



## Alliance to Prevent Legionnaires' Disease

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Alliance to Prevent Legionnaires' Disease, Inc.  
1200 G Street NW, Suite 800 | Washington, DC 20005  
preventlegionnaires.org | 1-202-434-8757

June 27, 2017

Dr. Mary Bassett, Commissioner  
New York City Department of Health and Mental Hygiene  
Gotham Center  
42-09 28<sup>th</sup> Street  
Long Island City, NY 11101

Dear Commissioner Bassett:

The Alliance to Prevent Legionnaires' Disease—on behalf of the hundreds of New York City residents who continue to contract Legionnaires' disease, most recently at a Harlem police precinct and a seven-resident outbreak on the Upper East Side—encourages your department to implement a comprehensive approach to preventing infections caused by *Legionella* bacteria. We are concerned that disease rates are not meaningfully declining as a result of the narrowly targeted 2015 Local Law 77 focusing on cooling towers. Moreover, your department's mandated 2017 report on Local Law 77—while acknowledging these results—does not appear ready to consider new policies. We would welcome the opportunity to dialogue with you and to be part of a more effective solution.

As we recently learned from the tragedies in Flint, Michigan, an aging public water supply and distribution system with inadequate levels of disinfectant can result in toxic levels of lead in water accompanied by an outbreak of Legionnaires' disease. A recent CDC study also reports on the issues that arise from an aging infrastructure and inadequate levels of disinfectant by directly linking 56 percent of Legionnaires' disease outbreaks to issues with drinking water systems.

Water from public systems supplies our showers and faucets; equipment such as humidifiers, decorative fountains, and ice machines; and cooling towers. In one city area—fed by the same local water distribution system—this equipment could become simultaneous transmission modes in an outbreak. We advocate for an increased focus on testing the level of disinfectant in water *before* it enters our homes and buildings. Furthermore, we call for water utilities to notify communities when disruptions—such as planned construction—have the potential to increase the likelihood of *Legionella* entering buildings and homes.

We believe an added benefit of this approach would be to reduce the number of sporadic cases which evidence clearly and directly links to the water system. To be clear, our organization also fully supports and advocates for the implementation and adherence to building water management plans, such as ASHRAE 188 and the CDC Toolkit. However, to expect home and building owners to effectively manage extraordinary water events or otherwise contaminated water from the public system is unreasonable and, in our opinion, an unwise public health policy.



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Your report describes the department's efforts to undergo a five-year evaluation of the 2015 regulations in conjunction with the CDC. We fully support a thorough review of the effectiveness of these regulations and trust that:

- 1) The evaluation process will be transparent and open to reasonable participation and review by all stakeholders, including our organization.
- 2) In the interim, there will be no rush to judgment to claim definitive results—thorough investigation must be completed.
- 3) Your department will consider broadening its evaluation to include other risks, including the public water supply and distribution system. As CDC's Dr. Frieden found in the 2016 Vital Signs report; "One in three [outbreaks] are due to changes in water quality from reasons external to the building itself, like nearby construction."

We stand ready with the New York City Department of Health and Mental Hygiene to participate in trainings and seminars regarding building water equipment maintenance, including the proper maintenance of cooling towers.

We look forward to your response and learning more about the City's long-term plans for combating the rising levels of the preventable Legionnaires' disease. As we both share the goal of seeing cases of Legionnaires' disease dramatically reduced, we again respectfully request the opportunity to work with your department to develop the comprehensive solutions that will have a positive impact and keep our communities safe.

Sincerely,

Daryn Cline  
Director, Technology and Science  
Alliance to Prevent Legionnaires' Disease

CC:

Hon. Bill de Blasio, Mayor  
Hon. Melissa Mark-Viverito, City Council Speaker, District 8  
Hon. Latisha James, Public Advocate  
Hon. Scott Stringer, Comptroller  
Hon. Ruben Diaz Jr., Bronx Borough President  
Hon. James Oddo, Staten Island Borough President  
Hon. Corey Johnson, Council Member, District 3  
Hon. Helen Rosenthal, Council Member, District 6  
Hon. Jumaane Williams, Council Member, District 45  
Hon. Vanessa Gibson, Council Member, District 16  
Hon. Ben Kallos, Council Member, District 5