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Title: A Local Law to amend the administrative code of the city of New York, in relation to requiring the preparation of an air pollution study prior to execution of any lease or other agreement relating to the use or operation of all or any portion of an airport owned by the city of New York.

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Int. No. 782

By Council Members Dear, McCaffrey, Harrison and Freed

A Local Law to amend the administrative code of the city of New York, in relation to requiring the preparation of an air pollution study prior to execution of any lease or other agreement relating to the use or operation of all or any portion of an airport owned by the city of New York.

Be it enacted by the Council as follows:

Section 1. Title 24 of the administrative code of the city of New York is amended by adding thereto a new section 24-233.1 to read as follows:

§24-233.1. Airport-related air pollution study required. a. Prior to the execution of any lease or other agreement for construction of a new terminal at an airport owned by the city of New York, expansion of an existing terminal at any such airport or a lease or other agreement with respect to the operation of any such airport, the commissioner, in conjunction with the commissioner of business services and the commissioner of health, shall complete a comprehensive study regarding airport-related air pollution and shall issue a report of such study.

b. The study required by subdivision a of this section shall be undertaken pursuant to the provisions of section 24-205 of this chapter for the purpose of ensuring that airport-related air pollution does not reach unreasonable, unsafe or unhealthy levels.

c. In conducting the study, the commissioner, in conjunction with the commissioner of business services and the commissioner of health, shall:

1. establish the average number of daily arrivals and departures of aircraft at such airport and increases likely to occur as a result of any construction or expansion of any terminals;
2. determine the average daily volume of vehicular traffic arriving and departing such airport and increases likely to occur as a result of any construction or expansion of any terminals;
3. collect and analyze data relating to air pollution produced at such airport by aircraft, vehicles and equipment that service aircraft at such airport, as well as buses, taxis, limousines and other for-hire vehicles that serve such airport;
4. collect and study data relating to air pollutants discharged and emitted from stationary airport sources, including but not limited to, terminals and control towers;
5. collect and analyze data relating to air pollution produced by airport demolition and construction activities;
6. examine all relevant available information, including the State implementation plan under the federal Clean Air Act (42 U.S.C. 7401, et seq.), as well as any master plan for such airport;
7. ascertain the average daily ambient air quality impacted by pollutants created by arriving and departing aircraft and airport-related vehicles as well as overall ambient air quality, including, but not limited to, an analysis of levels of the following air pollutants:
 - i. carbon monoxide;
 - ii. nitrogen oxides;
 - iii. photochemical oxidants;
 - iv. lead;
 - v. particulate matter; and
 - vi. sulfur dioxides;
8. examine the effects on the human respiratory system created by airport-related air pollution,

including, but not limited to, the incidence of asthma and emphysema on individuals in different age groups, and other associated health problems for persons residing near such airport;

9. examine the effects of airport-related air pollution on the general physical environment encompassing such airport and its surrounding environs; and

10. evaluate the need for and feasibility of airport-related air pollution regulation and recommend limitations on airport-related activity due to the accompanying ambient air quality.

d. The report of such study shall be submitted to the mayor and the speaker of the council no less than ninety days prior to the execution of any lease or other agreement for which such study is required.

§2. This local law shall take effect immediately after it is enacted into law.