NYC GREEN CODES
LEGISLATION AT A GLANCE

GCTF Proposal
Allow Use of Biofuels

Implemented
Local Law 43 of 2010

Summary
Biofuels can create energy from waste, while reducing resource consumption and air pollution. However, they are not permitted under the Mechanical Code.

Local Law 43 of 2010 amended the New York City Administrative Code to permit the use of bioheating fuels. The Local Law also requires minimum biodiesel content and limits sulfur levels in fuel oil.

New Requirements or Changes

Effective: 90 days after August 16, 2010, and subsequent specified dates.

Amendments to Sections 24-167, 24-168, and 24-169 of the New York City Administrative Code:

- Fuel based on specifically defined biodiesel is permitted in suitable heating systems
  - The commissioner may authorize the use of other renewable heating fuels if their emissions will be equal to or less than those of #2 fuel oil
- After October 1, 2012, heating oil used or delivered to any building in the city must contain at least two percent biodiesel. (This is a step beyond the Task Force proposal.)
  - The city's heating oil suppliers are required to annually disclose to the commissioner information on the biodiesel content and amount of fuel delivered
- Stringent limits are established on sulfur levels in #2 and #4 fuel oil effective in 2012. This was a necessary precursor to the DEP regulations eliminating the use of #6 fuel oil, recommended in HT 07.

Enforcement
These new and revised provisions are a standard part of the Administrative Code. They will be enforced by the Department of Buildings in the same manner as any other element of the code. Violations of fuel oil standards will face significant fines.

Implementation
There are no known implementation issues for this proposal. This proposal is not expected to have any significant impact on capital costs. Bioheating oil is widely available and its use is widespread in some areas of New York City. Laboratory and field tests have demonstrated...
that B2, B5, B10, and B20 bioheating fuels can be used in almost every home or building without any additions or modifications to existing heating systems.