



## Legislation Text

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**File #:** Res 0235-2022, **Version:** \*

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### Res. No. 235

Resolution calling upon the Metropolitan Transportation Authority to remediate any transportation structure, primarily elevated train lines, with extremely high levels of lead.

By Council Members Brooks-Powers, Nurse, Cabán, Hanif, Abreu, Louis, Holden, Gutiérrez, Joseph, Won, Brewer and Lee

Whereas, The New York State Metropolitan Transportation Authority's (MTA) New York City Transit is the agency responsible for managing, maintaining, and running subway and bus service in New York City; and

Whereas, As one the largest public transportation agencies in the world with an annual ridership of approximately 640 million, New York City Transit has 472 subway stations, 665 miles of track, 5,927 buses, 234 local bus routes, 20 Select Bus Service routes, and 73 express routes; and

Whereas, Some of the subway stations and elevated tracks belonging to the New York City Transit system are more than one-hundred years old; and

Whereas, A study conducted by the International Union of Painters and Allied Trades in 2017 found that chips falling from the Number 7 elevated train trestle in Jackson Heights, Queens contained 224,000 parts per million of lead in the paint, which was more than forty times what is considered safe; and

Whereas, Recent locally published newspaper accounts indicate that an independent lab test taken of fallen paint chips from portions of the J, M, and Z elevated subway line structure in Bushwick, Brooklyn found that the samples contained levels of lead in the range of 15,800 to 63,000 parts per million, more than twelve times the legal limit; and

Whereas, According to the Centers for Disease Control and Prevention (CDC), exposure to high levels of lead may cause anemia, weakness, and kidney and brain damage, and can even cause death at very high

levels of exposure; and

Whereas, The CDC's National Center for Environmental Health warns that exposure to lead can seriously harm a child's health, including: causing damage to the brain and nervous system; slowing growth and development; setting off learning and behavior problems; and bringing about hearing and speech problems; and

Whereas, Due to the potentially deleterious effects of exposure to lead-based paint, the Federal Government banned consumer and residential uses of paint containing lead in 1978, however, the paint can still be found on older structures, such as the elevated structures of the New York City Transit system; and

Whereas, Over the past sixty years, New York City has undertaken numerous efforts to combat exposure to lead including banning the use of lead-based paint in residential buildings in 1960, and enacting Local Law 1 of 2004 which requires, in part, that building owners investigate units and common areas in which lead-based paint may be present, with special attention paid to units where a child under age six resides, and address any lead-based paint hazards or violations using safe work practices to prevent additional exposure to lead; and

Whereas, Since New York City Transit is a division of the MTA, a state-run entity, even though the structures potentially causing exposures are located within the City, the decisions related to operations, maintenance and lead remediation and abatement efforts are made by that authority; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority to remediate any transportation structure, primarily elevated train lines, with extremely high levels of lead.

RA  
LS #8759  
6/7/2022