

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2013**

No. 107

Introduced by Council Members Gennaro, Arroyo, Barron, Brewer, Comrie, Eugene, Fidler, James, Koo, Koppell, Mark-Viverito, Mendez, Richards, Rose, Williams, Wills, Rodriguez, Levin, Gentile, Lander and Ulrich.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to increasing the use of biofuel in city-owned buildings.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that heating oil is a significant local source of air pollution in New York City. Space heating in buildings is responsible for approximately 12% of the local emissions of particulate matter, more than emissions from vehicle traffic or power plants. One immediate solution to address pollution from oil heat in the short term is to use blends of heating oil and biodiesel, known as bioheating fuel. The use of bioheating fuel would reduce emissions of air pollutants, reduce cleaning and maintenance costs, increase the viscosity and ease of handling of fuel oils, provide other operational benefits, strengthen the alternative fuels market, support regional farmers and local businesses, and increase energy independence and the diversity of our energy supply. Another method to address pollutants from the heating oil sector is to require increased use of biofuel in city-owned buildings.

§2. Section 24-168.1 of the administrative code of the city of New York is amended by adding a new subdivision i to read as follows:

(i) Use of biodiesel for heating purposes by city buildings. (1) After October first, two

thousand fourteen, all no. 2, no. 4 and no. 6 heating oil purchased for use in any building owned by the city shall be bioheating fuel containing not less than five percent biodiesel (B5) by volume except that the provisions of this subdivision shall not apply to the use of emergency generators.

(2) The commissioner of citywide administrative services shall institute a pilot program to use greater amounts of biodiesel in city-owned buildings. Such pilot program shall require that beginning October first, two thousand fourteen, the heating oil burned in not less than five percent of city-owned buildings shall contain at least ten percent biodiesel (B10) by volume. Such pilot program shall continue until October first, two thousand fifteen and within six months of the conclusion of such pilot program, the commissioner of citywide administrative services shall issue a report to the mayor and the speaker of the council detailing the findings of such pilot program, including the utility of and any impediments to the use of ten percent biodiesel (B10) by volume in city-owned buildings and any recommendations for the use of ten percent biodiesel (B10) by volume in all city-owned buildings.

(3) The commissioner of citywide administrative services in conjunction with the office of long-term planning and sustainability shall undertake a one year study on the feasibility of the use of five percent biodiesel (B5) by volume in all buildings throughout the city. Such study shall include recommendations on whether and when the city should require the use of five percent biodiesel (B5) by volume in heating oil in all buildings and shall be issued to the mayor and the speaker of the council by April first, two thousand fifteen.

§3. This local law shall take effect immediately.

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 November 14, 2013 and approved by the Mayor on December 2, 2013.

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. 107 of 2013, Council Int. No. 1047-A of 2013) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.