How does the Superfund Sites New York Program work?

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The New York State Superfund program is formally known as the Inactive Hazardous Waste Disposal Site (IHWDS) Program. Its purpose is to identify, investigate and clean up sites that contain â€œconsequentialâ€• levels of hazardous waste.

Prospective State Superfund sites come to light when responsible parties notify officials of problems or through citizen complaints and other means. At that point, IHWDS mandates a specific process for investigation, assessment, clean up and monitoring of each site.

First, a Site Characterization (SC) is performed.

The SC determines whether the site actually meets the Stateâ€™s superfund listing criteria by confirming the presence of hazardous substance(s) and determining the threat level to public and/or environmental health. The SC is often performed by the responsible party, but it can also be completed by the Department of Environmental Conservation (DEC) Division of Environmental Remediation (DER).

Sites deemed to be a threat are formally listed.

Once hazardous waste is confirmed at a site, it is added to the Stateâ€™s official list and assigned a classification code. A classification code of 2 indicates a significant danger requiring action. This triggers a more in-depth remedial investigation to determine corrective options. The responsible party often pays for and performs this work as well. If they canâ€™t be identified or wonâ€™t participate, th state performs the work and may attempt to recover costs.

A project manager from the regional IHWDS office or DEC is assigned to each class 2 site. This individual reviews and approves cleanup plans and monitors the process. For state-paid jobs, the project manager is directly in charge or supervises a consultant hired to perform the work. Project managers also coordinate with the Department of Health to ensure cleanup fully addresses public health concerns.

DEC fees help pay for Superfund Sites cleanup.

Regulatory program fees can be charged to hazardous waste generators and any facility required to have an air, water, hazardous waste or waste transporter permit. Annual fees are collected from:

Generators of hazardous waste and hazardous wastewater.

Treatment, storage, and disposal facilities.

Fees depend on facility type and the amount of hazardous waste being handled. Most of the money goes to the Industrial Fee Transfer Account to pay down bond debt incurred to create the Hazardous Waste Remedial Fund. The rest of the money helps support other environmental quality programs around the state.

Special assessment taxes are levied on all state facilities which generate hazardous waste, based on the method and amount of material. All of these taxes support the Industrial Fee Transfer Account.

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