

## State may fine Smithtown for Kings Park landfill delay

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The state Department of Conservation has threatened the Town of Smithtown with an order of compliance and associated fine for not meeting deadlines on closing the last cell at the Kings Park landfill, as well as other environmental issues.

Supervisor Patrick Vecchio said the fine could be \$50,000.

"The department is actively engaged in negotiations with the town in the hope of bringing the town into compliance," said DEC regional director Peter Scully. "Given the magnitude of the delays, the order of consent is the appropriate vehicle to get things back on track, and we are hopeful that the DEC and the town can work cooperatively to accomplish the closure of Cell Number Six."

The DEC would not confirm the amount of the fine.

In 2006, the town received an extension until 2009 to finish capping the cell. The consent order is to get the town to file missing paperwork that is behind deadline. "The consultant we hired had fallen down on the job, and when the DEC alerted us we got a different consultant and are now up-to-date," Vecchio said.

The landfill has one uncapped cell, which the town had originally slated to begin closing in 1998. The cost to close it will be about \$8 million, said Vecchio, with 52.4 percent paid by the Town of Huntington as part of a deal that included Smithtown's neighbor's use of the landfill. Vecchio said Smithtown has been "squirreling away" money and has received grants, and should have enough money this year.

Democratic Councilwoman Patricia Biancaniello, who is running for town supervisor, said that past budgets show Smithtown and Huntington spent \$1.9 million combined from 2005 to 2008 on removing leachate, the fluid produced by rainwater that runs through the open landfill and is drained out of the bottom by a pump, and has budgeted \$500,000 for that this year. Most of the cost is for Cell #6.

"There's no management, no oversight of this entire process," she said, adding the cell should have been closed years ago.

Vecchio said that the DEC is also concerned about two other environmental issues - the manner in which the town disposes of unrecyclable glass, and 40,000 yards of street-sweeping waste in a landfill site at the Montclair Avenue highway yard. Vecchio said the town plans to move the waste to the Kings Park landfill, which will use the waste as cover. The town is talking to Brookhaven about disposal of the glass, he said.