



Legislation Details (With Text)

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Title: Resolution urging the State to reclassify clean or processed dredged sediment from a “solid waste” to a “beneficial use” in order to increase its potential for beneficial reuse.

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Res. No. 15

Resolution urging the State to reclassify clean or processed dredged sediment from a “solid waste” to a “beneficial use” in order to increase its potential for beneficial reuse.

By Council Members Nelson, James and Williams.

Whereas, Fine-grained sediments are transported by rivers and estuaries and eventually settle on the sea floor, creating a build up of material that interferes with safe navigation; and

Whereas, In order to maintain the New York Harbor as a world class port, it is necessary to periodically dredge the navigation channels, berthing piers, and other facilities to allow for safe clearance of modern cargo ships; and

Whereas, Historically, material from dredging was either deposited in areas of the ocean or at a disposal site on land; however, options for disposal have been limited recently due to environmental concerns with contaminated material; and

Whereas, Until 1997, New York was able to dispose of sediments in an area of the ocean called the New York Bight Dredged Material Disposal Site (the Mud Dump Site) and, after its closure to contaminated material, the site and the area surrounding it was redesignated as the Historic Area Remediation Site (HARS); and

Whereas, Because of stringent new rules established by the United States Environmental Protection Agency that restrict dumping to only uncontaminated dredged material, most of the New York region's dredging projects have become ineligible to be dumped at the HARS; and

Whereas, Due to the difficulty in obtaining the necessary permits for offshore disposal, a lack of dredged material disposal options, and the high cost of dredging and disposal, the management of dredged material has become increasingly difficult; and

Whereas, Processed and dewatered sediment with its contaminants either removed or stabilized may often be safely reused in upland projects such as for grading fill, agricultural soil, or to cap a brownfield; and

Whereas, New York State classifies all dredged material as a "solid waste" and, because of this, the sediments have a negative public perception, limiting their potential to be used for beneficial reuse projects; and

Whereas, Even though dredged material has to pass the same requirements and specifications as other fill, contractors and community members are reluctant to use it in their projects because of the stigma attached to the name "solid waste"; and

Whereas, While reuse of materials has become routine for industrial waste management, it has not become a common practice for dredged material management; and

Whereas, In order to promote the use of dredged material, processed dredged sediments should be classified and managed under regulatory provisions related to "beneficial use," in which material on this list ceases to be a "solid waste" if used for specific beneficial purposes; and

Whereas, This new classification would allow for the continued necessary testing and oversight of the

material while also allowing it to be reused for other purposes; now, therefore, be it

Resolved, That the Council of the City of New York urges the State to reclassify clean or processed dredged sediment from a “solid waste” to a “beneficial use” in order to increase its potential for beneficial reuse.

CFP
LS 1816/2009