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Co-editors:
Susan McIntyre
and Bill Rabbia

The President's Corner



—Frank Visser

I would like to take this opportunity to thank outgoing president Cindy Livingston for providing excellent leadership for our organization for the past two years. I hope to continue the tradition that NYSASWM stands for: to promote efficient solid waste management, recommend improvements, exchange experiences and share information.

I am firmly sold on the benefits the NYSASWM provides to its members. The amount of information, the interaction with colleagues working in our profession, and the ability of the organization to affect solid waste planning, legislation and regulation are significant.

The importance of the association's functions appear even more crucial in light of current economic conditions, changing tax laws and the impacts on our industry as a result of actions to curb climate change.

I believe I speak for everyone in this business when I say that there has been a significant reduction in the amount of waste generated/disposed in the past four years. This

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New York's Flow Control Cases: Oswego Decided, Rockland Moving Toward Resolution

Michael J. Cahill, Esq., Germano & Cahill, PC

While the attention of the solid waste press has recently been drawn to Dallas, Texas where the National Solid Waste Management Association presses its challenge to the City of Dallas' franchise agreements and flow control law, two other flow control cases in New York's federal courts are moving toward resolution. In the Northern District, Judge Thomas McAvoy issued a decision resolving all claims in *JWJ Industries v Oswego County* on November 16, ending over three years of litigation between the County and local hauler and transfer station operator JWJ Industries. The decision dismissed JWJ's claims that Oswego's 2011 flow control law effected an unconstitutional taking of JWJ's property, denied JWJ due process of law and equal protection, and that it was unconstitutionally vague in prohibiting JWJ and other haulers from delivering waste to JWJ's facility. The court granted JWJ some relief by striking down, as unconstitutionally vague, a provision of the law that authorized the County to designate certain materials as recyclables on a case by case basis. The decision upheld the flow control law in all other respects.

JWJ brought its challenges to the Oswego flow control law in 2009, shortly before the law became effective. JWJ is a licensed hauler in Oswego and also operates the only private transfer station in the County. JWJ alleged that if the law was enforced to prevent delivery of Construction and Demolition Debris to the transfer station it would lose the value of its NYSDEC operating permit and suffer other constitutional injuries. In 2011, Judge Neal P. McCurn found the 2009 version of the law to be unconstitutionally vague as applied to JWJ, finding defects in certain definitions and in a provision requiring C&D residues to be delivered to the County after extraction of recyclables at JWJ's transfer station. The County amended the law to remove the offending provisions in December 2011, and JWJ served an amended complaint challenging the new law in early 2012.

The case was transferred to Judge McAvoy in October 2012 and his decision on pending summary judgment motions followed six weeks later. The court's ruling makes clear that the law will require JWJ to deliver C&D and other wastes collected in Oswego County to the County's facilities. The court found that JWJ had not pursued available state law remedies for its takings claim, and that the County had not treated JWJ differently from other haulers working in the County. It ruled that the 2011 law was not vague in its definitions of recyclables and other terms, but found fault with the provision authorizing case by case determinations of new recyclables because of a potential for conflicting results in different applications. However, the County does not expect the prohibition of case by case designations to have a serious effect on its solid waste program, and the County will add new materials, as necessary, to its published list

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Sal Ervolina, NYSDEC Division Director, far right, swore in new officers, and new and returning board members, during the fall conference in Lake Placid. From left are William A. Rabbia, Matthew McGarry, Rich Bills, Thomas J. Lynch, Frank J. Visser and Jim Zecca.



NYSASWM Welcomes New Officers

At its fall conference in Lake Placid, the New York State Association for Solid Waste Management membership chose its new board, electing Frank J. Visser, P.E. as president, William A. Rabbia, as vice president, and Susan McIntyre, as secretary. Thomas J. Lynch, P.E., was elected to fill out the remaining year of the at-large position held by Robert Phaneuf, P.E., who stepped down after five years on the board. Officers who were re-elected to 3-year terms were Robert Lange, Director of the Bureau of Waste Prevention, Reuse and Recycling for the NYC Department of Sanitation and Paul DiMaria, P.E., commissioner of public works for the Town of North Hempstead - both at-large positions; Matthew McGarry, P.E. of the Town of Colonie - Director East; Jim Zecca, director of Madison County Department of Solid Waste & Sanitation - Director Central; and Rich Bills, Assistant Landfill Supervisor of Steuben County Public Works - Director West.



Highlights from Fall Conference

HIGH PEAKS RESORT, LAKE PLACID, NY – SEPTEMBER 30, OCTOBER 1, 2 CE Credit Courses, Program Development, Networking, and More

The fall event offered up to 6 ½ continuing education contact hours during a variety of sessions including regulatory status and Part 360 update provided by NYSDEC officials; storm water regulations; landfill noise monitoring; bio CNG fuel; Oneida-Herkimer SWA's conversion to single stream recycling at its MRF; life cycle management of municipal solid waste; site master planning at landfills; wetland mitigation and monitoring at the Oneida-Herkimer landfill and a study of Oswego County's leachate pretreatment experiment. Sharon Driscoll, Madison County recycling coordinator, presented on how a Reuse Store was opened at the county Department of Solid Waste and Sanitation,

and all the steps involved in the process. Wildlife controls at landfills was also on the agenda, and Steve Orcutt, Steuben County's assistant commissioner of solid waste, gave a presentation on utilizing a herd of sheep to graze a closed portion of its landfill in partnership with a local farmer. His session was both educational about the process the county went through to gain approval for this type of arrangement, and he provided some entertaining anecdotes. A total of 103 people registered for the conference, which was held at the High Peaks Resort from September 30 through October 2. Attendees were invited to take part in a walking tour of High Falls Gorge the afternoon before the conference.

Agricultural Plastics Recycling is on the Move in Madison County

A new program on the Madison County Dept. of Solid Waste's drawing board purports to safely and economically recycle Agricultural (AG) and rigid plastic, which will help the environment, save space in its County landfill and also help to solve a longstanding problem for area farmers. The plan is to turn plastic back into usable diesel fuel.

Madison County is striving to find a solution to effectively recycle AG and rigid plastic. These efforts are arousing the interest of neighboring counties that have expressed interest in learning more about this new process and pledging to support Madison County's efforts.

Director James A. Zecca said, "Everyone wants more details and wants to know when we plan to start the program."

He has visited a number of counties to discuss the new AG and rigid plastics to oil program and on October 17, 2012 Director Zecca, along with Solid Waste Committee chairman Jim Goldstein and other Madison County representatives met with the Chief Executive Officer and the Chief Operating Officer of JBI Inc. of Niagara Falls, NY to get the ball rolling.

According to CEO John Bordynuik the company has discovered a way to "crack the code" and turn plastic back into diesel fuel. Their plant in Niagara Falls is an innovative North American fuel company that transforms unsorted, unwashed waste plastic into ultra-clean, ultra-low sulphur fuel without the need for refinement. JBI Inc.'s patent pending Plastic2Oil® (P2O®) process is a commercially viable, proprietary process designed to provide immediate economic benefit for industry, communities and government organizations with waste plastic recycling challenges.

"We are extremely eager to move forward with this program," said Zecca. "The first step is to start collecting AG and rigid plastic from in and around Madison County, bale it and ship it to the Niagara Falls facility where it will be turned into clean diesel fuel. We are confident that as this program evolves JBI Inc. will realize the untapped potential here in Madison County and the surrounding counties and commit to establishing a presence here in Madison County.

"As soon as a contract is put in place with JBI Inc. more information on the collection process will be released," said Director Zecca.



James Zecca, director of the Madison County Dept. of Solid Waste inspects bales of agricultural plastic that were sent to JBI Inc. in Niagara Falls as part of a test load to make sure the product collected can be processed. In the background is a large bale of rigid plastic that was also shipped to JBI Inc. Photo by Sharon A. Driscoll



In March a contingent from Madison County traveled to Niagara Falls to tour JBI Inc. CEO John Bordynuik explains how the AG and rigid plastic is changed back into diesel fuel. Madison County Recycling Coordinator Sharon Driscoll holds a jar of diesel fuel, derived from discarded plastic. IDA Director Kipp Hicks, second from left, and Kevin Voorhees of Barton and Loguidice Engineers, right, pay close attention to Bordynuik's description.

An Era Comes to an End – Tire Derived Aggregate Program to End

TDA, Tire Derived Aggregate, is an engineering application that uses scrap tires for a light weight, highly permeable aggregate that also has good insulation properties. With the purpose of marrying recycling opportunities to waste disposal needs, the Center for Integrated Waste Management (CIWM) at the University of Buffalo was home to a research, development, and outreach program for the appropriate use of tire derived aggregate or TDA, a program whose time is coming to a close with NYS's financial support for the TDA program being discontinued. "The TDA Program was always intended to be temporary", says Louis P. Zicari, Associate Director of the CIWM "We always knew there would be an end to the program." As indications of TDA's success, according to Mr. Zicari, large TDA processors are now worried about getting enough scrap tires to make TDA for their needs. Whether we have solved the scrap tire problem is debatable. In Mr. Zicari's view, limited TDA availability may be region specific. "I'm not convinced the whole state has that problem. Recycling is like the saying about politics – it's all local!"

CIWM brought together multiple New York State agencies (DEC, DOH, DOT, ESD) that worked with industry and municipal representatives on a Technical Advisory Board that has helped guide the TDA Program's research and outreach efforts. Program personnel carried out a range of Environmental Studies at laboratory, pilot and full-scale that provided substantial data on the limits of chemical leaching of TDA, as well as on the hydraulic and physical performance of the material. These collaborative efforts with the regulatory community cleared the way for NYSDOH formation of changes to 10 NYCRR Appendix 75-A (Wastewater Treatment Standards for Residential Onsite Systems), adopted in February 2010, that allow TDA as a replacement for mined stone; and NYSDEC issued Beneficial Use Determinations to several tire recyclers and individual project owners for production and use of TDA in Civil Engineering applications around the state.

CIWM established a centralized information clearinghouse on TDA in Civil Engineering applications through the creation of the first comprehensive web site on the topic. Information on TDA use in septic systems, building foundations, highway embankments, geo-thermal research, pipeline backfill, and road grade insulation remains available through the CIWM website

www.tdanys.buffalo.edu/UB/

Electronics Recycling—Trouble in Paradise

Are we too good at what we do that we have collected so many CRT's through the collective efforts of the many state sponsored electronics recycling laws that we are now outpacing the industry's ability to handle the material? WeRecycle! has recently announced that effective the end of this year, the company will no longer be registered as a collective under the NYS Electronics Equipment Recycling and Reuse Act. In a recent conversation with the company's CEO Virgil Fisher, Mr. Fisher indicated that WeRecycle! will continue to recycle electronics, but that the revenues gained from the collection and handling of electronics consistent with the requirements of NY producer responsibility law failed to cover the costs of this service. Two factors appear to be the main drivers of this situation. First, an unexpectedly high percentage of hard to manage CRT's in the electronics collected (compounded by CPU highgrading from the wast-

estream by non-EERRA registered recyclers), and insufficient payments by the original equipment manufacturers to recover the handling costs of the electronics collected. As stated by Mr. Fisher "it is expensive to manage the CRT glass, and it costs us more to provide the service than the OEM's are willing to pay." CRT glass has flooded the market nation wide, and domestic demand for new CRTs has fallen off a cliff. The result... tons of CRT glass in storage. The [California Department of Toxic Substances Control \(DTSC\)](#) recently announced emergency regulations to allow for the disposal of residual CRT glass into hazardous waste landfills if recyclers cannot find a suitable reuse for the glass. This is certainly not the intended outcome of product stewardship.

For a current listing of NYS registered recyclers, visit <http://www.dec.ny.gov/chemical/73670.html>

Evan Liblit Scholarship Awards



David Blackman, NYSASWM Executive Director, attended the 15th Annual Evan R. Liblit Memorial Scholarship Breakfast in East Islip, Long Island, NY,

on November 15, 2012. This annual event is organized to recognize the Stony Brook University students who are awarded scholarships from the Liblit Memorial Fund. NYSASWM annually contributes funds to this scholarship program as Evan was one of the dedicated people who helped establish NYS's waste reduction and recycling program in the mid 1980's.

This year, the Liblit scholarship committee awarded its undergraduate scholarship to Rasheed Lucas, a senior in the Waste Management Institute at Stony Brook University. He has independently been working on cataloging the environmental issues at closed landfills in Suffolk County.

The Graduate Student scholarship winner is Krista Greene, a Masters Student in Stony Brook's School of Engineering. Krista has been involved in many solid waste projects, including assessing waste management systems on Long Island, looking at life cycle analysis of selected materials, and evaluating how Planning has effected local solid waste management programs.

Krista was also selected by NYSASWM's scholarship committee earlier this year to receive an award. The Liblit Scholarship committee is made up of many prominent Long Island residents, including NYSASWM past and present Board Members, Eric Swenson, Dennis Lynch and Jim Heil.

Christiansen-Roller-White Founders' Scholarship Applications Accepted

The application deadline for the Christiansen-Roller-White Founders' Scholarship is February of 2013. The scholarship was created in 2000 as a way to further the education for the next generation of solid waste managers. Since its inception, a total of \$95,000 has been awarded. Maximum scholarship amounts are \$5,000.

Eligibility qualifications are for full-time students entering their sophomore, junior or senior year, and full-time students entering or in graduate school, who are pursuing a degree in environmental science, planning, engineering or other majors relating to the field of solid waste management at a New York State college or university. Preference is given to children of NYSASWM members. Awards are made in May of each year.

The application is available on the website at www.nysaswm.org, and submissions should be made to:

Joseph Stockbridge, Scholarship Committee Chairman
12 Denhelder Drive, Ballston Spa, NY 12019
518-877-7234

f.josephstockbridge@ymail.com

Professional Position

The Ulster County Resource Recovery Agency is a public authority of the State of New York providing solid waste management and recycled materials services in Ulster County.

We are currently seeking to enhance the efficiency of our operations and are seeking an experienced Compliance Officer/Environmental Engineer to join our team.

Interested candidates may view the detailed job posting on our website www.ucrra.org

Resumes can be submitted to: UCRRRA P.O. Box 6219 Kingston, NY 12402 or email alop@ucrra.org

REGIONAL NEWS

SOUTH—Region 1

■ **NYC— Chipping Away at the Hurricane Sandy Aftermath** — Cleaning up after Hurricane Sandy is a top priority for the NY metropolitan area. NYC is working with the USEPA and the US Army Corps of Engineers in soliciting additional contractors to process the woody debris. “Contractors capable of hauling and further processing the wood debris may register with the Army Corps at <https://apps.swf.usace.army.mil/Hurricane/>. Recipients of the mulch will need to process it to less than one inch in two dimensions before May 1, 2013. The US Department of Agriculture and the New York State Department of Agriculture and Markets must approve the processing and location to ensure this standard is met.” http://www.nyc.gov/html/dep/html/press_releases/12-91pr.shtml

■ **NYC Solicits E*Waste Recyclers** — The City of New York Department of Sanitation’s Bureau of Waste Prevention, Reuse & Recycling recently launched a solicitation to secure an industry-sponsored partner to provide a range of convenient and accessible electronics recycling options to NYC residents. The City’s partner, to be selected via the solicitation, will help fill the convenience and participation gap recently reported by the Natural Resources Defense Council (NRDC) in the industry’s response in NYC to the New York State Electronics Equipment and Reuse Act. The entity could be a single manufacturer, a group of manufacturers, or a recycler working in support of manufacturers. Partnering with NYC will enable the winning bidder to promote themselves as an industry leader in the biggest media market in the country and at the same time take advantage of NYC’s resources and name to more easily reach electronics recycling targets.

For more information contact: Robert Lange at rlange@dsny.nyc.gov.

NORTH—Region 3



■ **WATERTOWN** — Empire Recycling Corporation of Watertown announced the opening of their new site at 511 Pearl Street in Watertown. The new location is fully operating and open to the public as of Monday, October 15th. The state-of-the-art, all-indoor facility accepts both ferrous and non-ferrous metals, houses a fleet of trucks, certified scales and offers container services with roll offs. The facility is open Monday - Friday from 7:30-4:30 and Saturdays from 7:30-noon.

The new building is the former Black Clawson factory that made paper machines. It was built in the 1930s and abandoned in the 1970s. Empire has investing over \$1 million to renovate the vacant property and make it useful once more. New windows, a truck scale and other improvements have been completed.

Contact Empire Recycling Vice President Ed Kowalsky at [315-724-7161](tel:315-724-7161) with any questions.



CENTRAL—Region 4

■ **TIOGA COUNTY Southern Tier Recyclers Inc. - Single Stream MRF In Tioga County** — Taylor Garbage Service, a long time service provider for the Tioga and Broome county area, opened their new 30,000 sf, 25 tph single stream recycling facility, located on State Route 434 in Apalachin, NY. Process and sorting equipment was developed by Green Machine, Inc., with much of the equipment fabricated in Whitney Point, NY. Opened in September 2012, the facility will handle single stream recyclables collected from Taylor Garbage Service routes plus additional material on a merchant basis.

■ **BROOME COUNTY — Recycling Program Expansion** — In August the Broome County Division of Solid Waste Management added several new materials to the County wide curbside recycling program. The materials added were plastic landscape trays & flower pots, small plastic totes, small plastic toys, small plastic waste baskets, polystyrene egg cartons, polystyrene cups, plastic cups, plastic reusable water bottles, plastic food storage containers, plastic clamshell containers (fruit, vegetable, and bakery), metal pots, metal pans and metal bowls.

To accommodate the additional materials residents were also offered the option of trading in their yellow 18 gallon container for a new 32 gallon container. Residents can trade in their yellow bin at the Broome County Landfill. There is a limit of one per household with the option of purchasing additional containers for \$14 each.

■ Seneca Meadows Landfill Receives Excellence Award

— The Seneca Meadows Landfill has been awarded the Solid Waste Association of North America (SWANA) 2012 Gold Excellence Award for Landfill Management. Tom Hasek, Environmental Engineering and Compliance Manager for Seneca Meadows accepted the award on behalf of the company at a ceremony at SWANA's annual national conference, WASTECON, in Washington D.C., August 14, 2012.

"Seneca Meadows is a forward thinking company," said Hasek. "In many aspects of our operations, we surpass the regulations, such as, being the first waste management company in New York State to voluntarily retain a leak location detection company to inspect our liner for defects; installing thermal electron automated radiation monitoring units at our scales to ensure that no unauthorized, radioactive materials enter our facility; and implementing e:DAT and e:Monitoring geographic information system document/photograph management tools to more effectively analyze the high volume of environmental monitoring data that is collected on a daily basis at our site." Seneca Meadows was also recently awarded Audubon New York's Donald G. Colvin Conservation Award for the company's preservation and advancement of the environment. "It's a great honor for our company to have been chosen from among all of the considered waste management facilities in the U.S. and Canada for the Gold Excellence Award," said Don Gentilcore, Area Manager for Seneca Meadows.



Regional Material Exchange Launched

Connecticut, Delaware, Massachusetts, New Jersey, New York, Rhode Island, & Vermont



The Reuse Marketplace (<http://www.reusemarketplace.org>) is a free regional network to find, sell, trade, or give away reusable and surplus items that would otherwise be disposed as trash. Businesses, institutions, governments, and non-profit organizations in the states of Connecticut, Delaware, Massachusetts, New Jersey, New York, Rhode Island, and Vermont can become members by creating free accounts and posting listings for available items. Members may also post detailed wanted listings, specifying the type(s) of items they need. While anyone can browse and access the posted items, only members can post items to offer. Actual exchange transactions are carried out directly between interested parties.

The Reuse Marketplace site administrator is The Northeast Recycling Council (NERC). Additional states and businesses are invited to participate in and support their effort. Please contact Lynn Rubinstein at lynn@nerc.org, 802-254-3636 for more information.

Upcoming Events

ORGANICS MANAGEMENT TRAINING COURSE.

March 5 - 6, 2013 at the Liverpool Holiday Inn, Syracuse, NY. Co-sponsored by NYSASWM and NYSDEC. For more information, contact Dave Blackman, Executive Director at nysaswmdave@nycap.rr.com

FEDERATION OF NEW YORK SOLID WASTE & RECYCLING CONFERENCE TRADE SHOW.

May 5 - 8, 2013, at the Sagamore, Bolton Landing, NY. Visit www.nyfederation.org for more information.

STATEWIDE NEWS

NYSDEC Issues Emergency Regulations for the Control of Chronic Wasting Disease

Carcass Disposal in MSW Landfill

Recommended - Chronic Wasting Disease is a prion based, highly contagious, and deadly disease that affects deer and elk. Several years ago, an isolated case of CWD was found in upstate NY, for which the state took swift action to eradicate the condition and remove the entire herd. While CWD is not currently known to be in NYS, it has recently been found in parts of Pennsylvania. In response, NYSDEC has issued Emergency Regulations prohibiting the importation of certain animal parts, and further recommends the disposal of deer parts in a MSW landfill. <http://www.dec.ny.gov/press/86242.html>

■ **New Faces in NYSDEC**

According to Tom Lynch, NYSDEC - Division of Materials Management (DMM) has recently hired several Environmental Engineers in the Regional Offices. Their duties will include inspecting solid waste management facilities, reviewing Part 360 permit applications, monitoring construction activities, and providing guidance and assistance to local governments and the community.

Patrick Kane has accepted a position in Region 5. Patrick holds a B.S. degree in Civil Engineering.

Sarah LaFave has accepted a position in Region 6. Sarah holds a B.S. degree in Environmental Engineering.

Nicole Chisholm has accepted a position in Region 7. Nicole holds a B.S. degree in Environmental Resources Engineering.

Molly Baker has accepted a position as Environmental Engineer in the DMM Central Office's Bureau of Permitting and Planning. Molly holds a B.S. degree in Environmental Engineering.

Welcome Marjorie Torelli as New NYPSC Administrator



Marjorie Torelli recently added the New York Product Stewardship Council to her list of clients, starting as the Administrator for the NYPSC as of October 1, 2012. "I am looking forward to working with an organization with some proactive goals for managing problematic waste in NYS. Current legislation has made some significant changes and I look forward to more progress at the County and State level."

Now a consultant specializing in recycling and waste reduction, Ms. Torelli has over 20 years of experience in the recycling field. She worked for the Western Finger Lakes SWM Authority, assisting organizations and individuals in Wayne and Yates Counties to handle waste in sustainable ways. She has also long been active in regional and state-wide programs through NYSAR3 and the Western New York America Recycles program.

FLOW CONTROL CASES – Continued from Page 1

of recyclables on a county-wide basis annually as provided for in the local law. JWJ is considering an appeal of the decision.

Meanwhile, in *C&A Carbone v County of Rockland*, pending before Judge Edgardo Ramos in the Southern District, the parties are moving toward the conclusion of expert discovery after four years of litigation. This case has been dubbed *Carbone II*, as it involves the same plaintiff involved in the Supreme Court's 1994 decision in *C&A Carbone v. Town of Clarkstown*. The present challenge is directed against a flow control law adopted by Rockland County in 2008.

Rockland's law, adopted following the Supreme Court's 2007 decision in *United Haulers Association v. Oneida-Herkimer Solid Waste Authority*, directs local waste to facilities owned by the Rockland County Solid Waste Authority, one of which is the facility formerly owned by the Town of Clarkstown and the subject of the 1994 challenge. That facility is operated by the same contractor engaged by Clarkstown in the 1994 case, although the current contract was awarded by the Rockland Authority in a competitive procurement in 2008.

United Haulers established a constitutional distinction between flow control laws that direct waste to, and thus "favor" public facilities and those that favor private facilities, as in *Carbone I*. The core of the plaintiffs' challenge is that while the transfer station designated by the local law for receipt of local waste is owned by the Rockland Authority, it is operated under contract by a private firm. *Carbone* will argue that this contractual relationship is not protected by the *United Haulers* decision, and that the decision in *Carbone I* should control, and thus render the County's flow control law unconstitutional as a violation of the Commerce Clause. The County and the Authority are expected to argue that the contractual relationship does not alter the fact that the facilities designated by the law are "public" within the meaning of *United Haulers*, much as Oneida-Herkimer's transfer station was operated by a private contractor prior to 2007.

The most recent scheduling order in *C&A Carbone v County of Rockland* calls for the completion of discovery in February 2013, after which dispositive motions are likely to be made. If so, a decision could be rendered later in 2013.

PRESIDENT'S CORNER

– Continued from Page 1

probably is due to both economic conditions and efforts to reduce waste generation. This reduction is also noticeable in the amounts of product recycled. There is a serious effort underway in the manufacturing world to reduce waste. Also printed matter is becoming a thing of the past. For instance the Syracuse news paper is reducing its publications to three per week, Newsweek will cease its hard copy magazine, and many offices are going paperless.

These reductions are of course all good things, however, there is a significant problem for solid waste management systems' ability to function while revenues are diminishing. Legislators are reluctant if not adamantly opposed to raising fees. New York State opted to legislate a maximum 2% property tax increase without limiting the amount of increase on state mandated program costs. From where I sit this has resulted in a frenzy of local program cuts just to be able to say "we stayed under the cap". So it is my fear that pretty soon we may be faced with the question: "which programs do we solid waste managers cut?"

This year NYSASWM worked with DEC and other organizations on proposals for changes to the Part 360 regulations. DEC is following up on the initiatives outlined in the NYS solid waste management plan, *Beyond Waste*. We disagreed with some of the proposed changes, which should not have surprised anyone, since these are the same issues we addressed when commenting on the *Beyond Waste* plan. Additionally the cost of complying with these new regulations was not addressed. It has become clear to us that the impact of the current economic conditions, the property tax cap legislation and the changes in waste quantity and composition have not yet reached Albany. It is our position that any new regulatory requirements must have a clear funding mechanism provided by the State of New York.

It is my goal to continue to increase the viability of NYSASWM and that starts with increasing our membership. In my opinion every solid waste manager in New York State should be a member. This will ensure the maximum effect of the purpose of the Association, which is: "to investigate and provide means for the exchange of ideas and experiences between members; to collect, analyze and distribute information about the state of solid waste technology; to cooperate with other organizations to promote more efficient management of solid waste in the State of New York". This membership expansion must include DEC representatives, so that we will accomplish a beneficial exchange of information on what is driving changes in our industry.

I wish everybody a Happy Holiday Season with best wishes for the New Year, and please renew your membership and urge your colleagues to join!

**NEW YORK STATE ASSOCIATION
FOR SOLID WASTE MANAGEMENT**



P.O. Box 13461 ■ Albany, NY 12212

WE'RE ON THE WEB!
WWW.NYSASWM.ORG

WASTELINE

VOLUME 17 ■ NUMBER 2 ■ DECEMBER 2012

NYSASWM Executive Director — **David Blackman** — nysaswmdave@nycap.rr.com — (518) 541-2548

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West: Steve Orcutt
Steuben County

West: Rich Bills
Steuben County

**NYSASWM
MEMBERSHIP
BENEFITS**

- Discount registration for the Spring Federation Solid Waste Conference and Vendor Show at the Sagamore Hotel in Lake George
- Discount registration for the Annual Fall NYSASWM Conference and Vendor Show
- Discount registration to annual Landfill Operator Training Program
- Subscription to the NYSASWM newsletter— *Wasteline*
- Track legislation on behalf of the membership and alert members to bills that may have an impact on their systems
- Scholarship Program with first consideration given to the children of NYSASWM members
- Countless opportunities for networking & technology transfer as a member of the largest organization representing solid waste managers in New York State

**JOIN NYSASWM
TODAY!**

MEMBERSHIP APPLICATION

New York State Association for Solid Waste Management

Established 1975

Please complete the following:

Check type of membership:

- () Municipal, political subdivision or public benefit corporation
- () Other professional

Name: _____ Title: _____

Company: _____

Mailing Address _____

City: _____ State: _____ Zip: _____

Phone: () _____ Fax: () _____

Email: _____

* Note that dues are per person (not per company) and are in effect for the calendar year. Please make checks payable to: "NYSASWM" (dues are \$ 75.00 per person per calendar year) and mail to:

**New York State Association for Solid Waste Management
Membership Department, P.O. Box 13461, Albany, New York 12212**

Please note that while NYSASWM is a not-for-profit organization, membership dues are not tax deductible as a charitable contribution. To the extent permitted under the Internal Revenue Code, dues may be deducted as a business expense.

This newsletter is a membership benefit.