

Guidance for Building Owners: Cooling Towers and Health Commissioner Order

When does this have to be done by? Do I have to pay for this?

You have until August 27 to comply with the order. Building owners are required to pay for the inspection and disinfection. (Tenants are not subject to the order.) If your tower was inspected and disinfected within the last 30 days (between July 8 and August 6, 2015), you do not have to have the tower reinspected and disinfected. Thank you for cooperating with this important public health response.

How do I know if my building has a cooling tower?

A cooling tower uses a recirculated water system to lower temperature. Units called evaporative coolers and fluid coolers are also considered cooling towers. Cooling towers are often found in or on top of modern high-rise buildings and are typically part of the building's heating, ventilation and air conditioning (HVAC) system. They are also used in commercial/industrial buildings and may be part of a building's industrial process or energy production system. Cooling towers are often located on rooftops or other outdoor sites.

A building-top cooling tower includes:

- Fan on top
- Piping entering near the top
- Air vents on the side
- Piping exiting the bottom



The building engineer or maintenance supervisor should have a good understanding of what type of cooling/air conditioning equipment is used in your building and whether or not it is required to be evaluated and disinfected under the recent order.

The order applies to both residential and commercial buildings, provided the building has a cooling tower.

How do I find a business qualified to evaluate and disinfect the tower properly?

We cannot recommend specific vendors to do this work. You can find appropriately qualified vendors by searching the internet.

- Use terms like “cooling tower maintenance in New York City” or “HVAC repair and maintenance, New York City.”
- Search directories like the Yellow Pages.
- Visit nyc.gov/health for a link to a Yellow Pages list.

The Commissioner’s order requires building owners to hire vendors or environmental consultants with knowledge and experience performing evaluation and disinfection using these standards:

- American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE) Standard 188P
- Cooling Technology Institute Guidelines WTB-148

Most companies that service cooling towers carry out disinfection and treatment that is appropriate and complies with these standards.

If I have a maintenance company that does inspection, cleaning and disinfection, is that company sufficient to meet the requirements of the order?

Yes. The order requires that typical maintenance be conducted within 14 days of receiving the order. Companies that routinely provide these services meet the order’s requirement to hire an “environmental consultant.”

You do not need to hire an environmental consultant if you already have qualified personnel as part of your building maintenance team who are licensed to apply biocide and have ongoing maintenance responsibility for your cooling tower. You are still required to keep a record that shows your cooling tower is in compliance with the above referenced standards.

Should the cooling tower evaluation be visual only or should it also include sampling and laboratory analysis?

The order requires *evaluation* and *disinfection*; both steps are required. The *evaluation* can be visual.

Even if the evaluation does not show visible evidence of contamination, the owner is also required to *disinfect* the tower. The proper concentration of chemicals for disinfection depends on the type of system, the chemical type and other water quality parameters. Vendors should follow industry guidelines.

If the cooling tower is found to have adequate levels of biocides for disinfection, does the consultant have to increase the level of biocide?

The order requires that there be sufficient levels of biocides to maintain water that is free of hazardous levels of bacteria. The order does not require, necessarily, that the system be drained, shut down or shocked as long as building owners can demonstrate through records that sufficient levels of biocides have been properly maintained.

What paperwork do I need from the vendor to prove that the cooling tower was disinfected? What should I do with that paperwork?

Once the tower has been disinfected, ask the vendor for a receipt and description of the services. Companies routinely provide these (sometimes referred to as a disinfection report). Keep all paperwork the vendor gives you on-site. You must keep the paperwork for at least six years. Do not mail any paperwork to the Health Department. If the City requires a copy, we will contact you and request it.

What will happen if I do not comply with this order?

Failure to comply with this order is a violation of the New York City Health Code and a misdemeanor. You may be subject to civil and criminal penalties, including fines, forfeitures and imprisonment.

If you wish to contest (object to) the order, please write or fax Thomas G. Merrill, General Counsel, New York City Department of Health and Mental Hygiene, 42-09 28th Street (WS 14-38) Long Island City, NY 11101-4132; tmerrill@health.nyc.gov fax: 347-396-6087, within three business days of receiving the order, and provide a statement of the reasons for your objection to the order.

Where can I find the order online?

For a copy of the order, visit <http://on.nyc.gov/1KWdkir>.