

HAZARDOUS WASTE

(Further Guidelines and Criteria, *LWVUS Impact on Issues, 2006-2008, pp. 51-54*)

Throughout the 1980s and the 1990s, League members have lobbied for a wide range of legislation such as the NYS Superfund Environmental Quality Bond Act, the Hazardous Substances Bulk Storage Act, the Pesticide Reporting Bill, and other regulatory measures necessary to track the use of hazardous substances within the state. Of primary concern has been the disposal of these toxins in a safe and traceable manner. League members have supported upgrades of enabling legislation, commented on proposed regulations, opposed many beneficial use concepts, (designed to hide or disguise the hazardous content of the waste) and supported the rights of citizen suits. We support recognition of Household Hazardous Waste and have worked for public education and safe collection programs.

During the 1995 legislative session, the League gave testimony supporting the use of “volunteer developers” to cleanup polluted sites known as “brownfields,” so that they could be used. In 1996, we supported the Clean Water/Clean Air Bond Act, which allocated funds for this purpose. Once signed by the governor, it then appeared on the November ballot for passage by the voters. The League educated voters (pro and con) and encouraged the bond’s passage. Following passage, the League worked with other organizations to ensure an open and accountable process for projects selected. This was to ensure that there was equitable management of the allocated funds to promote sound environmental policy.

We are opposed to holding owners of polluted sites liable for cleanup, if they truly are an “uninvolved party.” i.e. did not cause the pollution. The League continues to require the state to find the “actual polluters” and require them to pay for the cleanup costs, rather than the taxpayers. The League is concerned about the waste of taxpayer dollars and the time wasted in determining responsibility for brownfield cleanup, and has pushed for a procedure that would serve the best interests of the public.

Pesticide Notification Law

This law was passed in 2000, went into effect in July 2001, and was a major League accomplishment. This is enabling legislation that must be adopted at the local level. This could mean a lack of action because of local costs for implementation.

However, part of the law is mandatory. It requires notification for schools and day care centers. After July 1 2001, public and private schools must notify parents at the start of the school year if pesticides will be used. Parents may request 48-hour notification and the school must make it known three times a year when and where pesticides are used.

Comparative Risk Project to Prioritize Pollution Prevention Activities

The NYS Assembly Legislative Commission on Toxic Substances and Hazardous Wastes issued a publication critical of the Department of Environmental Conservation’s report on Comparative Risks. This project was to evaluate and compare the risks associated with toxic chemicals in the state in order to set priorities for the DEC’s pollution prevention activities. The project divided work groups into various categories such as Human Health, Ecosystems, and Quality of Life. The steering committee released a Phase I Final Report and charged the Risk Reduction Strategies Work Group with carrying

out Phase II. They will build on the risks identified in Phase I to develop a pollution prevention strategy for the state.

The Commission is concerned that the Project has focused too exclusively on the hazards that are well known, while placing little emphasis on problems and chemicals that are less well known. The analysis was limited to quantitative data, and this data is not available for many non-cancerous effects, such as hormone disruption. Out of 1,300 chemicals listed as hazardous by DEC and 70,000 chemicals used in the workplace, the Project evaluated only 220.

As a result, the Project overlooks many of the risks for which little quantitative data is available, such as the risks posed to children by chemical exposure, as well as the risks of developing non-cancerous disease, such as neurological damage, and birth defects.