

The following is a tabular summary of site status and resultant regulatory responsibility:

<u>Landfill Registry Classification</u>	<u>Landfill Operating Status</u>	<u>Primary Regulatory Responsibility</u>
1	Active Inactive	DER DER
2	Active (remediation under way) ¹ Active (remediation pending) Inactive	DER DSHM ² DER
2a	Active Inactive	DSHM ² DER ³
3	Active Inactive	DSHM DSHM ⁴
4	Inactive	DER
5	Inactive	DSHM

Note:

1. Remediation is under way upon execution of a Remedial Order or upon a determination that state or federal funds will be used to remediate the landfill.
2. Only with respect to daily operations.
3. DSHM will be responsible for implementing closure required by 6 NYCRR Part 360 Solid Waste Management Facilities (Part 360) upon DER determination that such action will not interfere with ongoing or future investigations or remedial actions.
4. If remedial investigation/design/closure and post-closure monitoring are undertaken because of hazardous waste disposal at the landfill, then primary responsibility shifts from DSHM to DER.

During a site visit by DER personnel, if potential violations of regulations for the operation of a facility accepting solid waste (i.e., blowing papers, uncontrolled leachate discharge, etc.) are observed, they should be documented. A copy of that documentation should be sent to the appropriate Regional Solid & Hazardous Materials Engineer with a copy to the Bureau of Solid Waste, Reduction and Recycling, for action. Regardless of the site classification, DSHM has primary “regulatory authority” for the operation of solid waste disposal and is responsible for all Part 360 determinations.

The DER has responsibility for the remedial investigation/design/closure and post-closure monitoring oversight for Class 1, 2, and 4 hazardous waste sites listed in the Registry.

If you have any questions, please contact:

Bureau of Solid Waste & Land Management
Division of Solid Waste, Reduction and Recycling
518-402-8660