

Transcript

June 10, 2025, 3:04PM

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On.

Sure, why not turn it back to Robert.

I'm sorry about that.

I just wanted to give some quick housekeeping.

As you're aware, the this meeting will be recorded and will be published on New York City Emergency Management website.

All prior letc meetings can be found on website.

There are two emergency exits.

One is located immediately out the door and to the left, and the other is the exit.

The other exit is the main entrance that you could come in. Also, restrooms are located.

Outside the doors behind the orange Wall, those are all the houses, items I wanted to discuss and I'll pass it back to the. All right. Thank you, everybody again, thank you for coming out today and it's nice to see you. Like I said, a a full room of.

All our partners here today, I'm just going to go over a brief summary of what the local emergency Planning committee is.

Under the emergency planning and community right to Know, Act or EP EPC, RA, Local Emergency planning committees, or.

Must develop an emergency response plan.

Review the plan at least annually, and provide information about chemicals in the Community to its citizens.

Plans are developed by LEPCS with stakeholder participation.

The LEPC membership includes the minimum for federal regulations, elected state and local officials.

Police, fire, civil defense and public health professionals.

Environmental transportation and hospital officials, facility representatives and representatives from community groups.

What is a? What compromises a community emergency response plan?

The identification of facilities that store hazardous and extremely hazardous substances.

The description of emergency response procedures both on and off site for such substances.

Designation of facility and community coordinators to implement the plan having comprehensive emergency notification procedures, establishing a method to determine the probable affected area and population in the event of a hazardous substance release.

Establishing a comprehensive list of equipment, personnel and facilities that are available to respond during such a release.

Establishing an evacuation plan, developing training programs for personnel who will be responsible for the implementation of the plan.

Running drills exercise the plan, table tops or boots on the ground in New York City.

The community right below right to know law, which is local law 26 of 1988 requires.

The city to effectively regulate the storage, use and handling.

Of hazardous substances within the five boroughs.

The Department of Environmental Protection's Division of Emergency Response and Technical Assessment under the Bureau of Police and Security, is entrusted with its responsibility the division through its right to know program, manages the reporting and storage of hazardous substances by requiring facilities to annually report on their chem.

The report, which is referred to as here to details the quantity, location and chemical nature of every hazardous substance stored.

Used and handled.

Within this, within each filing facility to date, there are over 11,000 such facilities reporting to the DEP.

The filing deadline is March 1st of each year. The Tier 2 filing is done online for annual submissions, revisions or updates.

Very few facilities still opt to submit hard copy filings.

Less than 10%. The information within the Tier 2 filing is carefully reviewed for personnel, for accuracy and completeness.

When issues are identified, facility is contacted to make corrections.

This is known as the technical review process.

The follow up to technical reviews, the vision personnel conduct physical inspections of the facilities to confirm that the document submission matches with what the facility is actually using, storing and handling on.

Only a few occasions do the inspectors identify inaccuracies.

Which one's identified required the facility to submit a revision?

For the facilities using materials above the threshold in reporting quantities.

Risk management.

Risk management plans need to be developed out of the 11,000 facilities reporting only 300 approximately facilities fell into this category under the right to know law requirements, facilities that store and or use extremely hazardous substances or regulated toxic substances that are at or above the TH.

Planning quantity as listed in the chemical tables of the law are required to prepare and submit a risk management plan to the Department for review.

Comment and approval.

After an inspection of the facility is conducted without any deficiencies identified.

The purpose of this plan is to protect the surrounding communities, workers and emergency responders for the dangers associated with the hazardous substances, extremely hazardous substances and regulated toxic substances by mitigating the harm posed by the release of such materials in general.

A risk mitigation plan includes a risk assessment analysis, a risk reduction analysis.

And an emergency response plan.

An annual report is published yearly and presents a detailed overview of the past year's information.

Access to this annual report can be found on the Dep's website.

I'll turn it back over to Robert for last year's minutes.

Thank you very much.

The Minutes from last year's Lepc can be found also on New York City emergency management's website.

For this year, we're going to accept and adopt the meeting minutes that were read during the course of the previous year and hopefully streamline the numbers that are being given to make it less complex or confusing.

So 2024 letc meeting minutes are as follows.

Opening remarks were provided by Harry Meyer, the director for the vision of emergency response and technical assessment DURTA, and introduce their new Deputy Commissioner.

Deputy Commissioner introduce themselves and provided a brief summary of the LETC.

Because I had the introduction of what the lepc is basically was covered at the beginning of this meeting and will not be outlined.

The 2023 lepc minutes were adopted.

And we moved on to the Hazardous Substance Advisory Board meeting. Again, the meeting minutes that were read during that portion of the meeting were also adopted.

For the 2024 year submission year as of June 2024, the right to know a program received 10,972 Tier 2 submissions out of the 10,970 submissions.

361 new facilities were added to the database. A total of 10,734 facilities submitted online and 338 facilities submitted hard copy that for that gave us a 98 percent, 98% of Tier 2.

Submissions were being filed online.

As for the risk management plan, BEP currently had 392 plans on file. An additional 2 facilities were required to submit RMP for that.

Year the right to know program received 46 updates to existing RM PS and 129 submitted affidavit letters indicating that they were.

There was no change in their existing plans.

There were four rmeps under review and two facilities reported exceptions.

Added the date of the prior lepc meeting to facilities had been inspected. The inspection unit performed a total of 5401 inspections for the 2024 fiscal year. Of these, 43 facilities were exempt from filing 242 facilities had.

Gone out of Business, 155 facilities were closed or no access was granted.

276 facilities were issued notices of violations for non compliance with the law.

Moving on to the emergency responses, Harry Meyer discussed the emergency response for that year by category year over year, the pattern was roughly the same. Number one was chemical odors followed by petroleum spills, followed by chemical spills.

Uh, followed by abandoned chemicals and the last two categories, natural gas leaks and lithium ion battery fires were considered high at the time the data was run.

It was a 192 verse 199 during the past two days.

Another four lithium ion battery jobs were received.

And as demonstrated, the jobs are coming in faster than anything else.

If we look at last year alone, there were a total of 385 responses for lithium ion batteries. In our case, it was roughly 15% of the workload.

At one point, the city was obligated not only to handle these on its own, it was also 100% the city's responsibility to handle and dispose of the batteries, which was a significant financial burden. Last year alone, even with the contract in place, the city

had.

Spent close to a half \$1,000,000.

The fire department is the primary response agency that handles mitigates, controls and extinguishes these fires.

In the past, at the New York City was obligated to conduct a disposal of relevant of what was going on about a year and a half ago.

FD, New York City Emergency Management and the Dec developed a protocol whereby there was a whereby whenever there was a response, the agencies would work together and identify the responsible parties. Once a responsible party had been identified, the Commissioners order would be issued under local law 42.

Known as the spill bill.

Under Chapter 6 section 24-608-A, when a Commissioner of the EP has reason to believe that there has been a release or there exists a substantial threat of release into the environment of a hazardous substance which may present an immediate and substantial danger.

To the public health or welfare for the environment, the Commissioner may and their discretion to order any or all responsible persons to implement any response measures or to cooperate with and assist the Commissioner.

Any response measures being by the Commission to be necessary to protect public health or welfare for the environment if the Commissioner exercises their discretion in the exercise of their discretion, concludes that seeking the implementing of any such measures by a responsible person may be detrimental to public health.

Or welfare, or the environment due to the likelihood of delay or ineffectiveness of response measures.

Or for any appropriate reasons, the Commissioner may implement such response measures on their behalf.

Simply put, when FDNY responds to a fire, they extinguish it, stabilize it, and pack it. When Det comes in. If there is a responsible party.

They can issue a Commissioner's order asking them to mitigate and absorb all costs, to remediate the situation.

Naturally, this is a big deal.

As if there was no Commission of order, you could add another third to this call.

You're going from 500,000 to at least 675 to \$700,000 for battery fires.

This protocol had been so successful that almost a third of these jobs have been absorbed through oversight of FDNY years.

Well, there are many jobs where there are no responsible party.

There are cases where there are responsible parties. One manner that was raised was. The that had come up with bike shops many times. He shot my batteries that are not certified.

He's basically someone in their basement taking parts and putting them together and selling them for cheap price.

In some instances it is not one or two bikes. In some cases you were talking about 55 gallon drums with hundreds of batteries, enough to take down a building. If they were to go up together.

Local law 42-87 was written in 1987. At the time, lithium ion batteries did not exist. However, the wording found within the law a threat to potential a threat or potential threat, is an open-ended statement.

Lithium ion batteries can produce a threat or potential threat, so the law applies.

But how do you apply the fire code with?

How do you bridge the fire code? Is unique in its own way and has its specifics. The same for DPS law.

Under section 309 point 3.2 of the fire code, it allows for the fire department to conduct inspection and declare something is being hazardous.

The term hazardous waste having these two legal provisions work together.

This took months to come up with and it is simple in that it's uniqueness and that is the uniqueness of it.

It is simple to the point and it works and it sticks and it is helping the public and the environment. When the fire department responds, they inspect if they find something that they deem hazardous.

They use fire code section 309 point 3.2 and it lists in their violation and and in their violation the number of batteries or modules and their observation as to why it is hazardous such as non factory modifications are identified. Once an order is ISS. Bep is able to issue a commissioner's order and that forces a responsible party to secure the material.

Hire a license materials contractor and dispose of material according to all applicable law.

Recently, another law was passed, local law 39.

This law took effect on September 16th of 2023 and prohibits the sale, lease, rental, or distribution of powered micro mobility devices like E bikes and scooters unless the electrical system and batteries have been certified by an accredited testing

laboratory. For compliance between fire code 30.

Nine point 3.2 our Commissioners orders according to local law 42-87 and now manufacturing batteries.

Sorry, I'm local law 39. We are now closing the box around those players who have been manufacturing batteries on their own that are unstable and are causing a lot of these problems.

Last year it just said that we were facing significant instrumental problems. But a year later that what was insurmountable is no longer insurmountable, and now there is a mechanism to address it.

Moving on to the end of the Minutes for special deployments, Harry Meyer provided a list of such employment such as the Met and Yankee Day home openers. The five borough bike tour, the road runner, Brooklyn Half Marathon, the Israeli day parade. And the Puerto Rican Day parade, if you like. The further details of what was outlined in these minutes, those are available on New York City Emergency Management's website very much.

We'll pass it back over to Pete.

Thank you for reading the minutes. I'm going to actually turn it over to my counterparts Joanne and Tammy for the next portion of the meeting.

Again, good morning everyone.

I'm Harry Meyer.

I'm the director for basically the division of Emergency Responses Technical Assessment.

I want to thank Robert for going through the Minutes.

I promise you that we're not going to be giving you plenty of numbers because there are plenty of numbers and.

Nice short summaries this time.

OK.

I know we have thousands upon thousands of numbers.

11,000 here, 300 there, 500 here.

So many.

There's so many that it's a lot.

So the easiest way to do this is, like Robert said, go onto our website and you can look up these wonderfully prepared reports that have everything in detail.

So everything that was said is available online, not only on the response end, but also on the right to the link. So with that, let me look at the policies here under the

agenda. We are actually now stepping back from the lepc and.

Initiating the hazardous Substance Advisory Board. So we do it both simultaneously like like it has been over the past year, so.

For today's Hsap meeting, first I want to begin by thanking all of the Members on the Hazardous Substance Advisory Board that have participated over the years from the various agencies.

Again, we are open to more Members.

We look more to merrier.

It's a it's an important committee.

We do discuss items just not only on right to know, but emergence response.

Various laws, different applications like Robert said when it came to.

Lithium ion we have Vincent.

You know, we talk about lithium ion batteries all the time.

Besides, you know all of our normal responses, but Vincent's been on this team with us for over 20 years, so I'm not going to say how long I've been around.

We're just going to say 20 some years.

And.

Let me just say this.

I'm going to start the meeting, but I have to 1st approve the meeting from March 13th.

That was the last meeting where the H SAP can be at that time, Commissioner Moss was in attendance.

Myself, Joanne, one of our administrative personnel, Marine and Kevin from OEM, now the H SAP has various Members. We have Members from NYPD.

We have FDNY, we have dsny, we have the.

Apartment we have the health department. We have Members from of course OEM.

We've had members from in the past, from state agencies, who will participate.

I know we discussed things not officially, but we have con Edison.

We have the utilities. You know, we always have.

You know, during responses we do meet and discuss ideas, but if you want to become a member, by all means.

We welcome membership into the HSA.

So it's not really that much. It meets every quarter, so maybe five meetings a year and this is one of the five.

So let me just run down the minutes on March 13th and then move forward to the

day.

We had the general introduction of everyone.

We went through the right to know metrics.

Deputy Director nurse went through all the numbers.

It's not going to go through them because they're very, as I said, I promised I won't go through lots of numbers. All I could just say is at that time we're talking under the right to no law 3358 submissions and we'll leave it.

At that.

So we always say up to 11,000 or more.

And this year, you'll see that we will reach that.

So it's anywhere between 10,000 and change to 11,000 facilities that report to us on a yearly basis.

I'm not going to go through how many.

You know, were online or so all I could say is.

We did have new facilities from last for this year, another 154 new facilities filed the inspection numbers at the time were at 3429.

At the time also we had 396 notices of violation.

So as Robert said, the law does have its ability to.

Make facilities comply.

Now we are very understanding.

We do not just issue violations because we feel like.

We contact facilities and we give them 30 days after March 1st.

We try to figure out how we can work with them because many facilities are overwhelmed with the law.

They don't know what to do, how to do it, it seems like.

A difficult task, but when that happens we are more than willing to walk them through it step by step.

But there are those facilities who just don't want to cooperate.

So at that point, we have no choice but to issue notices of violation.

And then they have to go to the oath hearing.

Where a decision is made and once it's adjudicated, even if they do pay, the penalty does not exempt you from filing. We still come after you.

You still must file.

Now, what is the importance of this file? What is?

What is this Tier 2 facility inventory form from an emergency response point of view,

responders are going to assume whatever the scene is. Worst case of fire.

You're walking into a building.

You wanna know what's there?

You want to know where it is, what it is, and how much of it is there.

That's what Tier 2 is basically a database.

Now our partners in emergency response have access at DPD, et cetera, do have access to Tier 2.

They need to have access to Tier 2.

Just just like I said, you don't know what you're walking into.

That's why for us, Tier 2 is very, very important to be up to date and we must make sure that our inspectors go out and verify what the facility puts in writing is actually what's there. Now. You know, people might say, oh, people try to underestimate.

Under report, etc.

It's it's possible, but we're not there to worry about. You know, the under reporting fee.

It's not the fee.

The importance is that the data must be accurate because people's lives are at risk. And when the response agencies walk in, we want to make sure that they know exactly what they're walking in.

I mean, not only for us, but for every other response partner that we have.

So that's why we take great effort in making sure this Tier 2 database is up to date, verified and.

Complete as possible. So that's.

Emergency response.

Well.

Like I've always said, year over year, it's anywhere between 3200 to 3500 responses.

That dirty goes to naturally, we go out with our agency partners and we also have our own set of responses that we deal year over year that has that has been the number 3235 hundred. And of course with lithium ion battery fires and cleanups.

It's the same thing.

The same percentage year over year and I'm just looking at one year over the other to give you an idea.

Lithium ion batteries on their own.

Average.

Close to 400 per year now.

Last year we set around 300 well there about 400. So they're creeping up slowly.

Some we said 15%.

Now we're on 20 to 25% year over year.

So.

Because the nature of the problem.

Can I ask the question?

Sure. So at the correction, our headquarters is not necessarily in the most ideal location for public transportation. The whole of the building out East Elmhurst, not too far from LaGuardia, we have AI wouldn't say necessarily significant, but not immediately significant number of people, but enough people that do.

Utilize bikes and some use lithium ion battery.

Bikes to work.

Are there policies in place?

And I don't know what agency would be responsible for this. Whether you buy CAS, whoever, for a policy in place in terms of the distance of those bikes when they're, you know, hooked up to whatever extension outside the office, the same way that you know you have SMO.

Laws right where you can't smoke within that amount of heat in the building, which for safety purposes for bugs for battery.

There something in place for that?

As far as I know, not yet.

But I know Vince, there is talk of new laws coming out. So we're still working on that.

Actually, there's a proposal.

There's still a legislative proposal on the table.

Where safe storage if you want to call it that is being discussed.

So the answer to your question is not yet, but hopefully once new legislation comes in and a partnership, I mean FD and DEP. Of course we have a good working relationship.

Will come hopefully get to some sort of an agreement.

What is safe?

But all I'll tell you is now, and I can say this unofficially. I'm sure Vince will agree as far as away from the building as you could put it, that's that's all I can tell you for now.

So to that point so that it's a full of the building itself is a publicly accessible building too, I know that.

And then at whatever point when the agency transitions to borough based jails.

It will also sections of it will also be publicly available as well inside the actual. And so, for instance, Atlantic Ave. not too far from here. There'll be a jail built on the existing footprint of the previous Brooklyn jail.

And then there'll be a carve out for Community Center or some other commercial location, as well as a sort of pedestrian area where people can come and go in a common space.

It's similar to the way.

Four World Trade Center has where you can walk and you don't have to go into the offices.

That you can still access the lobby.

Area. So we're just thinking about that, you know long term as well and also any bus stations outside facility like that where the sidewalks are you know we're in a more dense area for those types of facilities in the future rather than a Rikers Island where everything is.

Is spread out, so in terms of any sort of policy that could address that as well would be helpful.

The point I mean you have you bring up a very good point.

And like I said, hopefully the legislation that's on the table at the moment.

Will allow.

Fe and Det to work together and to come up with some of these rules because this is a difficult question you have.

A facility that is not only dedicated for one purpose, but it also has public access.

And it's impressive to for jail to have a publicly accessible area presents other concerns, security etcetera.

But this is one of them.

It's it's, you know you.

You have a like I said, at the moment. Unofficially all it could take to put as far away as you can.

What? Wendy, if if and assuming legislation is approved and it takes effect, we're going to have to sit down and I'm pretty sure FD and DP once we sit down together, we'll bring in concerned parties so we can look at this because we're both. Bottom line is.

It's it's ourselves.

PD and and FD.

We're the ones who get stuck trying to deal with these.

FD has the responsibility of going in their life safety. They need to get this thing packaged, secured and ready.

PD has their responsibility also for public safety.

DEP has a responsibility of making sure this stuff disappears safely and gets disposed of.

Now every case is unique.

I mean, you could have a fire in a, you know, let's say a FedEx facility.

You know the big warehouse.

There's one way to control it, but you know every situation will be you're gonna have warehouse situations. You're gonna have residential situations. You're gonna have, you know, General Park situations.

So all of these other partner agencies will have to sit down and we will sit down with them same way we came up with the policy on how to handle these batteries. You know, now 2 1/2 years ago.

And this one is a very good point.

I mean, we haven't really thought about it, but we will.

And assuming this legislation is passed, it could be guaranteed we'll be reaching out to you to sit down, please. Thank you.

No, thank you, Sir.

One good point, you know, as we said, the problem was insurmountable, but we came up with a solution.

So now we have another thing to address, which is fine. I mean that's how the operation runs.

So OK.

As I said, response year over year, I touched on lithium ion batteries.

I think everyone has heard enough about lithium ion batteries.

We know what they are.

They're a problem we're making headway.

I know.

You know, Fe has been, you know, there are teams of their fire marshals there, had met teams have gone in.

I know PD has also done inspections of bike shops. You know we've seen.

The mishmash of you know the person taking things apart, soldering together, putting them in a box and saying it's brand new when it's really the guys battery that was defective, you know that you brought in and they take it apart.

So they've been going in, they've been investigating, inspecting, packing and we've been working on bike shops.

Hopefully in the future there'll be new legislation that takes effect, either federal or state or local, or a combination of both where.

These batteries have to be UL laboratory listed or some sort of other certified laboratory.

Listing the local law 39 that FD has has an effect which makes it necessary to have a comparable charging system with the batteries also very critical component that helps avoid fires. I mean more importantly not in, let's say an open area, but in residential where people.

Bring their bikes upstairs and at home.

At least this way it helps control it.

Because people you know.

Nobody wants to spend the \$400.00 for a battery, and you only could go and I'm not going to say which website. I know they've been working on different websites trying to clean those up, but you know, buying something for \$60.00 and it's the same thing.

Well, they're not.

You can't put item A and item BA charger and a battery that are mismatched don't work, and unfortunately we have seen what happens when things go wrong and we I'm not the expert.

On this, but I've read the data and I know FD has.

The database that's much more robust than ours, but we've seen the numbers of fires and fatalities just from those types of situations.

So hopefully local law 39 comes in also and pushes that forward and reduces these situations in the future, present and future. And like I said, with other legislation on the table, hopefully this lithium ion problem will find its way.

And not disappear, but be better control.

And that's what we're working on.

Since we brought up lithium ion batteries, we're going to just throw in a little monkey wrench into the into the pot.

This is something new.

We haven't discussed it yet.

We're working with OEM and FD.

And the other agencies?

I know this sounds ridiculous, but it is actually real.

Can you imagine someone actually taking a electric vehicle battery out of their car and leaving it on the street?

A thing that is as big as half of this table.

I mean 24 tables together on the sidewalk.

Imagine someone leaving one of those.

If you have seen it, we have seen it.

That's our next problem to address. So forget about little 25 and 45 LB. Or 50 LB. But you know batteries.

I mean when I get a drum that has £200 worth of batteries, I complain about the cost.

These things are 500 lbs to 2000 lbs on their own, so that's another nuance that's been thrown into the lithium ion world.

So we're dealing with that and I know OEM is spearheading the task force, so.

They'll be hearing about that soon enough.

Maybe next year, maybe the year after, but that's another item on the agenda, so.

With that, again, as I said, response numbers are the same. I've touched upon this.

The special details? Well, we've had the same special details.

I'll just make them short.

We've had the baseball games, we've had the.

Half marathons. We've had the parades, we've had the various bicycle.

What do they call the bike tours?

The five borough bike tours and now as we go on, we're going to have of course, the Pride March, we'll have July 4th. And for those of you who don't know, July 4th celebration has.

Move to the east side with the barges somewhere near the Brooklyn Bridge, OK.

That's all I know.

I don't know the details of where the response plans are going to be yet, but you know, if you're planning to go out, that's where you have to be.

After that, naturally we have.

Our U.S. Open, the UN General Assembly and of course, forward.

But I'm not going to go that far.

We'll just leave it at July 4th and the Pride March for now.

So with that, that should be accept.

OK, so I will close the ACP and I'm going to hand over to Joanne to go over the

metrics now.

For the right to know program.

Thank you, Harry. Good morning again.

I'll just give you a brief summary of the metrics for our current table, Commissioner, 2025 S as of June 6th, we received 11,000 and 74 submissions, 286 new facilities were added to our database and most of these facilities were seen.

A number of the board of Ed, they now register in this folder to report a chemical. 10,919 so to submit it online and 155 facility submitted hard copy. So every year we have seen a decrease in the hard copy submissions which is really good. The direction I really want to go in.

We have 383 risk management plans on file, 111 updates to the data listing plans were received and 69 applicable letters indicating that there were no change to the existing plan.

We have two new social chemists that have joined the team and meet here and start to review some of the plans in regards to our regular facility inspections. So far this fiscal year, we did a total of 5101 inspections.

39 of these facilities were examined from 5 inch, 285 facilities out of business and 972 faculty were closed or we couldn't gain access to these facilities.

The issue 477 violations for facilities that have not complied with the regional law regulations.

So that's summary of our metrics thus far this calendar year.

Thank you, Joanne. OK.

So I'm going to talk about, like what we always do, the last item on the agenda.

Responses.

Or any new updates.

So no more talk about that. I think we've had enough of that.

What I'm gonna talk about is something that.

That generates all those numbers, the community right to know law, and this is it of 1988, local law 26.

I know some of you have. Can't wait to read this entire document.

It's fascinating.

Has a lot of good stuff in it, so pictures there are pictures too, I guarantee you.

And plenty of tables.

Plenty of pictures right now. This was written in 1980 or passed in 1988.

It actually was developed in 1987.

Now I was around at that time. I know you say it can't be. He's too young.

OK, fine. You were me. OK, but this was actually there in 1988.

And I remember the very first director of the right to know program before this program moved into the HAZMAT division.

Now it's under us.

For 37 years this program, the right to know law has been successful in managing how chemical facilities report how the information is reported to the response. You know response partners.

So after 37 years.

We've now looked at this law very carefully and we are been spent and we spent, I would say, over two years now revising this law, amending it, changing terms, making it more compliant, taking into consideration federal regulations updates.

Changes to chemical lists.

And I know this sounds a little crazy, but the reality is they're close to 5000 chemicals listed on these tables.

Of these 5000, mind you.

One of our employees was no longer here.

They retired and it wasn't because we made them look at the 5000 chemicals.

They went through it by hand 1 by 1.

Now, for those of you who are not chemists, I'm just gonna say this way. Chemicals have a very interesting fit. They have what they call an IUPAC name, which is its chemical name.

They all have chemical abstract numbers, CIS numbers.

They also have trade names and they have what we call what we call confidential names.

So their names are names on top of more names.

One chemical could have.

Ten different names and it's the same thing.

And different people, different entities, federal, state or local may refer to it in a different way, but it's the same thing. We had to go through this and we went through it and we are now at the final stage of comparing all of these tables together.

Hopefully by the end of this year you will see a notification in the city records for a comment period to update local law 26 of 1988.

Which will become revision local law 26 of 2026.

And that will be, I guess the final part for this division.

This lasted 37 years.

We hope the next one will last another 40 years and at that point some other director or Deputy director can revisit, but for now, this law works well.

But it needs a little adjustment. Some chemicals that are here.

Don't don't longer really apply in New York City.

One of the biggest things that this law.

Has involved a list of chemicals that are involved.

Had to do with electroplating.

I don't.

I don't remember if you could think some of you have been around. You remember how many electroplaters were in New York City at one time?

Now if I say how many electroplaters you say, what's an electroplate?

That's what this law did.

There were some industries that were focused on because what they used were really bad.

Some of these chemicals are really bad if you look at EM, I mean out of 5000 or so.

Some.

Are things you do not want to be exposed to, nor do you want them released or or into the environment, or if you don't want them for public exposure, your side effects are just terrible.

Well, a lot of these facilities that have these, they're no longer here.

They left because the rules were very stringent.

And it's not that the rules are stringent.

They're there to protect the public and the environment as well as to make sure that the emergency responders are also protected as well, so.

We may be adding new definitions to match federal guidelines.

And just keep in mind this law, if you read it carefully, maybe more strict than federal guidelines.

And according to rules, the city could be more strict.

But never less strict.

So if we're more strict, it's for everyone's safety in New York City. So as I said, we can look forward to the new and improved Community, right to know law hopefully in 2026.

So that basically gives the update.

For the lepc.

You mentioned facilities.

How do you define facilities?

Or do you factor in?

Conex containers or trailers or what is defined as or storage bins like what's defined as utility.

Facility is anything.

Stores uses or handles a chemical.

That's a nice broad statement. If you have a conex seat container, you have chemicals in there, you move them in and out. Is what your facility.

I want to know where that stuff is so you have a building, but yet you have an external that's still part of your building.

I mean, I've had arguments and and Joanne will tell you. Oh, no, no, that's that's not part of the facilities, not built in.

Well, do you have someone that walks from one facility to that thing?

Yes, or does it just go on its own?

No, no, someone gets it.

Congratulations. It's part of your facility.

You got to report it because of one reason not to be a pain.

It's not to be a pain, because how about if there's a response and we don't know what's in it? And this thing is right there next to you.

We need to know.

That's all it is.

Just tell us what you store.

How much you store where you store and you know even if you use it.

I mean, we've had this argument.

This is the best argument, but I use so much every time I do my operation.

I started at 10 lbs, but I only used two and then I had half. But then I had a quarter but it's not really 10.

It's now six, and you'd be surprised what these facilities try.

And.

Joanne, her team, myself, we're very patient. You see, as an engineer, you know, just give you a simple thing. You start off with 10, you end up with 10.

It doesn't disappear, so I don't care if you started off with 10 lbs of A and it turns out to be 6 lbs of B and 4 lbs of C.

Well, six and four is 10 and a is 10. Congratulations, $10 = 10$.

And we've had this argument.

Some facilities are so.

Few if I want to say it that way.

Trying to say, but why should I have to report it?

I'm it's not with there are those facilities and and of course as part of the revision to risk management plans will come in.

Can you imagine a facility calculating within a pound of the limit 1 LB. Less than the threshold for a risk management plan that they submit a plan?

It's 1 LB less.

Imagine that.

How cute you want to be.

You send that in it's 1 LB less. OK, so you can guarantee me that in one year you're not gonna exceed that 1 LB. No.

100% sure.

OK, now I think the department has been around long enough.

Everyone working here has been long enough that we're not gonna be born yesterday and not believe that.

Of course, we'll believe you.

We'll believe you got 1 LB or half a pound.

It's never gonna be seen all that to avoid a risk management plan.

Why? You know you're gonna exceed the only reason you don't wanna do this is because it puts you in a different realm.

When we have a risk management plan, it's more comprehensive.

I know you're storing stuff that's bad.

I need to know how much of it and I now need to know if, God forbid, something goes wrong in your facility.

The circumference of impact.

Is it a quarter mile, half mile? One mile?

I mean, you know, you have this stuff, let's be honest.

It I'm not gonna. I'm not gonna let it slide. And the worst part is, when you play that guess what?

We send inspectors over and we count.

We literally will count.

As your end, well, we have. We'll create a spreadsheet room by room. If it's bench by

bench and we will add it up again.

And I can guarantee you, when we do that you will exceed the RMB.

And you need to do that.

Reality is, if you're in a business where you use these things and you exceed the threshold and you know that there could be a release, let's do the right thing.

Do the reporting, do the analysis, submit the plan, have that plan available to us, to FD to PD, to the emergency partners. Because we're walking into this.

You're going to walk away.

You're going to stand back when there's a problem and say, OK, this is your problem.

You take care of it.

No, it's everyone's problem.

And that's why the department takes this law. The risk management law and, of course, for the response end, which is what we have here that we use, which we call the spillover local law 42. That's where we give orders. And this one also has a list of Chemicals besides.

And in fact this has a list that not only is included here, but it also has.

Things where how would I say, have you ever seen?

I know this is.

I know you may not, but here are things you ever see something like a polymer, A.

You see a drum.

It says A and then the other one says B.

You know, just said A and B, right?

And I take it's A and B, but for people who are in the industry and they say A and B, they know what A and B is. A and B are not good. You put A and B and you get CC is you know you know we used.

To the joke was A and B is methyl ethyl meth.

That's see.

So we know what, but you know if for example, if you look at the rules here or if you look at the law, you're not going to see a.

There's no a listed.

It's going to have its chemical name, but for those in the business who do this on a daily basis, they know what a is and they know its chemical name.

And some people have a some people store B and some people unfortunately have A and B.

Well, when you have stuff like that, we need to know where, how much and what

your plans are.

So this is really what the lepc is.

It's to work together as a community to respond to such incidents.

And it's not only our end. We have to keep in mind that if God forbid, there is a situation, the hospital system, the hospital system is also impacted, they're going to have patients, they need to know they need to coordinate.

It's a very complex thing, just like the Commissioner said.

From response partners utility partners.

We've done deals with Con Edison.

They have their hazmat team.

There are things they can do.

We can we rely on them for OEM health.

It's a team effort, and that's what this is.

And like I said, that's why I said earlier for the hazardous substance Board.

You're well. Welcome to participate.

Because in the end, when something goes wrong, everyone in this room needs to know everyone else. We can't meet for the first time in the field.

We need to be able to coordinate and know each other. Like I know many faces here and some of them know me, but there are new faces here and you're welcome.

You know, we welcome having you here and we'd like to see you here not only under the lepc, but maybe under the HSA so that we have this working relationship.

And that's it.

I mean, that's all I could say and I thank you all for listening to me and you know, and listening to the presentation and I now hand over to Deputy Commissioner Marks.

Thank you everybody.

I just want to 1st.

I know I'm what stands between you and lunch. So to be real real quick, I want to thank Robert and the rest of Nikon for putting this together.

I know, Harry said.

We weren't going to throw numbers at you and kill you.

Death by numbers. And then we proceeded to do that for half an hour.

But I think the main take away is exactly what Harry just said. A lot of familiar faces in the room, a lot of new faces, a lot of organizations represented here.

We can't do this without everybody that's in this room.

So please reach out if you have any questions.

The lithium ions obviously was great to hear from corrections. A lot of things that we haven't thought of.

So please reach out to us.

We're all here to help each other again in the office before we have to meet in the field.

With that, I'll turn it over.

I don't.

Robert has anything closing?

No, just again, thank you very much everyone for coming out today and participating in this year's LEPC.

With that, if there are any questions, we're more than happy to take them now.

If not, we can close meeting and grab lunch.

Alright, I think with that we can close the meeting.

So thank you very much everyone.

● **Robert Wilson II** stopped transcription