



Legislation Text

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Int. No. 107

By Council Members Avilés, Cabán, Restler, Gutiérrez, Won, Hanif, Bottcher, Hudson, Nurse, Narcisse, Abreu, Ayala, Brewer, Gennaro, Sanchez, Ossé, Hanks, Williams, Menin, Marte, Brannan, Salaam, Farías, Schulman, Krishnan, Joseph, Brooks-Powers, Powers, De La Rosa, Ung, Louis, Salamanca, Banks, Lee, Zhuang, Riley, Moya, Feliz, Dinowitz, Holden and Stevens (by request of the Brooklyn Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to air quality monitoring at designated “heavy use” thoroughfares

Be it enacted by the Council as follows:

Section 1. Subchapter 6 of chapter 1 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-154.1 to read as follows:

§ 24-154.1 Heavy use thoroughfares. (a) Definitions. For purposes of this subdivision the following terms shall have the following meanings:

(1) “Heavy use thoroughfare.” The term “heavy use thoroughfare” means any highway, roadway or other traffic corridor that has traffic volume greater than the fiftieth percentile of the average New York city roadway corridors or has traffic in excess of 100,000 vehicles on an annual basis. Designation of heavy use thoroughfares shall be based upon verifiable use and traffic volume data obtained from transportation planning agencies including, but not limited to, the New York metropolitan transportation council, the department of transportation and the New York state department of transportation.

(2) “Recreational area.” The term “recreational area” means any park, playground, ball field and school playground that abuts a heavy use thoroughfare.

(3) “Regulated air contaminant.” The term “regulated air contaminant” means oxides of nitrogen, volatile organic compounds, sulfur dioxide, particulate matter, carbon monoxide, carbon dioxide, polycyclic

aromatic hydrocarbons or any other air contaminant for which a national ambient air quality standard has been promulgated, or any air contaminant that is regulated under section 112 of the clean air act of 1963, as amended.

(4) “At risk populations.” The term “at risk populations” means persons 16 years of age or younger, persons who are pregnant, persons 60 years of age or older, and persons with weakened immune systems.

(b) No later than December 30, 2022, the department shall designate heavy use thoroughfares in every borough.

(c) No later than December 30, 2023, the department shall install street level air monitors at a minimum at two major intersections on every designated heavy use thoroughfare and at every recreational area.

(d) No later than December 30, 2024, and annually thereafter, the department shall issue a report to the mayor and to the speaker of the council containing the results of the air quality monitoring of designated heavy use thoroughfares. Such report shall also be posted on the department’s website.

(e) The department along with the department of transportation and the department of education shall collaboratively identify, develop and implement mitigation measures that significantly reduce or eliminate short-term and long term exposure risks where the results of the air quality monitoring on heavy use thoroughfares:

(1) Indicate that levels of any regulated air contaminant constitute a violation of an existing standard for that regulated air contaminant; or

(2) Indicate that levels of any regulated air contaminant contribute to an actual or potential danger to public health or the environment, based upon the most recent research available, including by presenting a health risk to at-risk populations.

§3. This local law shall take effect 90 days after it becomes law.

6/1/22 4:26 p.m.