

9731

I N   A S S E M B L Y

March 29, 2012

---

Introduced by M. of A. GABRYSZAK -- read once and referred to the  
Committee on Labor

AN ACT to amend the labor law, in relation to exempting contractors  
employed by a municipality from payment of asbestos project notifica-  
tion fees for demolitions

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 2 of section 904 of the labor law, as amended  
2     by section 1 of part BB of chapter 57 of the laws of 2009, is amended to  
3     read as follows:  
4     2. Any contractor engaged in an asbestos project involving more than  
5     two hundred sixty linear feet or more than one hundred sixty square feet  
6     of asbestos or asbestos materials shall notify both the United States  
7     Environmental Protection Agency, Region II, Air and Hazardous Material  
8     Division and the commissioner in writing ten days prior to the commence-  
9     ment of work on the project or, if emergency conditions make it impossi-  
10    ble to provide ten days prior notice, as soon as practicable after iden-  
11    tification of the project. The notice to the commissioner shall include  
12    the following information: the name, address and asbestos handling  
13    license number of the contractor working on the project; the address and  
14    description of the building or area, including size, age and prior use  
15    of the building or area; the amount of friable asbestos material present  
16    in square feet and/or linear feet, if applicable; room designation  
17    numbers or other local information where such asbestos material is found  
18    unless such material is found throughout the entire structure; the sche-  
19    duled starting and completion dates for removal; the procedures and  
20    equipment, including ventilating systems that will be employed; any  
21    additional information which the commissioner may require; and, EXCEPT  
22    FOR CONTRACTORS EMPLOYED BY A MUNICIPALITY TO ENGAGE IN SUCH ASBESTOS  
23    PROJECTS, shall be accompanied by a project notification fee as follows:

24	Project Size/Linear Feet	Fee
25	260-429	\$200

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD14019-04-2

1	430-824	400
2	825-1649	1,000
3	1650 or more	2,000

4	Project Size/Square Feet	Fee
5	160-259	\$200
6	260-499	400
7	500-999	1,000
8	1000 or more	2,000

9 S 2. This act shall take effect immediately.