



The City of New York
BUSINESS INTEGRITY COMMISSION
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Daniel D. Brownell
Commissioner and Chair

***Minutes of a Meeting of the
Trade Waste Advisory Board***

Date and time: January 25, 2018 at 10:00 a.m.

Location: New York City Business Integrity Commission,
100 Church St., 20th Floor, New York, NY 10007

Attendees:

Business Integrity Commission

Daniel Brownell, Commissioner and Chair
Noah Genel, Deputy Commissioner of Legal Affairs and General Counsel
David Mandell, Deputy General Counsel for Regulatory Enforcement
Salvador Arrona, Director of Policy
Elise Ryan, Senior Legal Analyst (notes)

Industry

Ron Bergamini, CEO, Action Carting Environmental Services, Inc.
Michele Van Orden, General Counsel, Cardella Trucking Co. Inc.
Tom Toscano, CEO, Mr. T Carting Corp.
Steven Changaris, Regional Manager, National Waste & Recycling Association (NWRA)
Kendall Christiansen, Executive Director, New Yorkers for Responsible Waste
Management (NYRWM)
Andy Moss, Government Affairs Manager, Waste Connections
Nino Tristani, COO, GPB Waste NY, LLC
David Biderman, Executive Director and CEO, Solid Waste Association of North
America (by phone)
John DiNardi, Secretary and Treasurer, D&D Carting Co. Inc.

Invited Guests

NYC Mayor's Office of Sustainability ("MOS")

Tom Eisele
Kate Gouin
Ross MacWhinney

Non-City

Amanda Kaminsky, Building Product Ecosystems LLC ("BPE")
Patrick Grasso, Urban Mining Northeast ("UMN")
Louis Grasso, UMN

BIC Discussion Items

1. Glass Recycling: presentation by Amanda Kaminsky of BPE and Patrick and Louis Grasso of UMN.
 - a. Kaminsky explained the current economic and environmental challenges of concrete production and presented the benefits of using recycled glass to make glass pozzolan as a solution to those challenges.
 - b. Patrick and Louis Grasso explained that their glass pozzolan product, Pozzotive, is a high-performance and functional industrial filler, made from 100% recycled post-consumer glass.
 - i. UMN is interested building a 100,000 ton Pozzotive manufacturing facility in the New York City area. The plant would require a 2.5 acre site and a 30,000 sq. ft. building, would create 25 new jobs and could take up to 20% contaminated glass (regardless of color). Once they have a location, the plant could be up and running in several months depending on the permitting process.
 - ii. UMN would charge a fee to haulers to dump glass at their facility. The fee would be competitive with operating costs in NYC, the economics of feedstock, and the cost of the product being sold.
 - iii. UMN is interested in understanding commercial glass volumes, quality/condition of material collected, exploring options for real estate for the plant, and potential access to under-utilized land/facilities.
 - c. The members of MOS stated that the City is exploring a full range of solutions that will satisfy all goals, *i.e.*, the City is not promoting a single solution or vendor, but rather looking at all options. They are weighing greenhouse gas emissions while balancing the ZeroWaste initiative. In addition to UMN, they are studying AeroAggregates, LLC which produces foam glass for gravel, and Glavel, Inc., which produces foam glass aggregate that can be used in roofing and insulation, among other applications.
 - d. Industry members provided feedback regarding quality and volume of glass.
 - i. It would be possible to deliver 20% contaminated glass to a plant if the industry picked up glass separately. Until a pozzolan or alternative site is available, there is no incentive to do that.
 - ii. As a starting point for understanding volume, a 2012 DSNY solid waste study found that there was 54,000 tons of commercial glass disposed – which was before the glass recycling mandate.
 - e. Kaminsky and the Grassos inquired about the volume of glass the carters collect. Commissioner Brownell asked that Kaminsky send their request for data to BIC in writing.
 - f. At the conclusion of the glass-related presentation, the invited guests left the TWAB meeting, and the meeting continued as set forth below.

2. Safety
 - a. The 4th Safety Symposium
 - i. Date: April 11, 2018
Location: Floyd Bennett Field
Time: 10:00 a.m. – 2:00 p.m. or 9:00 a.m. – 1:00 p.m.
Theme: Equipment and Technology
 - ii. The symposium will have a classroom component and a hands-on component.
 - iii. Arrona asked that each carter send him a list of potential vendors.
 - iv. Industry members asked for the safety events to be video recorded so that they can share with employees who are unable to attend.
 - b. Universal Safety Manual
 - i. The manual will be released before February 18, 2018.
 - ii. Safety working group members would like to see a final draft prior to the release date.
 - iii. Commissioner wants there to be a compulsory aspect to the manual. Industry members expressed support for BIC to require that each company submit a written safety program for BIC review.
 - c. Discussions with trade waste workers
 - i. BIC has been talking to workers, labor unions and advocates to hear what they have to say about safety in the industry.
 - ii. BIC wants to create a driver/helper safety event at a time and location that is convenient for the workers. It would likely take place before a shift with advance notice and the union would also be notified/involved. Industry members expressed support for this initiative.
3. Update on LL 145 of 2013, aka the emissions law
 - a. BIC invited a representative from the DEP to the next TWAB meeting.
 - b. A Commission directive will go out in February to require carters to report fleet information regarding sideguard installations and retrofit technology. BIC is working on an online portal to make it easier to report this information.

Agenda items requested by non-BIC TWAB members

4. Status of rate cap analysis
 - a. BIC announced that it would be proposing through the CAPA process an increase to the rate cap by 5.6%.
 - b. BIC stated that any carter who wants to advocate for a larger increase should provide data to support its argument.
5. Status of commercial organics expansion
 - a. Next tier to be finalized in February 2018.
6. Lessons learned from first five months of commercial recycling enforcement
 - a. Industry members are requesting a review of the information generated from violations that have been issued.
 - b. BIC noted that compliance is not good.

7. Accident-related data
 - a. BIC will publish data points next month.
8. Hours of service – draft guidance document from NYRWM
 - a. BIC stated that the federal rules relating to the number of hours a driver can work were developed to regulate long-haul drivers and do not fit well for the trade waste industry in New York City.
 - b. Industry members commented that they want to take on the issue and determine a recommended best practice.
 - c. BIC also needs to be conscious of preemption concerns and is reviewing.
9. Possible commercial waste composition/characterization study.
 - a. DSNY interested in doing a waste composition study.
10. Protocols for notices regarding bad weather
 - a. This January was the first time BIC has issued an emergency weather notice that advised carters to suspend commercial pick-ups.
 - b. Industry members were appreciative for the notice as they did not have to make the determination to risk safety or to suspend service and risk DSNY violations.
 - c. There was a request to issue the notices earlier in the day. BIC responded that it is not always possible to do so, depending on the timing of the storm. BIC will give as much notice as possible.
11. Next Commission meeting: February 20, 2018 at 100 Church Street.
12. Next TWAB meeting: February 22, 2018 at 10:00 a.m., 100 Church St.