisk (\*) next to any employees who have been hired

within the last two years.” See id. at 10 (emphasis in original). The Applicant disclosed the following employees on Schedule C of the Instant Application: Colasanto’s mother, Mary, whose hiring date was October 15, 2008; his father, Michael Sr., whose hiring date was September 1, 2007; Maria Mandarino, whose hiring date was October 13, 2014; and Joseph Rizzoti (“Rizzoti”), whose hiring date was September 1, 2014. Id. The Applicant did not place an asterisk next to the name of any of those employees. Id. Schedule D of the Instant Application (which is denoted as containing material information) requires the disclosure of all vehicle operators. See id. at 11. The Applicant listed Colasanto, Daniel Geraghty, Conor Moriarty, Eladio Navarro, and Steven Paradise.

On page 12 of the Instant Application, Colasanto signed and certified the application. The certification states, in bold, underlined and all capital letters, “Any material false statement or omission made in connection with this renewal application is sufficient cause for revocation of a trade waste license or registration or denial of a trade waste renewal application.” See id. at 12 (emphasis removed).

### **3. The Applicant’s Involvement in the Heating Oil Industry**

While the Applicant is presently operating as a trade waste company, MDC and its personnel also have a lengthy history in the heating oil delivery industry. Colasanto worked as a driver for his father’s home heating oil company, Bridge Transportation. See Colasanto Tr. at 14:2-9. After working for Bridge Transportation, Colasanto opened MDC, a company that “truck[s] some fuel.”<sup>2</sup> See id. at 14:13-16. Colasanto also started another company called Colasanto Fuel, a business that delivers diesel and heating oil to between 40 and 50 homeowners. See id. at 19:15-20:11, 22:13-18, and 24:23-25. Colasanto Fuel obtains heating oil from Buckeye Terminal in Brooklyn. See id. at 20:14-22. Like Colasanto Fuel, the Applicant delivers heating oil obtained from Buckeye Terminal. However, the Applicant’s customers are commercial properties, rather than residences. See id. at 25:4-23. According to Colasanto’s testimony, the Applicant currently is in the fuel oil business in the winter. See id. at 51:8-16.<sup>3</sup> The Applicant applied for a Class 2 registration from the Commission because the heating oil business is seasonal, and Colasanto wanted additional work in the summer months.<sup>4</sup> See Colasanto Tr. at 40:3-16.

On November 12, 2014, approximately 20 months after the Commission issued the Applicant’s Class 2 registration, the Applicant signed a terminal access agreement with Buckeye (the “Terminal Access Agreement”). See Terminal Access Agreement at 1. On Exhibit B of the Terminal Access Agreement, the Applicant provided a list of drivers who would “be authorized by Buckeye to access and load and/or unload [heating oil] at” the Buckeye Terminal. See id. at Exhibit B. Written at the bottom of Exhibit B is the same tax identification number for the Applicant listed on the Original Application. See id. Exhibit B of the Terminal Access Agreement lists Michael Colasanto, Sr., Colasanto, Steve Paradise, Eladio Navarro, Daniel Gerraghty,

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<sup>2</sup> The Applicant’s initial filing date with the New York State Department of State was September 15, 2006.

<sup>3</sup> For instance, in the winter of 2014-2015, Colasanto stated that the Applicant delivered approximately 5,000,000 gallons of heating oil. See id. at 54:21-25.

<sup>4</sup> However, the Applicant also obtained heating oil in spring and summer months in 2015. See Buckeye Terminal Bills of Lading (“Bills of Lading”).

Frederick DeCicco (“DeCicco”), and Rizzoti as drivers for the Applicant.<sup>5</sup> See Terminal Access Agreement at Exhibit B. As noted above, Paradise, Navarro, and Gerraghty (with minor differences in spelling) were also disclosed as vehicle operators on the Instant Application. See supra at 5. Following the submission of the Terminal Access Agreement, DeCicco was listed as the driver for “MDC Services” on more than 20 bills of lading prepared by Buckeye.<sup>6</sup> See id.

#### **4. Frederick DeCicco’s Indictment**

On February 17, 2016, DeCicco was indicted in New York State Supreme Court, Kings County, for grand larceny in the second degree in violation of Penal Law § 155.40(1). The indictment alleges that DeCicco stole property from Buckeye Partners, L.P. and the value of the property exceeded \$50,000. See Indictment No. 1034/2016, People of the State of New York vs. Paul Ciliento, Alexander Cocchiola, Peter D’Arco, Frederick DeCicco, Bart DiCarlo, Angelo Guadagno, and Scott Vitello, Kings County. Buckeye Partners owns and operates Buckeye Terminal, from where the Applicant and Colasanto Fuel obtain heating oil.

#### **5. Sworn Testimony of Michael Colasanto**

On May 18, 2016, the Commission’s staff interviewed Colasanto under oath in connection with the Instant Application. During his testimony, Colasanto made contradictory statements and provided false information to the Commission’s staff.

Colasanto testified that none of his family members are involved in the trade waste industry. See Colasanto Tr. at 12:4-20 (“No. My family, no. My father, like, no, nobody.”). This statement directly contradicts information on both the Original and the Instant Application. Colasanto’s father signed the certification for the Original Application, as Colasanto revealed during his testimony.<sup>7</sup> See id. at 36:5-20. Yet, Colasanto’s father was not disclosed as a principal on the Original Application. See Original Application. The Instant Application also lists Colasanto’s mother and father as employees of MDC. See Instant Application at 10. And Colasanto testified that his father works in MDC’s offices, performing secretarial duties, for which he is compensated. See Colasanto Tr. at 44:10-25; 56:7-9. When asked again about his mother, Colasanto stated that she works for the Applicant “once or twice a month from home and she gets her little salary from the company.” See id. at 67:9-17. Again, all of this information contradicts Colasanto’s testimony that his family members were not involved in the trade waste business. Lastly, Colasanto further testified that Rizzoti, his nephew, drove vehicles for the Applicant in 2014 or 2015, and should have been (but was not) disclosed on Schedule D of the Instant Application.<sup>8</sup> See Colasanto Tr. at 128:23-129:3; 126:2-9.

Colasanto also provided false testimony concerning MDC’s drivers, particularly with respect to DeCicco. Colasanto testified that he signed the Terminal Access Agreement as president

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<sup>5</sup> Rizzoti is Colasanto’s nephew. See Colasanto Tr. at 131:9-10.

<sup>6</sup> The bills of lading are dated between September 10, 2014, and December 31, 2015.

<sup>7</sup> When asked if Colasanto had an opportunity to review the application before it was filed, he said that he had. See Colasanto Tr. at 37:16-38:9. The signature on the certification indicated only “Michael Colasanto,” and did not make clear that Michael Colasanto, Sr. was the signatory.

<sup>8</sup> This is a period of time during which the Applicant was a Class 2 Registrant, and therefore had an obligation to notify the Commission of new vehicle operators within 10 business days. See 17 RCNY § 2-05(b)(iii).

of MDC, and that the agreement bears the Applicant’s FEIN number. See id. at 123:19-124:18. Colasanto conceded that drivers DeCicco, Rizzoti, and Michael Colasanto, Sr., appear on the Terminal Access Agreement but were not disclosed on the Instant Application as drivers. See id. at 126:2-23. Colasanto further conceded that DeCicco was not disclosed in any capacity on either the Original Application or the Instant Application. See id. at 149:11-13. He further claimed that DeCicco never drove a vehicle for the Applicant but “helped [MDC] out” in some capacity. See id. at 129:6-130:3; 138:11-15; 141:2-7. Only after additional probing by the Commission’s staff did Colasanto finally admit that DeCicco also operated an MDC vehicle “once in awhile [sic] . . . . If somebody got sick or the weather was bad, he would.” See id. at 130:13-17. See also id. at 130:22-24. Colasanto later confirmed that the vehicle DeCicco operated was registered with the Commission and had Commission-issued license plates. See id. at 149:7-10.

**6. Environmental Control Board Violations**

As of today’s date, the Applicant owes the following four outstanding judgments to the Environmental Control Board:

Violation Date	Violation Number	Amount Due
7/21/15	0188542889	\$2,433.08
7/29/15	0188542916	\$2,449.17
8/2/15	0188542943	\$2,433.08
8/25/15	0187703093	\$2,433.08

Each of those violations were issued because the Applicant violated Admin. Code § 19-123, which relates to leaving a commercial refuse container on the street without a permit. In total, the Applicant owes \$9,701.42 for the violations. The Applicant was advised by email of these violations on March 18, 2016. See email from Commission’s staff to Applicant, dated March 18, 2016. The Commission’s staff requested that the Applicant provide proof of payment, or the existence of a payment plan, by no later than March 25, 2016. The Applicant did not respond to this email. By letter dated July 6, 2016, the Commission again advised the Applicant of the existence of these violations, and further advised that the failure to provide proof of payment may be an independent ground for denial. See letter from Commission’s staff, dated July 6, 2016. To date, the Applicant has not responded to the Commission’s letters regarding the violations; nor has it made a single payment toward any of the judgments.

**IV. Basis for Denial**

**1. The Applicant provided false information on its applications to the Commission.**

The Commission may refuse to issue a registration to an applicant who has failed to provide truthful information in connection with its application. See Admin. Code § 16-509(a)(1); Admin. Code § 16-505(b) (“The Commission may refuse to issue a license or registration to an applicant for such license or an applicant for registration who . . . has otherwise failed to demonstrate eligibility for such license under this chapter or any rules promulgated pursuant hereto.”); 17 RCNY § 1-09 (“an applicant . . . shall not . . . make a false or misleading statement to the



Commission”). As set forth above, the Original and Instant Applications contain numerous false and misleading statements.

The Applicant provided false information to the Commission regarding the involvement of Colasanto’s family members in the Applicant business. Colasanto’s father signed the certification page of the Original Application despite not being disclosed on that application in any capacity. While not disclosed as such, Colasanto, Sr. was likely a principal of the Application at the time of the filing of the Original Application: only principals are authorized to certify an application submitted to the Commission. Additionally, Colasanto’s nephew was not disclosed as a driver on the Instant Application, but Colasanto later testified that the nephew should have been disclosed as such.

The Applicant also failed to disclose multiple other employees and drivers for the Applicant, including DeCicco.<sup>9</sup> Colasanto’s sworn testimony and the Terminal Access Agreement make clear that DeCicco was an undisclosed employee of and driver for the Applicant. Lastly, the Applicant failed to disclose DeCicco’s 2016 indictment for stealing oil from the Buckeye Terminal.

Clearly, the Applicant has not been forthright with the Commission in several respects, including repeated misstatements on its applications. Nor has the Applicant provided any explanation for its actions in this regard through a sworn response to the Amended Notice of Denial. Therefore, the Commission denies the Instant Application based on the Applicant’s failure to provide truthful information to the Commission in connection with its application.

## **2. The Applicant’s principal provided false information during sworn testimony.**

As set forth above, the Commission may deny an application for failure by the applicant to provide truthful information to the Commission in connection with the application. This includes providing false testimony during a sworn interview with the Commission’s staff. In this matter, Colasanto (MDC’s sole disclosed principal) repeatedly provided false and misleading information during his sworn testimony before the Commission.

Colasanto falsely asserted that his family was not involved in the trade waste industry, but, later in the same interview, went on to describe the roles of both of his parents and his nephew in the Applicant’s business. Additionally, Colasanto confirmed that his father had signed the certification for the Original Application, which only principals are authorized to do. Clearly, Colasanto, Sr. has played at least some role in the Applicant business since the filing of the Original Application. Lastly, Colasanto initially claimed that DeCicco was neither an employee of nor a driver for the Applicant, but then reversed his position on this issue, conceding that DeCicco was both an employee and a driver.

Colasanto repeatedly made false statements during his sworn testimony. Therefore, the Commission denies the Instant Application for Colasanto’s failure to provide truthful information to the Commission during his sworn interview with the Commission’s staff.

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<sup>9</sup> The Applicant’s failures to disclose multiple employees are violations of 17 RCNY § 2-05(b)(iii), failing to notify the Commission of a material change.

**3. The Applicant failed to pay fines for administrative violations related to the Applicant's business for which judgment has been entered by the Environmental Control Board.**

The Commission may refuse to issue a registration to an applicant “upon the failure of the applicant to pay any tax, fine, penalty, fee related to the applicant’s business . . . for which judgment has been entered by a[n]... administrative tribunal of competent jurisdiction.” See Admin. Code §§ 16-509(a)(iv) and (x). See also Admin. Code § 16-505(b) (“The Commission may refuse to issue a license or registration to an applicant for such license or an applicant for registration who . . . has otherwise failed to demonstrate eligibility for such license under this chapter or any rules promulgated pursuant hereto.”). The Applicant has owed nearly \$10,000 in violations for more than one year and has not made a single payment on its debt. Nor has the Applicant responded to the Commission’s notifications regarding the debt.

The Commission notified the Applicant of its outstanding debt to the Environmental Control Board twice. However, as of the date of this Notice, the Applicant still owes \$9,701.42 in unpaid violations, with the first violation dating back to July 21, 2015. The violations at issue (leaving commercial refuse containers on a street without a permit) relate directly to the trade waste industry. Thus, the Commission denies the Instant Application on this independently sufficient ground.


**V. CONCLUSION**

The Commission is vested with broad discretion to issue a license or refuse to grant an exemption from the license requirement and issue a registration in lieu of a license, to any applicant who it determines to be lacking in good character, honesty and integrity. The record, as detailed above, demonstrates that MDC lacks those qualities. Accordingly, based on the three independently sufficient grounds set forth herein, the Commission denies the Instant MDC Application.

This denial decision is effective immediately. MDC may not operate as a trade waste business in the City of New York.

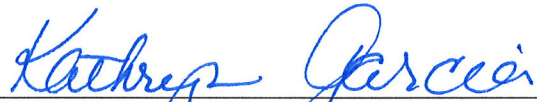
Dated: March 31, 2017

THE NEW YORK CITY  
BUSINESS INTEGRITY COMMISSION



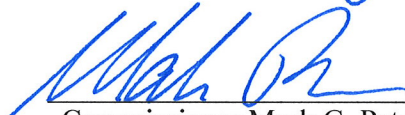
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Daniel D. Brownell  
Commissioner and Chair



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Commissioner Kathryn Garcia  
Department of Sanitation



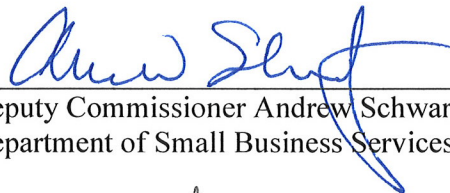
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Commissioner Mark G. Peters  
Department of Investigation



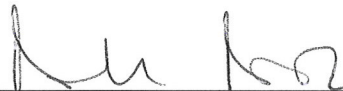
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Commissioner Lorelei Salas  
Department of Consumer Affairs



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Deputy Commissioner Andrew Schwartz  
Department of Small Business Services



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Deputy Inspector Dominick Dorazio  
(Designee)  
New York City Police Department