



Legislation Text

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Int. No. 1130

By Council Members Avilés, Brooks-Powers, Restler, Cabán, Williams, Krishnan and Louis (in conjunction with the Brooklyn Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to the regulation of indirect sources of air pollution

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 24 of the administrative code of the city of New York is amended by adding a new subchapter 10 to read as follows:

Subchapter 10

INDIRECT SOURCE RULE

§ 24-191 Definitions. For the purposes of this subchapter, the following terms have the following meanings:

Indirect source. The term “indirect source” means a facility, building, structure, installation, real property, road, or highway which attracts, or may attract, mobile sources of air pollution.

Indirect source rule. The term “indirect source rule” means a regulation of indirect sources that aims to reduce emissions from mobile sources of air pollution that interact with such indirect sources.

Mobile source of air pollution. The term “mobile source of air pollution” mean vehicles, engines, and equipment that generate air pollution and that move, or can be moved.

Qualifying warehouse. The term “qualifying warehouse” means a warehouse that is 50,000 square feet or greater.

Warehouse. The term “warehouse” means a fulfillment center, a facility whose primary purpose is

storage and distribution of goods to consumers either directly or through a last mile facility; or a last mile facility whose primary purpose is processing or redistributing goods for delivery directly to consumers; or a parcel sorting facility whose primary purpose is sorting or redistributing goods from a fulfillment center to a last mile facility.

§ 24-192 Indirect source rule. a. The commissioner shall promulgate an indirect source rule. Such rule shall apply to all operators of qualifying warehouses and any other indirect sources the commissioner deems appropriate.

b. In promulgating the indirect source rule, the commissioner shall consider a variety of measures including, but not limited to:

1. Requiring indirect sources to implement air pollution mitigation plans approved by the commissioner;

2. Regulating times or methods of delivery to or from indirect sources;

3. Establishing incentives for indirect sources to take actions specified by the commissioner that mitigate air pollution; and

4. Establishing penalties for violations of the indirect source rule.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of environmental protection shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

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