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I N S E N A T E

June 17, 2014

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the labor law, in relation to asbestos project notification fees

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, 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. (A) Any contractor engaged in an asbestos project involving more  
5 than two hundred sixty linear feet or more than one hundred sixty square  
6 feet of asbestos or asbestos materials shall notify both the United  
7 States Environmental Protection Agency, Region II, Air and Hazardous  
8 Material Division and the commissioner in writing ten days prior to the  
9 commencement of work on the project or, if emergency conditions make it  
10 impossible to provide ten days prior notice, as soon as practicable  
11 after identification of the project. The notice to the commissioner  
12 shall include the following information: the name, address and asbestos  
13 handling license number of the contractor working on the project; the  
14 address and description of the building or area, including size, age and  
15 prior use of the building or area; the amount of friable asbestos mate-  
16 rial present in square feet and/or linear feet, if applicable; room  
17 designation numbers or other local information where such asbestos mate-  
18 rial is found unless such material is found throughout the entire struc-  
19 ture; the scheduled starting and completion dates for removal; the  
20 procedures and equipment, including ventilating systems that will be  
21 employed; any additional information which the commissioner may require;  
22 and EXCEPT AS PROVIDED UNDER PARAGRAPH (B) OF THIS SUBDIVISION, shall be  
23 accompanied by a project notification fee as follows:

24	Project Size/Linear Feet	Fee
25	260-429	\$200
26	430-824	400

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

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1	825-1649	1,000
2	1650 or more	2,000

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

8 (B) ANY CONTRACTOR ENGAGED IN AN ASBESTOS PROJECT THAT INVOLVES AN  
9 OWNER OCCUPIED ONE OR TWO FAMILY HOME THAT IS OCCUPIED BY THE OWNER  
10 DURING A LOCAL STATE OF EMERGENCY DECLARED PURSUANT TO SECTION  
11 TWENTY-FOUR OF THE EXECUTIVE LAW OR A STATE DISASTER EMERGENCY DECLARED  
12 PURSUANT TO SECTION TWENTY-EIGHT OF THE EXECUTIVE LAW AND DAMAGED OR  
13 CONDEMNED AS A RESULT OF SUCH DISASTER SHALL PAY A FIXED PROJECT NOTIFI-  
14 CATION FEE OF TWO HUNDRED DOLLARS.

15 S 2. This act shall take effect immediately.