

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2024**

No. 19

Introduced by Council Members Gennaro, Restler, Holden, Riley, Velázquez, Cabán, Hanif and Rivera.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to installing pumpout facilities to establish the coastal waters of the city as no-discharge zones

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-112.1 to read as follows:

§ 22-112.1 a. Definitions. For purposes of this section, the term “pumpout facility” has the meaning ascribed to such term in the environmental conservation law.

b. No later than December 31, 2025, the department of environmental protection shall develop a report that would summarize the additional construction and installation needed for all coastal bodies of water of the city to be designated as no-discharge zones. Such report shall include, at a minimum:

- 1. Which coastal bodies of water of the city have been designated as no-discharge zones;*
- 2. The existing number and locations of pumpout facilities in or adjacent to the city’s coastal bodies of water;*
- 3. Determine the number of additional pumpout facilities required to establish a no-discharge zone in each coastal body of water in the city, and the necessary locations of such pumpout facilities;*

4. The costs that would be incurred in order to establish a no-discharge zone in each remaining coastal body of water in the city; and

5. The coastal bodies of water in which the establishment of a no-discharge zone would be most beneficial to water quality.

c. If the department of environmental protection determines that establishing certain coastal bodies of water as no-discharge zones is not feasible despite the best efforts of city government, or if the fiscal cost of the installation of pumpout facilities along a particular coastal body of water would be significantly in excess of the typical cost of installation for equivalent pumpout facilities in other locations in the city, the department of environmental protection shall include such determination in the report and make recommendations with respect to actions that may be undertaken to achieve no-discharge zone status in all of the coastal bodies of water of the city.

d. Each calendar year, beginning in the calendar year following the issuance of the report required pursuant to subdivision b of this section, until all of the coastal bodies of water of the city are designated as no-discharge zones or the department of environmental protection determines that establishing all of the coastal bodies of water of the city as no-discharge zones is not feasible pursuant to subdivision c of this section, the department of environmental protection shall install at least 2 public pumpout facilities until each coastal body of water hosts the number of operational pumpout facilities the department of environmental protection determines is required to be established as a no-discharge zone pursuant to the report required by subdivision b of this section or any update of such report. The department of environmental protection shall prioritize installing pumpout facilities in or around the coastal bodies of water that would most benefit from being designated no-discharge zones, as identified pursuant to the report required by subdivision b of this section or any update of such report.

e. By December 31, 2027, and by December 31 of every second year thereafter, until all of the coastal bodies of water of the city have been designated as no-discharge zones by the United States environmental protection agency, other than any portions of such coastal bodies of water for which a determination has been made pursuant to subdivision c of this section, the department of environmental protection shall submit a report to the mayor and the council including but not limited to the following:

1. The number and locations of pumpout facilities constructed in or adjacent to the city's coastal bodies of water since the date of the most recent report issued pursuant to this section and the number and locations of pumpout facilities to be constructed during the following calendar year;

2. Which coastal bodies of water of the city have been designated as a no-discharge zone since the date of the most recent report issued pursuant to this section;

3. An assessment of priorities pursuant to subdivision d of this section; and

4. An assessment of progress toward establishing all of the city's coastal bodies of water as no-discharge zones.

f. The department of environmental protection shall use best efforts to ensure that all no-discharge zones continue to meet federal eligibility criteria for no-discharge zones promulgated pursuant to the clean water act.

§ 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 20, 2023 and returned unsigned by the Mayor on January 19, 2024.

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. 19 of 2024, Council Int. No. 532-A of 2022) 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.

SPENCER FISHER, Acting Corporation Counsel.