S T A T E O F N E W Y O R K

3099--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 22, 2015

Introduced by M. of A. LUPARDO, CROUCH, GOODELL, MAGNARELLI, GIGLIO, McDONALD, THIELE, SALADINO -- 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:

Section 1. Subdivision 2 of section 904 of the labor law, as amended by section 1 of part BB of chapter 57 of the laws of 2009, is amended to read as follows:

2. Any contractor engaged in an asbestos project involving more than two hundred sixty linear feet or more than one hundred sixty square feet of asbestos or asbestos materials shall notify both the United States Environmental Protection Agency, Region II, Air and Hazardous Material Division and the commissioner in writing ten days prior to the commencement of work on the project or, if emergency conditions make it impossible to provide ten days prior notice, as soon as practicable after identification of the project. The notice to the commissioner shall include the following information: the name, address and asbestos handling license number of the contractor working on the project; the address and description of the building or area, including size, age and prior use of the building or area; the amount of friable asbestos material present in square feet and/or linear feet, if applicable; room designation numbers or other local information where such asbestos material is found unless such material is found throughout the entire structure; the scheduled starting and completion dates for removal; the procedures and equipment, including ventilating systems that will be employed; any additional information which the commissioner may require; and shall be accompanied by a project notification fee as follows:

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

LBD06330-02-5

Project Size/Linear Feet	Fee
260-429	$200
430-824	400
825-1649	1,000
1650 or more	2,000

Project Size/Square Feet (FRIABLE)	Fee
160-259	$200
260-499	400
500-999	1,000
1000 or more	2,000

PROJECT SIZE/SQUARE FEET (NON-FRIABLE/RACM)	FEE
160-259	$50
260-499	75
500-999	100
1,000-1,999	200
2,000-2,999	500
3,000-3,999	800
4,000-4,999	1,000
5,000-5,999	2,000
6,000-6,999	3,000
7,000-7,999	4,000
8,000-8,999	5,000
9,000-9,999	6,000
10,000 OR MORE	8,000

ALL OWNER OCCUPIED ONE AND TWO FAMILY HOMES THAT ARE OCCUPIED DURING A DISASTER AND THEN CONDEMNED DUE TO DISASTERS SUCH AS, BUT NOT LIMITED TO, FLOODS, FIRES, TORNADOES OR HURRICANES SHALL PAY A FIXED NOTIFICATION FEE FOR NOTIFICATION PURPOSES OF DEMOLITION OF TWO HUNDRED DOLLARS.

S 2. This act shall take effect immediately.