

NOVEMBER 18, 2020 CHIP PRESENTS EVERYTHING YOU NEED TO KNOW ABOUT LOCAL LAW 152 WITH THE MASTER PLUMBERS COUNCIL



LOCAL LAW 152 OF 2016

- Why was it created? Why is it so important for public safety?
- Are there any other laws or programs related to gas safety?
- Who needs to comply and how often?
- Who can conduct these inspections?
- What does the actual inspection consist of?
- What happens if the inspector finds something?
- What are my responsibilities as an owner?
- How can I prepare for an inspections?
- Are there any issues now?
- What are Chip and the MPC doing to address these issues?



LL152: WHY WAS IT CREATED?

- March 12, 2014: A natural gas explosion in the East Harlem section of Manhattan killed eight people. This explosion was likely caused by a faulty connection between two Con Edison gas pipes, as well as a hole in a nearby sewer line that New York City had known about for at least eight years.
- March 26, 2015: A gas explosion in a building located at 121 Second Avenue in Manhattan caused two deaths, injured at least nineteen people, four critically, and the resulting fire completely destroyed three adjacent buildings at 119, 121, and 123 Second Avenue. The explosion was caused by an illegal connection.





ARE THERE ANY OTHER LAWS OR PROGRAMS RELATED TO GAS SAFETY?

▪ Local law 150 of 2016	DOB Gas Work Qualification
▪ Local law 151 of 2016	Final Gas Inspections
▪ Local law 152 of 2016	Periodic Inspections
▪ Local law 153 of 2016	Tenant Safety Plan
▪ Local law 154 of 2016	Notification by LDC to DOB
▪ Local law 159 of 2016	Violations Related to Gas Work
▪ PHMSA Interior Gas OQ	Periodic Inspections
▪ PHMSA Gas OQ	Maintenance/Construction



LOCAL LAW 150 OF 2016 (INT. NO. 738-A) A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, IN RELATION TO A QUALIFICATION FOR GAS WORK.

- On and after January 1, 2020, it shall be unlawful to perform gas work unless such work is performed by:
 - 1. A licensed master plumber; or
 - 2. A person working under the direct and continuing supervision of a licensed master plumber if such person:
 - 2.1. Holds a gas work qualification pursuant to this article; or
 - 2.2. Holds a limited gas work qualification pursuant to this article and is performing such work under the personal and immediate supervision of (i) a person who holds a gas work qualification pursuant to this article or (ii) a licensed master plumber.

- *Anyone working on gas piping in your building must be qualified.*



LOCAL LAW 153 OF 2016 (INT. NO. 1090-A) A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, IN RELATION TO REQUIRING OWNERS TO PROVIDE NOTICE TO THEIR TENANTS REGARDING PROCEDURES THAT SHOULD BE FOLLOWED WHEN A GAS LEAK IS SUSPECTED.

- The owner of a dwelling shall deliver or cause to be delivered to each tenant and prospective tenant of such dwelling, along with the lease or lease renewal form for such tenant or prospective tenant, and shall post and maintain in a common area of the building containing such dwelling, a notice, in a form developed or approved by the department, regarding the procedures that should be followed when a gas leak is suspected. Such notice may be combined with any existing required notices and shall instruct tenants to first call 911 and then call the relevant gas service provider, whose name and emergency phone number shall be set forth on such notice, before contacting such owner or an agent thereof when a gas leak is suspected.
- *Owners and managers should already have a safety plan in place.*



LOCAL LAW 154 OF 2016 (INT. NO. 1093-A) A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, IN RELATION TO REQUIRING GAS SERVICE PROVIDERS AND OWNERS TO NOTIFY THE DEPARTMENT OF BUILDINGS WITHIN TWENTY-FOUR HOURS WHEN GAS SERVICE IS SHUT-OFF OR NOT RESTORED DUE TO SAFETY CONCERNS.

- § 28-119.4 Notification of gas shut-off or non-restoration after inspection. Within 24 hours after gas service to a building is shut off by a utility company or utility corporation because of a class A or class B condition, as described in part 261 of title 16 of the New York codes, rules and regulations, and within 24 hours after gas service is, after an inspection by such a company or corporation, not restored because of such a condition, such company or corporation and the owner of such building shall each provide notice to the department in a form and manner prescribed by the department.
- *If the utilities shut off your gas the DOB will respond to investigate.*
- *Local Law 114 of 2019 may restrict permit issuance.*



PHMSA (U.S. DEPARTMENT OF TRANSPORTATION)

- Pipeline and Hazardous Material Safety Administration (US DOT)
- PHMSA's Office of Pipeline Safety is responsible for carrying out a national program to ensure the safe, reliable, and environmentally-sound operation of the nation's natural gas and hazardous liquid pipeline transportation system.
- Responsible for Natural gas from the wellhead to the outlet of your meter.
- Requires persons performing work, or conducting inspections, to be Operator Qualified (OQ).
- Requires periodic inspections of interior gas piping by OQ'd persons.
- Sets the MINIMUM standards for construction and inspections.
- *Requires the utilities to conduct an INTERIOR GAS PIPE INSPECTION.*



LOCAL LAW 152 OF 2016 (INT. NO. 1088-A) A LOCAL LAW TO AMEND
THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, IN RELATION TO
PERIODIC INSPECTIONS OF GAS PIPING SYSTEMS.

- § 28-318.1 General. Commencing January 1, 2020, building gas piping systems, other than gas piping systems of buildings classified in occupancy group R-3, shall be periodically inspected in accordance with this article.
- **Only** 1-2 family homes are exempt from an inspection.

NOTE: 1-2 family homes are NOT exempt from a US DOT (PHMSA) inspection.

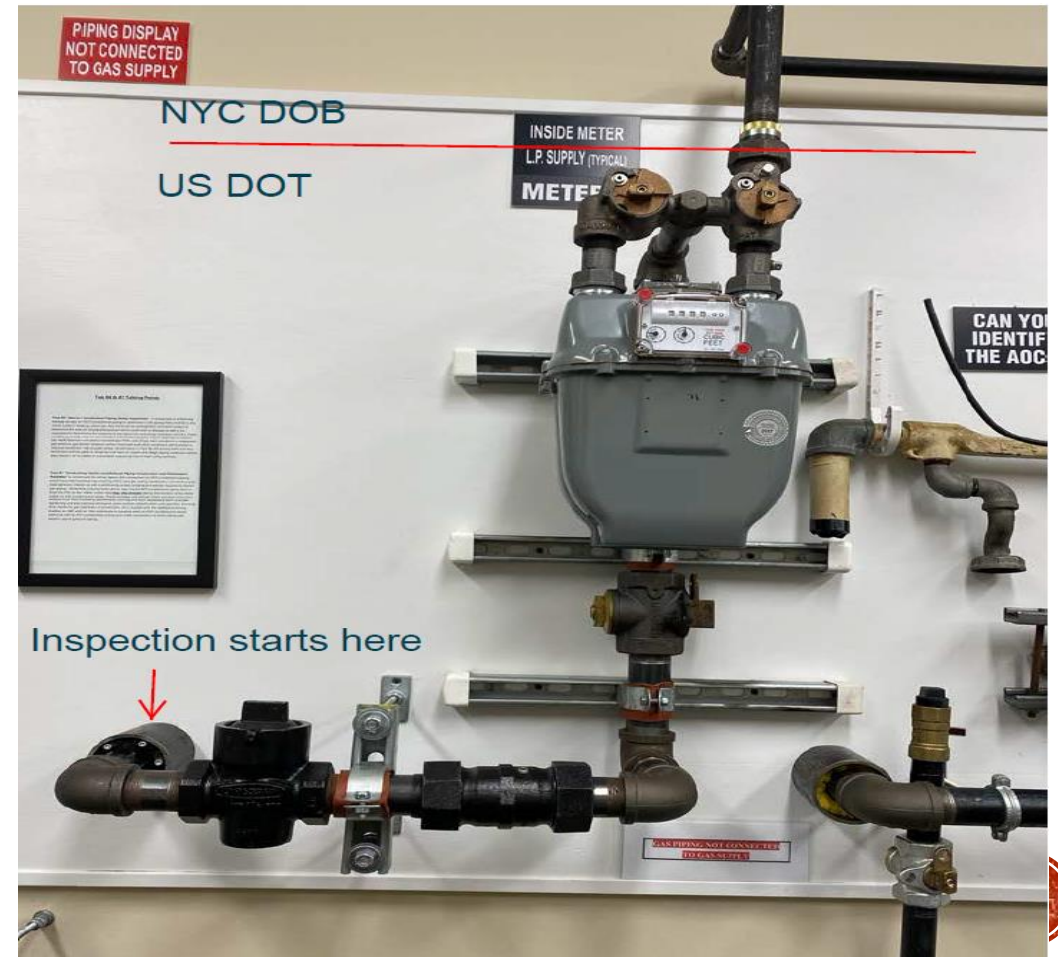
The Utilities will conduct these inspections.

Some 1-2 family house have designations other than R-3



US DOT (PHMSA) INSPECTION??

- The US DOT requires that utilities conduct an interior gas piping safety inspection at every premises that has a gas service.
- The LL152 inspection process is based on the PHMSA protocols.
- These inspections have been underway for the past two years.
- Presently, they are conducted every 1 to 3 years depending on the building location.
- There are no exemptions and non compliance may lead to service termination.



EXCEPTIONS TO THE REQUIREMENT FOR LL152 INSPECTION

- Exception: A building that contains no gas piping and for which the owner of such building has submitted to the commissioner, in a form and manner determined by the commissioner, a certificate of a registered design professional, or a person satisfying other qualifications that the commissioner may establish, that such building contains no gas piping.
- Rule 103-10: Owner retains a registered design professional to complete a GPS-2 for the owner to submit to the Department. Form must be submitted by the due date.
- What does no gas piping mean? Does your licensed Master Plumber need to take actions in addition to having a registered design professional certify the building?



HOW OFTEN DOES THE LL 152 INSPECTION NEED TO BE DONE?

- § 28-318.2 Frequency of inspection. An inspection of a building's gas piping system shall be conducted at periodic intervals as set forth by rule of the commissioner, but such inspection shall be conducted at least once every FOUR years. *
- Rule 103-10.3 Inspections of building gas piping systems required under this section must be conducted at least once every four years and in accordance with the following periodic inspection schedule:
- **Intervals subject to change based on changes at NYS Public Service Commission*



WHEN IS MY INSPECTION DUE?

- (i) December 31, 2020, and no later than December 31 within every fourth calendar year thereafter, for buildings in community districts 1, 3, and 10 in all boroughs.
- (ii) December 31, 2021, and no later than December 31 within every fourth calendar year thereafter, for buildings in community districts 2, 5, 7, 13, and 18 in all boroughs.
- (iii) December 31, 2022, and no later than December 31 within every fourth calendar year thereafter, for buildings in community districts 4, 6, 8, 9, and 16 in all boroughs.
- (iv) December 31, 2023, and no later than December 31 within every fourth calendar year thereafter, for buildings in community districts 11, 12, 14, 15, and 17 in all boroughs.



EXCEPTIONS:

(4) The initial inspection for a new building with a gas piping system shall be performed during the tenth year after the Department has issued a certificate of occupancy for such building. Following such initial inspection, a new building's subsequent periodic inspection must be conducted in accordance with the periodic inspection schedule set forth in paragraph (3) of this subdivision. For the purposes of this section, the term "new building" means a building, or any portion thereof, approved for occupancy by the Department after December 31, 2019.

- *Only buildings with a Certificate of Occupancy Issued after 1-1-20 are exempt.*



WHO IS LEGALLY PERMITTED TO CONDUCT THESE INSPECTIONS?

Persons qualified to perform such gas piping system inspections shall be either:

- (i) Licensed master plumbers; or
- (ii) Individuals, working under the direct and continuing supervision of a licensed master plumber, with at least five (5) years of full -time experience working under the direct and continuing supervision of a licensed master plumber and who has successfully completed a 7 hour training program acceptable to the Department.

*NOTE: Registered Design professionals **ARE NOT** qualified to conduct these inspections.*

While all licensed Master Plumbers are qualified, some may be more qualified than others.



THE US DOT TASK 86/87 QUALIFICATION PROGRAM

- This is a built from the ground up; the first in the nation gas safety program geared towards interior gas inspections. Created the Task 86/87 qualifications.
- Applicants attend a 7 hour training program.
- Must pass a three part written exam and a one part practical exam.
- Applicants must participate in a drug and alcohol monitoring program.
- The participant and their employers are provided with up to date information regarding the inspections.
- The qualification is required for all mandated US DOT (PHMSA) inspections.

Note: Not all LMPs or their employees have attained this qualification.



WHO SHOULD YOU HIRE?

IMPORTANT CONSIDERATIONS?

- Is the person conducting the actual inspection qualified? Proper experience?
- Pre-inspections? Sounds like a good plan. What could go wrong?
- Is the person offering the inspection actually a licensed Master Plumber?
- Even though your licensed Master Plumber is permitted to do the inspections is he the most qualified licensed firm to conduct them?
- What rules are a licensed Master Plumber required to adhere to?
- How could a properly trained and informed licensed Master Plumber help mitigate a potentially bad situation?
- What should an inspection cost? Lets see what's involved first.



THE INSPECTION SCOPE:

PART 1

- § 28-318.3.2 Scope. At each inspection, in addition to the requirements prescribed by this article or by the commissioner, all **exposed** gas lines from point of entry of gas piping into a building, including building service meters, up to **individual tenant spaces** shall be inspected for evidence of excessive **atmospheric corrosion** or piping deterioration that has resulted in a dangerous condition, **illegal connections**, and **non-code compliant** installations.

*NOTE: This is a **VISUAL** inspection only. Inspectors only are required to look at exposed piping and appliances.*



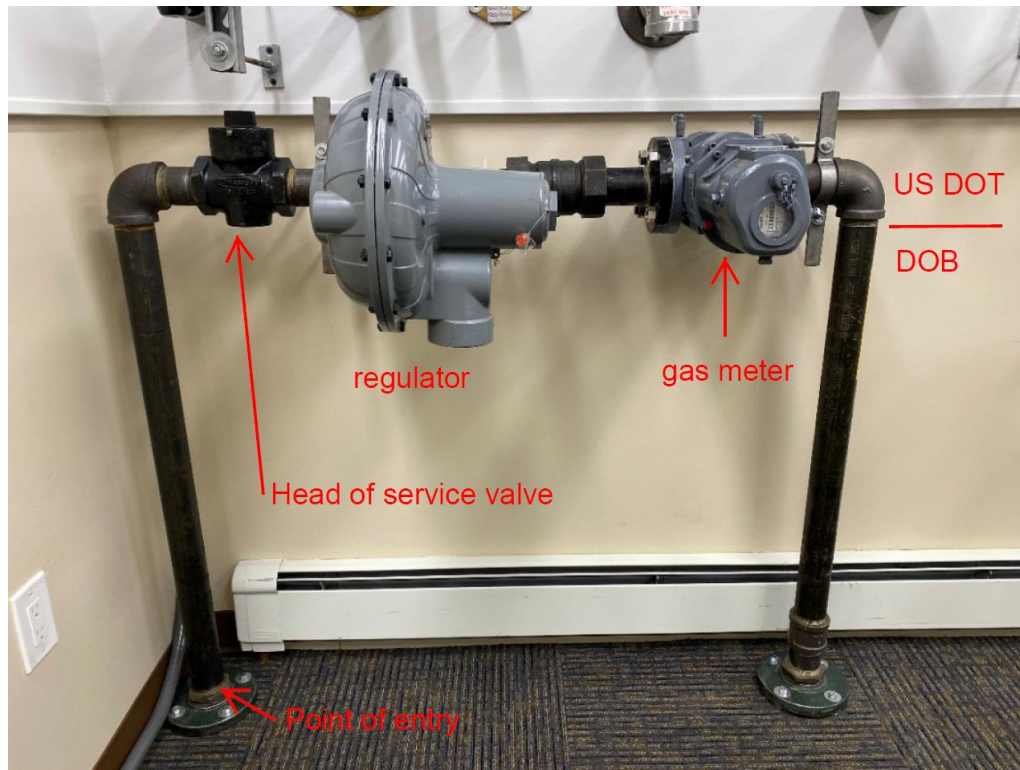
WHAT CODE IS THE BUILDING INSPECTED UNDER?

- The DOB has determined that these inspections shall be conducted utilizing the **2014 Codes** (fuel gas; plumbing, mechanical and building) as the basis for the inspection.
- Does that mean I may have a prior legal condition that is now illegal?
- **NYC FGC 102.2 Existing installations.** Except as otherwise provided for in this chapter or elsewhere in this code, a provision in this code shall not require the removal, alteration or abandonment of, nor prevent the continued utilization and maintenance of, existing installations lawfully in existence on the effective date of this code.
- *While the inspection may uncover conditions that would prevent the system from passing a regular DOB inspection for a new installation these conditions (unless posing a hazard) may not require any action on the owners part. Your licensed Master Plumber should know the difference.*



WHERE DOES THE INSPECTION START AND WHERE DOES IT STOP?

Starts at the point of entry

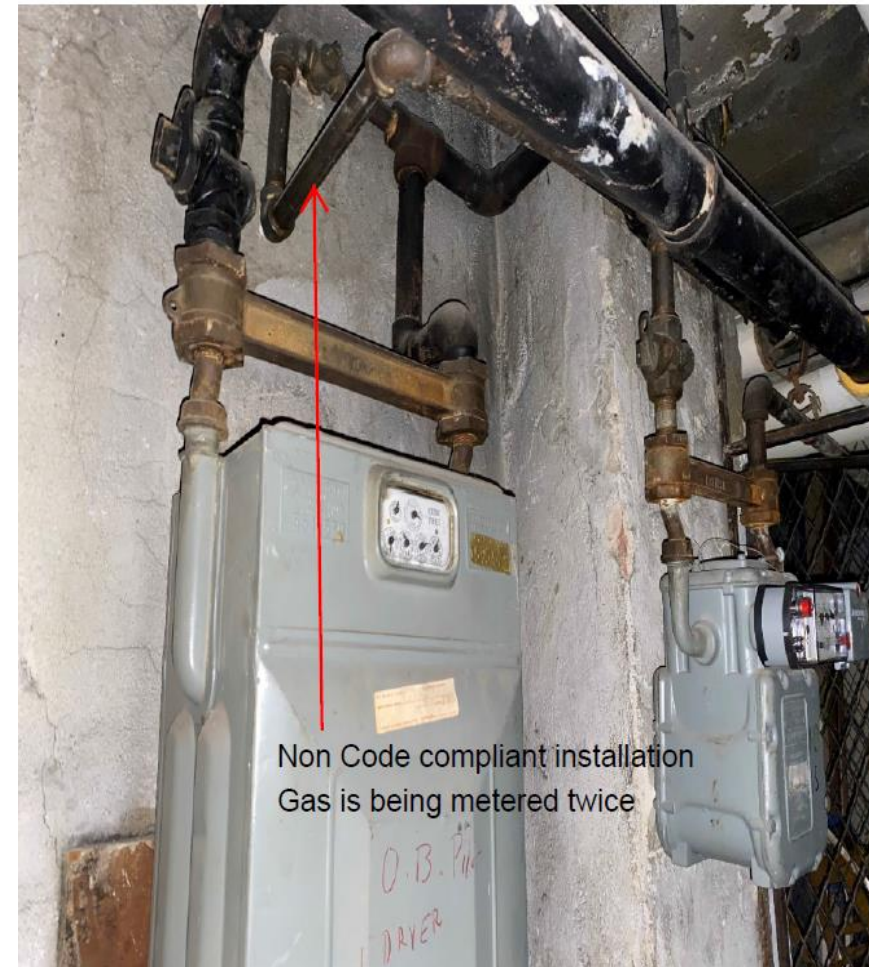
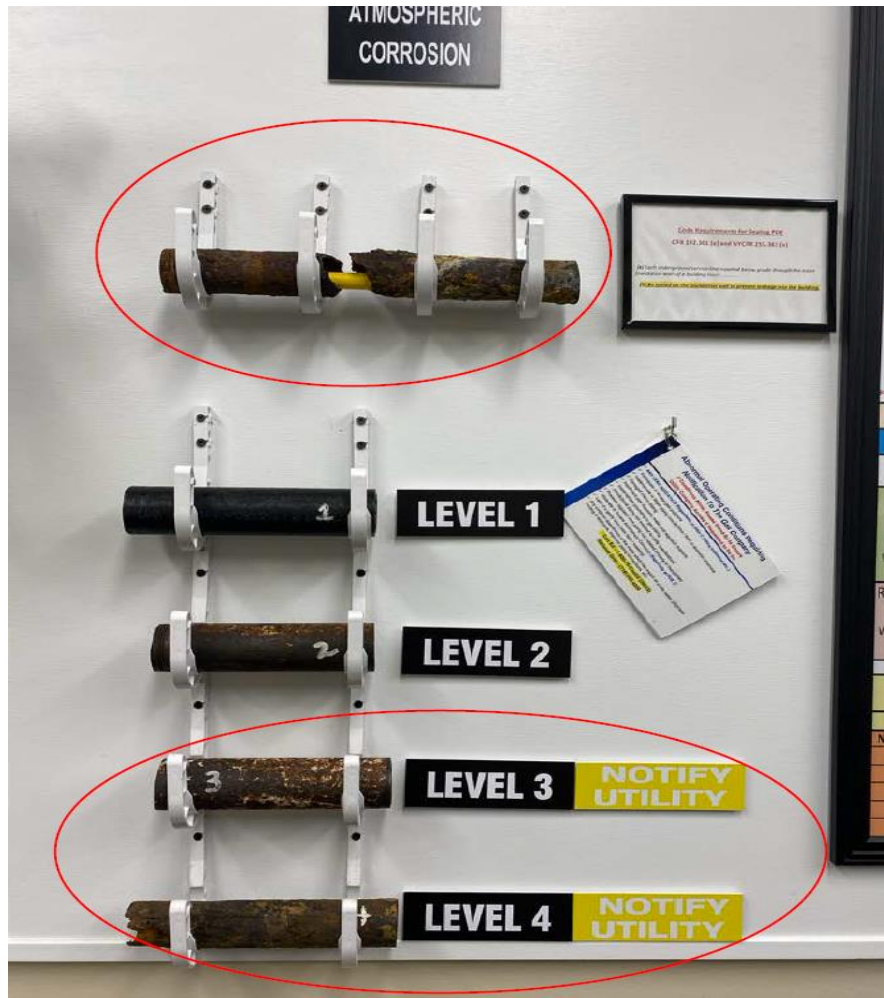


Ends at the gas appliances



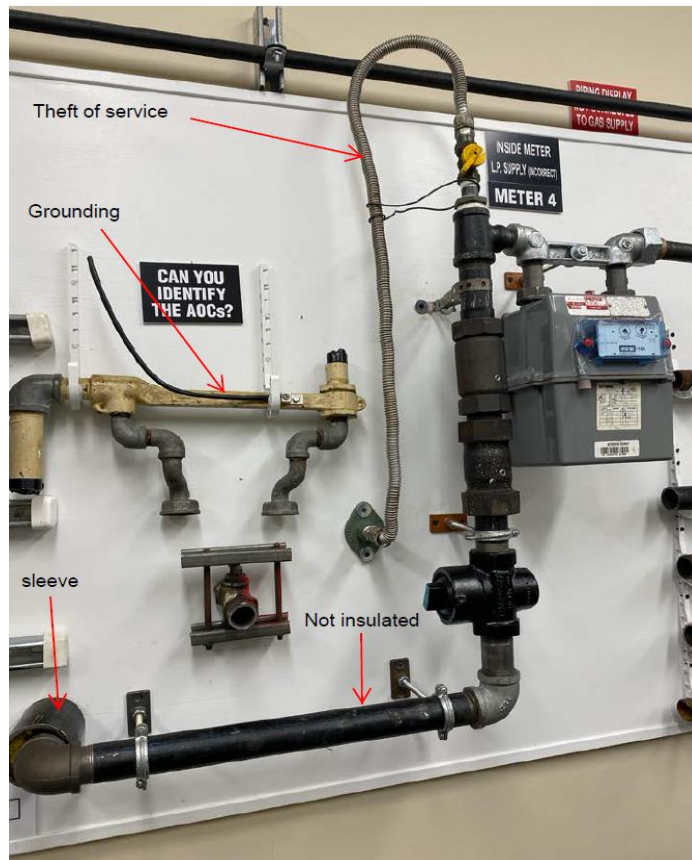
VISUAL INSPECTION: LOOKING FOR AOC'S

(ABNORMAL OPERATING CONDITIONS)



WHAT ARE SOME OTHER AOC'S?

**Grounding theft of service/
Improper installation:**



**The service sleeve not sealed properly/
Not properly insulated:**



PARTIAL LIST OF AOC'S, ALONG WITH REQUIRED ACTIONS TO BE TAKEN

Abnormal Operating Conditions presenting an immediate safety risk

Actions to be taken

Gas Leak that Presents Immediate Danger

Immediately exit building

Gas reading in free air when entering a building or performing an inspection
Any gas reading when performing an inspection
Uncontrolled leak
Blowing gas
Carbon Monoxide detection (CO)
Rapid meter dial movement
Fire or explosion
Odor of gas in building

Notify occupants/owner (no phone use)
When outside at a safe distance notify 911,
utility; company DOB
National Grid 1-(718) 643-4050
Con Edison 1-(800) 752-6633
DOB 1-212-393-2557 (business hours)
NYC 311 at other times

AWAIT ASSISTANCE

Miscellaneous AOC

Document your findings

Any condition observed that could be considered immediately hazardous.

Complete the GPS-1 form and your company
data sheet

- Each operator qualified inspector has a list of AOC's and actions to be taken
- The operators job is only to report. Utilities/DOB will decide outcomes.



THE INSPECTION SCOPE:

PART 2

- The inspection entity shall also **test** public spaces, hallways, corridors, and mechanical and boiler rooms with a portable combustible gas detector to determine if there is any gas leak, provided that such testing need only include public spaces, hallways and corridors on floors that contain gas piping or gas utilization equipment.

*NOTE: This is not a **TEST**. It is a **LEAK SURVEY**. It is conducted for **ALL** exposed piping.
What is the difference between a test and a survey?*



THE CGI DEVICE

GMI PS200 LMP



RKI GX-212

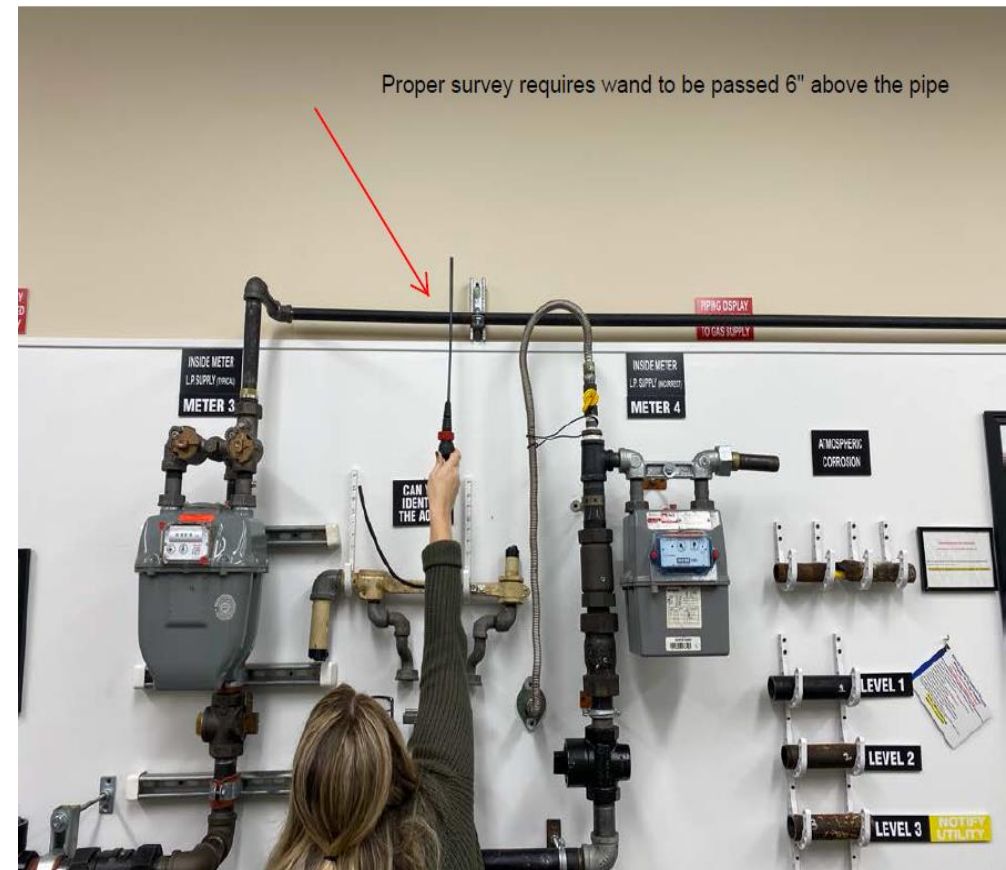


THE LEAK SURVEY

Inspection of the point of entry (POE):



Inspection of exposed piping



THE LEAK SURVEY

Below, a leak was identified and the contractor utilized an approved leak detection solution:



Testing public corridors outside of tenant spaces:



REPORTING THE FINDINGS

§ 28-318.3.4 Reporting and correction of unsafe or hazardous condition. If an inspection reveals any of the following conditions, the inspection entity shall notify the building owner, the utility and the department immediately and the building owner shall immediately take action to correct such condition in compliance with the New York city construction codes:

1. A gas leak;
 2. Evidence of illegal connections or non-code compliant installations; or
 3. Any other condition which (i) if verified by a utility company or utility corporation, would constitute a class A condition as described in part 261 of title 16 of the New York codes, rules and regulations or (ii) constitutes an imminently dangerous condition.
- *Owner required to take immediate action to correct the condition. What does that mean? Must comply with NYC Housing Maintenance Code.*



WHAT ELSE MUST BE REPORTED?

- Other AOC's are reported to the owner through the GPS-1 and GPS-2 forms.
- US DOT operator qualified inspectors must follow established reporting procedures to notify the utilities of substandard conditions.
- How are Licensed Master Plumbers reporting?
- What is in the future?
- What is your obligation as an owner?



WHAT IS A NON CODE COMPLIANT INSTALLATION?

A non Code compliant installation can be many things.

- Missing or inadequate pipe supports.
- No pipe sleeves.
- Unapproved fittings or connections.
- Appliances that are not properly vented.
- Appliances installed in an unapproved location.



WILL I BE RESPONSIBLE TO PROVE THE LEGALITY OF MY EXISTING INSTALLATIONS?

- The DOB has published a FAQ for LL152 inspections that states that there is no requirement to prove that an existing installation is legal.
- However, any installations that are installed in a non code compliant manner must be reported.



WHAT MAY HAPPEN WHEN THESE ITEMS ARE REPORTED?

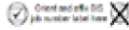
- Some conditions must be reported directly from the field and will require an immediate response from the utility or DOB. What can happen?
- For issues that are subject to US DOT regulations, the utilities will respond and evaluate the situation. What can happen?
- For issues that are subject to the NYC Construction Codes, the DOB may respond. What can happen?
- All other conditions shall be reported on both the GPS-1 and GPS-2 forms. Owner is responsible to make corrections within the permitted time frame.
- In some cases gas service must be terminated.
- In some cases a temporary repair may be made.



THE FORMS:

NYC
Buildings

**GPS1: Gas Piping System
Periodic Inspection Report**
Form must be typewritten.

Print and affix to
job number label here

1 Location Information (required for all certifications)			
House No(s)		Street Name	
Borough		Block	
Lot		BIN	
Community Board No.		Number of Stories	
Number of Meters			
2 Licensed Master Plumber Information (fax and mobile telephone are optional)			
Last Name		First Name	
Middle Initial		Business Name	
Business Telephone		Business Address	
Business Fax		City	
State		Zip	
Mobile Telephone		Email	
License Number			
3 Individual Performing Inspection (Non-Licensed Master Plumber) Information (required where a Non-LMP performed inspection under LMP supervision; fax and mobile telephone are optional)			
Last Name		First Name	
Middle Initial		Business Name	
Business Telephone		Business Address	
Business Fax		City	
State		Zip	
Mobile Telephone		Email	
Employer Name			
4 Certification of Inspection Results			
Relevant Category	Check only one for each relevant category	List conditions observed for each category (e.g., floor number & location of condition(s) observed, etc.). Attach additional sheets if necessary.	
1 Improper Use of Flex Hose	☐ No Condition(s) Observed or ☐ Condition(s) Observed	Conditions observed:	
2 Evidence of Illegal Connections/Non-Code Compliant Installations	☐ No Condition(s) Observed or ☐ Condition(s) Observed	Conditions observed:	
	☐ No Condition(s) Observed	Conditions observed:	

NYC
Buildings

**GPS2: Gas Piping System
Periodic Inspection Certification**
Form must be typewritten.

1 Location Information (required for all certifications)			
House No(s)		Street Name	
Borough		Block	
Lot		BIN	
Community Board No.		Number of Stories	
Number of Meters			
2 Licensed Master Plumber Information (fax and mobile telephone are optional)			
Last Name		First Name	
Middle Initial		Business Name	
Business Telephone		Business Address	
Business Fax		City	
State		Zip	
Mobile Phone		Email	
License Number			
3 Individual Performing Inspection (Non-Licensed Master Plumber) Information (required where a Non-LMP performed inspection under LMP supervision; fax and mobile telephone are optional)			
Last Name		First Name	
Middle Initial		Business Name	
Business Telephone		Business Address	
Business Fax		City	
State		Zip	
Mobile Phone		Email	
Employer Name			
4 Certification of No Gas Piping System (to be completed by a Registered Design Professional)			
☐ I certify that the above building contains no gas piping system.			
5 Certification of Inspection (to be completed by Licensed Master Plumber)			
☐ I certify that I have personally performed an inspection pursuant to Article 318 of Title 28 of the NYC Administrative Code for the above building.			
☐ I certify that I exercised direct and continuing supervision over the individual identified in Section 3 who performed the required inspection in accordance with Article 318 of Title 28 of the NYC Administrative Code for the above-listed building.			
Date of Initial Inspection: (MMDDYYYY):			
Check all that apply:			
☐ No conditions requiring correction were identified in the Gas Piping System Periodic Inspection Report provided to the building owner.			



THE FORMS

GPS-1

- Must be sent to owner within 30 days of initial inspection.
- Lists **all** corrective work that is required.
- Licensed Master **must** submit this form. There are no exceptions.

GPS-2

- Must be submitted by the OWNER to the DOB within 60 days of the initial inspection. They must note if corrective work is required.
- Must be submitted within 120 days of the initial inspection showing that corrections have been made or if additional time is required.
- Must be submitted within 180 days of initial inspection showing that all corrective work has been completed.



GPS-2 FORM

- THE MPC and CHIP are working with the DOB to clarify a few questions about the final form submission.



GPS2 CERTIFICATION SUBMISSION PORTAL:

USE THIS PORTAL TO SUBMIT GAS PIPING SYSTEM PERIODIC INSPECTION CERTIFICATIONS IN ACCORDANCE WITH LOCAL LAW 152 OF 2016.

Local Law 152 of 2016 Periodic Gas Piping Inspections

Indicate the Periodic Gas Piping System Certification required by [Local Law 152 of 2016](#) and Title 1 of the Rules of the City of New York (1 RCNY) §101-10. Review the [Service Notice](#) for additional information about the specific inspection and certification requirements for gas piping systems.

Before completing this form, save a PDF copy (PDFs load) of the signed and sealed (GPS2) Periodic Gas Piping System Certification form to your computer.

Read the FAQs for assistance with this form and Local law 152 of 2016.

Location Information		
*Borough Pick a Borough	*House Number 	*Street Name
Owner Information		
*Owner Type Pick Owner Type	*Email 	
Last Name 	First Name 	Business Name
*Address 	*Telephone 000-000-0000	
*City 	*State 	*Zip Code
Owner Representative		
Last Name 	First Name 	Email
Telephone 000-000-0000	Relationship to Owner 	
Inspection Information		
*Does the building contain a gas piping system? ☐ Yes ☐ No		



LL152 RECEIPT

LL 152 Receipt for GPS-2 submission

From: Do_Not_Reply@buildings.nyc.gov <Do_Not_Reply@buildings.nyc.gov>
Sent: Tuesday, November 3, 2020 3:58 PM
To: Compliance <compliance@midboro.com>; Sandra Lozano <slozano@midboro.com>
Subject: Your Notification of Periodic Gas Piping Inspections form has been submitted to DOB

Wolfe,

You have completed the Local Law 152 of 2016 Periodic Gas Piping Inspections Web Form. Below is the information you provided.

Reference Number : 1000000405

Location Information :

Borough : Manhattan

House Number : 105

Street Name : Norfolk Street

Owner Information :

Owner Type : Private

Email : compliance@midboro.com

Name : Wolfe, Michael

Business Name : MIDBORO MANAGEMENT LLC

Address : 333 7TH AVE, FL 5, New York, NY, 10001

Telephone : 212-677-6500

Owner Representative :



WHAT CAN I DO AS AN OWNER TO PREPARE FOR THESE INSPECTIONS?

- Know your buildings gas pipe system and appliances.
- Plan for **both** best case **and** worst case contingencies.
- This inspection will not create a leak or an immediately hazardous condition. What is most important, is your reaction to it.
- Know your building's DOB history. Do you have open violations?
- Interview the prospective licensed plumbing firm.
- Make sure you provide full access to areas that must be inspected.
- Avoid the potentially bad actors that can quote an inspection without asking you any questions.
- There is no such thing as a **PRE-INSPECTION**.



WHAT ARE SOME ISSUES?

- Do we inspect commercial tenant spaces?
- What happens if we cannot complete the inspection due to lack of access?
- What happens if we can not gain access to the Point of Entry?
- The utility already inspected my property. Why is this being done again?
- The utility already inspected my property. Why did you find an issue?
- Why did you find an issue and the utility responded and said it was nothing?
- I need to make a repair. I am afraid the repair may cause a leak. What do I do?
- I got you access to 95% of the spaces. Why can't you certify the inspection as complete?
- When does the inspector responsibility for the inspection end?



WHAT DOES NO GAS PIPE IN A BUILDING MEAN?

- A building is considered to have no gas piping within the building when there is NO GAS service in a building. If that may be the case then the owner must retain a professional engineer or registered architect to certify that fact and complete the GPS-2 form.
- We recommend that you retain a qualified licensed Master Plumber to verify this.
- If there is a gas service in the building, regardless if it is active, then a licensed Master Plumber is required to conduct the inspection.



WHAT IF I'M SHUT DOWN OR NEED REPAIRS?

- Repairs: Most work will require a permit and all work will require compliance with Local Law 150.
- Shut down work can begin immediately under emergency work Code provisions.
- What can delay work that requires a permit?



SOURCES OF INFORMATION

Master Plumbers Council of the City
of New York

- The most up to date information about LL152 can be found on our website:

<https://www.nycmpc.org>

- DOB FAQ Regarding LL152

https://www1.nyc.gov/assets/buildings/pdf/ll152of2016_faq.pdf

