



January 29, 2019

Vincent Sapienza, P.E.
Commissioner

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Honorable Costa G. Constantinides, Chairman
Committee on Environmental Protection
New York City Council
31-09 Newtown Avenue, Suite 209
Astoria, NY, 11102

Re: City Council Reporting Requirements Pursuant to Local Law 76 of 2009

Dear Chairman Constantinides,

This letter is submitted pursuant to the requirements of Local Law 76 of 2009 on backflow prevention device reporting.

To protect New York City's drinking water supply systems from contamination, the New York City Department of Environmental Protection (DEP) has a robust water quality monitoring program and regularly performs sampling throughout the City to comply with all relevant State and Federal standards. The Cross Connection Control Program, authorized under Part 5-1.31 of the New York State Sanitary Code, entitled Cross Connection Control, is one of the tools DEP employs to protect the City's water supply system by requiring specified businesses to install and maintain approved backflow prevention devices. Key components of this program include site inspection, plan review, and enforcement.

Chapter 20 of Title 15 of the Rules of City of New York, entitled Governing and Restricting the Use and Supply of Water, defines the degree of hazard of a facility as the potential to cause contamination of the public water supply. A facility may be rated hazardous, aesthetically objectionable, or non-hazardous. A hazardous facility is defined as a facility where substances may be present that endanger the health of other water consumers if introduced into the public water system. Examples of hazardous facilities include laboratories, sewage treatment plants, chemical plants, hospitals, and mortuaries. An aesthetically objectionable facility is defined as a facility with a condition that may be objectionable to other water consumers, but would not adversely affect human health. Substances such as food-grade dyes, hot water, and stagnant water from fire lines (in which no chemical additives are used) may result in aesthetically objectionable conditions.

The intent of this letter is to provide the specific information required by §24-343.1.d of the Administrative Code of the City of New York, entitled Backflow Prevention Device Reporting (enacted by Local Law 76 of 2009). This section states "Every July first and January first thereafter, the department [DEP] shall submit a report to the council setting forth the

number of facilities in each [hazard] category for which one or more backflow prevention devices were installed since the last report was required, the number of facilities in each category that have been notified by the department of the need to install such devices, and the number of violations issued by the department for failure to install a required backflow prevention device.”

The following table summarizes DEP’s compliance per Local Law 76 of 2009 during the reporting period from July 1, 2018 through December 31, 2018.

Reporting Requirement	Degree of Hazard	Count
Number of facilities that installed a backflow prevention device	Aesthetically Objectionable	464
	Hazardous	611
	Total	1,075
Number of facilities that were newly notified of the need to install a backflow prevention device	Aesthetically Objectionable	129
	Hazardous	386
	Total	515
Number of violations issued for failure to install a required backflow prevention device		1154

I trust you find this information useful. If you have any questions or comments concerning any of the information provided in this semi-annual report, please do not hesitate to contact me.

Sincerely,



Vincent Sapienza, P.E.
Commissioner

- c: Honorable Corey Johnson, Speaker, New York City Council
Patrick Palmer, New York State Department of Health
Katie Lynch, United States Environmental Protection Agency