

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2019**

No. 72

Introduced by Council Members Holden, Yeger, Cabrera, Vallone, Dromm, Gjonaj, Cumbo, Ayala, Kallos, Constantinides, Menchaca, Richards, Levin, Rivera, Borelli and Ulrich.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring notice when contaminants are found in soil

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-214 to read as follows:

§ 4-214 Notice of soil contaminants in city development projects. a. Definitions. For the purposes of this section, the following terms have the following meanings:

City development project. The term "city development project" means a project undertaken by an agency, a city economic development entity, or by a party in contract with the city, for the purpose of improvement or development of real property, including, but not limited to, street, road and sewer improvements and maintenance.

City economic development entity. The term "city economic development entity" means an entity that provides or administers economic development benefits under contract with the department of small business services.

Hazardous level of lead in soil. The term "hazardous level of lead in soil" means soil containing a lead level of five parts per million or above as determined by the toxicity

characteristic leaching procedure as defined in subpart C of part 261 of subchapter I of chapter I of title 40 of the code of federal regulations or any subsequent provisions.

b. Within five business days of discovering or becoming aware of a hazardous level of lead in soil as a result of an environmental subsurface investigation in any city development project that will expose such soil as part of the project, the agency or city economic development entity that is supervising a capital project shall:

1. Notify the community board and the council member in whose district the city development project is located of such results;

2. Post such results within the appropriate website; and

3. Develop air monitoring instructions for all relevant parties in contract with the city, including a community air monitoring plan that complies with all applicable local, state and federal guidance documents.

§ 2. This local law takes effect 180 days after it becomes law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on March 13, 2019 and returned unsigned by the Mayor on April 17, 2019.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 72 of 2019, Council Int. No. 1063-A of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.