

Gilsenan, Michael

From: Raffo, Barbara
Sent: Thursday, March 28, 2002 4:30 PM
To: Gilsenan, Michael; Gilsenan, Michael; Maldonado, Jane
Subject: FW: FY Review /Input

From: Kelpin, Gerry
Sent: Thursday, March 28, 2002 4:23 PM
To: Raffo, Barbara
Subject: FW: FY Review /Input

my changes, i hope are incorporated in this return e-mail.

-----Original Message-----

From: Raffo, Barbara
Sent: Thursday, March 28, 2002 2:44 PM
To: Kelpin, Gerry 001
Subject: FY Review /Input



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WTC RELATED EXTERIOR BUILDING SURVEYS:

Since January, the Bureau of Environmental Compliance has been conducting surveys of building roofs, facades and setbacks. There are two geographical phases of the project:

Phase 1: East to West = West of Broadway to the Hudson River

North to South = Chambers Street to Battery Place

Phase 2: East to West = Pearl Street to Broadway

North to South = Brooklyn Bridge to Beaver Street

Approximately 435 buildings have been surveyed. All building owners in the above outlined areas have been requested to submit to DEP, details of their clean-up efforts and activities. DEP staff is reviewing the submitted data and is conducting follow-up inspections where needed. There is additional outreach being done to owners who have not responded to letters and phone calls. To date 259 reports and letters have been received from the owners or owner representatives of these properties.

SARA – RTK:

The New York City Community Right-to-Know law (RTK), (Local Law 26) was implemented in 1988 to augment the Federal Emergency Planning and Community Right-to-Know Act (EPCRA) under the 1986 Superfund Amendments and Reauthorization Act (SARA).

In order to fulfill the City's responsibilities, DEP's Bureau of Environmental Compliance's (BEC), SARA-RTK Unit, is responsible for the law's implementation, management and enforcement.

The RTK Unit collects and manages information submitted annually by regulated facilities and uses the information to publish its Annual Report. The data is also used for informational purposes when responding to emergency situations involving those facilities.

Currently the RTK filings are collected in several stand-alone databases: (1) Citywide Facility Inventory Database (CFID); (2) Material Safety Data System (MSDS); (3) Risk Management Plan (RMP); and (4) An Inspection Database. Additional semi-computerized systems include one for fee calculation, one for incident reports, a laboratory tracking management database, a manifest tracking system, and a system that tracks Commissioner's Orders.

Funding was provided by Capital Project SARA RTK EP-5 to establish a system to integrate the information from the databases into one system that will be further enhanced by a GIS system, and will be one that will be accessible to not only DEP's emergency responders but to responders from other city agencies such as fire, police, OEM, etc.

Violation Issuance for Expired Permits, Certificates and Registrations Based on Records (via Mail):

The Bureau of Environmental Compliance has been working to clean up its Air Permitting System, Air Facility System (AFS). The implementation of a new air permitting system allows

for the analysis of the data in a more comprehensive fashion. Currently, when a permit, certificate or registration expires, an inspector is sent to the premise to determine if the equipment is still in use. If the equipment is still in use, and no attempt has been made to renew, a violation is issued.

At this time, due to the Bureau's increased confidence in the integrity of the data, in lieu of sending an inspector to the premise, a violation will be issued based on Department records. These violations will be automatically generated through AFS, which will allow the Bureau to reassign the inspectors now dedicated to this function, to complaint response and to locate businesses that have never filed permit applications.

Noise Code Rewrite:

Several Bureaus' within the Agency have undertaken the task to update the Department's Noise Code. The Code currently in place does not adequately address changes in the development pattern in the City that have resulted in different sources of noise complaints. The Code was promulgated in the early 1970's when there were much clearly divisions of manufacturing/commercial uses from residential uses. As we see more and more mixed use buildings and mixed uses areas, more residential users are exposed to commercial noise sources that occur 24 hours a day. These sources were not as much of an issue when the Code was first drafted because these commercial business areas essentially closed and the noise source was not heard by anyone during the overnight hours. This effort is to identify sections in the noise code that can be improved. The areas for change and modification are coming from the experiences of the enforcement staff, which have documented the difficulty in issuing a notice of violation for certain problems. The violation is our tool to gain compliance.

Additionally, this panel will look at the Codes of other Agencies with regard to noise issues and will attempt to reconcile some of the inconsistencies and to make suggestions that will strengthen efforts to achieve noise reductions.

Consolidation Project for Periodic Boiler Filings.

Both the New York City Department of Buildings (DoB) and DEP require that boilers operating at a certain level be inspected periodically. DoB requires that all boilers in dwellings equal to six families or greater and all boilers in commercial or mixed use buildings be inspected annually for safe operation and a report filed with the Department. DEP requires that a report be filed every three years, for boilers operating at equal to or greater than 350,000 BTU's, to ensure that the emission standards are acceptable. It is a hardship on filers to be required to submit reports to two separate agencies for the same piece of equipment.

DEP has proposed to DoB that a "one-stop" process be implemented for boilers regulated by both agencies. Both agency's filings require that much of the same information be provided (i.e. address, owner, block & lot, equipment make and model, etc.), DEP has drafted a form that will accommodate the informational needs of each. The inspection report will be filed at the

Department of Buildings, since DoB requires annual filings while DEP has a tri-annual requirement. The filing information will then be forwarded electronically to DEP.

This “one-stop” approach would reduce the amount of paper filed, simplify inspection and filing requirements for applicants, and streamline processing.