



New York State Archives

**New York State Interagency Task Force on Hazardous
Wastes Subject and Correspondence Files 22574**

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Overview of the Records

Repository:	New York State Archives
Summary:	This series contains news releases, reports, memoranda, correspondence, and hearing statements generated by the New York State Department of Environmental Conservation as part of its participation on the Interagency Task Force (IATF) that investigated the Love Canal disaster.
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Administrative History

Department of Environmental Conservation (DEC) engineers visited the Love Canal site in September 1976 "to investigate the Hooker Chemical and Plastics Corporation's suspected discharge of the chemical mirex. Through the fall of that year, basement sumps and storm sewer water samples were taken and discussions were held with the chemical firm about previous dumping at the site."

In the spring of 1978, the New York State Department of Health started its own investigation of the Love Canal site. New York State adopted the Industrial Hazardous Waste Management Act in July 1978. This legislation gave DEC "full regulatory authority over the generation, transportation, treatment and disposal of hazardous wastes in the state . . . and enable[d] the State to control hazardous wastes from their generation to their disposal, and thereby prevent the creation of future 'Love Canals.'"

In August 1978, Governor Carey established the Love Canal Inter-Agency Task Force. Members of the task force included Department of Transportation (chair), Department of Health (DOH), Department of Social Services, Division of Housing and Community Renewal, Department of Banking, Department of Insurance, Division of Equalization and Assessment,

and the Office of Disaster Preparedness. DEC was represented by Commissioner Peter A. A. Berle.

On November 20, 1978, DEC Commissioner Berle ordered that an Interagency Task Force on Hazardous Waste (IATF) be established in cooperation with the New York State Department of Health and the United States Environmental Protection Agency. The commissioner established the task force pursuant to his powers and responsibilities set forth in Sections 3-0301 and 27-0703 of the New York Environmental Conservation Law.

The goals of the IATF were to: determine the location of all facilities, sites or locations at which hazardous industrial wastes have been disposed of in Erie and Niagara Counties which are not currently in operation and, to the extent possible, the exact identity, generator and transporter (if any) of wastes disposed of at such facilities, sites or locations; ascertain, to the extent possible, all information relevant to determining whether any hazardous industrial wastes disposed of at such facilities, sites or locations pose a present or imminent threat to the health or welfare of the people of the State of New York; recommend remedial measures determined to be necessary to prevent injury to public health and/or welfare; determine whether and the extent to which persons or entities which have contributed to any hazardous waste problems created by past hazardous waste practices may be liable for the costs of any necessary remedial measures and recommend legal or other action to be taken to ascertain such liability and recover such costs; and present its findings, recommendations, and such witnesses as it deems appropriate to the commissioner (through a duly designated representative) at a public hearing. In addition the IATF investigation was to be carried out "under the direction of a hearing officer with the power to issue subpoenas and require disclosure of relevant documents."

In March 1979, the IATF released a Draft Report on Hazardous Waste Disposal in Erie and Niagara Counties, New York. Information from this report was reproduced in Love Canal: A Special Report to the Governor and Legislature (April 1981) which was published by the Governor's Love Canal Inter-Agency Task Force. In April 1980, New York State filed a \$635 million lawsuit against Occidental Petroleum and two of its subsidiaries, Hooker Chemical Corporation and Hooker Chemical and Plastics Corporation, claiming they were responsible for the Love Canal disaster.

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Scope and Content Note

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Use of Records

Access Restrictions

Box 1 and 3 are partially restricted by Civil Practice Law and Rules section 3101(b) and (c) (attorney-client privileged correspondence and attorney work-product). Box 3 also partially restricted by Freedom of Information Law (FOIL) section 87.2(d) and 89.5(a)(1) making trade secrets exempt from disclosure.

Access Terms

- Niagara River Region (N.Y. and Ont.)
- Love Canal Chemical Waste Landfill (Niagara Falls, N.Y.)
- Reports
- Hazardous wastes--Environmental aspects--New York (State)
- Correspondence
- New York (State)
- Hazardous waste sites
- Memorandums
- Investigating
- New York (State). Department of Environmental Conservation
- Hooker Chemical Corporation
- Hooker Chemicals and Plastics Corp.