

NEWS RELEASE

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Grassroots North Brooklyn Group Sues Private Garbage Facility

Disruptive noise, rotten smells, and excessive pollution plague local families

New York, NY – August 30, 2017 – Cleanup North Brooklyn, represented by New York Lawyers for the Public Interest (NYLPI) and Schindler Cohen & Hochman LLP, filed a lawsuit today against a private waste transfer station that has operated for years without regard for the law or the local community, plaguing the neighborhood with noxious smells, rats, air pollution and noise. Defendants, a private equity firm known as GBP Waste NY LLC and its parent company GPB Capital Holdings LLC, as well as the prior owners Brooklyn Transfer LLC and Nino and Anthony Tristani, have contributed to ongoing pollution and hazards that afflict families living in the surrounding neighborhood.

Cleanup North Brooklyn, a community group based in the Bushwick/East Williamsburg area of Brooklyn, has long pushed the defendants to improve their operations to relieve the adverse effects on this environmentally burdened community. In 2016, the group released a report documenting 1,200 instances of misconduct by the transfer station over the course of just six days. This lawsuit, which seeks a court order requiring the defendants to stop creating harmful conditions at their garbage facility, is the next step in their enduring fight to hold the defendants accountable.

“Our community has been suffering for too long due to the poor practices of this privately owned waste transfer station,” said Jen Chantrtanapichate, President, Cleanup North Brooklyn. “The station has caused many longstanding residents to feel helpless in confronting the never ending lineup of trucks down our streets and the nauseating odor that seeps into our homes. This lawsuit offers our families a glimmer of hope. It has the potential to lead to an overall healthier quality of life and safer streets. Our community is grateful to New York Lawyers for the Public Interest and Schindler Cohen & Hochman for recognizing our community's struggles and for getting behind our fight for environmental justice.”

The waste transfer station operated by the defendants at 105-115 Thames Street serves as a hub for transferring garbage from local collection trucks to other long-haul trucks for shipment outside of the city. The facility causes severe nuisances to the surrounding community, including:

- Releasing rotten, vomit-inducing odors that permeate the surrounding neighborhood
- Causing excessive and disruptive noise, particularly in the middle of the night – making it difficult for many neighbors to sleep
- Allowing liquid seeping from rotting garbage to flow out onto sidewalks and streets
- Contributing to the proliferation of vermin – mainly rats – that swarm the neighborhood day and night
- Failing to monitor garbage trucks as they speed through the neighborhood, making multi-point turns on narrow residential streets and often driving onto sidewalks
- Polluting the air with truck emissions, contributing to high rates of asthma among local children

“Cleanup North Brooklyn members and their neighbors have been unable to feel safe in the streets or comfortable in their own homes due to the defendants’ trash facility in their backyard,” said Rachel Spector, Director of the Environmental Justice Program at New York Lawyers for the Public Interest. “Despite Cleanup North Brooklyn’s years of advocacy, public forums, and 311 calls, the defendants have refused to improve their operations or act as a responsible neighbor. No one should have to live with the noxious pollution and safety and health hazards our clients have endured for years, and our lawsuit aims to restore a safe and healthy living environment in the community.”

“Schindler Cohen & Hochman LLP is pleased to be working with New York Lawyers for the Public Interest in representing Cleanup North Brooklyn and its community members,” said Steve Schindler, Partner, Schindler Cohen & Hochman LLP. “Our clients seek to protect their right to live and work in their own community free from environmental and health hazards.”

"Low-income communities and communities of color in North Brooklyn, the South Bronx and Southeast Queens have collectively shouldered 75 percent of the City's waste facilities for too long," said Eddie Bautista, Executive Director, NYC Environmental Justice Alliance. "NYC-EJA supports our allies at CNB as they stand up to their noxious neighbors and demand a cleaner, safer community."

"The private sanitation companies that mistreat the community are often the same companies that mistreat workers," said Sean T. Campbell, President of Teamsters Local 813. "Brooklyn Transfer and Five-Star have a terrible reputation on wages and safety that no amount of greenwashing will cover up. The Teamsters stand with the Williamsburg-Bushwick community in their fight for environmental justice."

“Residents of every city neighborhood are entitled to live their lives free from unreasonable noise, traffic and pollution from poorly operating waste facilities. And when private appeals and public requests to such a facility are repeatedly rebuffed, litigation is warranted to remedy environmental wrongs,” said Eric A. Goldstein, NYC Environment Director at the Natural Resources Defense Council.

"The longstanding problems associated with NYC's commercial waste system – including poor air quality, noise, and dangerous streets – disproportionately impact immigrant communities and communities of color; including North Brooklyn. As we and our partners have long maintained, the current system is broken: the industry needs stronger accountability, and must demonstrate real improvements in its treatment of communities and workers alike," said Maritza Silva-Farrell, Executive Director of ALIGN, an advocacy organization that builds strategic alliances between labor, community and environmental justice groups in New York City.

For more information about the lawsuit, please visit www.nylpi.org.

About Cleanup North Brooklyn

Cleanup North Brooklyn is a grassroots community organization composed of a diverse mix of residents, parents, children, artists and business owners. We advocate for clean air, safe streets and fair employment in our mixed residential, industrial, and commercial neighborhood, and bring education and awareness about community issues. Through organizing and action, we seek to restore the health of our neighborhood as a safe place to walk, breathe, and live.

About New York Lawyers for the Public Interest

New York Lawyers for the Public Interest advances equality and civil rights, with a focus on health justice, disability rights and environmental justice, through the power of community lawyering and partnerships with the private bar. Through community lawyering, NYLPI puts its legal, policy and community organizing expertise at the service of New York City communities and individuals. NYLPI's partnership with the private bar strengthens its advocacy and connects community groups and nonprofits with critical legal assistance.

About Schindler Cohen & Hochman LLP

Schindler Cohen & Hochman LLP is a premier boutique well-known for its litigation and art law practice. We handle a wide range of sophisticated, high-stakes litigation matters both domestic and international. In addition, we counsel galleries, institutions, artists, dealers, non-profits and collectors on numerous legal issues. Our attorneys provide both pro bono legal counseling and litigation services to a wide variety of individuals and organizations. This is an important part of our work as lawyers and our commitment to underrepresented communities in New York City and beyond.

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