

## Health Department Announces Plan to Reduce Risk of Legionnaires' Disease Outbreaks in the City

*Toughest cooling tower regulations in nation supported by increased inspection staff, enhanced capacity, lab improvements*

*Inspection of cooling towers in high-risk neighborhoods, including areas of last summer's outbreaks, are already undergoing*

*All cooling towers in the South and East Bronx are prioritized for inspection*

**June 7, 2016** – Ahead of the summer, the Health Department announced a comprehensive plan to reduce the risk of Legionnaires' disease outbreaks in the city, including implementation of the toughest cooling tower regulations in the nation, the hiring of more inspectors and training of existing City personnel to inspect towers if needed, and improvements that will speed up community notification and lab testing if outbreaks occur.

The cornerstone of the City's preparedness is rigorous oversight and enforcement of the new cooling tower requirements outlined in Local Law 77, which focuses on preventive maintenance of the city's cooling towers, which took effect on May 9, 2016. Last year, Mayor de Blasio signed Local Law 77, the strictest regulations in cooling tower oversight in the nation. The new requirements allow the City to quickly identify and remediate problematic towers, which are potential sources of Legionnaires' disease. This year, the City is investing more than \$7 million to increase staff for oversight, doubling the number of inspection teams this summer and more than tripling the inspection staff by 2017.

“New York City has done more than any other city in the nation to regulate cooling towers and reduce the risk of Legionnaires' disease,” said **Health Commissioner Dr. Mary T. Bassett**. “Since last summer, we have developed strict regulations for cooling tower maintenance, augmented our disease control infrastructure to better address Legionella in the city, and diminish the risk of community outbreaks. Although we know that there will always be cases of Legionella disease, we are confident that we are taking the steps necessary to reduce the risk of outbreaks.”

“We're proud to support our partners at the Health Department in tracking cooling

towers to protect New Yorkers' health. Since last summer, the Health Department and DOB have registered more than 5,500 cooling towers citywide to make sure that building owners properly maintain their equipment," said **Buildings Commissioner Rick D. Chandler, PE.**

"New York City has surpassed CDC and ASHRAE by producing a proactive public health regulation that requires specific measures for cleaning, treatment and testing of cooling towers for Legionella. New York has redefined best practices for controlling Legionella in cooling towers to prevent Legionnaires' disease," said **Janet E. Stout, PhD, President and Director of Special Pathogens Laboratory.**

"The NYCDOH-MH was an excellent partner in addressing the Legionella outbreak in our Bronx communities last year. We look forward to working closely with the DOH and other partners in proactively putting in place Legionella prevention strategies for this season," said **Dr. Belinda Ostrowsky, Director of Epidemiology, Stewardship and Infection Prevention at Montefiore Health System, and associate professor of Medicine at Albert Einstein College of Medicine.**

"With the summer months upon us, I applaud the NYC Department of Health for taking wide-ranging measures to reduce the risk of Legionnaires' disease in our communities in the Bronx and throughout the city," said **Rep. Joe Crowley.** "Making sure our cooling towers systems are properly maintained while implementing a comprehensive plan to improve our response to possible outbreaks are reassuring steps that let New Yorkers know their health is our number one priority."

"I commend the New York City Health Department for their efforts to keep New Yorkers safe. As the cooling season approaches, it is critical that we assure residents and their families that every preventive measure is being taken to protect air quality so they can have a safe and enjoyable summer season," said **New York State Assembly Speaker Carl Heastie.**

"I am proud to see the New York City Department of Health develop a robust and proactive plan to address Legionella. This is a critical investment of resources to ensure the safety of our community. I commend the New York City Department of Health for prioritizing areas in the Bronx where there have been outbreaks and where there is the highest risk. This shows that we all must continue working together to serve the needs of those we serve," said **New York State Assembly Member Carmen E. Arroyo.**

“Last summer, the Council and Administration worked hand in hand with DOHMH and the CDC to address an outbreak of Legionnaire’s Disease and craft legislation that has set the standard for cooling tower regulation. The work we have done will minimize Legionnaire’s outbreaks this summer and in the years to come,” said **Chair of the Committee on Public Safety Council Member Vanessa L. Gibson**. “As the weather heats up, I urge all those maintaining cooling towers to continue to adhere to the sterilization standards set forth by the Council and thank them for being our partners in protecting the public’s health and wellbeing,

“Given last year’s events, I’m glad that the East Bronx is being prioritized with regards to cooling tower inspections,” said **Council Member James Vacca**. “I’m encouraged that the City is being proactive in their efforts to prevent a major outbreak and to provide New Yorkers with as much information as possible. I will continuously work with the Department of Mental Health & Hygiene on Legionnaires’ Disease prevention and monitoring.”

“I appreciate the de Blasio administration's concerted efforts to mitigate the potential impact of a possible Legionnaire's disease outbreak, via Local Law 77. Given the more aggressive and proactive initiatives being implemented--most notably, in targeted sections of the Bronx--ensuring that our cooling towers are fully operational, I am confident that we are as prepared as possible to contend with the vectors that cause this disease, and that affect some of our most at-risk residents,” said **Council Member Annabel Palma**.

"While we had a scare in the Northeast Bronx last year, I am pleased that it has lead our city to become a nationwide leader in setting higher standards for cooling tower regulations codified in law. With the hiring of additional inspectors and additional training for City personnel to inspect towers, I am confident New York City is prepared in the event of an outbreak this summer. I want to commend the Health Department for its diligence to reduce the risk of Legionnaire’s Disease," said **Council Member Andy King**.

“In anticipation for the summer, I am appreciative for the proactive action being taken by the New York City Health Department to continue its plan to treat and reduce the risk of the Legionella bacteria - especially for the hundreds of South Bronx families impacted by the disease last year," said **Assemblywoman Latoya Joyner (D-Bronx, 77th AD)**. "Building upon local efforts to impose stringent regulations for inspections related to cooling towers in the Bronx and being able to locate registered cooling towers in

buildings more easily is appropriate protocol to limit this major public health issue. On the state level, I have introduced legislation that will allocate funding to ensure that resources and measures are in place so that future generations do not have to worry about this preventable disease."

"I support the Health Department's proactive stance to protect the health of New Yorkers, especially Bronx residents, by giving South and East Bronx neighborhood priority for inspections," said **Council Member Fernando Cabrera**.

## **Enforcement of NYC Cooling Tower Rules - Local Law 77**

Effective May 9, 2016, the New York City cooling tower rules are the toughest oversight regulations in New York State and the nation. The law requires the registration of new and existing cooling towers with the NYC Department of Buildings (NYC DOB). Under the law, more than 3,500 buildings with at least one cooling tower must adopt protocols for the cleaning and disinfection of all towers in New York City.

The law mandates all cooling towers to be tested for Legionella every 90 days and requires the development of new maintenance and management plans to reduce the likelihood of outbreaks. The rules detail requirements for operations, quarterly inspections, reporting to the Health Department when testing detects increased levels of Legionella bacteria, and annual certification that the owner has complied with requirements. Failure to comply with requirements are subject to stiff penalties; cumulative violations can total up to \$25,000.

The New York City Department of Buildings has registered a total of 5,544 cooling towers and received 25 notifications of towers that have discontinued operating in the same period.

## **Cooling Tower Inspections**

High Priority Inspections: In addition to required routine inspections, the Department will conduct yearly independent unannounced random spot inspections of cooling towers across the city. High priority inspections target cooling towers that tested positive for Legionella in 2015. All cooling towers in the South and East Bronx have been prioritized for inspection. Additionally, the City inspection schedule will prioritize cooling towers in neighborhoods where Legionnaires' disease has been more prevalent. These neighborhoods are typically in high-poverty areas where infrastructure may be older and

residents have a higher prevalence of chronic disease.

**Increased Staffing for Inspections:** To meet inspection targets, the City is adding staff to increase the number of teams in the field inspecting cooling towers. Additionally, more than 50 staff from sister agencies have been trained and will be made available to assist in various response activities, including water sampling.

### **Increased Testing Capacity**

The City funded five new lab positions to expand testing of Legionella and make the process more efficient. The new capacity will allow the department to conduct PCR testing – last summer it only had capacity to test water by culture. PCR is a laboratory method used to amplify trace amounts of DNA on almost any liquid or surface. In addition, environmental testing will be now in the electronic lab information system, making reporting more efficient.

### **Multi-Agency Coordination**

**Data Sharing, Management and Transparency:** The City's plan enhances multiagency collaboration in data sharing and management to allow for a prompt and well-coordinated response to signs of Legionnaires' disease. The Health Department and the Department of Buildings share a database of cooling tower registrations and inspections. The inspection system notifies the Department of Buildings when unregistered cooling towers are found in the field. The system generates monthly reports of inspected cooling tower locations and provides a list of inspected towers. City agencies, including DCAS, HPD, DEP, NYCEM and NYCHA, will be provided a list of known cooling towers. Cross-agency data sharing and management will also provide greater transparency to the public. Notices of violations adjudicated by the Environmental Control Board will be available for searching on NYC Open Data.

### **Community Communication**

**Communication to Communities Affected:** The Health Department has developed reporting procedures for an ongoing Legionnaires' disease investigation, and, for suspected outbreaks, will notify landlords, residents, visitors and staff at buildings affected, providing timely updates and instructions on how to handle the disease.

**Assessing Cooling Towers in an Affected Zone:** Identifying quickly the source or

sources of Legionnaires' disease requires an aggressive assessment of cooling towers in an affected area. The process for assessing cooling towers in an affected zone involves reviewing inspection records, performing a physical inspection and taking samples for testing. The cooling tower samples will be taken to the Public Health Lab to be tested by Polymerase Chain Reaction (PCR) test and culture.

## **About Legionnaires' Disease**

There are 500-600 cases of Legionnaires' disease in New York State annually, and 200-400 of these cases are in New York City. In 2015, there were 438 cases of Legionnaires' disease in New York City, including 138 from the South Bronx outbreak. In 2013, there were about 4,500 cases of Legionnaires' disease reported in the U.S., but it is likely the true count is between 8,000-18,000 cases annually.

Cooling towers have been associated with large community outbreaks. An important way to reduce large community outbreaks of the disease is to maintain cooling tower systems so that they limit the growth of Legionella bacteria. In response to the Legionnaires' outbreaks of 2015, the Mayor and City Council passed Local Law 77 to reduce and contain Legionella growth in cooling towers, becoming the first U.S. municipality to adopt a set of robust requirements to ensure cooling tower maintenance.

Legionnaires' disease is caused by Legionella, a bacteria that grows in warm water. Legionnaires' disease cannot be spread from person to person. Groups at high risk for Legionnaires' disease include people who are middle-aged or older – especially cigarette smokers – people with chronic lung disease or weakened immune systems and people who take medicines that suppress their immune system.

Symptoms resemble other types of pneumonia and can include fever, chills, muscle aches and cough. Some people may also have headaches, fatigue, loss of appetite, confusion, or diarrhea. Symptoms usually appear two to 10 days after significant exposure to Legionella bacteria. Those with symptoms should call their doctor and ask about testing for Legionnaires' disease. To learn more about Legionnaires' disease and the City's plan to keep the disease in check, visit [nyc.gov/health](http://nyc.gov/health).

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