

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2022**

No. 28

Introduced by Council Members Gennaro and Kallos.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to enforcement of environmental remediation plans and rules of the office of environmental remediation

Be it enacted by the Council as follows:

Section 1. Section 24-907 of the administrative code of the city of New York, as added by local law number 27 for the year 2009, is amended to read as follows:

§ 24-907 [Civil Penalties] *Enforcement.* (a) Any applicant, enrollee, or recipient of a certificate of completion who misrepresents any material fact related to the investigation, remediation or site management of a local brownfield site; *or any person or entity that violates any provision of a site management plan for a local brownfield site; or any person or entity that violates any provision of this chapter or the rules of the office of environmental remediation,* shall be liable for a civil penalty of not more than twenty-five thousand dollars.

[Such] (b) A civil penalty may be recovered *in an action in a court of competent jurisdiction or in a proceeding before [the environmental control board. Such] an administrative tribunal within the jurisdiction of the office of administrative trials and hearings pursuant to section 1049-a of the charter, which* proceeding shall be commenced by the service of *an administrative summons or a notice of violation returnable before [the environmental control board] such tribunal.*

(c) The director of the office of environmental remediation may designate other city agencies to issue such administrative summonses and notices of violation. Employees or designees of the office are authorized to enter private property, in accordance with applicable law, to inspect for the violations described in this section.

§ 2. This local law takes effect 90 days after it becomes law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on December 9, 2021 and returned unsigned by the Mayor on January 10, 2022.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 28 of 2022, Council Int. No. 2460-A of 2021) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.