

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU"), dated June 2<sup>nd</sup>, 2016, is entered into by and between the New York City Department of Buildings ("DOB") and the New York City Department of Health and Mental Hygiene ("DOHMH").

WHEREAS, Local Law 77 of 2015 requires that all cooling towers be registered by owners with DOB prior to initial operation; and

WHEREAS, Local Law 77 further requires that owners notify DOB of the discontinuation of use of a cooling tower; and

WHEREAS, Local Law 77 further requires that owners file an annual certification with DOB that the cooling tower was inspected, tested, cleaned and disinfected in compliance with DOHMH rules; and

WHEREAS, pursuant to Local Law 77, DOHMH has adopted rules with standards for cleaning, inspecting and maintaining the cooling towers and enforcement;

NOW THEREFORE, DOB and DOHMH agree as follows:

1. To promote efficiency and enhance public safety DOHMH agrees to maintain registrations, notifications of discontinued use and annual certification of required maintenance of cooling towers.
2. DOHMH shall be responsible for:
  - (i) Creating and maintaining the cooling tower public registration portal for the purposes of registration, certification and discontinued use;
  - (ii) Including in the DOHMH portal the existing cooling tower registration information submitted to DOB prior to the date of this MOU;
  - (iii) Receiving, maintaining and storing information on registration, annual certification and discontinued use of cooling towers;
  - (iv) Including in the public portal, at a minimum, information required by section 28-317.3 of the New York City Administrative Code;
  - (v) Responding to any FOIL requests regarding information on registration, annual certification and discontinued use of cooling towers, including information received, maintained or stored on the portal;
  - (vi) Providing to DOB a list of any owners who did not register their cooling towers as required by Local Law 77; and
  - (vii) Responding to public and user service inquiries, including those received via 311 calls regarding any of the above issues.
3. When DOB receives notification from DOHMH of owners who fail to register, certify or notify of discontinued use of a cooling tower, DOB may take enforcement action as authorized by applicable law.
4. DOHMH shall provide DOB with any information DOB requests that relates to the subject of this MOU.

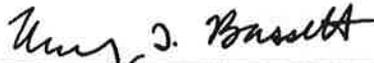
5. The MOU shall remain in effect unless terminated earlier by mutual agreement of DOB and DOHMH. All modifications to this MOU shall be made in writing by mutual agreement of the parties.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the day and year first set forth above.

NEW YORK CITY DEPARTMENT OF BUILDINGS

By:   
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Rick D. Chandler, P.E.  
Commissioner

NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE

By:   
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Mary T. Bassett, MD, MPH  
Commissioner