

3675--A

2013-2014 Regular Sessions

I N A S S E M B L Y

January 28, 2013

Introduced by M. of A. LUPARDO, CROUCH -- read once and referred to the Committee on Labor -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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. 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 shall be
22 accompanied by a project notification fee as follows:

23

Project Size/Linear Feet	Fee
--------------------------	-----

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

LBD07057-03-3

1	260-429	\$200
2	430-824	400
3	825-1649	1,000
4	1650 or more	2,000
5	Project Size/Square Feet (FRIABLE)	Fee
6	160-259	\$200
7	260-499	400
8	500-999	1,000
9	1000 or more	2,000
10	PROJECT SIZE/SQUARE FEET	FEE
11	(NON-FRIABLE/RACM)	
12	160-259	\$50
13	260-499	75
14	500-999	100
15	1,000-1,999	200
16	2,000-2,999	500
17	3,000-3,999	800
18	4,000-4,999	1,000
19	5,000 OR MORE	2,000

20 ALL OWNER OCCUPIED ONE AND TWO FAMILY HOMES THAT ARE OCCUPIED DURING A
 21 DISASTER AND THEN CONDEMNED DUE TO DISASTERS SUCH AS, BUT NOT LIMITED
 22 TO, FLOODS, FIRES, TORNADOES OR HURRICANES SHALL PAY A FIXED NOTIFICA-
 23 TION FEE FOR NOTIFICATION PURPOSES OF DEMOLITION OF TWO HUNDRED DOLLARS.
 24 RESIDENTIAL HOMES ACQUIRED BY TOWNS AND MUNICIPALITIES AND CONDEMNED
 25 SHALL NOTIFY THE DEPARTMENT OF LABOR PER THE NORMAL NOTIFICATION PROCESS
 26 BUT SHALL NOT BE REQUIRED TO PAY ANY NOTIFICATION FEE.

27 S 2. This act shall take effect immediately.