

# OPINION

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## Closing Brookhaven Landfill poses issues to be addressed now



Patricia  
DELCOL

The Brookhaven Landfill is one of two remaining disposal locations for construction and demolition (C&D) debris on Long Island and, as engineers and environmental scientists, we at H2M are concerned about the implications of the impending closure of the landfill in 2024.

C&D debris, a category of solid waste, includes concrete, brick, drywall, asphalt, and other materials generated from home improvement, construction, and infrastructure projects. While a large fraction of the C&D waste stream is indeed recyclable, the residue is not, and it cannot be processed at a waste-to-energy facility. C&D debris residue can only be landfilled. When the Brookhaven landfill closes, the C&D debris will have to be transported off Long Island. If a comprehensive plan is not developed before then, the increased disposal cost could potentially lead to illegal dumping and increased clean-up and code enforcement expenses for municipalities.

The Brookhaven landfill accepts more than 500,000 tons of C&D debris each year. Without a coordinated Island-wide approach for local C&D processing or transport off Long Island, illegal dumping is all but guaranteed.

The 1983 Long Island Landfill Law sought to protect the quality of the local drinking water aquifers by mandating the closure of municipal landfills in areas of "deep flow recharge" (the aquifer layer from which Long Island draws its drinking water). As all other municipal landfills closed, the Brookhaven landfill was eventually one of only two local facilities permitted to accept C&D for disposal. Any C&D that was not accepted by one of these sites was brought to a local transfer station to then be transported off-island. By 1988, the cost to ship a single ton of waste off-island by truck was \$150. In comparison, local landfilling costs for C&D debris was approximately \$30/ton. Off-island disposal resulted in a significant increase in disposal costs.

In the late '80s and early '90s, this added cost of disposal for homeowners and commercial establishments alike led to a notable increase in illegal dumping,

followed by an increase in municipal code enforcement efforts and municipal clean-up costs at taxpayer expense. In some instances, the illegal dumping led to environmental contamination, with taxpayers again footing the bill for the subsequent remediation efforts.

Almost 40 years later, the impending closure of the Brookhaven Landfill, combined with the rising price of gasoline and diesel, and new U.S. DOT regulations that limit the number of hours a truck driver can log in a 24-hour period, will make the cost of responsibly shipping C&D debris off-island even higher. On top of that, since the beginning of the pandemic, both trucks and drivers have been in relatively short supply which has further increased disposal pricing.

In addition to C&D debris, the Brookhaven landfill also currently accepts ash from the island's waste-to-energy facilities. This ash will also need to find a new home; at the moment, the only other option is to long-haul the ash off-island as well.

A comprehensive plan needs to be implemented quickly.

One alternative to truck transport, given the high price and limited availability of trucks and drivers, is the development of rail transfer stations for disposal and transport off-island. With a smaller carbon footprint, rail transport would be more environmentally friendly than trucks. Additionally, transport by rail is less expensive than trucking because trains can transport a higher volume at any given time and will not be impacted by the new U.S. DOT regulations.

Municipalities, private sector establishments, and vendors must work together to prepare for the impending closure of the Brookhaven Landfill. This requires a regional approach; municipalities should not be left on their own to tackle this issue. The private sector can provide the solution, but only with the assistance of local governments, who control land use and zoning within their respective jurisdictions, and the regulatory agencies charged with approval, permitting, and on-going oversight of these facilities. Also paramount, considerations for quality of life, environmental justice, and potential environmental impacts must be weighed; all-in-all presenting an extremely difficult balancing act.

We have two years left to plan for what we know will have a significant impact on all Long Islanders and on the Long Island economy. Let's not be caught short again.

**Patricia DelCol is assistant vice president, municipal market director, H2M architects + engineers**

## Massive JUUL settlement shows how children were targets



Arnold W.  
DRUCKER

After a two-year investigation determined that vaping giant JUUL engaged in the unconscionable practice of marketing harmful and addictive nicotine products directly to our youth, the company has agreed to pay a whopping \$438.5 million in settlements to 34 American states and territories. This outcome is hardly surprising to those of us who have been part of the fight to protect our youth from the dangers of vaping and nicotine addiction.

And while such a massive settlement sends a clear message that bad actors will be held responsible for their actions, it remains infuriating that any industry would so brazenly target our youth and put profit before public health and common decency.

Extensive research illustrates the devastating impact that smoking and vaping have upon the human body and how nicotine harms adolescent brain development through a young person's early- to mid-20s. It is also well established that if a person can make it past the age of 25 without using nicotine, they are highly unlikely to ever pick up the habit during the rest of their lives. Nevertheless, JUUL targeted underage users with free samples, slick social media campaigns, launch parties and ad campaigns filled with young-looking models.

Most tellingly, they also used flavors to make the vaping experience more

palatable and to get our kids hooked. It's hardly a stretch to imagine how cotton candy, bubblegum, cola, and fruit-flavored vapes could be attractive to underage consumers – and how unscrupulous entities could use these alluring flavors as a Trojan horse for the nicotine contained within.

To confront this threat, Nassau County in 2019 passed my bill to ban the advertising of age-restricted products - such as cigarettes, tobacco and vapes - within 1,000 feet of establishments commonly frequented by youth. Later that year, in the face of strenuous opposition from vaping industry special interests, I sponsored, and Nassau County passed, a ban on the sale of flavored vaping products - a measure that was later adopted statewide.

Before that, Nassau County passed a measure to raise the age for purchasing tobacco products to age 21. Not only were the public health implications profound for our region, but it was also a source of great personal satisfaction that I was able to bring a signature effort that was initiated by my predecessor, the late Judy Jacobs, to fruition.

Our sustained pressure has worked. Since 2019, JUUL has dropped its advertising in America, pulled fruit and candy flavors from store shelves, and a total ban from the American market is still looming. While recent studies show that adolescent vaping is on the decline, we must remain vigilant for emerging challenges such as the disposable e-cigarettes that are growing in popularity with youth. I remain confident that we will prevail in our efforts to protect public health, and I will never waver in my commitment to our shared mission of keeping our kids nicotine-free for life.

**Arnold W. Drucker, of Plainview, represents the 16th District of the Nassau County Legislature.**

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