

CHAPTER 31
DRINKING WATER TANK INSPECTIONS

§31-01 Authority.

§31-02 Reporting.

§31-03 Penalties.

APPENDIX 31-A: BUILDING DRINKING WATER TANK PENALTIES

§31-01 Authority.

As required by §17-194 of the Administrative Code and §141.07 of Article 141 of the Health Code, this Chapter establishes rules for the manner and timeframe that building owners or their agents must report the results of their annual drinking water tank inspections to the Department. All definitions and terms used in this Chapter must have the same meaning as specified in §17-194 of the Administrative Code, or if not defined therein, as specified in Article 141 of the Health Code.

§31-02 Reporting.

- (a) A building owner with one or more drinking water tanks used to store potable water must, by January 15 of each year, report to the Department the results of the annual inspections conducted for each such drinking water tank during the previous calendar year. Inspection outcomes must be filed either through an online, interactive electronic submission system on the DOHMH website, or by submitting either a Drinking Water Storage Tank Inspection Reporting form, or a Multiple Drinking Water Storage Tanks Inspection Reporting form, as provided in subdivision (b) of this section.
- (b)
 - (1) The Department will make an online, interactive electronic submission system, as well as a Drinking Water Storage Tank Inspection Reporting form and a Multiple Drinking Water Storage Tanks Inspection Reporting form, available on its website. Both forms will also be available on request by calling 311.
 - (2) Inspection results submitted on a Drinking Water Storage Tank Inspection Reporting form and a Multiple Drinking Water Storage Tanks Inspection Reporting form must conform to the following:
 - (A) Inspection results for a building containing only one drinking water tank must be submitted using the Drinking Water Storage Tank Inspection Reporting form. Inspection results for a building containing two (2) or more drinking water tanks must be submitted using the Multiple Drinking Water Storage Tanks Inspection Reporting form.
 - (B) Such reporting forms must be completed using either a digitally or mechanically typed font.
 - (C) Building premises information submitted on such reporting forms must be in conformance with the New York City Department of Buildings (DOB) Building Information System (BIS). The required Building Identification Number (BIN) and standardized building address can be obtained by using the DOB BIS website (www.nyc.gov/bis). Paper reporting forms that do not contain such required standardized building information will not be accepted as valid documentation of an annual inspection.
 - (D) The appropriate form must be delivered or mailed to the Department's Office of Public Health Engineering at:

NYC Department of Health and Mental Hygiene
Office of Public Health Engineering
Drinking Water Storage Tank Inspection Reporting Program
42-09 28th Street, 14th Floor
Long Island City, NY 11101-4132

(E) Any paper reporting form deemed incomplete, erroneous or otherwise unacceptable will be returned to the sender and will not be considered as documentation of the required annual inspections.

(c) All inspection results filed with the Department pursuant to this section will be publicly available.
 §31-03 Penalties. Owners or operators of buildings with drinking water tanks or other persons found to be in violation of any of the following provisions of law by a hearing officer at the Office of Administrative Trials and Hearings or successor tribunal must pay the penalties set forth in Appendix 31-A of this Chapter for each such violation sustained with respect to each building drinking water tank for each year to which such violation pertains.

§31-03 Penalties.

Owners or operators of buildings with drinking water tanks or other persons found to be in violation of any of the following provisions of law by a hearing officer at the Office of Administrative Trials and Hearings or successor tribunal must pay the penalties set forth in Appendix 31-A of this Chapter for each such violation sustained.

APPENDIX 31-A:

BUILDING DRINKING WATER TANK AND WATER SUPPLY SAFETY STANDARDS PENALTIES

Citation	Violation Description	Penalty	Default
24 RCNY 31-02(a)	Failure to submit report of previous year's inspection results by January 15	\$500	\$1000
NYCHC 141.07(b)	Failure to inspect drinking water tank, including testing water for bacteriological content.	\$500	\$1000
NYCHC 141.07(c)	Failure to provide results of drinking water tank inspection within five business days after receipt of Department's request	\$250	\$500
NYCHC 141.07(e)	Failure to correct unsanitary condition of drinking water tank	\$500	\$1000
NYCHC141.07(e)	Failure to report to Department noncompliant bacteriology sample of water from drinking water tank within 24 hours	\$500	\$1000
NYCHC 141.07(e)	Failure to clean drinking water tank when required	\$500	\$1000
NYCHC 141.09(b)	Drinking water tank cleaned, painted and/or coated by an unqualified person or entity	\$500	\$1000
NYCHC 141.09(c)	Failure to clean, paint or coat water tank in accordance with applicable law or industry standards	\$500	\$1000
NYCHC 141.09(d)	Failure to disinfect water tank in accordance with applicable law or industry standards	\$500	\$1000
NYCHC 141.09(e)	Failure to collect water sample following painting or treating of tank interior	\$500	\$1000
NYCHC 141.09(f)	Failure to maintain or provide records of water tank work	\$250	\$500
NYCHC 141.11(a)	Chemicals or other substances added by a person, corporation, or partnership without the required Department permit	\$1000	\$2000

NYCHC 141.11(d)	Failure to meet required product standards	\$500	\$1000
NYCHC 141.11(e)	Failure to provide required cross connection control	\$500	\$1000
NYCHC 141.11(f)	Failure to design, install or maintain a system in accordance with manufacturer's specifications and applicable industry standards to ensure proper chemical dosage and operation	\$500	\$1000
NYCHC 141.11(g)	Failure to take samples of the treated water prior to placing the system in operation and monthly thereafter to confirm that the drinking water supply complies with State Sanitary Code, Subpart 5-1	\$500	\$1000
NYCHC 141.11(g)	Failure to have the drinking water analyzed by a State certified laboratory	\$500	\$1000
NYCHC 141.11(g)	Failure to maintain for at least 5 years required records of water sampling and analysis	\$250	\$500
NYCHC 141.11(g)	Failure to provide records of water sampling and analysis within 5 business days after Department's request	\$250	\$500
NYCHC 141.11(h)	Failure to operate or maintain a system used to chemically treat the water that complies with State Sanitary Code, Subpart 5-1 requirements	\$500	\$1000
NYCHC 141.11(i)	Failure to maintain required chemical addition device records for at least 5 years	\$250	\$500
NYCHC 141.11(j)	Failure to meet chemical storage requirements	\$500	\$1000
NYCHC 141.11(l)	Failure to provide certain chemical treatment system data within 5 business days after Department's request	\$250	\$500
Admin. Code 17-194(b)	Failure to provide documentation that displays visual depiction of the water tank	\$250	\$500
Admin. Code 17-194(c)	Drinking water tank inspected by someone other than a water tank inspector	\$500	\$1000
Admin. Code 17-194(d)	Failure to post notice of availability of inspection reports	\$250	\$250
Admin. Code 17-194(g)	Failure to report a water tank's unsafe conditions to the Department of Buildings in writing	\$250	\$500