



Legislation Text

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By Council Members Richards, Johnson, Chin, Constantinides, Eugene, Gentile, Gibson, Levine, Reynoso, Williams, Espinal, King, Rosenthal, Rodriguez, Cumbo and Menchaca

A Local Law to amend the administrative code of the city of New York, in relation to the creation of an air quality task force.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that air pollution is now the "single largest environmental health risk," according to the World Health Organization. The majority of the deaths associated with air pollution are due to heart disease, stroke, chronic obstructive pulmonary disease and lung cancer. According to the Department of Health and Mental Hygiene, air pollution in the City of New York is a major health concern, contributing to approximately 6% of all deaths. According to the Department of Health and Mental Hygiene, 2,200 persons die prematurely from poor air quality annually, or six persons per day. The Council further finds that according to a recent report by Mt. Sinai Hospital, asthma rates have tripled in the past three decades and are now the leading cause of hospital emergency room visits, hospitalizations, and school absenteeism for children.

Therefore, the Council finds that it is in the best interests of the City of New York to establish an air quality task force to make recommendations to address intermittent, long-standing and chronic air pollution problems that are contributing to impaired health, poor scholastic performance, morbidity and mortality in New York City.

§ 2. Section 24-106 of the administrative code of the city of New York is amended to add a new subdivision a to read as follows:

§24-106 Air quality task force. a. There is hereby established a New York city air quality task force to make recommendations for expanded air quality monitoring and data collection with respect to adverse air quality impacts from industrial activities and sources, small area sources, mobile sources and air pollution hot spots and other unaddressed sources of air pollution in the city of New York. Such task force shall consist of nineteen members as follows:

Seventeen members shall be appointed by the mayor, provided that there is/are: (i) one representative of a national environmental organization working for improved air quality; (ii) one representative of the department of health and mental hygiene; (iii) one representative of the department of environmental protection with experience in air quality related issues; (iv) one representative of the mayor's office of long-term planning and sustainability; (v) three representatives, one each from community boards 3, 13 and 14 in the borough of Queens, respectively; (vi) two representatives, one each from community boards 9 and 11 in the borough of Manhattan; (vii) two representatives, one each from community boards 1 and 2 in the borough of the Bronx; (viii) five representatives of environmental justice organizations, one from each borough of the city of New York, respectively; and (ix) one representative of a research hospital engaged in public health air quality research; and

2. Two members shall be appointed by the speaker of the council, provided that: (i) one member shall be a person with experience in environmental issues; and (ii) one member shall be a person with experience in transportation issues.

b. Members of the air quality task force shall serve without compensation and meet quarterly, with the first meeting to take place not more than three weeks after the final member of the task force is appointed. At its first meeting, the task force shall select a chairperson from among its members by majority vote of the task force.

c. The task force may adopt rules and procedures with respect to the conduct of its meetings and other affairs not inconsistent with any law.

d. Each member shall serve for a term of twelve months, to commence after the final member of the task force is appointed. Any vacancies in the membership of the task force occurring other than by expiration of term shall be filled in the same manner as the original position was filled for the unexpired portion of the term. The members of the task force shall be appointed within sixty days of the effective date of the local law that added this section.

e. No member of the task force shall be removed from office except for cause and upon notice and hearing by the appropriate appointing official.

f. The task force may request from any department, division, board, bureau, commission, borough president, agency or public authority of the city of New York such information and data as will enable the task force to properly carry out its functions.

g. The task force shall issue a report to the mayor and council no later than twelve months after the final member of the task force is appointed, and not less frequently than annually thereafter. Such report shall include the following:

1. An analysis of the sufficiency of the current laws to address impaired air quality; and

2. Recommendations for state or local legislative or policy changes or mitigation measures that would help the city increase accountability for impaired air quality and improve air quality.

h. The task force shall continue in existence until such time as the air quality in city of New York is in compliance with the national ambient air quality standards for criteria pollutants for three consecutive years.

§ 3. This local law shall take effect immediately.

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