

## HAZARDOUS SUBSTANCES AND SAFETY

### Intro. No. 109-B of 2002

In March 2003, the City Council passed Int. No. 109-B, which required City agencies to purchase re-refined motor oil for use in City vehicles. The Mayor subsequently vetoed the legislation, but then issued an Executive Order, which the Council negotiated with the Mayor to incorporate the elements of the bill.

### Local Laws 76 and 82 of 2003

In December 2003, the City Council passed Int. Nos. 122-A and 575-A [Local Laws 76 and 82 of 2003], which, respectively, expands the information that the DEP must include in its annual report concerning the City's Community Right-to-Know law and increases penalties for violating that law.

### Local Law 35 of 2009

In June 2009, the City Council passed Intro. No. 1001-A [Local Law 35 of 2009], which prohibits smoking at asbestos abatement sites, and further prohibits any person from bringing tobacco, matches and lighters onto an asbestos abatement site. This legislation enhances and extends existing smoking prohibitions and allows for greater enforcement and protection in the hope of preventing fires such as the one at the former Deutsche Bank Building in August 2007.

### Local Law 37 of 2009

In June 2009, the City Council passed Intro. No. 1003 [Local Law 37 of 2009], which established a three-point asbestos abatement protection program that: 1) requires permits for certain abatement jobs that pose the highest safety risk; 2) mandates the use of non-combustible fire-resistant materials for certain containment structures during the abatement process; and 3) authorizes DEP inspectors to enforce provisions of the Fire and Building Code at abatement sites, thereby adding to the safety of these projects for those in the building, the community and those required to respond in the event of an emergency.

### Local Law 38 of 2009

In June 2009, the City Council passed Intro. No. 1005 [Local Law 38 of 2009], which requires the Department of Environmental Protection Commissioner, in consultation with the Fire Commissioner and the Commissioner of buildings, to promulgate rules which give further guidance to contractors on how to maintain egress at asbestos projects in order to avoid tragedies such as the fire in the former Deutsche Bank Building in 2007.

### Local Law 77 of 2009

In December 2009, the City Council passed Intro. No. 998 [Local Law 77 of 2009], which prohibits simultaneous demolition and asbestos abatement activities in a building unless the Department of Environmental Protection has made a site-specific determination, in consultation with the Department of Buildings and the Fire Department, that both demolition and abatement can be done safely. Demolition activities generally increase the risk of fire and asbestos containment structures can impede access to areas of the building when this work is done simultaneously.

### Local Law 76 of 2009

In December 2009, the City Council passed Intro. No. 935-A [Local Law 76 of 2009], which requires building owners whose plumbing systems are at risk of contaminated-water backflow into public or private water mains to correct any such malfunctions and provide documentation to the Department of Environmental Protection (DEP) that a prevention device has been

installed or replaced. Additionally, this legislation would require licensed professionals to certify and submit plans to DEP that backflow prevention devices are in compliance with agency standards; DEP to notify owners of buildings requiring backflow prevention devices; DEP to submit reports to the Council detailing the number of hazardous facilities and facilities which required backflow prevention devices to be installed.