



**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2016 REGULATORY AGENDA**

SUBJECT AREA

Bathing Establishments

SUMMARY OF PROPOSED RULE

Revise Article 165 (Bathing Establishments) of the New York City Health Code to conform to changes of relevant City, State and Federal Building Standards and Codes.

REASON WHY ACTION IS BEING CONSIDERED

In order to protect swimmer health and safety at all permitted-bathing establishments under the jurisdiction of Article 165 and to conform with applicable City, State and Federal regulations.

INDIVIDUALS LIKELY TO BE AFFECTED

Permitted bathing establishments.

RELEVANT FEDERAL, STATE AND LOCAL LAWS

15 USC §§ 8001-8008 (Virginia Graeme Baker Pools and Spa Safety Act)
Model Aquatic Health Code, Centers for Disease Control and Prevention
New York State Building Code (Uniform Code) § 3109
New York City Building Code, § BC 3109
Article 165 of the New York City Health Code

SCHEDULE FOR ADOPTION

Fall 2015

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**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
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SUBJECT AREA

Radiation Control

SUMMARY OF PROPOSED RULE

To incorporate by reference applicable federal regulations when promulgated by the US Nuclear Regulatory Commission in order to maintain required consistency between federal regulations and the local radiation control requirements under Article 175 of the New York City Health Code.

REASON WHY ACTION IS BEING CONSIDERED

To simplify the process of maintaining the required consistency with applicable federal regulations. Utilization of incorporation by reference of required federal standards will allow the local regulated community to have uniform standards under which to operate.

INDIVIDUALS LIKELY TO BE AFFECTED

Any person who sells, transfers, assembles, receives, produces, possesses, or uses any radioactive material or any radiation equipment in New York City.

RELEVANT FEDERAL, STATE AND LOCAL LAWS

10 CFR Chapter I

10 NYCRR Part 16

Article 175 of the New York City Health Code

SCHEDULE FOR ADOPTION

Fall 2015

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**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
FY 2016 REGULATORY AGENDA**

SUBJECT AREA

Dry Cleaning Facilities - Perchloroethylene

SUMMARY OF PROPOSED RULE

Amend the nuisance level for perchloroethylene (PCE) (also known as, tetrachloroethylene) vapors in Title 24 of the Rules of the City of New York, Article 131 of the New York City Health Code to reflect guidelines set forth by the New York State Department of Health (NYS DOH).

REASON WHY ACTION IS BEING CONSIDERED

The Department proposes amending the nuisance level for PCE vapors from dry cleaning facilities in dwellings, child-occupied facilities, and other occupied premises.

INDIVIDUALS LIKELY TO BE AFFECTED

Occupants of dwellings, any child-occupied facilities or other occupied premises in buildings co-located with dry cleaning facilities using PCE.

RELEVANT FEDERAL, STATE AND LOCAL LAWS

42 USC §§ 7401 et seq. (Clean Air Act of 1970, §112)

40 CFR Parts 61, 63

Article 131 of the New York City Health Code

SCHEDULE FOR ADOPTION

Winter 2015

AGENCY CONTACT PERSON

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**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
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SUBJECT AREA

Window Guards

SUMMARY OF PROPOSED RULE

Repeal and reenact Chapter 12 of Title 24 of the Rules of the City of the New York City to update specifications for window guards and other limiting devices and procedures for obtaining Department approval of window guards and limiting devices; update the annual notice provided to tenants.

REASON WHY ACTION IS BEING CONSIDERED

To reflect technical advancement of window design and structure, and to streamline the approval process for window fall prevention devices (guards and limiting devices).

INDIVIDUALS LIKELY TO BE AFFECTED

Building owners and landlords of multiple dwellings where children ten years of age or younger reside.

RELEVANT FEDERAL, STATE AND LOCAL LAWS

§17-123, Title 17 of the Administrative Code of the City of New York

§27-2043.1, Title 27 of the Administrative Code of the City of New York (Housing Maintenance Code)

§ 131.15 of Article 131 of the New York City Health Code

Chapter 12 of Title 24 of the Rules of the City of New York

SCHEDULE FOR ADOPTION

Winter 2015

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**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
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SUBJECT AREA

Disabled Persons Parking Permits

SUMMARY OF PROPOSED RULE

Amend Chapter 16 (Criteria for Issuing Special Vehicle Identification Permits to Disabled Persons) of Title 24 of the Rules of the City of New York.

REASON WHY ACTION IS BEING CONSIDERED

Changes need to be made to various sections of this Chapter so that they more accurately reflect the Department's Parking Permits for People with Disabilities (PPPD) current practices in certifying persons for these permits.

INDIVIDUALS LIKELY TO BE AFFECTED

Applicants for special vehicle identification parking permits.

RELEVANT FEDERAL, STATE AND LOCAL LAWS

New York State Vehicle and Traffic Law § 404A

New York State Vehicle and Traffic Law § 1203-a

New York City Charter § 2903(a)(15)(a)

Title 34 of the Rules of the City of New York § 4-08(o)(1)

SCHEDULE FOR ADOPTION

Spring 2016

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**NEW YORK CITY DEPARTMENT OF HEALTH & MENTAL HYGIENE
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SUBJECT AREA

Food Service Establishment Inspection Procedures

SUMMARY OF PROPOSED RULE

Update Chapter 23 (Food Service Establishment Inspection Procedures) of Title 24 of the Rules of the City of New York to be in accordance with amendments to Article 81 of the New York City Health Code.

REASON WHY ACTION IS BEING CONSIDERED

Chapter 23 would be changed to conform to several existing Department policies, and to amend Appendices A, B and C to conform to changes to Article 81 of the New York City Health Code.

INDIVIDUALS LIKELY TO BE AFFECTED

The public, permittees, owners and managers of all food service establishments.

RELEVANT FEDERAL, STATE AND LOCAL LAWS

10 NYCRR Chapter I of the State Sanitary Code, Part 14, Subpart 14-1

Article 71 of the New York City Health Code

Article 81 of the New York City Health Code

SCHEDULE FOR ADOPTION

Spring 2016

AGENCY CONTACT PERSON

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