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Int. No. 794

By Council Members Morano, Hanks, Ariola and Louis

A Local Law to amend the New York city fire code, in relation to remote monitoring and independent inspections of certain energy storage systems

Be it enacted by the Council as follows:

Section 1. Section FC 608.11.1 of the New York city fire code, as added by local law number 47 for the year 2022, is amended to read as follows:

§ 608.11.1. Remote monitoring of energy storage management system and reporting.

Except for telecommunications equipment subject to the exception set forth in FC608.9, the owner of a stationary energy storage system shall arrange for data transmissions from the energy storage system's energy storage management system to be continuously monitored (on a 24/7 basis) by a remote monitoring facility staffed by trained and knowledgeable persons retained by the manufacturer or installer of the energy storage system. The remote monitoring facility shall, without delay, make all necessary notifications, as required by the rules and the emergency management plan, including notifications to the department, the certificate of fitness holder and the subject matter expert, in the event a stationary energy storage system installed in New York City exceeds or appears likely to exceed thresholds at which fire, explosion or other serious adverse consequences may result. The owner of an outdoor system with an aggregate rated energy capacity of greater than 500 kWh shall also arrange for data transmissions from the outdoor system's energy storage management system to be shared with the department on a live, continuous basis.

§ 2. Section FC 608.11.4 of the New York city fire code, as added by local law number 47 for the year 2022, is amended to read as follows:

§ 608.11.4. Maintenance.

The owner shall ensure that the stationary energy storage systems are periodically inspected, tested, serviced and otherwise maintained in accordance with manufacturer's specifications and the requirements of this section by a person trained and knowledgeable in the specific system. The department [may] shall prescribe by rule stationary energy storage system periodic inspection requirements. Such rules shall, at a minimum, require the following for every outdoor system with an aggregate rated energy capacity of greater than 500 kWh:

1. Annual inspection by an inspector who is not employed by or affiliated with the owner, operator, designer, or installer of the outdoor system and who possesses qualifications established by the

department; and

2. That the results of each such annual inspection be submitted to the department, the Department of Buildings, and the Department of Environmental Protection and made publicly available on the department's website.

§ 3. This local law takes effect 180 days after it becomes law.

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