§ 27-0921. Short-term management.

1. a. The commissioner shall immediately begin preparation of a proposal for a short-term hazardous waste management program for the effective and safe disposal, treatment and storage of hazardous waste. Such program shall be coordinated with the on-going comprehensive program for the long-term treatment and disposal of hazardous waste.

b. As part of the proposal, a comprehensive study shall be made with regard to the short-term needs of New York state generators of hazardous waste consistent with the protection of public health and safety and the environment and in light of:

(1) federal and state laws, rules and regulations designed to ensure proper disposition of hazardous waste from generation to final storage or treatment which place substantial responsibilities on industry to responsibly and safely dispose of hazardous waste;

(2) the identified shortfall in existing available storage, treatment and disposal capacity, and the potential economic and environmental problems that may occur as a result of the potential disruption of operation of the presently permitted commercial industrial hazardous waste disposal, treatment and storage facilities located in New York; and

(3) the fact that it will take a period of several years before a comprehensive program for the long-term disposal and treatment of hazardous waste is in operation sufficient to replace or reduce present methods of hazardous waste disposal.

c. The proposed short-term hazardous waste management program shall incorporate the best short-term methods and means available to contain, store and treat hazardous waste. In preparing the program, consideration shall be given to the short-term needs of New York state generators of hazardous waste, to the siting of secure landfills or other storage facilities on suitable private or state-owned land, to the development and construction of such facilities in a manner to safely allow for the eventual retrieval of hazardous waste for the purpose of ultimate destruction, detoxification, or neutralization by industrial hazardous waste treatment facilities, to the options of public versus private

ownership and operation of such facilities, to the ongoing efforts to establish and maintain a statewide waste exchange system, and to the establishment of incentives to encourage reduction of the amount of hazardous waste generated.

2. Not later than January first, nineteen hundred eighty-two, the commissioner shall submit to the legislature the study and the proposal for a short-term hazardous waste management program required pursuant to subdivision one of this section, including any proposed implementing legislation and rules and regulations where appropriate.