



**The City of New York**  
**BUSINESS INTEGRITY COMMISSION**  
100 Church Street · 20th Floor  
New York · New York 10007  
Tel. (212) 437-0500 · Fax (646) 500-7096

Daniel D. Brownell  
*Commissioner and Chair*

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

Date and time: May 3, 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.  
David Biderman, Executive Director and CEO, Solid Waste Association of North  
America (by phone)  
John DiNardi, Secretary and Treasurer, D&D Carting Co. Inc.  
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  
Thomas Toscano, CEO, Mr. T Carting Corp.  
Nino Tristani, COO, GPB Waste NY, LLC

Not Present

Michele Van Orden, General Counsel, Cardella Trucking Co. Inc.

**Note:** this meeting was originally scheduled for April 26, 2018, but was moved one week later due to the Waste Expo in Las Vegas.

***Discussion Items***

1. Safety
  - a. Discussion of the fatal incident on April 27, 2018.
  - b. Potential amendment to Administrative Code re: safety
    - i. Draft is being reviewed by the Law Department.

- c. Interagency collision review panel
  - i. The first meeting will be held on May 11, 2018, and will continue to meet on a quarterly basis.
  - ii. The objective is to identify actions that the City can take to prevent fatal crashes. The panel will be led by BIC and will include representatives from DOT, NYPD, TLC, DCAS and DSNY.
- d. Status of developing safety training videos for trade waste workers
  - i. BIC reiterated request for video examples from industry members.
  - ii. Industry members said they had some examples they could share for training purposes.
- e. Fourth safety symposium recap
  - i. Industry members commented that they received positive feedback from attendees. They were glad to see the variety of people who came including many drivers and helpers. The truck-focused component seems to draw more people.
  - ii. BIC shared the event's success with the Vision Zero Task Force.
  - iii. Industry members said that the vendors were pleased to have the opportunity. In addition, the event drew attention from other vendors who are interested in participating in the future.
- f. Fifth safety symposium
  - i. The next safety symposium will be held in October.
  - ii. The symposium will feature a presentation by the New York State Dept. of Transportation and Federal Motor Carrier Safety Administration on roadside inspections.
- 2. Rate cap rulemaking – Commission vote and publication will be finalized soon.
- 3. Glass recycling survey
  - a. BIC will be requesting that carters fill out an online survey regarding glass recycling practices.
  - b. Industry members commented on the state of the glass market and informed that there are ongoing national discussions with the Environmental Protection Agency regarding the correct way to measure success of glass recycling.
- 4. Updates on truck route and disposal directives
  - a. BIC has a few clarifying questions for companies relating to the truck route directive and will follow-up with each company.
  - b. BIC/DSNY semi-annual tonnage report is due on May 31<sup>st</sup>.
- 5. Vehicle response portal
  - a. Industry members suggested that in the future, a workshop on how to submit online forms would be helpful.
- 6. Compliance with directives
  - a. There was a question regarding timely and complete responses from licensees to recent directives regarding route data, customer and vehicle registry, etc.
  - b. BIC informed that compliance has not been good and violations will be issued.

7. BIC's audit powers
  - a. Industry members requested as much notice as possible for audits and provided that more regular audits are preferred to surprise audits.
  - b. BIC stated that audits are part of the enforcement powers that contribute to the core mission of the agency. Unannounced audits are one tool that BIC uses in regulating licensees and registrants.
8. Enforcement - update on enforcement activity re: commercial recycling and organics
  - a. There was a question on violations based solely on photographic evidence from third parties, rather than inspections by BIC agents.
  - b. Under certain circumstances, the Commission has issued violations based on photographs from third parties.
9. DEP BART regulations
  - a. There was a question on the status and timing of the new regulations.
  - b. BIC informed that DEP will announce and publish in the City Record.
10. Side guards
  - a. There was a question regarding the continuation of the side guard incentive program.
  - b. BIC stated that the City is in talks to obtain more funding. There was limited funding and the demand exceeded the funding offered.
11. Upcoming recycling markets discussion with DSNY on May 8, 2018.
12. The next TWAB meeting will take place on Thursday, May 24, 2018 at 10:00 a.m.