

**RICK D. CHANDLER, P.E.
COMMISSIONER
NEW YORK CITY DEPARTMENT OF BUILDINGS**

**HEARING BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON HOUSING & BUILDINGS**

April 12, 2016

Good morning Chair Williams, members of the Housing & Buildings Committee and other members of the City Council. I am Rick Chandler, Commissioner of the New York City Department of Buildings (“Buildings”). I am joined by Assistant Commissioner of Operations Compliance Renaldo Hylton and the Department’s Chief of Plumbing Enforcement Shawn Jones. I am pleased to be here to offer testimony on several pieces of legislation related to gas piping systems.

Following the tragic gas explosion in the East Village on March 26, 2015 the Department has implemented new procedures and significantly improved its coordination with the City’s gas utilities, Con Edison and National Grid. As a result, if one of these utilities observes illegal gas work they now notify the Department immediately. In the past twelve months the Department performed 427 inspections resulting from Con Edison referrals, an increase of 400% from the prior twelve month period. Since January the Department has performed 47 inspections resulting from National Grid referrals. If the referral relates to an emergency condition, the Department responds immediately.

Currently, the Department allows licensed master plumbers to self-certify that their gas piping work is Code compliant. I am pleased to announce that with significant new resources from the Administration, the Department will be dramatically increasing oversight of gas piping installations. We are hiring twenty-two new inspectors who will focus on gas work. Department

inspectors will perform inspections of all gas installations citywide prior to gas being authorized. Manhattan has the highest population density and some of the oldest gas infrastructure of anywhere in the City, and as such, this is where we will begin this effort. By July, the Department will start conducting inspections of all gas work in Manhattan prior to the authorization for gas. This initiative will expand citywide in 2017.

I would now like to comment on some of the proposed legislation before this Committee.

Introductory Number 1079 prohibits licensed master plumber companies who performed gas piping work without a permit during the previous five years from performing final inspections on gas piping systems, and requires the Department to provide a list of such individuals on its website.

This proposed bill is in line with the Department's decision to perform inspections on all gas work. Once fully implemented, no final inspections will be performed by plumbers. However, given that work without a permit violations can be issued for relatively minor infractions, the Department suggests a more precise universe of bad actors be identified and we welcome the opportunity to discuss this proposal with the City Council further.

Introductory Number 738 requires journeymen plumbers registered with the Department to have a new gas qualification administered by the Department to work on gas piping systems. Plumbers working under the direct and continuing supervision of a licensed master plumber without a journeymen registration and gas qualification would be prohibited from working on gas piping systems. To obtain a gas qualification, journeymen shall have a minimum of two hundred hours experience working under the direct and continuing supervision of a licensed master plumber or

shall have successfully completed a training program approved by the State. Additionally, the applicant must pass a written examination approved by the Department.

Currently, in order to work on a gas piping system one needs to be a master plumber licensed by the Department or be under the employ of one who is providing direct and continuing supervision. Some employees working under a licensed master plumber are journeymen but most are not. Currently the Department licenses 1,204 master plumbers and has 259 registered journeymen. Industry estimates are that there are as many as 10,000 plumbers working throughout the City under the direct and continuing supervision of a licensed master plumber.

This bill effectively restricts those who can work on gas piping systems to licensed master plumbers and journeymen with a new gas qualification and amounts to an unnecessary and significant restriction of plumbers who can perform this work. This limiting of the field will stifle development and inhibit the timely completion of necessary gas work, without any demonstrative benefit to the safety of the public. Plumbers who work on gas piping do so when there is no gas in the system and as mentioned, they work under the direct and continuing supervision of a licensed master plumber. Furthermore, the significant increase in oversight committed to by the Department will help ensure that more plumbing work is performed safely.

The State Public Service Commission ("PSC") approved a resolution last year adopting amendments to gas safety regulations in which they determined additional qualifications for those who work on gas piping systems was unnecessary. The Department agrees with the PSC's judgment. It is also worth noting that two of the bills on the Committee's agenda today 1) limits the ability of some plumbers to perform final inspections and 2) requires periodic inspections of gas work. Together, these bills would significantly increase the amount of work required of

licensed master plumbers at the same time Intro. 738 drastically reduces the number of plumbers available to do the work.

Introductory Number 1088 requires the inspection of the exposed portions of gas piping systems every four years on all buildings with the exception of one and two family dwellings, with new construction being first inspected after ten years. Following inspection, a report is to be submitted to the building owner within thirty days and the Department within sixty days. Any hazardous conditions observed would require immediate notification to the Department, utility and owner. Owners would be required to correct conditions identified in the report.

Before sharing some concerns the Department has with the bill as drafted, the idea of periodic inspections of gas piping systems is one worth exploring further and the Department looks forward to continuing a dialogue with the City Council on this subject.

There are a number of building elements regulated by the Department that require periodic inspection, including facades, boilers and elevators in addition to energy usage. As this bill highlights, gas piping systems is not among them and that is due to the fact that nearly all gas piping is inaccessible. Most gas piping is located beyond walls where access and inspection would be impossible absent causing damage to the walls. Additionally, gas piping, some of which is exposed, terminates in individual dwelling units and other tenancies where access would be at best difficult to obtain. An individual with an interest in circumventing the law for their own gain can easily conceal the piping. The illegal conditions that led to the East Village explosion would not have been observed through the type of periodic inspection required by this bill.

Beyond the impracticalities of gaining access to gas piping, the Department does not support the reporting requirement as provided in the bill. Requiring periodic reports from well over 300,000 buildings and all the exposed piping contained throughout them, that the Department would need to review, reconcile with the universe of buildings required to file, issue violations to those who failed to file, and follow up on correction is an inefficient use of significant resources. By comparison, the largest group of buildings for which we require periodic reporting is for elevators and that totals approximately 27,000 buildings. There are alternatives to a report that that Department would be pleased to discuss with the City Council.

Introductory Number 1093 requires utilities and building owners to provide notification to the Department within twenty-four hours of gas being shut off or not restored due to the theft of service or an illegal connection.

As a result of our enhanced collaboration with the utilities as described earlier in the testimony, the Department now receives notification from utilities within twenty-four hours when they observe theft of service or an illegal connection. While the Department supports twenty-four hour notification by utilities I would like to note that as drafted the bill includes all Class B conditions as defined in the New York State Codes, Rules and Regulations. Unlike Class A conditions that require the gas to be shut off and the meter locked, Class B conditions are less serious and do not require the meter to be locked and include situations where an appliance is leaking and the valve which allows gas to be sent to the appliance can be closed to mitigate the concern. Class B conditions do not warrant twenty-four hour notification to the Department.

Introductory Number 1094 requires an agency or office designated by the Mayor to identify risk factors that may result in gas work that endangers the public. The agency or office designated by

the Mayor will consult with the utilities and issue an annual report beginning on July 1, 2017 on how risk factors have been used to target enforcement.

The Department supports the intent of this bill. However, any effort to prepare a report which identifies risk factors or indicia demonstrating where gas violations are likely to occur starts with an analysis of gas usage data. This information resides with the utilities, not with any agency or office designated by the Mayor. Without this information from the utilities, much of which may be withheld due to privacy concerns, the required analysis cannot be performed. As such, the Department believes this a responsibility best left to the utilities, which unlike the City, have the ability to monitor gas usage and report on their findings.

Introductory Number 1100 requires the installation of audible alert natural gas alarms in all dwelling units by May 1, 2017. The bill requires that natural gas alarms comply with Underwriters Laboratories (UL) Standard 1484.

While the Department supports the intent of the legislation, we offer the concern that natural gas detectors are a relatively new technology that has not been extensively used in residential settings. This raises questions about their reliability and their propensity for false alarms. Any increase in false alarms can divert emergency response away from where it is most needed. Additionally, UL Standard 1484 may not be intended for the usage of natural gas alarms in all types of dwellings. By comparison, local law requiring carbon monoxide detectors in dwelling units was not enacted until they were sufficiently tested and an effective UL Standard was approved. More research and discussion with UL is necessary before the Department can support this bill.

Introductory Number 1101 requires the Department to establish a Temporary Fuel Gas Violation Resolution Program. This bill creates a program lasting six months during which work commenced to correct gas piping violations would result in a waiving of associated penalties.

The Department opposes what amounts to a full amnesty from all penalties resulting from gas violations as it essentially rewards noncompliance with the law. As an alternative the Department supports Introductory Number 806-B, sponsored by the Administration which was approved by the City Council on April 7th and awaits the Mayor's signature. This bill creates a ninety day amnesty period during which upon correction of violating conditions if applicable, default penalties associated with all Environmental Control Board issued judgments including gas violations are waived. In the event there is no default penalty, the base penalty is reduced by 25%.

Introductory Number 1102 requires that a number of gas-related violations be treated as immediately hazardous, including the failure to secure permits for gas work. The Department supports this bill.

Finally, concerning Introductory Number 1098 which requires gas companies to submit an annual report to the Department of Transportation on the condition of gas infrastructure, I understand written testimony was submitted to the Committee from the Departments of Transportation and Environmental Protection.

Thank you for your attention and the opportunity to testify before you today. I welcome any questions you may have.



**Department of
Housing Preservation
& Development**

**Testimony of the Department of Housing Preservation and
Development**

**to the New York City Council Committee on Housing and Buildings
Hearing: Int. No. 1090, in relation to notice requirements regarding
procedures for reporting a suspected gas leak**

Good morning, Chairman Williams and members of the Housing and Buildings Committee. My name is Terri Davis-Merchant, and I am the Senior Legislative Analyst with HPD's Government Relations Office. I appreciate the opportunity to testify regarding Int. No. 1090, related to a new notice requirement regarding the procedures that should be followed when a gas leak is suspected.

Property owners are currently required to provide a number of notifications to tenants, which include both notices that have to be posted in a public area and notices which must be provided to a tenant with a new or renewal lease. Notices posted in public areas include information regarding: the availability of the Housing Information Guide, the *ABCs of Housing*; the locations of the keys to the boiler room; the name and contact information for the superintendent and managing agent; and information regarding carbon monoxide detectors and smoke detectors. If work which affects buildings systems – such as water or gas – is going to occur and will last more than a short period of

time, property owners must post notices to tenants in advance. With respect to disaster events, owners are required to post an Emergency Notification to tenants, providing information on how to contact utility companies and owner representatives, as well as information on building conditions and emergency shelter options.

Requiring the posting of a notice which would provide tenants quick instructions on how to respond in the event of a suspected gas leak may be effective in encouraging tenants to notify the proper parties of such dangers. Short and easy instructions indicating that the tenant should contact 911, then the utility company, then the property owner – in that order – seems reasonable and straightforward and can promote safety.

Owners must already include notices regarding lead-based paint and window guards with a lease and/or lease renewal. Requiring that information on how to respond to suspected gas leaks be provided with the lease may also be useful information for residents as they begin a new tenancy.

HPD understands the Council's desire to raise awareness among New York City residents about reporting gas issues and therefore supports this bill.

Thank you again for the invitation to testify today. I would be happy to answer any questions from the Committee.

STATEMENT OF

**Robert Wilson
Director, Gas Pipeline Safety & Strategy
NATIONAL GRID USA**

TO THE CITY COUNCIL OF THE CITY NEW YORK

April 12, 2016

Introduction

Good morning distinguished members of the City Council and colleagues from the utility industry and others in attendance. Thank you for the opportunity to appear today to discuss the very important issue of natural gas safety.

My name is Robert Wilson and I am the Director of Gas Pipeline Safety & Strategy for National Grid USA. I have worked for National Grid and its predecessor companies for over 32 years in various positions in gas operations and other functions. In my current role, I am responsible for the regulatory compliance and safety of our natural gas pipeline systems. I will briefly update you on National Grid's efforts to promote the safe operation of our gas system in New York City, and provide our view on the recently proposed gas safety legislation.

In New York City, National Grid provides service to more than 1.2 million customers in Brooklyn, Staten Island and parts of Queens. We operate thousands of miles of gas transmission and distribution pipelines throughout our service territory in the City. Our highly skilled, dedicated workforce includes represented field personnel and customer agents who are among the best in the industry.

National Grid is proud of our operating history in New York City. We operate one of the most complex gas distribution networks in the country – and we do so safely and reliably. But we appreciate the bar has been raised with respect to safety and compliance for all gas utilities, and we will do everything we can to meet the heightened expectations of our regulators and customers. The proposed legislative concepts discussed today, in aggregation, will further strengthen gas safety compliance in New York City and provide an enhanced framework to maximize public safety.

Gas Safety Programs

National Grid is investing hundreds of millions of dollars to modernize our gas infrastructure over the next few years. These investments will improve the safety and reliability of our gas distribution system in New York City for the next generation of gas customers. But infrastructure investment is only part of the equation. A comprehensive safety program also requires that we make the most of improvements in technology and develop effective safety programs and public outreach, which National Grid is doing.

Technology

We are working closely with Consolidated Edison and a collaborative of other operators and research organizations across the state and the country to improve residential methane detector technology. Widespread use of residential methane detection will provide yet another layer of protection by giving the public another way to recognize a potential gas leak inside a building. Our current research and deployment strategy includes efforts to improve UL Standards for these devices including specifying a lower minimum detection threshold, the instructions and warnings regarding the use and placement of methane detection devices, and developing a state-of-the-art sensor technology. We all remember the early days of carbon monoxide detector deployment, and we need to use the lessons learned from that effort to ensure successful deployment of methane detectors. To that end, National Grid fully supports legislation that mandates building owners deploy this important safety device.

Education and Training

Recent industry incidents have demonstrated that public awareness and recognition of what gas smells like is no longer good enough. We recognize the imperative to transform from public awareness to public *engagement*. To do so, we need to deploy new and enhanced strategies that will drive public safety behavior. Timely, appropriate action, including calling 911 to report gas odor, is critical to prevent serious incidents. National Grid continues to explore innovative ways to transform public awareness about gas safety to true public engagement. We have worked closely with Consolidated Edison and have adopted their “Smell Gas, Act Fast” messaging campaign.

Historically, the gas industry focused on providing instructions on what to do if a gas leak is suspected. Today, we are redesigning our messaging campaigns to not just instruct, but to explain “why” following instructions is important and “how” customers play a major role in maintaining public safety by doing things like affording gas utilities access to metering equipment for safety inspections.

We are also focused on enhancing our coordination with police, fire fighters and other first responders. To that end, National Grid developed an innovative online training program that received the Northeast Gas Association’s 2015 Safety Award. As our program is rolled out to first responders throughout the state, we are constantly improving it based on suggestions from fire fighters. Recently, we added a significant module about liquefied natural gas safety.

Lastly, National Grid believes that some of the best educational opportunities exist with our children. To this end National Grid has developed an award winning Energy Education web portal with a strong focus on energy safety. While not included in proposed legislation now, National Grid strongly urges the Council to consider energy education as a mandated part of school curriculum and we are happy to work with organizations to help shape an education program.

Sharing Best Practices

National Grid continues to work closely with Consolidated Edison and others to develop and deploy best practices regarding pipeline and public safety. We have also been working with the Department of Buildings, the New York City Fire Department and others within the City to develop and deploy enhanced training programs and communication protocols. We have also coordinated with the Department of Buildings to collaboratively address substandard gas piping installations and suspected pipe tampering.

National Grid has also made significant progress in developing a public leak information web portal similar to the Consolidated Edison portal. This tool will provide transparency around the location and history of active leaks National Grid is managing throughout its distribution networks in New York City. The portal will also provide even more education and an opportunity to engage the public in fundamental principles of gas safety.

Lastly, given the expected increase in New York City infrastructure projects, we will expand monitoring of third party excavations. We propose proactive inspections of municipal infrastructure construction projects within the vicinity of our gas facilities and to increase outreach to excavators working near gas facilities. We are confident that increased focus in these areas will mitigate the risks associated with municipal infrastructure installations and continue the safe and reliable operation of our gas system by reducing third party/latent damage.

Proposed NYC Gas Safety Legislation

The set of proposed legislation to enhance gas public safety in New York City is indeed transformational. These proposals touch on many of the essential elements of gas safety and once implemented, they will make New York City one of the most gas safety-focused cities in the country. National Grid supports amending the New York City Administrative Code and believes that continued collaboration among City agencies, state regulators, the plumbing and building trades and utility operators will enable the new legislation to be implemented successfully and will deliver significant public safety benefits. I will now offer specific comments on these important legislative initiatives:

Periodic Inspections of Building Piping Systems (Int. 1088):

Periodic safety inspections specifically focused on gas piping installations performed by properly trained and qualified Licensed Master Plumbers offer substantial safety benefits by helping to identify substandard conditions, such as excess atmospheric corrosion, leaks and improper piping connections. Periodic inspections of all accessible inside piping is the only way to ensure compliance with Department of Building requirements and to meet the requirements of the recently expanded state code rule regarding leak surveys and piping inspections for atmospheric corrosion. This legislation offers a prudent holistic approach to assessing pipe conditions by allowing for inspection of visibly accessible gas piping from the point of entry in a building on through the metering equipment to the building owner's end use equipment. National Grid has been working with an industry collaborative to determine the appropriate frequency for such piping inspections. The collaborative study, which will be completed later this year, is expected to support a minimum five year re-inspection interval, similar to safety inspections for sprinkler piping.

One of the biggest challenges with conducting safety inspections inside buildings is gaining access to the building and/or area where the piping / assets that must be looked at are housed. National Grid recommends creation of an "Access Database" be added to this proposed legislation. The Database would identify designated contacts and provide their contact information so appointments may be scheduled to ensure that access for inspections and/or an emergency or safety related condition is afforded.

Annual Reports on the State of Gas Infrastructure (Int. 1098):

National Grid recognizes the need for transparency around the state of gas infrastructure and we are actively working with City agencies to provide this information. That said, the recommendation to provide detailed maps of all gas infrastructure and list each and every individual component will not advance public safety. This static information will become out of date quickly. Rather than providing information without the opportunity to provide context, National Grid proposes an alternative annual review meeting where we can review the status of our infrastructure with City agencies, much like we do today with mandated federal reporting requirements and meetings with state regulators.

Building Occupant Education & Safety Awareness (Int 1090 & 1100):

National Grid fully supports this proposal and suggests a collaborative approach to ensure consistent messaging, including adopting the essential message and actions associated with both, "Smell Gas, Act Fast" and other key public engagement findings of a recently completed state wide study conducted by the Northeast Gas Association. Consistency in messaging is paramount in driving human behaviors and this is a perfect opportunity to leverage and build on work already completed to further drive this message and more importantly, drive consumer actions.

Methane Detection In Homes (Int 1100):

National Grid fully supports this proposal to advance methane detection, pending completion of the development and testing work previously discussed, as well as successful completion of field pilots currently underway in New York. There will also need to be a reasonable glide path established for implementation.

Summary

National Grid is committed to taking a leadership position on the issue of gas safety and pipeline safety management systems. We also know that in order to realize the maximum public safety value that this package of proposed legislation offers, we will need to work together using principles of good science and common sense to reach meaningful compromises in addressing stakeholder concerns. Given that we do operate one of the most complex distribution networks in one of the most complex environments, reaching fundamental agreement on these proposals coupled with a reasonable glide path to ensure successful implementation is critical to substantially enhancing public safety. National Grid welcomes more opportunities to work with the

City Council, City agencies, our state and federal regulators, other gas utilities and other stakeholders to continue to develop effective strategies to enhance the safety and reliability of New York City's gas infrastructure.

Thank you for this opportunity to address the Council.

Mary Kelly, Vice President of Gas Engineering

Con Edison

New York City Council Committee on Housing and Buildings

Tuesday, April 12, 2016

**TESTIMONY BY MARY KELLY
VICE PRESIDENT OF GAS ENGINEERING
CON EDISON**

NY City Council – April 12, 2016

Good morning. I am Mary Kelly, vice president of Gas Engineering for Con Edison. Thank you Speaker Mark-Viverito, Chairman Williams and other Council members for the opportunity to speak to you today. I look forward to talking about the importance of gas safety, the steps we have taken to ensure the safe and reliable operation of our natural gas system, and the legislation you are considering now.

Since the legislation covers different areas of responsibility over how natural gas is delivered safely every day to your constituents, I thought I should briefly describe what is under the jurisdiction of building owners and what is controlled by utilities like ours.

The maintenance and repair of gas piping inside buildings are the responsibility of building owners and their contractors. Natural gas utilities like Con Edison deliver gas from transmission and distribution piping in the streets, and we are responsible for maintaining those vast underground systems.

Con Edison provides natural gas to 1.1 million customers in Manhattan, the Bronx, parts of Queens and Westchester County. We maintain 4,400 miles of gas mains and 370,000 service lines that run from the street to individual buildings.

Protecting the well-being of the public and our workers has always been Con Edison's top priority. Our daily operations and long-term planning processes are focused on improving gas safety through the **effective prevention, detection and response to gas leaks**.

Over the past two years we have re-doubled those efforts, given the issues raised by the tragedies in the East Village and East Harlem. We are working closely with the city to **identify and stop illegal or improper gas piping work by contractors or building owners looking to cut corners. We have also taken many steps to prevent leaks and hazardous conditions in our gas distribution system.**

Public Outreach & 911

One of the key actions we have taken is to start an **aggressive gas safety public awareness campaign called "Smell Gas, Act Fast."**

We have placed ads in subways, on the radio, online, in print and on social media, including multi-lingual videos, to get the word out that anyone who suspects a gas leak should immediately leave the area and call 911 or their gas utility. **No one should assume that someone else will call.** For everyone's protection, leave the area and make that call.

To further enhance response to leak calls, Con Edison has worked with the FDNY to establish a new response protocol. Since December 2014 when the new protocol was established, when members of the public call 911 to report a gas odor, Con Edison crews respond in parallel with the Fire Department.

To illustrate the effectiveness of this change, the number of gas odor calls handled jointly by Con Edison and the FDNY has jumped from 6 percent to 35 percent. In 2014 Con Edison responded to 41,000 gas odor calls, with the FDNY responding with us to 2,500 of those calls. In 2015, after the 911 change was made, the FDNY responded with us to 20,000 calls out of a total of 56,000.

Enhanced Investments & Safety Programs

We have many programs to prevent leaks and keep the public we serve safe.

Nearly 95 percent of the leaks on our system occur on small-diameter cast-iron and unprotected steel pipe. We currently replace an average of 65 miles of cast-iron and unprotected steel main per year, and we want to do more.

We have submitted a rate proposal to further accelerate our replacement program to 100 miles a year. Over the next five years, we plan to invest approximately \$1.3 billion on gas main replacement across our service area. This investment will also generate an additional 500 jobs, nearly doubling our gas field forces.

We have been working with various city agencies to include gas system upgrades as part of city infrastructure projects and coordinating response to identified street conditions that could represent challenges to our gas infrastructure.

To make sure our workforce remains strong, we are working with community colleges and local unions to provide technical training to prepare qualified graduates for work in our industry.

Finally, when it comes to damage prevention, I would be remiss if I did not mention the importance of our State One Call Centers, New York 811 and Dig Safely New York. Their education programs on excavation awareness remind people to call 811 before they dig. Prevention of 3rd party damage has been, and continues to be, a key component of our gas safety programs.

After prevention, detection is the next line of defense for gas safety. We are committed to leveraging technology to improve our gas safety programs. We now conduct a mobile leak survey of our entire distribution system each month. In addition, we are testing new, more sensitive leak detection technology that could enable us to find and repair leaks sooner.

Require Methane Detectors

As you may know, several months ago we announced our support for requiring methane detectors in buildings because we strongly believe that residential methane detection technology holds the potential to significantly improve public safety. **We support the Council's proposal to require methane detectors in homes.**

We believe residential methane detectors could help avoid tragedies and save lives by prompting action in response to an alarm versus someone relying on their nose and perhaps wondering if it's gas they smell. But we emphasize that with or without an alarm, anyone who suspects they smell gas should act immediately.

Enforcement Issues & Proposed Legislation

Since the East Village tragedy, we have worked even more closely with the city to identify buildings with improper or unsafe piping. Anytime we find unsafe piping, we immediately turn off the gas for everyone's protection. The gas remains off until the building owner makes repairs, gets a city certification and passes a Con Edison inspection and test.

With regard to the legislation you are considering today, we fully support the Council's efforts to strengthen enforcement of gas safety regulations and raise awareness so that illegal activities are identified and corrected. Rather than commenting on each bill, I would like to address several specific bills.

First, as I've already discussed, we support the Council's proposal to require the use of residential methane detectors in homes.

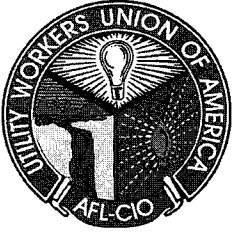
Second, we believe there should be regular inspections required of gas piping inside buildings, in much the same way regular boiler or sprinkler inspections are conducted. This way we can be assured that internal gas pipes are inspected on a regularly scheduled basis.

Third, the city should prohibit anyone who does unauthorized work on gas piping from being allowed to perform final inspections, which would help prevent unsafe conditions that have become all too common.

We also recognize the Council's objectives in having an annual report on gas infrastructure. We have deep concerns, however, with the proposed legislation to have a detailed map of all gas infrastructure, including a list of each and every individual component. We are concerned that providing such details of our system will present a security risk. Additionally, this static information will become out of date quickly. We would prefer to work with the Council on a solution that provides you with the information you seek, without compromising security.

Con Edison is privileged to provide energy to this great city and metropolitan area. That privilege comes with a great responsibility to deliver that energy safely. Our dedicated employees live in the communities we serve and embrace that responsibility every day.

Thank you and I'd be glad to answer any questions.



UTILITY WORKERS UNION OF AMERICA

Local 1-2, Affiliated with AFL-CIO

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April 6, 2016

Hon. Melissa Mark-Viverito
Speaker, New York City Council
250 Broadway, Suite 1856
New York, NY 10007

FOR THE RECORD

Dear Speaker Mark-Viverito:

Local 1-2, NY, Utility Workers Union of America, AFL-CIO supports the passage of legislation Numbered: 738, 1079,1088,1090, 1093, 1094, 1098, 1100, 1101 and 1102, all of which address improved gas safety in New York City.

Local 1-2 joins with Consolidated Edison, the Union's largest employer, in support of each of these separate actions.

We read with interest the March 31 submitted testimony of Con Ed Vice President Mary Kelly and her company's assurances that it will lend its professional support to the City's actions.

However, Local 1-2 is familiar with Con Ed's public utterances and the execution of its promises, which sometimes are at great variance with each other.

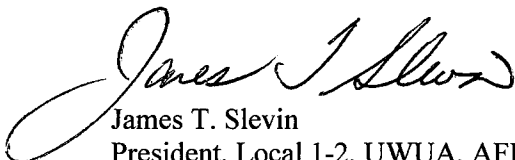
We have raised this in prior testimony before the council, but Local 1-2 reminds you once again that the training required for our Members to work on the Con Ed Gas System is long and arduous, while Con Ed often relies on contractors with a mere 18 days of training. We bring this to your attention and ask that you insure as these proposed laws are in process that the Council makes sure that any Gas System work is performed by Members of Local 1-2 or have equivalent training and experience as our Members do.

As we all discovered following the fatal East Harlem and East Village gas explosions lack of oversight and reliance on unqualified contractors were contributory factors.

Local 1-2 submits that without the training our Members undergo, and if these bills are enacted, New Yorkers will be done a disservice. Make sure professionals are on the job protecting our gas infrastructure, not poorly trained contractors.

Local 1-2 is mindful of your support and actions when Con Edison Locked out our Members in July 2012. We are thankful of your support of Unions and the value we bring to all New Yorkers.

Sincerely,



James T. Slevin
President, Local 1-2, UWUA, AFL-CIO



FOR THE RECORD

Intro. 1088 & Intro. 1100

Comments

The Rent Stabilization Association of New York represents over 25,000 owners and managers whose buildings contain over 1 million units of housing. RSA supports the intent of the City Council in introducing the package of bills being heard today and the safety concerns the bills address. However, there are concerns with Intro. 1088 and Intro. 1100 that we feel must be addressed before moving forward.

Intro. 1088

Intro. 1088 requires building owners to have gas piping systems inspected by a licensed master plumber once every four years. The bill as written lacks specific guidance for inspectors and what an inspector must look for that would trigger remediation. The bill does cite “atmospheric corrosion” and “piping deterioration” but does not define the terms in a way that an inspector can make a non-subjective determination. We are concerned that many safe systems will be shut down for months inconveniencing owners, businesses, and tenants needlessly. Applying these standards would not have prevented the Lower East Side Explosion.

Intro. 1100

Intro. 1100 would require owners and managers of class A or B multiple dwellings to provide and install natural gas alarms in common areas and dwelling units. This would be in addition to the currently required smoke and carbon monoxide detectors.

Any alarm is prone to false alarms and the technology for natural gas detectors does not appear to be sophisticated enough at this time to be reliable. Given the 35 year experience we’ve had with smoke detectors and 12 years with CO detectors we know that false alarms often frustrate residents to the point of removing the alarms. Additionally, the CO and smoke detector laws were recently amended to require tamper proof detectors with 10 years batteries. Tenants were required to pay \$25 per detector, when their current detector reaches the end of it’s useful like or is no longer operable. For many tenants an additional \$25, \$50 or \$75 payment would be a hardship so soon after most recent payment.

The additive now incorporated into natural gas is a better detector of a leak than another, possibly confusing false alarm prone detector. Therefore we don’t think the addition of a third detector is a good idea at this time.



TESTIMONY OF TERENCE O'BRIEN, DEPUTY DIRECTOR OF THE
PLUMBING FOUNDATION, CITY OF NEW YORK INC. IN
SUPPORT OF A SERIES OF GAS SAFETY BILLS BEFORE THE NEW
YORK CITY COUNCIL'S HOUSING AND BUILDING COMMITTEE,
TUESDAY, APRIL 12, 2016

Mr. Chairman, my name is Terence O'Brien, Deputy Director the Plumbing Foundation City of New York Inc. Thank you and the other members of the Committee for the opportunity to speak today; The Plumbing Foundation is a nonprofit association of licensed contracting firms, engineering associations, manufacturers, and suppliers whose mission is to ensure the public health through the enactment and enforcement of safe plumbing codes. In connection with that mission we regularly meet with legislative and regulatory bodies that pass laws and promulgate regulations which affect the plumbing industry.

As a non-profit association whose mission is to protect public safety, we of course support all ten bills before the Council today. Our comments, though, will be focused on three bills. Before addressing the specifics of these three bills, we would like to provide some important background.

Only licensed master plumbing firms are authorized under the Building Code to install, alter or repair gas piping. There are approximately 1200 licensed plumbing firms in NYC employing thousands and thousands of skilled trades men and women.

Gas piping problems are not theoretical nor an extreme rarity. While explosions are rare, the problem is not. In 2014, according to the Department of Buildings records, the public registered 612 complaints regarding “gas hook-up/piping-illegal/defective” and the City confirmed the safety problems in 29% of those complaints by issuing violations. In 2015, there were 1118 complaints and 25% were confirmed with the issuance of a violation by DOB. Moreover, hundreds, if not thousands, of gas complaints are registered directly to one of the two utilities in New York City.

What causes the problem –

- Illegal connections by unlicensed people to avoid paying for gas usage
- Homeowners/handyman/superintendents relocating and repairing piping with non-code complaint materials and connections
- Installation of illegal flexible gas piping
- Corrosion of piping and joints, wear and tear over decades of use

- Intentional or unintentional damage to joints and piping (e.g. hanging weighted items on piping)
- Lack of effective enforcement against unlicensed firms performing gas work

Now, our comments on the three bills

Intro. 1088 would require the periodic inspection of buildings with gas piping, with the exception of 1 and 2 family homes where the likelihood of the above stated problems is minimal. Presently, the Building Code requires the periodic inspection of the following safety systems and components--Boilers, Elevators, Sprinkler Systems, Facades, Water Tanks and others. INCREDIBLY, though, the Building Code does not require any inspection of the gas piping in buildings after installation. DECADES go by and no one checks to see if there have been illegal hook ups, whether pipes and joints have corroded, unlicensed and unsafe alterations have been made to the systems or worse. This major safety gap in the New York City Building Code is even more startling when one realizes that the Public Service Commission, which has jurisdiction of the gas piping inside the building up to the meter, requires that that piping be periodically inspected. Intro 1088 would close that gap by mandating a visual inspection of exposed gas piping and the use of gas detectors and the piping throughout the entire building in the exact same manner as already required by the PSC for the gas piping inside the

building leading up to the gas meter. Currently, the PSC has a requirement for inspections to be conducted once every 3 years but is in the process of conducting a survey to determine if the period of inspections should be changed to 4 or a 5 year cycle. The Foundation suggests, regardless of 3, 4, or 5 years that the inspection period of 1088, DOB's jurisdiction, should mirror the inspection period established by the PSC. For practical, cost, and logistical reasons we think 1088 needs to be amended to coincide with whatever inspection period the PSC determines to be a satisfactory amount of years between inspections. The mechanics of the bill are patterned after the requirements that already exist for facades, sprinkler systems, elevators and boilers. DOB maintains a universe of buildings which requires the filing of a report. The owner would file the report with DOB which DOB would record. If no report is filed, DOB simply issues a computer generated violation to the owner for failing to file the report. That is the system DOB currently uses for elevators, boilers, facades, sprinkler systems, etc. A simple system not requiring any inspection workload on DOB.

We fully support Intro 1088.

We also support Intro. 1079 which would prohibit someone who has performed work on a gas piping system without a permit to perform self-certifications. We think the bill should actually go further. The licensed plumbing

industry believes that the issue of gas piping installation is so important that NO self-certifications should be allowed AT ALL. We welcome a return to the previous regulatory scheme where DOB inspectors verified the gas tests of the licensee. An extra level of review is an important safeguard. It is not often that an industry asks for more inspection but gas safety is so important, we welcome the additional oversight.

Likewise, we also support Intro 738 which requires special training for the individuals that actually work on gas piping. While we believe that licensed firms and their employees already provide skilled workers, additional training is not a bad idea.

Thank you for the opportunity to speak. The Plumbing Foundation is available to answer any questions you may have.

**TESTIMONY ON BEHALF OF THE DEPARTMENT OF TRANSPORTATION
AND DEPARTMENT OF ENVIRONMENTAL PROTECTION
REGARDING INTRO 1098
APRIL 12, 2016**

We submit the following comments regarding Intro 1098, which amends DEP's title in the Administrative Code and requires gas corporations to submit information on the location, condition, and age of gas infrastructure to DOT as well as descriptions of planned work on such infrastructure: while this legislation does not require any city agencies to take any action, we still have strong concerns about this bill. First, DOT does not oversee maintenance or surveying of gas infrastructure therefore it is unclear how DOT would use the mandated information. Second, DEP's Charter-mandated responsibility for underground infrastructure is limited to water supply and sewers; requirements regarding gas infrastructure should therefore not be placed in DEP's title in the Administrative Code. Finally, the bill raises security concerns by potentially exposing infrastructure vulnerabilities to those who may want to cause harm.

FOR THE RECORD



**HEARING TESTIMONY FROM
THE BUILDING OWNERS AND MANAGERS ASSOCIATION OF GREATER NEW YORK:**

INT. NO. 738: A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, IN RELATION TO A GAS QUALIFICATION FOR JOURNEYMAN PLUMBERS.

INT. NO. 1088: A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, IN RELATION TO PERIODIC INSPECTIONS OF GAS PIPING SYSTEMS

Good morning Chair Williams and members of the Committee. My name is Hershel Weiss. I am a Master Plumber, past President of the American Society of Plumbing Engineers and currently sit on the Building Department's Master Plumber License Board. I am also a Board Member of The Building Owners and Managers Association of Greater New York, or BOMA/NY, and I am testifying today for that organization on Intros 738 and 1088.

First, some background on BOMA/NY. We represent more than 750 owners, property managers, and building professionals who either own or manage 400 million square feet of commercial space. We are responsible for the safety of over 3 million tenants, generate more than \$1.5 billion in tax revenue, and oversee annual budgets of more than \$4 billion. BOMA/NY is the largest Association in the BOMA International Federation, the world's largest trade organization.

Intro Number 738:

This bill would require that registered Journeyman Plumbers would need 200 hours experience working under a Master Plumber on gas projects or take training and pass a test to be certified to work on natural gas projects. Only such certified Journeyman Plumbers, or union workers working in conjunction with certified Journeyman Plumbers, could work on gas projects, and only under the direct supervision of Master Plumbers.

This bill would produce two bottlenecks. First, the pool of Master Plumbers that work on gas projects is limited, and due to current requirements to become a Master Plumber, very few are being added each year. Second, there are very few registered Journeyman Plumbers, and becoming a Journeyman Plumber requires five years of experience, so it would be difficult to add a large pool of new ones in a short period. Given these shortages, and the certificate requirements, this bill could bring gas projects to a standstill. At the very least, the effective date would need to extended years out to allow for a pool of certified Journeyman Plumbers to

develop. In addition, given these bottlenecks, this bill would increase gas project costs significantly.

Intro Number 1088:

This bill requires visible pipes to be inspected by Master Plumbers on a four-year schedule and for ambient air to be tested in public spaces in buildings.

First, this bill would create significant additional work for Master Plumbers, which would amplify the bottleneck and cost issues raised about Intro 738, and even without intro 738 this bill would be expensive and time-consuming to implement. To help ease any burden from this proposed law, given the lack of evidence of gas-related disasters in large commercial buildings, we recommend that commercial buildings larger than 100,000 square feet be excluded from the legislation's requirements.

In addition, the bill's proposed inspections are overly vague. It is not clear exactly what conditions would require reporting and repair. Furthermore, the bill needs to be very clear about what "hazardous conditions" would lead to gas being shut off in buildings for additional testing, as this testing is expensive and often takes a long time, during which period the building tenants do not have gas service.

The proposed bill also does not seem to address issues related to commercial spaces. For example, would commercial tenant spaces require inspection if they contain gas-related boilers or other equipment? Would kitchens, corporate dining areas, and other related spaces require inspections.

The bill also appears to fail to take into consideration building age and code requirements. Over time, different codes have applied to building construction and gas infrastructure. It is not clear how a Master Plumber inspecting a building could know which code the building should be in compliance with.

Also problematic is the bill's focuses on visible pipes, as much of the piping in most buildings is behind the wall, between floors, or otherwise not visible. This would prevent this bill from protecting against many violations that could lead to explosions.

Last, it is not clear that a four year inspection schedule is necessary or optimal.

BOMA/NY understands the importance of the issues at hand. Recent gas-related disasters have led to a number of fatalities and severe injuries. That said, we believe that additional work is needed to craft bills that will work to protect human health without creating undue burdens.

Once again, we thank and applaud the Council and the City for taking on these issues and look forward to working with you moving forward.

**TESTIMONY OF MICHAEL CONIGLIARO, PRESIDENT TWU LOCAL 101
BEFORE CITY COUNCIL COMMITTEE ON HOUSING AND BUILDINGS**

HON. JAUMAANE D. WILLIAMS

CHAIRPERSON

TUESDAY, APRIL 12, 2016

GOOD DAY CHAIRMAN WILLIAMS AND MEMBERS OF THE COMMITTEE. MY NAME IS MICHAEL CONIGLIARO, ON BEHALF OF THE 1,600 MEN AND WOMEN WHO HELP PROVIDE AND ENSURE THE SAFE DELIVERY OF NATURAL GAS TO THE 1.2 MILLION RESIDENTS OF BROOKLYN AND QUEENS I WANT TO THANK YOU FOR THIS OPPORTUNITY TO BE HEARD.

OUR MEMEBERS WOULD LIKE TO COMMEND THIS COMMITTEE AND THIS COUNCIL FOR DEVELOPING THIS COMPREHENSIVE PACKAGE OF NEW LAWS. TAKEN BOTH INDIVIDUALLY AND TOGETHER, THIS PACKAGE OF LEGISLATION WILL HELP PREVENT THE TYPE OF TRAGEDIES WHICH LED TO THEIR DEVELOPMENT.

YET FOR ALL THE OVERSIGHT AND PROTECTIONS THESE NEW LAWS WILL PROVIDE ON THE INSIDE OF BUILDINGS, THIS LEGISLATION DOES NOT ADDRESS THE INSTALLATION OF THE GAS LINES AND PIPING THAT LEAD INTO HOMES, APARTMENT AND CONDOMINUM BUIDLINGS, SCHOOLS, HOSPITALS, RESTAURANTS, AND OTHER COMMERICAL AND RESIDENTIAL STRUCTURES BOTH LARGE AND SMALL.

AS A RESULT, EVEN AS I SIT HERE TODAY NATIONAL GRID IS PLAYING WITH FIRE -- AND WORSE.

NATIONAL GRID IS NOW USING SO MANY OUTSIDE CONTRACTOR CREWS --THERE ARE AS MANY AS 71 NOW PERFORMING STREET WORK. THERE ARE NOT ENOUGH INSPECTORS TO VISIT AND APPROVE THE WORK THAT IS BEING PERFORMED.

WITH 22 INSPECTORS RESPONSIBLE FOR REVIEWING AND APPROVING THE WORK OF 71 OUTSIDE CONSTRUCTION CREWS, INSPECTORS HAVE BEEN INSTRUCTED TO MAKE THEIR INSPECTIONS BY TELEPHONE!

THAT'S RIGHT! TELEPHONE!

THIS HAS BEEN GOING ON FOR SO LONG THERE IS EVEN A "NOT WITNESSED BY INSPECTOR" BOX ON THE INSPECTOR REPORT FORM. SO, WHEN THEY CANNOT GET TO THE WORKSITE THEY CHECK THIS BOX AND CALL THE FOREMAN TO ASK ABOUT THE WORK THAT WAS PERFORMED.

TELEPHONE INSPECTIONS ON GASLINE INSTALLATIONS...

THIS IS NOT A RANT AGAINST THE USE OF CONTRACTORS. FROM THE DAYS OF BROOKLYN UNION AND KEYSpan, STREET WORK OF OUR MEMBERS HAS ALWAYS BEEN SUPPLEMENTED BY CONTRACTORS. IF NATIONAL GRID HAD 15 CREWS, THEY WOULD BE SUPPLEMENTED BY MAYBE 20 OUTSIDE CREWS.

BECAUSE THE NATIONAL GRID EMPLOYEE CREWS HAVE BEEN VETTED, TRAINED AND CERTIFIED AS QUALIFIED BY NATIONAL GRID, IN-HOUSE CREWS SELF-INSPECT AND SELF-CERTIFY THEIR WORK.

OVER THE PAST YEAR, AND IN RECENT MONTHS, THE NUMBER OF OUTSIDE CREWS HAS EXPANDED FROM 20, TO 40 TO 66 AND NOW 71 OUTSIDE CREWS. THESE CONTRACTED CREWS ARE INSTALLING BOTH LOW AND HIGH-PRESSURE GAS LINES. ALL OF THESE JOBSITES ARE REQUIRED TO BE VISITED AND APPROVED BY OUR INSPECTORS.

THE PROPOSED LEGISLATION WE ARE TALKING ABOUT TODAY CLEARLY DEMONSTRATES THIS COUNCIL IS CONCERNED ABOUT THE SAFETY OF ALL NEW YORKERS.

I WANT TO REMIND YOU, THE SAFE DELIVERY OF GAS BEGINS LONG BEFORE THAT GASLINE REACHES THE FRONT DOOR.

THANK YOU.

DAILY CHECK LIST - GAS FIELD OPERATIONS & CONSTRUCTION

Date: Time: Weather: Super-Inspector:

Contractor: Not Witnessed By Inspector Crew Size: Employee ID:

Type of Work: Other: Foreman:

Dig Safe - One Call	Safety	Workmanship	Leak Repair
<input checked="" type="checkbox"/> Marked Out <input type="checkbox"/> Correct <input type="checkbox"/> Test Holed	<input checked="" type="checkbox"/> Proper PPE <input checked="" type="checkbox"/> Set Back <input checked="" type="checkbox"/> Work Area Protection	<input checked="" type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> Unsatisfactory <input checked="" type="checkbox"/> Permits <input type="checkbox"/> SOP Performed <input type="checkbox"/> EFV Installed <input type="checkbox"/> Removed Mercury Regulator	<input type="checkbox"/> Service <input type="checkbox"/> Main <input type="checkbox"/> Readings at Foundation Action Taken: _____ Pinpoint Reading [%]: _____ After Reading [%]: _____

Area #	Town	W.O. #	Pressure Type:	Meter Change Numbers:	Meter Set Location:
Address:		Leak #	Serv. Length Type: New - Full	New:	<input type="checkbox"/> Relocated to...
Cross St:		Case #	Pressure Test: Time:	Return:	<input type="checkbox"/> Inside <input type="checkbox"/> Outside
Grid #		CGI Test #	Recorded Pressure (psi):	Relight Info:	

DNR / RELAYED SERVICE	Excavation to Existing Strata			Same-Day Restoration	
	Strata Type	Qty.	Dimensions (or tot. sq. ft.)	Restoration Type	THK [in]

Labor						Equipment			Unit Breakdown		
Task	Qty.	Start Time	Reg Hrs	OT Hrs	Stop Time	Equipment List	Qty.	Total Hrs	Installed	Service(s)	Main
Foreman						truck			Size [in]		
Foreman						Van			Depth		
Laborer						Van			Material		
Laborer						Trailer			Length [ft]		
Operator						Backhoe			Installed	Service(s)	Main
Operator						Backhoe			Size [in]		
Flag Man						Dump Truck			Depth		
Timberman						Dump Truck			Material		
saw cutter						Compressor			Length [ft]		
Fuser						Fusion Equip.					

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SOP Data	SOP #:		Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
Steps Called In	Time	Operator	



PLUMBERS AND GASFITTERS LOCAL UNION NO. 1
OF THE
**UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING
AND PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA**
NEW YORK CITY

JOHN J. MURPHY
Business Manager

MICHAEL APUZZO
Financial Secretary-Treasurer

Business Agent-At-Large
PAUL O'CONNOR

Business Agents
FREDDY DELLIGATTI
RICHARD GARNER
RICHARD GILLIGAN
THOMAS W. KEMPF
DANIEL LUCARELLI
ROBERT MURRAY
RAYMOND V. RONDINO
ANTHONY RUSSINI
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Organizer
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PAUL COTTO
ALBERT ESPOSITO
GREG LOGAN
MICHAEL J. REED

Inside Sentry
DAVID McINTOSH

**TESTIMONY OF JOHN J. MURPHY, BUSINESS MANAGER
PLUMBERS LOCAL UNION NO. 1**

**HEARING ON INTRO 738
A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF
THE CITY OF NEW YORK, IN RELATION TO A GAS
QUALIFICATION FOR JOURNEYMEN PLUMBERS**

BEFORE

THE HOUSING AND BUILDINGS COMMITTEE

**ON TUESDAY, APRIL 12, 2016
COUNCIL CHAMBERS
CITY HALL, NY**



Good morning. I would first like to thank Chairman Williams and the members of the committee for this opportunity to address you this morning.

My name is John J. Murphy and I am the Business Manager of UA Plumbers Local 1, representing almost 6,000 members and a fourth generation plumber in the city of New York.

This year our union will be celebrating over 160 years of working, serving and protecting the health and safety of this city. Our Training department spends over 3 million dollars a year on training alone, all funded by our membership.

I appear today to urge you to support Intro 738, which requires any journeyman plumber working on gas piping to be certified by the City of New York to attest to their knowledge of the fuel gas code.

You will find little to no opposition from the hundreds of union contractors in this city simply because their workforce already has the training. Any opposition to this sensible bill that serves to protect our citizens should raise a red flag in your minds.

A small group of non-union Licensed Master Plumbers have been urged to oppose the bill, stating that since the owner is the Licensed Master Plumber, then the all of their employees are automatically qualified to install gas piping.

As written in today's NY Times, serious concerns have come to light following the East Village gas explosion last year that killed two people after the city had taken the word of a Licensed Master plumber that the gas connection was "code compliant." As Mr. Klock explained, the license holder rarely, if ever, performs the work.

This bill is not discriminatory towards the non-union sector. Any journeymen plumbers that are truly qualified will have no trouble becoming a registered journeyman and a qualified gas installer. This bill only impacts a plumbing company who will no longer be able to hire anyone off of the street without certifying that they have knowledge of the fuel gas code.

I took this description off of the NYS Licensing web site: "treatments involve actions that can be dangerous, if not performed by properly trained and licensed personnel."

That is for a nail salon technician, who must be licensed.

If you walk into any barbershop in NYC, you will find that every person cutting your hair needs to be licensed.

Would you be comfortable having surgery with the knowledge that the surgeon need not be licensed, only the Chief of Surgery?

The very notion that plumbers working on fuel gas need not be certified is a serious threat to the people of this city.

I urge you to vote yes in favor of this bill and mandate a gas certification for qualified and registered journeymen plumbers.

Thank you for your time today.



International Code Council
48 Dublin Drive
Niskayuna, NY 12309
tel: 888.icc.safe (422.7233)
fax: 518.783.4570
www.iccsafe.org

April 12, 2016

Good morning Chairman Williams, Members and Staff of the City Council Committee on Housing and Buildings. My name is Dottie Harris. I am the Vice President of State & Local Government Relations and your liaison to the International Code Council and I am here today testifying in support of Intro 738 which would amend the administrative code of the City of New York, in relation to a gas qualification for journeyman plumbers.

The International Code Council (ICC) is a member-focused association dedicated to helping the building safety community and the construction industry provide safe and sustainable construction through the development of codes and standards used in the design, build and compliance process. The International Codes are currently adopted at the state or local level in all 50 States, including the District of Columbia, Guam, Puerto Rico, the US Virgin Islands and the Northern Marianas Islands.

As you are aware, the NYC Construction Codes are based on the International Building Code (IBC), the International Fire Code (IFC), the International Plumbing Code (IPC), the International Mechanical Code (IMC) and the International Fuel Gas Code (IFGC). The City also adopts the International Energy Conservation Code (IECC) with NYC modifications in compliance with the NYS Energy Law. Within Local Law 99 of 2005, is a requirement that the City review and develop code revisions every three years to keep the Construction Codes current with new materials and technologies, and up to date with the latest versions of the International Codes (I-Codes).

The ICC also provides support products and services to supplement the Codes. One of such services is Personnel Certification. We offer over 50 different types of certifications and administer over 40,000 exams each year. The ICC has over 45 years of experience in testing those in the construction trades and is the oldest, largest, and most prestigious credentialing program for construction code administration/enforcement professionals in the U.S. We are prepared, if Intro. 738 passes, to create an exam based on the current NYC Construction Codes, more specifically as it relates to gas installation for journeyman plumbers - at no cost to the City. This exam would be given online at a computer based testing center at numerous locations in the City. ICC currently administers exams for Special Inspectors as identified the Department of Buildings Special Inspection Rule "1 RCNY§101-06."

My only recommendation is to possibly delay the effective date so that the Department of Buildings has adequate time to implement the requirements in the abovementioned mentioned Local Law.

Lastly, I would like to take a moment to praise the industry. Rarely do you see the regulated community ask for additional regulations. In this case, it's the gas installers asking for additional requirements to raise the bar and increase proficiently of their trade. This will benefit the industry as well as the City's residents and visitors.

Thank you for the opportunity to submit testimony regarding the certification of gas installers. The International Code Council is honored to partner with the City of New York and we look forward to continuing to serve your needs. I am pleased to answer any questions or provide additional documentation.

**Testimony in Support of Intro. 738
by Raymond Rondino, Business Agent,
Plumbers Local Union Number 1 of New York City**

Journeyman Registration is an existing system put in place by this council almost a decade ago in an effort to improve public safety.

Today only about 300 people are on the list of Registered Journeymen at the Department of Buildings, but we know that there are many thousands who currently qualify and meet all requirements to register if they had the incentive to do so.

Gas work cannot continue to be left to the untrained and inexperienced, at the discretion of a contractor. Adding this Gas Qualification to the current system will be the incentive for qualified people to register.

If the implementation of 738 is delayed by 18 to 24 months, there will be no problem for the thousands of qualified people in our city to register under the system already in place at DOB.

Registration, unlike licensing, does not require a criminal background check which would discriminate against individuals with minor criminal infractions in their background.

As for Gas Code testing, this is done nationwide for Government Agencies by the **International Code Council**.

The ICC Journeyman Gas exam is an open-book, on-line test, done at secure testing centers, and easily accessible to anyone.

There would be no responsibility or cost to the DOB for this test. It is a simple add-on to the Journeyman Registration that DOB already does.

At a recent forum, Intro 738 received the support of Mr. David Gmach (**DAVID MOCK**) of Con Edison, and the Association of Contracting Plumbers, representing 70 of the largest licensed Plumbing firms in New York City.

I urge the Council to **reinforce** our existing registration system to improve Gas Safety for the people of our City.

Pass 738 **as written**.

Testimony in Support of Intro. 738
by Arthur Klock, Director of Trade Education,
Plumbers Local 1 Trade Education Fund

In 2008, the City Council legislated a new set of Building Codes, including a Gas Code based on the International Code Council's I-Codes. This brought New York City in line with the rest of the United States with a safer, more consistent set of codes. The purpose was to promote public safety.

2008 brought another nationally accepted concept to New York City, **Journeyman Registration**. Since 2008, the Department of Buildings has had a system of registration for Journey-level workers.

Registration of the Journey-level Gas Installer is required in various forms in every state in the United States. It is sometimes state-wide, county-wide, or municipal, but in every state including New York State, registration of Journey-level Gas Installers can be found.

As an example, say a home or business on Edenwald Avenue in the Bronx needed gas repairs done, and another home or business on Edenwald, 2 blocks away in Mount Vernon, needed similar work. The Journey-level gas worker in Mount Vernon who is dispatched by a Master Plumber **must** be a Registered Journeyman, while amazingly; the worker in the Bronx dispatched by a Master Plumber need have NO TRAINING, QUALIFICATIONS, OR EXPERIENCE OF ANY KIND.

TRUTH MUST BE TOLD, and the truth is that employers almost never install, service or maintain gas piping and appliances. Their employees do.

When the City Council brought in the new set of Building Codes, something **old** and **wrong** slipped through. The new laws created a registration system for Journeyworkers who work on gas piping, but **no requirement that they register.**

THE AMAZING TRUE FACT IS THAT CURRENTLY IN OUR CITY, ANY PERSON MAY INSTALL, SERVICE, OR REPAIR FUEL GAS SYSTEMS WITHOUT TRAINING, EXPERIENCE, or QUALIFICATIONS OF ANY KIND.

They only have to be employed by a Master plumber, who **does not have to be present** while they work.

This is dangerous and wrong.

Filling out an **IRS form W-4** does not prepare someone to properly perform work that is outlined in a 130 page code book.

Intro. 738 has the full support of the **Plumbing Foundation.** Foundation Director, Stewart O'Brien, stated their position on 738:

QUOTE –“It is rare that you hear of an Industry saying regulate us more , but we think it is so important, that it is worth doing it”.

I urge the Council to pass 738 **as written.** It's time to sew up this hole in our city's safety net.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1098

I intend to appear and speak on Int. No. 1098 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ANTHONY CAIAZZO

Address: 102E PARK LANE E

I represent: LIC PLUMBER

Address: 1381 UTICA AVE

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: TERRI DAVIS - MERCHANT

Address: 100 GOLD STREET, NY, NY

I represent: NYC HPD

Address: 100 GOLD STREET, NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 738 Res. No. _____

in favor in opposition

Date: 4/12/16

(PLEASE PRINT)

Name: JOHN J. MURPHY

Address: 50-01 5th St. LIC, NY 11101

I represent: Plumber Local #1

Address: Stuy

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Commissioner Chandler, DOB.

Address: _____

I represent: Dept. of Buildings

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. ALL Res. No. _____

in favor in opposition
OF ALL BUT 738

Date: ARTHUR GOLDSMID

(PLEASE PRINT)

Name: DARRIN LUNDIN / LEONARD WILLIAMS

Address: MPC OFFICE

I represent: MPC

Address: 70-02 70TH AVE GLENDALE NY 11385

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 738 1088 Res. No. _____

in favor in opposition

Date: 4/12/11

(PLEASE PRINT)

Name: Daniel Avey

Address: _____

I represent: BOMBA NY

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 132 + 1038 Res. No. _____

in favor in opposition

Date: 4/12/16

(PLEASE PRINT)

Name: Hershel Weisse

Address: _____

I represent: BOMA / NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. all Res. No. _____

in favor in opposition

Date: 4/12/16

(PLEASE PRINT)

Name: MIKE CONIGLIARO

Address: _____

I represent: TWU LOCAL 101 - NATIONAL GRID

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. All Res. No. _____

in favor in opposition

of all but
Intec 738

Date: 4/12/16

(PLEASE PRINT)

Name: John DeIillo

Address: G. MEADOWOOD LN FT SALONIA NY 11768

I represent: MASTER Plumbers Council of NYC

Address: 246-21 BRADDOCK Ave, Bellmore NY 11426

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 738 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DOROTHY HARRIS

Address: _____

I represent: INTERNATIONAL CODE COUNCIL

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Mary Kelly

Address: Con Edison - VP Gas Engineering

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/12/16

(PLEASE PRINT)

Name: Robert Wilson

Address: _____

I represent: National Grid

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4-12-16

(PLEASE PRINT)

Name: Mike Conigliaro

Address: 195 Montague St. Brooklyn

I represent: TWU Local 101

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 738 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: RAY RONDINO

Address: _____

I represent: PLUMBERS LOCAL 1

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 738 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ARTHUR KLOCK

Address: _____

I represent: PLUMBERS LOCAL 1 TRADE EDUCATION

Address: _____

Please complete this card and return to the Sergeant-at-Arms

Q+A

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Chief John Sudnik, FDNY

Address: 9 Metro Tech Brooklyn

I represent: Chief of Fire Operations, FDNY

Address: _____

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: David Gmach

Address: Con Edison 4 Irving Place NY, NY 10022

I represent: Con Edison

Address: _____

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1088 1079 Res. No. _____

in favor in opposition

Date: 4/17/16

(PLEASE PRINT)

Name: TERENCE O'BRIEN

Address: 44 West 28th St

I represent: Plumbing Foundation

Address: _____