

# Dumping of Lethal Wastes At 3 City Landfills Charged

By LESLIE BENNETTS

More than 150,000 gallons of highly toxic wastes were dumped at three city landfills in 1978 and 1979 by a New Jersey company, according to investigators for the New York State Senate Select Committee on Crime.

The same company — the Hudson Oil Refining Company in Edgewater, since reorganized and renamed the Quanta Resources Corporation — was previously found to have illegally dumped millions of gallons of toxic wastes in Pennsylvania.

The investigators are looking into testimony from a 1980 Pennsylvania trial at which three Pennsylvanians were convicted of illegal dumping. That testimony indicated that New York City Sanitation Department workers may have cooperated in illegal dumping by drivers for Hudson.

"The involvement of sanitation personnel obviously suggests itself," said Joseph Kevin McKay, the department's Inspector General, commenting on the reports. "Obviously we will look into that possibility."

## Type of Hazard Is Undetermined

Paul Casowitz, deputy commissioner for resource recovery and waste disposal planning at the Sanitation Department, said that the department did not yet know what kind of public hazard, if any, might be posed by the wastes, which included cyanide.

"I don't even know where it is yet," he said. "Presently we're trying to determine the degree of alleged dumping and the locations. If it was dumped and buried at those landfills, it's not clear there would be any danger to New York City, but that would need to be determined."

Hudson drivers testified at the trial, in Luzerne County, Pa., that they had been sent to the Pennsylvania Avenue landfill in Brooklyn, the Pelham Bay landfill in the Bronx and a Staten Island landfill referred to as "Arthur Kill," which could mean the Fresh Kills landfill on the Arthur Kill stream or the Brookfield landfill on Arthur Kill Road.

In grand jury proceedings before the trial, Pennsylvania authorities reported that in addition to cyanide, the wastes included known carcinogens such as dichlorobenzene and naphthalene and suspected carcinogens such as ethyl benzene, toluene and xylene.

## No Action in New York

The New York State Department of Environmental Conservation took no action in the matter.

"We were completely unaware of that testimony that they had dumped in New York City landfills," said Terry Agriss, the regional administrator in an interview yesterday. "The information we had primarily dealt with Pennsylvania."

In the trial, drivers said they had dumped toxic wastes down the borehole of an abandoned mine shaft near in Luzerne County, near Pittston, and had received payoffs from Hudson officials that they gave to a gas station owner who operated the borehole. When the waste began to leak into the Susquehanna River, the company began sending drivers to the New York City sites, the drivers testified.

As the Quanta Resources Corporation, the company filed in October for bankruptcy under Chapter 11 of the Federal Bankruptcy Act.

Senator Ralph J. Marino, chairman of the Select Committee on Crime, said yesterday, "It looks like we're just scratching the surface at this point. There are other companies involved, and we haven't really dug it all out yet."

Senator Marino was critical of the Department of Environmental Conservation.

"I think the D.E.C. has been terribly negligent, and a lot of what's going on here is directly attributable to their negligence," he said.

Terry Agriss said the department had agreed to negotiate a settlement with

Hudson because "the company had been sold in the interim period."

"It was our understanding that there were new principals involved," she said.

Investigators for the State Crime Committee on Crime denied this, saying that the company had merely changed its name to Quanta and reorganized its management.

Several officers of the company were indicted in Pennsylvania, along with the owner of the Pittston gas station, Elmo Scatena, and two of his sons on charges of "risking catastrophe" and illegal dumping. The three Scatenas were convicted, while the Quanta officials are still awaiting trial.