



## NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE BOARD OF HEALTH

### **Notice of Adoption of Amendments to Article 141 of the New York City Health Code**

In compliance with section 1043(b) of the New York City Charter (“Charter”) and pursuant to the authority granted to the New York City Board of Health (“Board”) by section 558 of the Charter, a notice of public hearing and opportunity to comment on proposed amendments to Article 141 of the New York City Health Code (“Health Code”) was published in the New York City Record on March 31, 2025. A public hearing was held on May 6, 2025. No testimony was provided at the hearing and three written comments were submitted and reviewed. After consideration of the comments received, no changes were made to the proposed rule. At its meeting on June 5, 2025, the Board adopted the following resolution.

### **Statement of Basis and Purpose of Rule**

#### *Chemical Treatment of Building Drinking Water*

The Board amends Health Code Article 141 to clarify the timeframe for providing records for New York City Department of Health and Mental Hygiene (“Department”) review for permittees that add chemicals to a building’s water supply. The amendment of subdivision g of section 141.11 requires that permittees provide records of water sampling and analysis in a manner specified by the Department. Provision of data in the Department’s specified format streamlines data collection.

The amendment of paragraph 1 of subdivision l of section 141.11 makes two changes. First, it modifies the requirement to provide the Department with records regarding a drinking water treatment system. In the previous rule, reporting was required “within 24 hours after the installation and commencement of treatment or termination of a system.” The amendment instead requires reporting within 24 hours of when the treatment is commenced or the system is terminated, as well as within five business days of a request by the Department. These changes are being implemented because the Department does not need to be informed of system installation if treatment has not commenced, and to ensure that the Department can review records on other occasions to prevent or resolve water treatment issues. Second, the amendment to this paragraph also includes modifications to the information requested from permittees, in order to ensure that the Department has all of the necessary information regarding treatment.

The rule also includes minor plain language changes.

### **Statutory Authority**

The authority for these rules is found in the New York City Charter §§ 556, 558 and 1043.

The amendments are as follows:

Underlined language is new.

Language in [brackets] is to be deleted.

Ellipses (\*\*\*) indicate unamended text.

**RESOLVED**, that subdivision (g) of section 141.11 of Article 141 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, is amended to read as follows:

(g) *Sampling*. Prior to placing the system in operation, the permittee [shall]must confirm that the drinking water supply, after being chemically treated, complies with Subpart 5-1 of the State Sanitary Code. Once the system is operational, the permittee [shall]must take monthly samples of the treated water, to ensure compliance with applicable sections of Subpart 5-1 of the State Sanitary Code. A permittee [shall]must maintain or retain the services of a State certified laboratory equipped to analyze drinking water, in accordance with the latest edition of the Standard Methods for the Examination of Water and Wastewater, published jointly by the APHA, the AWWA and the WEF. Records of water sampling and analysis [shall]must be maintained on file by the permittee for at least 5 (five) years and made available to the Department upon request within 5 (five) business days in a manner specified by the Department.

**RESOLVED**, that paragraph (1) of subdivision (l) of section 141.11 of Article 141 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, is amended to read as follows:

(1) *System [Installation] Commencement and/or Termination*. [Within] The permittee must maintain a record of every system installed and make those records available to the Department upon request within 5 (five) business days in a manner specified by the Department. Within 24 hours after the [installation and] commencement of treatment or termination of a system, the permittee [shall]must report to the Department [the following information:

(A) The owner, name, address, and description of the premises where the device is located;

(B) The date the device was installed and/or terminated and the approval date for the device;

(C) The chemicals to be used with the device; and,

(D) The name and address of the permittee] such commencement or termination in a manner specified by the Department. All reports to the Department must include the building location, building owner contact information, system location details, the date of installation, commencement, or termination, the chemicals or other substances used, the water treatment purpose, and any additional system and device details that the Department shall require. The requirements of this paragraph apply to any system installed by a third party and operated by the permittee.