



Shari C. Hyman  
Commissioner and Chair

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June 29<sup>th</sup>, 2012

Honorable Letitia James  
Chair, Sanitation & Solid Waste Management Committee  
New York City Council – District 35  
250 Broadway, Suite 1792  
New York, NY 10007

**RE: Letter of Support on Pre-Considered Intro No 889 (Unlawful Removal or Acceptance of Certain Recyclable Material)**

Dear Council Member James:

I write in support of Intro No 889 - *Unlawful Removal or Acceptance of Certain Recyclable Material*, which is the subject of a public hearing before the New York City Council Committee on Sanitation & Solid Waste Management.

The New York City Business Integrity Commission (BIC) has as one of its core missions to preserve an honest and competitive environment in the trade waste industry and illegal and unlicensed activity undermines our efforts. This illegal activity poses a threat to the economic health of licensed private waste removal haulers and their ability to deliver quality and affordable services to their customers. Intro No 889 represents a strong step by the Council to address this pressing issue and enhances our ability to take action against the growth of this illegal and unlicensed activity.

There are 234 licensed private waste removal haulers that remove solid waste, grease, medical waste, and recyclables from over 150,000 commercial establishments in the City. These establishments, which range from grocery stores to restaurants to office buildings, generate approximately 1,500 tons and 365,000 cubic yards of recyclable waste every year. Due to growing global demand, the value of recyclables like cardboard and yellow grease has increased, sparking a lucrative market for theft that extends beyond the City's borders.

As a regulatory and enforcement body, BIC authorizes who can operate in the trade waste industry. In response to the issue of theft, BIC's charge allows the agency to identify, investigate and build cases on pockets of organized criminal activity as well as respond to reported incidences of theft and/or illegal activity. BIC investigates every complaint of theft it receives and in calendar year 2011, BIC received 49 reports of cardboard theft. Of these, 18 were resolved either by BIC brokering improvements in collection protocols between carters and customers or BIC-issued trade waste violations for unlicensed activity. An additional 26 were incorporated into longer-term BIC investigations and the remaining 5 were investigated and found to be unsubstantiated. These complaints also facilitated 15 arrests and summonses for unlicensed activity as well as 15 impounds of vehicles engaged in this illegal activity by the joint efforts of BIC and DSNY.



The draft bill will enhance BIC's ability to enforce against the unlawful removal of recyclables placed for collection by licensed private waste removal haulers. We particularly favor provisions that create criminal penalties for the unlawful removal of recyclables from commercial establishments and the civil penalties for any subsequent offenses committed by the entity.

I want to thank the City Council and Chairperson James for their leadership on the issue of recyclables theft, and for offering BIC the opportunity to voice its support for the legislation being considered. We look forward to working with the Council and DSNY to finalize this bill and ensure its enactment.

Sincerely,

A handwritten signature in black ink that reads "Shari C. Hyman". The signature is written in a cursive style with a long, sweeping underline.

Shari C. Hyman  
Commissioner/Chair