



NEW YORK CITY DEPARTMENT OF  
HEALTH AND MENTAL HYGIENE

Dave A. Chokshi, MD, MSc  
*Commissioner*

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April 13, 2021

Honorable Corey Johnson  
Speaker, City Council  
City Hall  
New York, NY 10007

Dear Speaker Johnson:

In accordance with New York City Local Law 77 of 2015 Section 3(a), the Department of Health and Mental Hygiene hereby submits the attached report.

If you have further questions, please do not hesitate to contact Maura Kennelly, Deputy Commissioner for External Affairs, at (347) 396-4279 or [mkennell@health.nyc.gov](mailto:mkennell@health.nyc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Dave A. Chokshi'.

Dave A. Chokshi, MD, MSc  
Commissioner



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## **2019 Annual Report Pursuant to Local Law 77 of 2015 Cooling Towers and Legionnaires' Disease**

This report is submitted pursuant to Section 3 of Local Law 77 of 2015 (LL77), which requires the Commissioner of the Department of Health and Mental Hygiene (DOHMH) to submit the information enumerated below to the Mayor and City Council Speaker by May 15, for the prior calendar year. Due to the COVID- 19 public health emergency, the Department is submitting this report late.

1. The number of new cooling tower registrations
2. The number of notifications of discontinued use (decommissioning) of a cooling tower
3. The number of annual certifications that a cooling tower was inspected, tested, cleaned and disinfected
4. The number of reports of tests for the presence of microbes that reveal levels that present a serious health threat received by the DOHMH
5. The number of cooling tower system inspections conducted
6. The number and types of any violations cited during such inspections
7. The number of cleanings, disinfections or other actions performed by or on behalf of the DOHMH
8. The number of persons diagnosed with Legionnaires' disease in the city in each of the previous 10 years

As of December 31, 2019, 6,199 cooling towers were registered with the Department of Buildings, representing 5,267 cooling tower systems in 4,169 buildings across all five boroughs. More detailed information is described on the attached page.



Reporting Information for Calendar Year 2019: January 1-December 31, 2019	Total #
1. New Cooling Tower Registrations	239 Cooling Towers (163 Cooling Tower Systems)
2. Decommission Notifications	263 Cooling Towers (207 Cooling Tower Systems)
3. Annual Certifications*	5,039 Cooling Towers (4,138 Cooling Tower Systems)
4. <i>Legionella</i> Results $\geq$ 1,000 CFU/mL	228 Sample Reports
5. Cooling Tower Inspections**	5,969 Cooling Towers (5,044 Cooling Tower Systems)
6. Violations Cited***	6,681
Public Health Hazards Cited	1,027
Critical Violations Cited	3,633
General Violations Cited	2,021
7. Cleanings/disinfections performed by or on behalf of the DOHMH	0
8. Persons diagnosed with Legionnaires' disease in each of the previous 10 years:	
2019	447
2018	656
2017	435
2016	271
2015	439
2014	225
2013	301
2012	177
2011	216
2010	165

\*1,152 registered cooling towers (CT) did not submit their 2019 annual certification. Additionally, 8 newly registered CTs do not have a 2019 annual certification because they registered after the November 1 submission deadline. These CTs are nonetheless registered with NYC and subject to DOHMH inspections.

\*\*In 2019, there were 276 registered CT systems not inspected due to lack of jurisdiction (n=35), not in operation (n=112) or other inspection accessibility issues such as building/tenant vacancy and construction (n=129). The total number of CT system inspections include a limited number of CT systems that received more than one inspection (n=22), and systems that were inspected but then decommissioned prior to the end of 2019 (n=31).

\*\*\*During inspections, CT systems are evaluated for 30 possible violations. All violations observed are cited and summonses are issued for public health hazards (PHH) and critical violations. The 30 violations are divided into three categories:

- **PHH** - a condition that demonstrates a lack of basic cooling tower system monitoring and management and is the most serious category. There are 3 possible PHH violations: (1) missing a maintenance program and plan, (2) failure to collect, analyze or report *Legionella* samples, and (3) failure to perform required corrective action based on bacteriological or *Legionella* sample results.
- **Critical violation** - a condition that demonstrates a lack of process control associated with treatment, cleaning, disinfection and management of the cooling tower system. There are 14 possible critical violations.
- **General violation** - a condition that demonstrates a lack of recordkeeping, administrative control or non-critical process control. There are 13 possible general violations.