



Testimony
of
Christopher Boyd
Director, Office of Public Health Engineering
New York City Department of Health and Mental Hygiene

before the
New York City Council Committee on Health

regarding
Intro 408: Drinking Water Tank Inspections

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City Hall
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Good afternoon, Chairperson Rivera and members of the Committee on Health. My name is Christopher Boyd and I am Director of the Office of Public Health Engineering at the New York City Department of Health and Mental Hygiene (DOHMH). On behalf of the Department, thank you for the opportunity to testify regarding Intro 408, which would amend the administrative code of the City of New York in relation to the inspection of water tanks used for the purpose of storing and distributing drinking water.

DOHMH is responsible for ensuring New York City's municipal water supply is in full compliance with Federal, State and City standards and regulations. This oversight comprises point of use surveillance sampling throughout the City's water distribution system, performance of sanitary surveys and field inspections of water supply facilities, review and approval of the NYC Department of Environmental Protection's (DEP) deliverables relating to water supply and treatment, and investigation of water quality related complaints.

Our drinking water is delivered to the City every day through a system of tunnels and aqueducts, and is distributed throughout the five boroughs through 6,000 miles of pipes. The delivery system is mostly gravity fed due to a 1,000 ft elevation differential between the watershed in upstate New York and the distribution system in the city.

There is a minimum water pressure of 20-psi throughout the city water mains, which is enough to deliver uninterrupted service up to the sixth floor of most buildings. Where the water pressure in the system is insufficient to provide the minimum pressure and flow required in the building, supplemental pressure must be provided by the building owner. Generally, this is achieved through the installation of an elevated water tank either on the rooftop or within the building, and/or a water pressure booster system. Tanks can be constructed either from wood or metal, and the Department of Buildings is responsible for reviewing and approving their design, installation, alteration and repair. Our best estimate is that there are more than 12,500 water tanks in New York City.

Under Article 141.03 of the New York City Health Code, building owners are required to inspect water tanks annually and maintain inspection records on file for a minimum of five years. Records must be made available to the Health Department upon request but are not subject to inspection by those outside the Department. If the annual inspection reveals an unsanitary condition, the tank must be properly drained, cleaned, painted and disinfected in accordance with standard procedures outlined in the Health Code before returning it to service. Similar requirements are also included in the New York City Plumbing Code.

Water quality complaints called in to 311 are initially routed to DEP for handling. If upon investigation DEP determines the complaint is related to the building's internal plumbing it is rerouted to the Health Department for further review. If DOHMH finds unsatisfactory water quality conditions in a building which has a tank as part of its plumbing system, the condition of the tank is inspected and its inspection records are

reviewed to determine whether the tank could be the source of the water contamination. In the case where an unsanitary condition of a water tank is found, DOHMH issues a repair notice to the building owner requiring cleaning and repair of the water tank.

In the past year DOHMH received more than 200 indoor water quality complaints. Based on water quality samples taken only one building failed to meet the requirements of the State Sanitary Code.

Intro 408 would require any building owner that has a water tank as part of its drinking water supply system to have their tank inspected at least once annually, and submit the results to the Health Department within fourteen days of the inspection on a form prescribed by the Commissioner. DOHMH would be required to maintain these records for a period of five years from the date of inspection and make them available to the public for examination. The bill further requires the Health Department to conduct periodic unannounced water tank inspections to ensure compliance with the Health Code.

The provision of the legislation pertaining to annual inspections is consistent with the Health Code, however requiring DOHMH to develop a system for receiving, maintaining, and making available the more than 60,000 inspection reports that would be generated over a five year period creates a significant and costly administrative burden for the Department. Similarly, requiring DOHMH to proactively conduct unannounced inspections of water tanks would require hiring additional inspectors and administrative staff at a time when resources are extremely limited.

When not maintained properly drinking water tanks can indeed pose a public health risk. The Department supports the Council's efforts to make building owners more accountable by making the results of these inspections available to the public. The Department is in the process of revising the Health Code and will be asking the Board of Health to amend the Health Code to similarly make such records publicly available. However, the actual prevalence of public health threats associated with drinking water tanks and potential administrative costs to the Department associated with Intro 408 prevent us from supporting the legislation in its current form. We would be happy to meet and discuss our concerns regarding this legislation in more detail and consider alternative ways to achieve the Council's goal.

Thank you again for the opportunity to testify. I'd be happy to take any questions at this time.

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