



Legislation Text

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Int. No. 1123

By Council Members Holden, Lee, Yeger and Riley

A Local Law to amend the administrative code of the City of New York, in relation to carrying out testing for and reporting on the presence of controlled substances with significant potential for addiction or other serious health consequences in wastewater

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-533 to read as follows:

§ 24-533 Wastewater testing for the presence of controlled substances. a. Definitions. For the purposes of this section, the term “controlled substance” includes any opioid, stimulant, depressant, hallucinogen, steroid, or other drug with significant potential to cause addiction or other serious health consequences.

b. Testing. 1. The commissioner, in collaboration with the commissioner of health and mental hygiene, shall conduct wastewater-based sampling and testing to identify the types and quantify the levels of controlled substances in wastewater at each city wastewater treatment plant in accordance with this section.

2. No less than twice per week, the commissioner shall collect raw wastewater samples at such plants in amounts necessary to measure the presence of controlled substances. The commissioner, in collaboration with the commissioner of health and mental hygiene, shall arrange for the testing of such samples for controlled substances. Such testing shall, at minimum, identify the types and measure the levels of controlled substances in such samples through testing methods that reflect industry best practices for detecting controlled substances in wastewater.

3. The commissioner, in collaboration with the commissioner of health and mental hygiene, shall

determine which types of controlled substances in wastewater to test for in accordance with this section.

c. Annual report. No later than 3 months after the effective date of the local law that added this section, and annually thereafter, the commissioner, in collaboration with the commissioner of health and mental hygiene, shall submit to the mayor and the speaker of the council a report which shall include but not be limited to the following information:

1. Results of all testing for controlled substances in wastewater conducted pursuant to this section, disaggregated by the city wastewater treatment plant from where the wastewater sample was collected, the type and level of controlled substances identified in such sample, the date such sample was collected, and the date such sample was tested;

2. The various testing methods used to test wastewater samples for controlled substances in accordance with this section; and

3. Analysis of the effectiveness of the wastewater sampling and testing conducted pursuant to this section in detecting the presence of controlled substances in wastewater.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of environmental protection and the commissioner of health and mental hygiene shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

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