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## **REDUCING RISK OF LEGIONNAIRES’: MAYOR DE BLASIO AND COUNCIL SPEAKER MARK-VIVERITO LEAD THE WAY IN SETTING STANDARDS NATIONALLY FOR COOLING TOWER INSPECTIONS**

*Stringent regulation includes mandatory registration, testing and inspection, and penalties for failure to comply*

**NEW YORK**—Mayor de Blasio, New York City Council Speaker Melissa Mark-Viverito and New York City Council Members today announced a proposal for legislation to regulate cooling towers in order to protect New Yorkers and reduce the risk of future Legionnaires’ outbreaks.

The legislation is the first in the nation to provide for detailed requirements and oversight, including mandatory registration, testing and inspections of cooling towers, and sanctions for failure to comply with new standards. Its provisions are designed to ensure adherence to industry standards for maintenance, cleaning and testing for microbes, and reporting of samples that present a serious health threat to the Department of Health and Mental Hygiene.

“We are confident the Legionnaires’ outbreak in the South Bronx has been contained, and are working with our partners in the City Council to protect the entire city in the long-term through stringent new regulations for building owners,” said **Mayor Bill de Blasio**. “New York is the first major city in the nation to propose new registration, inspection, and enforcement standards for the cooling towers which harbor Legionnaires’ bacteria. This action reflects our chief priority: to safeguard the health of New Yorkers.”

“This legislation will create new registration, maintenance and inspection requirements for cooling towers and will give the City the information and tools it needs to enforce them. The City, under Dr. Mary Bassett, and state and federal governments, have all been working together during this outbreak and this legislation is a critical part of our efforts to proactively combat such outbreaks in the future,” said **Speaker Melissa Mark-Viverito**.

“Our city must do everything we can to fight the Legionnaires’ outbreak, which is why legislation requiring regular inspections and testing of cooling towers is extremely important. Without proper maintenance, cooling towers can accrue an overgrowth of legionella, causing what has proven to be a fatal outcome for far too many New Yorkers. As Chair of the Council’s Housing and Buildings Committee, I am proud to work with our administration to solve this crisis, and look forward to discussing this legislation during tomorrow’s hearing,” said **Council Member Jumaane D. Williams**.

“We must do all that we can to prevent outbreaks of Legionnaires’ disease,” said **Health Commissioner Dr. Mary T. Bassett**. “By proposing unprecedented standards and oversight for cooling tower inspections, we are leading the way in reducing the risk of future outbreaks. This legislation is an important step we can take to further protect the health of New Yorkers.”

“This strong proposal will greatly help reduce the risk of another mass outbreak of Legionnaires’ disease in New York City,” said **Buildings Commissioner Rick Chandler**. “The Department launched an online cooling tower registration portal over this weekend and we are encouraging all property owners and managers to register their unit. Signing up takes only a few moments and will help our public health officials fight back against Legionnaires’ disease.”

In advance of the legislation, the City has developed a registration database for buildings with cooling towers and evaporative condensers in order to make sure they are properly maintained and cleaned. Voluntary registration can be done online at [NYC.gov/buildings](https://nyc.gov/buildings). The Department of Buildings will provide assistance to property owners during the voluntary registration sign-up period.

### **The proposed legislation will require the following:**

#### **Registration and Certification**

- Registration of cooling towers with the Department of Buildings prior to initial operation.
- Registration of existing cooling towers with DOB within 60 days of the law taking effect.
- Annual certification to DOB by owners or operators that cooling towers have been inspected, tested, cleaned and disinfected in accordance with DOHMH regulations.
- Notification to DOB within 30 days of removing or permanently discontinuing cooling towers, with a statement that the cooling tower was cleaned and sanitized in compliance with DOHMH requirements.

#### **Maintenance, Inspections and Testing of Cooling Towers**

- Development of a maintenance program and plan that is in accordance with the American Society of Heating, Refrigeration and Air-conditioning Engineers (ASHRAE) standard by building owners.
- Inspections and testing of cooling towers by qualified persons on a quarterly basis when a building’s cooling tower is in use, and within 15 days before the initial use during any year. Inspections must include a test for the presence of microbes in the water of the cooling tower.
- Establishment of acceptable methods of testing and laboratory analysis by DOHMH rule, including the acceptable methods of cleaning and disinfecting cooling towers, the levels of microbes in cooling towers that require mitigation to prevent health risks, and the levels of microbes that present a serious health threat and require immediate reporting to the Health Department, and cleaning and disinfecting.

#### **Enforcement**

- Failure to register, notify discontinuance of use, or submit annual certification to the Department of Buildings shall be a major violation, punishable by a penalty to be established by DOB rule.
- Health Department will inspect cooling towers and levy significant penalties for violations. In cases where an owner fails to disinfect or otherwise remediate as ordered, the Health Department will clean the tower and bill the owner.

#### **Reporting**

- DOHMH, in collaboration with DOB, would be required to provide an annual report for the next 10 years that includes data on compliance with this law.
- DOHMH would also be required to provide recommendations concerning the expansion of these requirements to other water systems and equipment and the need for changes or updates to the maintenance and planning standards referenced in the law.

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