NYC GREEN CODES
LEGISLATION AT A GLANCE

GCTF Proposal
Reduce “Red Tape” for Asbestos Removal

Implemented
DEP: Rules NYC Title 15

Summary
Products containing encased asbestos, such as vinyl tile or window putty, can be safely removed using simpler procedures than those required for the removal of crumbly asbestos products. While New York State allows the use of such simplified procedures, the New York City Department of Environmental Protection (NYCDEP) required contractors to obtain a variance in order to do so.

This revised rule incorporates procedures regularly granted through variances for the removal of asbestos-containing roofing, flooring, and vertical surfaces (such as caulking, asphaltic mastic, cement siding or shingles, paint, and sealants).

New Requirements or Changes

Effective: November 13, 2009. These changes do not apply retroactively; they are only triggered when construction activity requires an asbestos abatement permit.

Amendments to the Rules of the City of New York Title 15, Chapter 1
- Each section specifies procedures that may be used in lieu of containment and other requirements otherwise required for removing asbestos-containing materials. These procedures were previously approved regularly through variance requests.

Enforcement
These new provisions are a standard part of the Asbestos Control Program Rules and Regulations at the Department of Environmental Protection. They will be enforced by the DEP in the same manner as any other element of the asbestos rules.

Implementation
The revised rules facilitate compliance. Owners no longer need to wait weeks for approval to undertake asbestos abatement using the streamlined procedures for removal of roofing materials, flooring, or vertical surfaces. Instead, owners can now begin abatement work in a week, under these procedures after filing notification papers with DEP.