



Legislation Details (With Text)

File #: Int 0871-2018 **Version:** A **Name:** Requiring first-draw samples when testing for lead in water.

Type: Introduction **Status:** Enacted

In control: Committee on Health

On agenda: 5/9/2018

Enactment date: 4/14/2019 **Enactment #:** 2019/067

Title: A Local Law to amend the administrative code of the city of New York, in relation to requiring first-draw samples when testing for lead in water

Sponsors: Joseph C. Borelli, Robert F. Holden, Ben Kallos, Brad S. Lander, Laurie A. Cumbo, Diana I. Ayala, Stephen T. Levin, Kalman Yeger, Carlina Rivera, Eric A. Ulrich

Indexes:

Attachments: 1. Summary of Int. No. 871-A, 2. Summary of Int. No. 871, 3. Int. No. 871, 4. May 9, 2018 - Stated Meeting Agenda with Links to Files, 5. Hearing Transcript - Stated Meeting 05-09-18, 6. Minutes of the Stated Meeting - May 9, 2018, 7. Committee Report 9/27/18, 8. Hearing Testimony 9/27/18, 9. Hearing Testimony 9/27/18 (Con't), 10. Hearing Transcript 9/27/18, 11. Proposed Int. No. 871-A - 2/22/19, 12. Committee Report 3/12/19, 13. Hearing Transcript 3/12/19, 14. March 13, 2019 - Stated Meeting Agenda with Links to Files, 15. Hearing Transcript - Stated Meeting 3-13-19, 16. Minutes of the Stated Meeting - March 13, 2019, 17. Int. No. 871-A (FINAL), 18. Fiscal Impact Statement, 19. Legislative Documents - Letter to the Mayor, 20. Local Law 67

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------------------------|-----------------------------|--------|
| 5/9/2018 | * | City Council | Introduced by Council | |
| 5/9/2018 | * | City Council | Referred to Comm by Council | |
| 9/27/2018 | * | Committee on Health | Hearing Held by Committee | |
| 9/27/2018 | * | Committee on Health | Laid Over by Committee | |
| 9/27/2018 | * | Committee on Environmental Protection | Laid Over by Committee | |
| 9/27/2018 | * | Committee on Housing and Buildings | Laid Over by Committee | |
| 9/27/2018 | * | Committee on Housing and Buildings | Hearing Held by Committee | |
| 9/27/2018 | * | Committee on Environmental Protection | Hearing Held by Committee | |
| 3/12/2019 | * | Committee on Health | Hearing Held by Committee | |
| 3/12/2019 | * | Committee on Health | Amendment Proposed by Comm | |
| 3/12/2019 | * | Committee on Health | Amended by Committee | |
| 3/12/2019 | A | Committee on Health | Approved by Committee | Pass |
| 3/13/2019 | A | City Council | Approved by Council | Pass |
| 3/13/2019 | A | City Council | Sent to Mayor by Council | |
| 4/2/2019 | A | Mayor | Hearing Scheduled by Mayor | |
| 4/14/2019 | A | Administration | City Charter Rule Adopted | |
| 4/17/2019 | A | City Council | Returned Unsigned by Mayor | |

Int. No. 871-A

By Council Members Borelli, Holden, Kallos, Lander, Cumbo, Ayala, Levin, Yeger, Rivera and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to requiring first-draw samples when testing for lead in water

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 9 of title 17 of the administrative code of the city of New York, as added by a local law for the year 2019, relating to investigation by the department of health and mental hygiene of places in which children identified with elevated blood lead levels routinely visit and the regulation of lead-based paint hazards in facilities providing day care services, as proposed in introduction number 464-b, is amended by adding a new section 17-913 to read as follows:

§ 17-913 Testing water for lead. a. Whenever testing water for lead from a fixture or other source is required by law or rule, or an order issued by a court or agency of appropriate jurisdiction, such testing shall include (i) taking a first-draw sample from such source, (ii) taking at least one additional sample, when practicable, from such source, except that the department may by rule determine specific circumstances in which a first-draw sample is sufficient, and (iii) analysis of such samples by a laboratory certified to analyze water samples for lead by the federal environmental protection agency or a state agency having appropriate jurisdiction, unless otherwise provided for by federal, state, or local law or rule. For the purposes of this section, the term “first-draw sample” means a first draw tap sample for lead and copper, as such term is defined in section 5-1.1 of title 10 of the New York codes, rules and regulations.

b. Nothing in this section shall prohibit the department from requiring an additional sample from such source.

c. Notwithstanding subdivisions a and b of this section: (i) if the federal environmental protection agency or a successor agency provides any guidance on testing standards that differs from the requirements of this section, the department may by rule adopt such guidance in lieu of the testing standards requirements of this section; and (ii) if a water lead action level is established by federal, state, or local law or rule that requires

new sampling requirements, the department may by rule adopt such sampling requirements in lieu of the sampling requirements of this section.

§ 2. This local law takes effect 1 year after it becomes law, except that the commissioner of health and mental hygiene may take such actions as are necessary for the implementation of this local law, including the promulgation of rules, before such effective date.

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02/19/19