



THE CITY OF NEW YORK
BUSINESS INTEGRITY COMMISSION
100 CHURCH STREET, 20TH FLOOR
NEW YORK, NEW YORK 10007

DECISION OF TO THE BUSINESS INTEGRITY COMMISSION TO DENY THE RENEWAL APPLICATION OF ROADWAY CONTRACTING INC. (#552) FOR A REGISTRATION TO OPERATE AS A TRADE WASTE BUSINESS

Roadway Contracting Inc. (the “Applicant” or “Roadway”) has applied to the New York City Business Integrity Commission (“Commission”), formerly named the New York City Trade Waste Commission, pursuant to Local Law 42 of 1996, for renewal of its exemption from licensing requirements for the removal of construction and demolition debris. See Title 16-A of the New York City Administrative Code (“Admin. Code”), §16-505(a). Local Law 42 was enacted to address pervasive organized crime and other corruption in the commercial carting industry, to protect businesses using private carting services, and to increase competition in the industry and thereby reduce prices.

Roadway applied to the Commission for renewal of a registration enabling it to operate a trade waste business “solely engaged in the removal of waste materials resulting from building demolition, construction, alteration or excavation” – a type of waste commonly known as construction and demolition debris, or “C & D.” Admin. Code §16-505(a). Local Law 42 authorizes the Commission to review and determine such applications for registration. See id. If, upon review and investigation of the application, the Commission grants the Applicant a registration, the Applicant becomes “exempt” from the licensing requirement applicable to businesses that remove other types of waste. See id.

In determining whether to grant a registration to operate a construction and demolition debris removal business, the Commission considers the same types of factors that are pertinent to the Commission’s determination whether to issue a license to a business seeking to remove other types of waste. See, e.g., Admin. Code §16-504(a) (empowering Commission to issue and establish standards for issuance, suspension, and revocation of licenses and registrations); compare Title 17, Rules of the City of New York (“RCNY”) §§1-06 & 2-02 (specifying information required to be submitted by license applicant) with id. §§1-06 & 2-03(b) (specifying information required to be submitted by registration applicant); see also Admin. Code §16-513(a)(i) (authorizing suspension or revocation of license or registration for violation of Local Law 42 or any rule promulgated pursuant thereto). Central to the Commission’s investigation and determination of a registration application is whether the applicant has business integrity.

See 17 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); Admin. Code §16-509(a) (authorizing Commission to refuse to issue licenses to applicants lacking “good character, honesty and integrity”); Breeze Carting Corp. v. The City of New York, 52 A.D.3d 424, 860 N.Y.S.2d 103 (1st Dept. 2008).

Based upon the record as to the Applicant, the Commission denies its exemption/registration renewal application on the ground that this Applicant lacks good character, honesty and integrity for the following independent reasons:

- A. The Applicant has failed to demonstrate eligibility for a trade waste exemption from licensing and a trade waste registration, as a principal of the Applicant is the subject of a pending criminal information that charged him with the crime of offering a bribe/gratuity to an agent of an organization receiving federal funds.
- B. The Applicant knowingly failed to provide information to the Commission.

I. BACKGROUND

A. The New York City Carting Industry

Virtually all of the more than 200,000 commercial business establishments in New York City contract with private carting companies to remove and dispose of their refuse. Historically, those services have been provided by several hundred companies. For the past four decades, and until only a few years ago, the private carting industry in the City was operated as an organized crime-controlled cartel engaging in a pervasive pattern of racketeering and anticompetitive practices. The United States Court of Appeals for the Second Circuit has described that cartel as “a ‘black hole’ in New York City’s economic life.” Sanitation & Recycling Industry, Inc. v. City of New York, 107 F.3d 985, 989 (2d Cir. 1997) (“SRI”).

Extensive testimonial and documentary evidence adduced during lengthy City Council hearings addressing the corruption that historically has plagued this industry revealed the nature of the cartel: an entrenched anti-competitive conspiracy carried out through customer-allocation agreements among carters, who sold to one another the exclusive right to service customers, and enforced by organized crime-connected racketeers, who mediated disputes among carters. See generally Peter Reuter, Racketeering in Legitimate Industries: A Study in the Economics of Intimidation (RAND Corp. 1987). After hearing the evidence, the City Council made numerous factual findings concerning organized crime’s longstanding and corrupting influence over the City’s carting industry and its effects, including the anticompetitive cartel, exorbitant carting rates, and rampant customer overcharging. More generally, the Council found “that unscrupulous businesses in the industry have taken advantage of the absence of an effective regulatory scheme to engage in fraudulent conduct.” Local Law 42 §1.

The City Council’s findings of extensive corruption in the commercial carting industry have been validated by the successful prosecution of many of the leading figures and companies

in the industry. In 1995 and 1996, the Manhattan District Attorney obtained racketeering indictments against more than sixty individuals and firms connected to the City's waste removal industry, including powerful mob figures such as Genovese organized crime family capo Alphonse Malangone and Gambino soldier Joseph Francolino. Simply put, the industry's entire modus operandi, the cartel, was indicted as a criminal enterprise. Since then, all of the defendants have either pleaded or been found guilty of felonies; many have been sentenced to lengthy prison terms, and many millions of dollars in fines and forfeitures have been imposed.

The Commission's regulatory and law-enforcement investigations have confirmed that organized crime has long infiltrated the construction and demolition debris removal sector of the carting industry as well as the garbage hauling sector that was the focus of the Manhattan District Attorney's prosecution. In light of the close nexus between the C & D sector of the carting industry and the construction industry, mob influence in the former should come as no surprise. The construction industry in New York City has been corrupted by organized crime for decades. See, e.g., James B. Jacobs, Gotham Unbound: How New York City Was Liberated from the Grip of Organized Crime 96-115 (1999) (detailing La Cosa Nostra's influence and criminal activity in the concrete, masonry, drywall, carpentry, painting, trucking, and other sectors of the City's construction industry).

Moreover, the C & D sector of the carting industry has been a subject of significant federal prosecutions over the past decade. In 1990, Anthony Vulpis, an associate of both the Gambino and the Genovese organized crime families, Angelo Paccione, and six waste hauling companies owned or controlled by them were convicted of multiple counts of racketeering and mail fraud in connection with their operation of a massive illegal landfill on Staten Island. See United States v. Paccione, 949 F.2d 1183, 1186-88 (2d Cir. 1991), cert. denied, 505 U.S. 1220 (1992). Many C & D haulers dumped their loads at this illegal landfill, which accumulated 550,000 cubic yards of refuse over a mere four-month period in 1988. During that period, "the City experienced a sharp decline in the tonnage of construction waste deposited" at its Fresh Kills Landfill, as well as "a concomitant decline in revenue" from the fees that would have been charged for dumping at a legal landfill. 949 F.2d at 1188. The trial judge described this scheme as "one of the largest and most serious frauds involving environmental crimes ever prosecuted in the United States." United States v. Paccione, 751 F. Supp. 368, 371 (S.D.N.Y. 1990).

Another illegal waste disposal scheme also prominently featured haulers of construction and demolition debris. This scheme involved certain "cover" programs instituted by the City of New York at Fresh Kills, under which the City obtained materials needed to cover the garbage and other waste dumped at the landfill. Under the "free cover" program, transfer stations and carting companies could dispose of "clean fill" (i.e., soil uncontaminated by debris) at Fresh Kills free of charge. Under the "paid cover" program, the City contracted with and paid carting companies to bring clean fill to Fresh Kills. Numerous transfer stations and carters, however, abetted by corrupt City sanitation workers, dumped non-qualifying materials (including C & D) at Fresh Kills under the guise of clean fill. This was done by "cocktailing" the refuse: Refuse was placed beneath, and hidden by, a layer of dirt on top of a truckload. When the trucks arrived at Fresh Kills, they appeared to contain nothing but clean fill, which could be dumped free of charge.

In 1994, twenty-eight individuals, including numerous owners of transfer stations and carting and trucking companies, were indicted in connection with this scheme, which deprived the City of approximately \$10 million in disposal fees. The indictments charged that from January 1988 through April 1992, the defendants participated in a racketeering conspiracy and engaged in bribery and mail fraud in connection with the operation of the City's "cover" programs. The various hauling companies, from Brooklyn, Queens, and Staten Island, were charged with paying hundreds of thousands of dollars in bribes to Department of Sanitation employees to allow them to dump non-qualifying materials at Fresh Kills without paying the City's tipping fees. See United States v. Cafra, et al., No. 94 Cr. 380 (S.D.N.Y.); United States v. Barbieri, et al., No. 94 Cr. 518 (S.D.N.Y.); see also United States v. Caccio, et al., Nos. 94 Cr. 357, 358, 359, 367 (four felony informations). Twenty-seven defendants pleaded guilty in 1994 and 1995, and the remaining defendant was found guilty in 1996 after trial.

In sum, the need to root organized crime and other forms of corruption out of the City's waste removal industry applies with equal force to the garbage hauling and the C & D sectors of the industry. Local Law 42 recognizes this fact in requiring C & D haulers to obtain registrations from the Commission in order to operate in the City. See Attonito v. Maldonado, 3 A.D.3d 415, 771 N.Y.S.2d 97 (1st Dept. 2004).

B. Local Law 42

Upon the enactment of Local Law 42, the Commission assumed regulatory authority from the Department of Consumer Affairs ("DCA") for the licensing and registration of businesses that remove, collect, or dispose of trade waste. See Admin. Code §16-503. "Trade waste" is broadly defined and specifically includes "construction and demolition debris." Id. §16-501(f)(1). The carting industry quickly challenged the new law, but the courts have consistently upheld Local Law 42 against repeated facial and as-applied constitutional challenges by New York City carters. See, e.g., Sanitation & Recycling Industry, Inc. v. City of New York, 928 F. Supp. 407 (S.D.N.Y. 1996), aff'd, 107 F.3d 985 (2d Cir. 1997); Universal Sanitation Corp. v. Trade Waste Comm'n, No. 96 Civ. 6581 (S.D.N.Y. Oct. 16, 1996); Vigliotti Bros. Carting Co. v. Trade Waste Comm'n, No. 115993/96 (Sup. Ct. N.Y. Cty. Dec. 4, 1996); Fava v. City of New York, No. CV-97-0179 (E.D.N.Y. May 12, 1997); Imperial Sanitation Corp. v. City of New York, No. 97 CV 682 (E.D.N.Y. June 23, 1997); PJC Sanitation Services, Inc. v. City of New York, No. 97-CV-364 (E.D.N.Y. July 7, 1997). The United States Court of Appeals has definitively ruled that an applicant for a trade waste removal license under Local Law 42 has no entitlement to and no property interest in a license, and the Commission is vested with broad discretion to grant or deny a license application. SRI, 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); Attonito, 3 A.D.3d 415.

Local Law 42 specifically permits the Commission to refuse to issue a registration to an applicant "who has knowingly failed to provide the information and/or documentation required by the commission pursuant to [Title 16 of the Administrative Code or any rules promulgated thereto]" or "who has otherwise failed to demonstrate eligibility for such license." Admin. Code §16-509(b). Applicants who knowingly fail to provide information required by the Commission (whether they fail to provide the information altogether or they provide false and misleading

information) fall under the first prong. In Attonito v. Maldonado, 3 A.D.3d 415 (1st Dept. 2004); *leave denied*, 2 N.Y.3d 705 (2004), the Appellate Division affirmed the authority of the Commission to “review” exemption applications, to fully investigate any matter within its jurisdiction and to deny such applications in those cases “where the applicant fails to provide the necessary information, or knowingly provides false information.” It further affirmed the authority of the Commission to investigate the accuracy of the information provided in an application. Id.

Applicants who fail to demonstrate good character, honesty and integrity using the criteria by which license applicants are judged fall under the second prong of §16-509(b). While the Appellate Division in Attonito did not directly address the second prong, by affirming the Commission’s authority to investigate matters within the trade waste industry, it necessarily follows that the Commission need not ignore the results of its investigation that bear on an applicant’s good character, honesty and integrity. Id.; accord Breeze Carting Corp. v. The City of New York, 52 A.D.3d 424, 860 N.Y.S.2d 103 (1st Dept. 2008) (Commission denial not arbitrary and capricious where based on a criminal conviction, identification as an organized crime associate, and false and misleading statements). Accordingly, the Commission evaluates whether applicants meet the fitness standard using the same criteria upon which license applicants may be denied, including:

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.

Admin. Code § 16-509(a)(i)-(x). While the presence of one of the above factors in the record of a registration applicant would not necessarily require a denial as a matter of law, the Commission may consider such evidence as a factor in determining overall eligibility.

II. DISCUSSION

On or about August 30, 1996, Roadway applied to the Commission for a Class 1 Self Hauler's Registration. See Application for Class 1 Registration. As Roadway submitted an incorrect application, on or about August 28, 1998, Roadway applied to the Commission for an exemption from licensing requirements and a registration to operate as a trade waste business pursuant to Local Law 42 of 1996. See Roadway's Application for Exemption from Licensing Requirement for Removal of Demolition Debris ("Registration Application"). On or about February 7, 2003, Roadway submitted an amended Application for Exemption from Licensing Requirement for Removal of Demolition Debris ("Amended Registration Application"). See Amended Registration Application. The Applicant originally disclosed that Russell C. Ball ("Ball") was its sole principal, president and 100% owner. See Application for Class 1 Registration at 7. The Amended Application disclosed that Ball was the President and 100% owner, and that Robert Bannon was the Vice President and Counsel of the company with no ownership interest. See Amended Application at 9. On or about March 26, 2003, the Commission granted the Applicant a trade waste registration. See Roadway Registration Order.

On or about February 28, 2005, the Applicant submitted its first Renewal Application for License or Registration as a Trade Waste Business (“First Renewal Application”). In the First Renewal Application, Russell C. Ball is disclosed as the President and fifty percent owner of the company; Robert Bannon is disclosed as the Vice President and Counsel of the Applicant; and Dorothea Evans is disclosed as the fifty percent owner of the company (with no title). See First Renewal Application at 5. On or about March 13, 2007, the Applicant submitted its second Renewal Application for License or Registration as a Trade Waste Business (“Second Renewal Application”). In the Second Renewal Application, Dorothea Evans is disclosed as the 60% owner of the company (with no title), and Russell C. Ball is disclosed as the 40% owner and President of the company. See Second Renewal Application at 5. On April 7, 2009, the Applicant submitted its third Renewal Application (the instant application) for License or Registration as a Trade Waste Business (“Third Renewal Application”). On the Third Renewal Application, Dorothea Evans is listed as the President and 100% owner of the company. See Third Renewal Application at 6.

On July 9, 2010, the staff issued a 10-page recommendation that the application be denied. The Applicant was served with the recommendation on or about July 12, 2010 and was granted ten business days to respond (July 27, 2010). See 17 RCNY §2-08(a). The Applicant failed to submit a response (or a request for additional time to respond) by that deadline.

The Commission has carefully considered the staff’s recommendation and for the independently sufficient reasons set forth below, the Commission finds that Roadway Contracting Inc. lacks good character, honesty, and integrity, and denies its registration renewal application.

III. GROUNDS FOR DENIAL

- A. The Applicant has failed to demonstrate eligibility for a trade waste exemption from licensing and a trade waste registration, as a principal of the Applicant is the subject of a pending criminal information that charged him with the crime of offering a bribe/gratuity to an agent of an organization receiving federal funds.**

The Commission may deny a registration application based on the “pending indictment or criminal action against such applicant or person for a crime which under this subdivision would provide a basis for the refusal of such [registration].” See Admin. Code §16-509(a)(ii); supra at 5-7.¹

¹ The Commission has the discretion to defer consideration of an application until a decision has been reached on a pending indictment. See Admin. Code §16-509(b)(ii). A plea of not guilty without more is an insufficient reason to defer consideration of an indictment; doing so would mandate deferral in every case involving a pending indictment and is inconsistent with the statutory provision specifically authorizing the Commission to deny a license application based upon a pending indictment. See Admin. Code §16-509(b)(ii). Given the long history of corruption in this industry, the Commission is not required to wait extended periods of time, often years, for a resolution of an indictment. Given the serious nature of the criminal charge in this case and the connection to the trade waste industry, the Commission declines to exercise such discretion in this case.

On April 16, 2009, Russell Ball was charged by the United States Attorney, Eastern District of New York with paying and offering to pay tens of thousands of dollars in bribes to Consolidated Edison (“Con Ed”) supervisors from January 2002 through January 2005 in connection with construction projects in Manhattan which the Applicant performed for Con Ed. See Press Release, April 16, 2009, United States Attorney, Eastern District of New York (“Press Release”); United States v. Ball, Cr. 09-852 (“Information”); Affidavit of Evan Campanella in Support of Application for Arrest Warrant (“Campanella Affidavit”). Ball was charged with offering a bribe/gratuity to an agent of an organization receiving federal funds, in violation of Title 18 U.S.C. Section 666(a)(2).

The case against Ball was part of an investigation that led to the filing of criminal charges against ten Con Ed supervisors for collectively receiving more than \$1 million in kickbacks from contractors in exchange for the supervisors’ agreement to approve inflated and/or fraudulent payment invoices, as well as expediting the payments on those invoices. See Press Release. Between 2002 and mid-2004, Ball paid approximately \$20,000 to \$30,000 cash in kickbacks to Con Ed supervisors. See Campanella Affidavit at 6. In or about mid-2004, Ball told a confidential witness that he would be unable to continue to make the kickback payments in cash. Ball and the confidential witness agreed that Ball would thereafter pay by check through a shell company. See Campanella Affidavit at 6-7. Starting in or about July 2004, until approximately early 2005, the confidential witness provided invoices to Ball. These invoices purported to be for construction services rendered to the Applicant. However, no services were actually performed, and the invoices were merely a cover for the confidential witness and the Con Ed co-conspirators to receive bribes. See Campanella Affidavit at 7. In late 2005 or early 2006, Ball had a meeting with the confidential witness concerning the fact that federal agents had been to the Applicant’s offices asking questions about checks that the Applicant had issued. Ball initiated this meeting by handing the confidential witness a note asking the confidential witness if he was “wired.” After the confidential witness shook his head indicating “no,” Ball informed the confidential witness of his knowledge of the federal investigation and informed the confidential witness that Ball would stop making kickback payments. See Campanella Affidavit at 8.

Although the Applicant claims that Ball is no longer an active principal of the Applicant, the crimes Ball is alleged to have committed took place during the period when Ball was President and owner of the Applicant. In addition, the alleged crimes were committed with a clear intent to benefit the Applicant. Finally, as discussed infra, because the Applicant refused to cooperate with the Commission’s investigation, the Commission should not credit the Applicant’s representation that Ball is no longer involved with the company. Accordingly, the Commission should analyze Ball’s alleged criminal activity as if he is a principal of the Applicant.

As the Commission may deny a registration application due to a pending indictment or criminal action that would provide a basis for the refusal of such registration, see Admin Code §16-509(a)(ii); supra at 5-7, the Commission must evaluate the crimes charged in light of the factors set forth in §753 of the Correction Law, which would provide a basis under that statute for refusing to issue a license. See Admin. Code §16-509(a)(iii); see also id. §16-501(a). Those factors are:

- (a) The public policy of this state, as expressed in [the Correction Law], to encourage the licensure . . . of persons previously convicted of one or more criminal offenses.
- (b) The specific duties and responsibilities necessarily related to the license . . . sought.
- (c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties and responsibilities.
- (d) The time which has elapsed since the occurrence of the criminal offense or offenses.
- (e) The age of the person at the time of occurrence of the criminal offense or offenses.
- (f) The seriousness of the offense or offenses.
- (g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
- (h) The legitimate interest of the public agency . . . in protecting property, and the safety and welfare of specific individuals or the general public.

N.Y. Correct. Law §753 (1).

Applying these factors, the crime charged against Ball is so serious, and so closely related to both the purposes for which registration is sought here and the duties and responsibilities associated with such registration, that it precludes the granting of a trade waste removal registration to this Applicant. As stated above, Ball made kickback payments in order to advance the interests of the Applicant at the expense of the general public. He attempted to elude investigators by disguising these payments through the use of a shell company. The charge against Ball is antithetical to the very purpose of Local Law 42, which is to root out organized crime and other corruption from the carting industry. Moreover, the crime charged relates directly to the construction and demolition debris removal sector of the carting industry, the industry in which the Applicant is seeking to operate, and goes to the crux of the Applicant's honesty, integrity and character. Ball's crime as charged was the result of a series of conscious decisions to violate the law. Ball has shown himself to be unworthy of registration in that same industry. The charge against Ball provides substantial evidence that both Ball and the Applicant lack good character, honesty, and integrity. The Applicant did not dispute this point, leaving this ground uncontested. Based on this independent ground, Roadway's renewal application is denied.

B. The Applicant knowingly failed to provide information to the Commission.

The Commission has the power “[t]o investigate any matter within the jurisdiction conferred by [Local Law 42] and [has] full power to compel the attendance, examine and take testimony under oath of such persons as it may deem necessary in relation to such investigation, and to require the production of books, accounts, papers and other evidence relevant to such investigation.” Admin. Code §16-504(c).

On April 19, 2010, the Commission directed the Applicant to make Dorothea Evans available on May 5, 2010 to testify. See letter from the Commission to the Applicant dated April 19, 2010. The April 19, 2010 letter advised Evans that her “failure to appear... is an adequate ground upon which to deny [Roadway’s registration] application.” See id. On April 21, 2010, Evans contacted a staff member of the Commission and stated that, (1) Roadway is out of business; (2) Roadway is in involuntary bankruptcy; and (3) she would not appear at the Commission to provide testimony under oath. See Affidavit of David Mandell, Deputy General Counsel.

The Applicant was advised that the failure to appear for a deposition is an adequate ground upon which to deny the registration application. The Commission may refuse to grant a registration if an applicant “has knowingly failed to provide the information and/or documentation required by the commission” Admin. Code. § 16-509(b). The Applicant did not dispute this point, leaving this ground uncontested. The refusal of Dorothea Evans to provide sworn testimony in connection with the registration renewal application of Roadway constitutes an independent basis on which the Commission denies this application.

IV. CONCLUSION

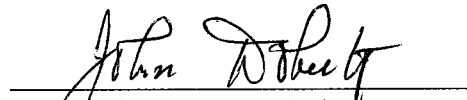
The Commission is vested with broad discretion to refuse to issue a license or registration to any applicant that it determines lacks good character, honesty, and integrity. The evidence recounted above demonstrates convincingly that Roadway Contracting Inc. falls far short of that standard. Based upon the above independently sufficient reasons, the Commission denies Roadway Contracting Inc.'s registration renewal application. This exemption/registration denial is effective immediately. Roadway Contracting Inc. may not operate as a trade waste business in the City of New York.

Dated: August 3, 2010

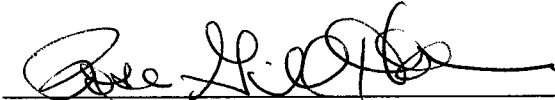
THE BUSINESS INTEGRITY COMMISSION



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John Doherty, Commissioner
Department of Sanitation

Andrew Eiler, Director of Legislative Affairs (designee)
Department of Consumer Affairs



Jayme Naberezny, Inspector General (designee)
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