

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2018**

No. 31

Introduced by Council Members Torres, Constantinides, Salamanca, Richards, Mendez, Rosenthal, Chin, Johnson, Koslowitz, Espinal, Kallos, Rodriguez, Cornegy, Williams, Levine, Gentile, Cohen, Menchaca, Van Bramer, Deutsch, Vacca, Rose, Treyger, Vallone, Gibson, Barron, Crowley and Maisel.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to phasing out the use of residual fuel oil and fuel oil grade no. 4 in boilers in in-city power plants

Be it enacted by the Council as follows:

Section 1. Section 24-168 of the administrative code of the city of New York, as amended by local law number 38 for the year 2015, is amended to read as follows:

§ 24-168 Use of proper fuel in fuel burning equipment. (a) No person shall cause or permit the use of a kind or grade of fuel in fuel burning equipment that is not designed to burn that kind or grade of fuel. Nothing in this subdivision shall be construed to prohibit the use of bioheating fuel equipment that is adapted for such use.

(b) No person shall cause or permit the burning of refuse material in fuel burning equipment unless the equipment is designed to burn refuse material.

(c) [No] *Except as provided in subdivision (f) of this section, no person shall cause or permit a boiler to burn residual fuel oil on or after January 1, 2020.*

(d) [No] *Except as provided in subdivision (f) of this section, no person shall cause or permit a boiler to burn fuel oil grade no. 4 on or after January 1, 2030, or for a boiler used to generate*

electricity and/or steam in an electric, steam, or combined electric and steam generation facility, on or after January 1, 2025.

(e) No person shall cause or permit the use of a kind or grade of fuel in a diesel powered generator other than ultra low sulfur diesel.

(f) Notwithstanding any other provision of this section, at the election of the owner or operator of a boiler used to generate electricity and/or steam in an electric, steam, or combined electric and steam generation facility, residual fuel oil may be burned in such boiler until December 31, 2021, if such owner or operator notifies the department of such election on or before June 30, 2019, in a form and manner established by the department, and provided further that on and after January 1, 2022, no person shall cause or permit such boiler to burn residual fuel oil or fuel oil grade no. 4.

§ 2. This local law takes 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 December 19, 2017 and approved by the Mayor on January 8, 2018.

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. 31 of 2018, Council Int. No. 1465-A of 2017) 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.

STEPHEN LOUIS, Acting Corporation Counsel.