

**RESCINDED BY  
BUILDINGS BULLETIN 2023-007**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS  
DIRECTIVE NO.11 of 1973

DATE: November 20, 1973

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Mayor's Executive Order No. 87  
ENVIRONMENTAL REVIEW OF MAJOR PROJECTS

This directive is in 4 sections:

- Section 1 - Intent of the Executive Order
- Section 2 - Major Projects Requiring Environmental Review
- Section 3 - Environmental Review Procedure
- Section 4 - Required Action

1. INTENT OF THE EXECUTIVE ORDER

To give E.P.A. adequate opportunity to review and comment on any activity requiring approval of city agencies as to its impact on the environment.

2. MAJOR PROJECTS REQUIRING ENVIRONMENTAL REVIEW

Those "major projects" which effect the department of buildings are as follows:

- (I) The construction of a new building with more than twenty floors;
- (II) The construction of a new residential building with forty-two or more dwelling units and the construction on contiguous blocks by one developer (or group of developers as part of a single plan) of 10 or more residential buildings with 3 or more dwelling units per building or 25 or more one or two family homes;
- (V) The construction of, or allocation of land for, a solid waste disposal facility, a water treatment plant, or any sewage treatment plant, except septic tanks for 1 or 2 family dwellings or portable package treatment plants;
- (VI) The construction of , or allocation of land for, a parking lot or garage for more than 50 vehicles to be used for public or patron parking;

continued...

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**2. MAJOR PROJECTS REQUIRING ENVIRONMENTAL REVIEW continued**

- (X) The construction of any new factory to be used for heavy manufacturing as defined in category M3 of the New York City Zoning Resolution;
- (XI) The construction of any new building or facility (other than a residence, commercial office building or factory) designed to accommodate more than 1,000 people at capacity.

**3. ENVIRONMENTAL REVIEW PROCEDURE (as stated in executive order #87)**

- a. Prior to first approval or permit for "a major project", the department shall submit in writing to the Administrator of E.P.A. the information requested in an environmental information form (supply attached).
- b. Administrator of E.P.A. shall take following action within 10 working days after receiving the information requested in the form. Administrator may extend the time for 10 additional working days:
  - (i) Inform the department that the project has been evaluated based on the information submitted and it does not have a significant adverse impact on the environment - additional information is not required, or
  - (ii) Inform the department that if a statement has been filed pursuant to the National Environmental Policy Act and it will provide for a timely assessment of the environmental impact of the project - additional information is not required, or
  - (iii) Request additional information
- c. Within 30 working days after receipt of the additional information requested in b.(iii) above, Administrator shall submit to the department and to the Mayor, a written assessment of the project as to:-
  - (i) Probable environmental impact of the proposed project;
  - (ii) Any standards of Federal, State or local environmental laws which the proposed project would not satisfy, and
  - (iii) Any conditions that should be included in the approval or permit for the project.
- d. The department may grant first approval or permit for a major project, provided that:-
  - (i) Administrator finds that the project does not have a significant adverse impact on the environment; or
  - (ii) The approval or permit is subject to conditions set forth in the environmental assessment submitted by the Administrator; or

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3. ENVIRONMENTAL REVIEW PROCEDURE continued

- d. (iii) Department has given written notice 10 working days before granting approval to the Mayor and the Administrator setting forth its justification for granting the approval or permit; or
- (iv) Administrator has not evaluated the projects within the time limits set forth and the department has given notice to the Administrator of its intention to issue the permit or approval after a period of 5 working days has elapsed.

4. REQUIRED ACTION: (effective immediately)

- a. When an application requiring environmental approval is reviewed by the plan examiner, he shall complete the environmental information form and forward same to:-

Environmental Protection Administration  
Office of Environmental Impact  
Room 2344, Municipal Building  
New York, N.Y. 10007

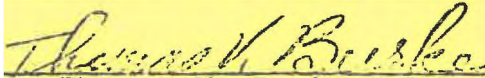
A carbon shall be kept with the application.

- b. Prior to the issuance of a Permit for a project which requires environmental approval, an Environmental Information Form shall be completed as outlined above.
- c. When an application for a major project requires environmental approval, no Permit or First Approval shall be given until the conditions set forth in the Mayor's Executive Order No. 87 [this Directive section 3(d)] are complied with.

TVB/PEO/sc

ATTACHMENTS:

CC: Executive staff  
Industry  
BCAC  
CICI  
Admin. Herbert Elish (EPA)

  
Thomas V. Burke, P.E.  
Director of Operations

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