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STATE INDUSTRIES TOLD TO IDENTIFY TOXIC DUMP SITES

Survey, Ordered by Governor,
Is to Include All Disposals
by Concerns Since '52

By MICHAEL ORESKES

Governor Cuomo yesterday ordered state officials to ask 12,000 businesses in New York State to report on where they have been dumping toxic or hazardous chemicals since 1952.

Environmentalists said they were ecstatic about the Governor's order, and the state's Business Council said it could live with it, even though its lobbyists had opposed the proposal as burdensome, expensive and difficult to comply with.

"Sound pollution control and emergency-preparedness policies depend on

the knowledge of industrial hazardous-waste disposal practices," Mr. Cuomo said. "No systematic industrial survey has been undertaken to ascertain industry's hazardous-waste disposal practices over the past 30 years."

Order Is Called 'Landmark'

The Governor's executive order, fulfilling a campaign promise, was virtually identical to legislation that Mr. Cuomo had been unable to persuade the Republicans in the State Senate to approve during the 1983 legislative session.

Walter Hang, the toxic projects director of the New York Public Interest Research Group, described Mr. Cuomo's order as "a landmark" in efforts to track down chemicals that were disposed of over the last three decades without proper safeguards or even before the recognition that they were dangerous.

"No other state has taken the systematic approach to this awesome legacy that the Governor is now proposing," Mr. Hang said. "What this program will do is for the first time identify exactly where the contamination lies hidden so it can be assessed and remedied. That's why we fought for it so long and that's why it ought to be a model for the rest of the country."

New York State has identified 895 sites that may contain hazardous wastes. Langdon Marsh, the executive

**FRONT PAGE
COVERAGE
FOR NYPIRG**

**COMMUNITY
RIGHT
TO KNOW
VICTORY!**

Metropolitan

12,000 businesses in New York State will be required to report on where they have been dumping toxic or hazardous chemicals since 1952 under an order by Governor Cuomo to state officials. Environmentalists said they were ecstatic about the order, and the state's Business Council, which had opposed the Governor's plans for the survey, said it could live with it. The proposal twice passed in the Assembly, but was killed in the Senate. Six months ago, the Governor said he would seek the reporting requirement administratively. [1:4.]

deputy commissioner of environmental conservation, said the survey ordered by Mr. Cuomo would give the department a much better idea of what wastes are contained in those sites and might lead investigators to other sites.

Mr. Marsh said he did not believe there were major undiscovered sites, but Mr. Hang said there could be dozens or even hundreds of sites containing relatively small amounts of dangerous chemicals.

"A paint shop that dumped its thinner," Mr. Hang said, by way of example. "One hundred gallons can wipe out billions of gallons of ground water."

Business groups had lobbied in the Legislature against the survey, known among environmentalists as a "community right to know" measure because the results will be compiled in reports that the environment department says will be accessible and understandable.

"This information will allow local communities to know what's around them," said Clarence Bassett, spokesman for the environment department.

The measure twice passed the Assembly but was killed in the Senate. Mr. Cuomo said six months ago that he intended to take the same action administratively, and his aides said he had acted to clear up the issue before his State of the State Message next week.

Michael Doyle, director of governmental relations for the Business Council, said his group, an umbrella of corporations in the state, had worked with the Governor's office and environmentalists in drafting the executive order.

'A Paperwork Burden' for Some

"We think the Governor has made a strong attempt to accommodate some of our concerns," he said. "That's not to say some of our companies might not take a more vocal opposition. There's going to be obviously a paperwork burden to some extent."

"To go back 30 years is not going to be easy," Mr. Bassett said. "We understand that. We will work with the businesses. At the same time, whatever information it develops will be invaluable."

Mr. Bassett said that by April 1, the department would send out to 12,000 companies on its computerized lists a questionnaire on the handling and disposal of hazardous waste. The companies will have 150 days to respond.

The list is composed largely of companies that have either state or Federal permits to discharge wastes or handle toxic materials, he said.

One difficulty, Mr. Marsh said, will be tracking down companies that have gone out of business. He said some of the relevant information could probably be traced through successor companies.

More Power for Communities

One important aspect of the measure is that it will strengthen the hand of local communities in dealing with pollution. A survey similar to the one ordered statewide by the Governor has been conducted for the western part of the state. This was in response to fears raised by the discovery that thousands of tons of toxic chemicals were buried in the abandoned Love Canal in Niagara Falls.

This survey, officials said, led to an increase in legal actions by local residents and governments against disposers of chemicals in the region.

State officials said they did not think the environment department's powers would be weaker because they were acting under an executive order instead of legislation. They said that the authority for the order was contained in existing laws enacted in recent years.

A refusal to cooperate with a request from the department for information can lead to a fine of \$500 a day.
