10 NYCRR Part 4 Subpart 4-1 Protection Against Legionella

Resources for Cooling Tower Owners

April 18, 2017



Agenda

- New website
- Annual certification template
- Registry interface walk-through



NYS Legionella regulation website



Website

- New dedicated website for the regulation
- Provides information and links to resources for:
 - Cooling Tower owners
 - Article 28 facilities
 - LHDs
 - General public



Website: Landing Page

Department of Health

Individuals/Families

Providers/Professionals

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Protection Against Legionella

This web page provides information to comply with permanent regulatory requirements of the New York State Sanitary Code <u>Title: Part 4-Protection Against Legionella</u>. This regulation was passed in July 2016, replacing the emergency regulations passed in August 2015. The information is primarily for:

- Cooling tower owners, operators, water treatment consultants and inspectors (Subpart 4-1).
- . Operators of all general hospitals and residential health care facilities (Subpart 4-2).

Cooling Tower Owners and Operators

All owners of cooling towers in New York State are required to register, maintain, sample, disinfect and notify local health departments and the public of elevated levels of *Legionella*.

- Cooling Tower Requirements
- . Register a Cooling Tower & Submit Reports in New York State (NY.gov secure account).
- · Cooling towers in New York City must also be registered with the City's Registry.

Hospitals and Residential Health Care Facilities

All covered Article 28 general hospitals and residential health care facilities are required to assess and sample their potable water systems for *Legionella*, and to institute control measures in the event of an exceedance.

. Hospital and Residential Health Care Facility Requirements

More Information

- Title: Part 4- Protection Against Legionella
- New York State Cooling Tower Registry data (View public data)
- Legionella and Cooling Towers Questions and Answers
- <u>Legionellosis</u> (<u>Legionnaires</u>' <u>disease</u>)
- <u>Legionellosis (Legionnaires' disease) Fact Sheet</u>

partment Health

Website: Part 4-1 Page (top)

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Register a Cooling Tower & Submit Reports

 New York State Cooling Tower Registry You are Here: Home Page > Protection Against Legionella > Protection Against Legionella: Cooling Tower Requirements

Protection Against Legionella: Cooling Tower Requirements

A cooling tower is part of a recirculated water system incorporated into a building's cooling, industrial, refrigeration or energy production system. All owners of cooling towers in New York State are required to register their towers in the New York State Cooling Tower Registry, prepare and implement a Maintenance Program and Plan, test their towers for *Legionella*, clean and disinfect them, and notify their local health department and the public when they identify elevated levels of *Legionella* in their cooling tower water. Cooling towers are tested for *Legionella* to assess the effectiveness of routine disinfection and maintenance.

Resources for cooling tower owners, operators, water treatment consultants and inspectors are provided below. Please refer to <u>Title: Subpart 4.1 - Cooling Towers</u> for a full listing of regulatory requirements.

Cooling Tower Registry

• Register a Cooling Tower & Submit Reports

All owners of cooling towers in New York State are required to register their towers and maintain their records on the New York State Cooling Tower Registry (Subpart 4-1.3). Registries must be updated every 90 days while the tower is operational.

- <u>Use the Cooling Tower Registry Change of Account Ownership Request</u> form if you need to change your cooling tower registry account to another NY.gov ID user, or if the building has been sold or leased to another party that is legally responsible for the cooling tower maintenance.
- Cooling towers in New York City must also be registered with the <u>City's Registry</u>.

Notification of Exceedance

Cooling tower owners must notify the <u>local health department</u> within 24 hours of receipt of a *Legionella* culture sample result that exceeds 1,000 colony forming units per milliliter (CFU/mL). Owners must also notify the public of test results in the manner determined by the local health department or the New York State Department of Health (<u>Subpart 4-1.6</u> and <u>Appendix 4-A</u>).

Maintenance Program and Plan

Prior to the initial start-up of a newly installed cooling tower, the owner must obtain a Maintenance Program and Plan for each cooling tower. Each active cooling tower must have an updated Maintenance Program and Plan. (Subpart 4-1.4). This plan must be developed in accordance with ASHRAE Standard 188-2015 Legionellosis: Risk Management for Building Water Systems p. 7-8 (Available for viewing at Read-Only Versions of ASHRAE Standards under Current Popular Standards).

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Website: Part 4-1 page (Bottom)

Legionella Culture Analysis

All Legionella culture analyses must be performed by a laboratory certified by the New York State Environmental Laboratory Approval Program (ELAP) (Subpart 4-1.5). Please contact ELAP@health.ny.gov or call (518) 485-5570 to find a certified laboratory.

Disinfection

Any person who disinfects a cooling tower must be a certified commercial pesticide applicator or pesticide technician who is qualified to apply biocide in a cooling tower. Only biocide products registered by the New York State Department of Environmental Conservation for use in cooling towers or pesticidal devices produced in a USEPA registered establishment may be used in disinfection (Subpart 4-1.7 and Appendix 4-A).

Variances and Waivers

An owner may submit a written application to a local health department for a variance for a period not exceeding 90 days from any provision. It must include an explanation of why the variance will not present a danger to public health (Subpart 4-1.11(a)).

The New York State Department of Health may issue a waiver for any provision of the regulation if staff are satisfied that the waiver would not present a danger to public health. Waivers may also be revoked upon determination that the waiver may present a danger to public health (Subpart 4-1.11(b)). To apply for a waiver, please email cooling tower@health.ny.gov.

Inspections and Certification

All cooling towers must be inspected prior to seasonal start-up and every 90 days while in use. Cooling towers also need to be inspected following maintenance (Subpart 4-1.8(a)).

All cooling towers must obtain a certification by November 1 of each year. The certification should attest that the cooling tower has a maintenance program and plan, and that all activities within that plan or required by the regulation were implemented (<u>Subpart 4-1.8b</u>). You may use this template for the annual certification documentation.

More Information

- . Title: Part 4- Protection Against Legionella
- · Legionella and Cooling Towers Questions and Answers
- . New York State Cooling Tower Registry data
- · Legionellosis (Legionnaires' disease)
- · Legionellosis (Legionnaires' disease) Fact Sheet
- Contact Your Local Health Department



Annual Certification Template



Annual Certification Template

- Includes all components that should be included in an annual certification document:
 - Facility information
 - Maintenance program and plan, certification, inspections
 - Bacteriological and Legionella sampling results
 - Cooling tower disinfection events
 - Attestation of certification
- Guidance only. Owners and Consultants are welcome to use their own formats, as long as the key components are included
- Template contains attestation statement to also meet requirements of NYC regulation



Cooling tower registry interface



- All cooling tower owners are required to update their registry account every 90 days while towers are operational
- Interface updates completed
 - User guide will be available on registry site



CT Registry Notable Changes

- User friendly navigation
- Less duplication of information
- Multiple owner tabs available
- No building linking / missing contact data
- Buttons for state-owned and healthcare facility towers
- Simplification of terminology
- Clearer Save buttons
- Exit out / leaving page warning
- Improved help pop-ups
- User guide accessible directly from the registry

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CT Registry Live Demonstration



Questions?

Email

Subpart 4-1, the Registry or related questions:

cooling.tower@health.ny.gov

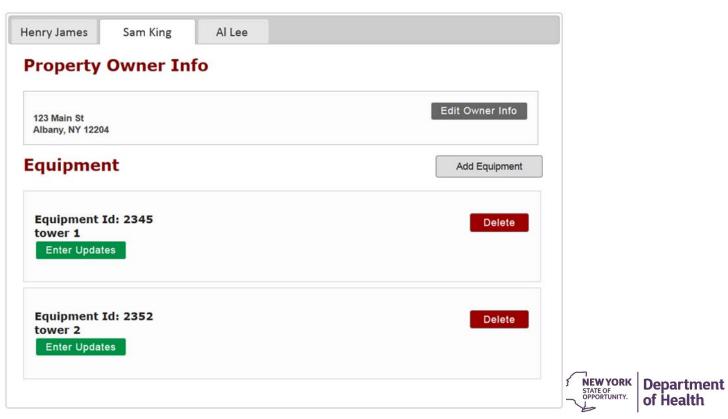
(518) 402-7650

Regulation text: https://regs.health.ny.gov/content/part-4-protection-against-legionella

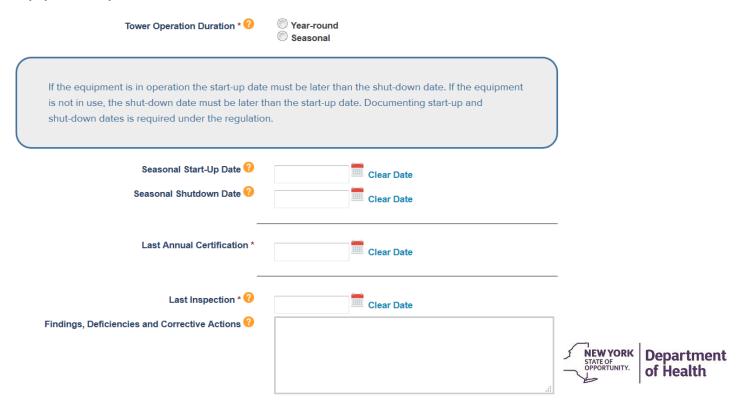
Department of Health







Equipment Inspection and Maintenance



ast Routine Bacteriological Sample Collection Date *	Clear Date	
Last Routine Bacteriological Sample Test Result Date Remediation Action Initiated (if indicated)	Clear Date	
Last Legionella Sample Collection Date * ?	Clear Date	
Did you notify the LHD? * ?	▼	
Date Remediation Action Initiated (if indicated)	Clear Date	
Date Last Emergency Disinfection and Cleaning	Clear Date	
Date Decommissioned 😯	Clear Date	
	Save Equipment Cancel	w york Department of Health