STATE OF NEW YORK

7292

IN SENATE

January 5, 2018

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

AN ACT to amend a chapter of the laws of 2017, directing the metropolitan transportation authority and the New York city transit authority to study aboveground transit infrastructure, as proposed in legislative bills numbers S. 5754-A and A. 7562-A, in relation to lead paint remediation reporting for the metropolitan transportation authority's and the New York city transit authority's aboveground transit infrastructure

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Sections 1, 2, and 3 of a chapter of the laws of 2017, directing the metropolitan transportation authority and the New York city transit authority to study aboveground transit infrastructure, as proposed in legislative bills numbers S. 5754-A and A. 7562-A, are amended to read as follows:

Section 1. [~~The metropolitan transportation authority and the New York city transit authority, in consultation with the department of environmental conservation and the department of health, shall conduct a study to examine and evaluate aboveground stations, elevated trestles, and elevated subway and railway tracks owned or controlled by the metropolitan transportation authority, regarding, but not limited to the following determinations:~~

~~(a) review past renovations to stations to determine the amount of lead paint abatement;~~

~~(b) determine the degree to which the metropolitan transportation authority complies with federal and state air quality laws and regulations;~~

~~(c) establish recommendations to further lead paint abatement, enhance air quality controls, and to ensure protection of public health and the environment; and~~

~~(d) determine the fiscal impact of any aforementioned recommendations.~~

~~The metropolitan transportation authority and the New York city transit authority, in consultation with the department of environmental~~

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

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~~conservation and the department of health, shall limit such study to a statistically significant subset of the aboveground stations, elevated trestles, and elevated subway and railway tracks to be representative of all aboveground transit infrastructure. Testing shall include all five boroughs, low-income neighborhoods, and densely populated areas of the city of New York.~~] On or before July 1, 2018, and every year thereafter, the president of the New York city transit authority shall submit a written report to the governor, temporary president of the senate, and speaker of the assembly that identifies all current or planned capital projects that will involve the removal of existing lead-based paint from and the repainting of any of the aboveground stations, elevated trestles, or elevated subway tracks operated by the New York city transit authority. For each such project, the report will describe the work to be undertaken and measures that the New York city transit authority will take to ensure adequate protection of public health and the environment from lead particulates. The report shall also include a description of the New York city transit authority policy for lead particulate management for such capital projects.

§ 2. [~~On or before March 1, 2018, the chairman of the metropolitan transportation authority and the chairman on the New York city transit authority shall submit a written report to the governor, temporary president of the senate, speaker of the assembly and mayor of the city of New York, with the findings and recommendations of the study conducted pursuant to section one of this act.~~

~~§ 3.~~] This act shall take effect immediately.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2017, directing the metropolitan transportation authority and the New York city transit authority to study aboveground transit infrastructure, as proposed in legislative bills numbers S. 5754-A and A. 7562-A, takes effect.