



Shaping Tomorrow's  
Built Environment Today

180 Technology Parkway • Peachtree Corners, GA 30329-2977 • Tel: 404.636.8400 • www.ashrae.org

Farooq Mehboob  
2022-2023 ASHRAE President

S. Mehboob & Company Consulting Engs.  
Office 201, S.I.T Tower  
Dubai Silicon Oasis  
Dubai  
UNITED ARAB EMIRATES  
Phone: 971504236615  
Email: [farooq.mehboob@smehboob.com](mailto:farooq.mehboob@smehboob.com)

May 1, 2023

Senators Bailey, Addabbo, Myrie and Persaud  
613 Legislative Office Bldg.  
Albany, NY 12247

Re: Senate Bill 1776, “*AN ACT to amend the public health law, in relation to requiring inspections for Legionnaires' disease in certain locations*”

Dear Senators Bailey, Addabbo, Myrie and Persaud:

ASHRAE is an international professional organization founded in 1894. Our global society advances human well-being through sustainable technology for the built environment. The Society and its more than 53,000 members, including over 2,500 in New York, focus on building systems, energy efficiency, indoor air quality, refrigeration, and sustainability. Through research, standards writing, publishing, certification and continuing education, ASHRAE shapes tomorrow's built environment today.

Today, we are writing to you regarding Senate Bill 1776, a bill to require inspections of certain buildings in New York to help reduce the risk of Legionnaires' Disease. We commend this initiative and the objective to protect public health and reduce Legionnaires' disease. ASHRAE offers the following suggestions to strengthen the language of this bill, leverage existing best practices, and focus its intent to prevent disease. We also request a meeting with you to discuss an improved path to prevent Legionnaires' disease.

1. **Edit bill text as follows** where underlined text is new and ~~crossed-out text~~ is to be removed:

§ 2190 Legionnaires' disease; definitions. For the purposes of this title, the term “location” shall mean any enclosed or outdoor space which could ~~be susceptible to harbor the bacteria that causes~~ Legionnaires' disease including, but not limited to, apartment complexes, apartment buildings, senior centers, multi-unit living communities, buildings or facilities, baths, spas, restrooms, restaurants, and grocery stores.

§ 2191. Legionnaires' disease; inspections. Each location which the commissioner determines is susceptible to Legionnaires' disease shall 1) implement a water management

program based on the most recent editions of ANSI ASHRAE 188<sup>1</sup> standard, as informed by ASHRAE Guideline 12<sup>2</sup>, and the CDC Legionella Control Toolkit<sup>3</sup> and 2) submit to an annual inspection by the department for the presence of Legionnaires' disease.

**Rationale for Request #1:**

Reliance on the ASHRAE 188 standard will help clarify and simplify this bill; for example, § 2190 could be simplified by using the Building Survey contained in ASHRAE 188 to identify the areas of greatest legionellosis risk rather than using the definition of the word 'location'.

Proper management and maintenance of all relevant building water systems, along with parallel actions by public water systems, are key to maintaining healthy buildings and keeping disease at bay. We suggest S. 1776 include reference to the entire ASHRAE Standard 188, *Legionellosis: Risk Management for Building Water Systems* as it is the only accredited standard to help prevent Legionnaires' disease in the built environment. This comprehensive standard, along with the 'how to' compendium Guideline 12, were written by many professionals and organizations such as the U.S. EPA, US CDC, Department of Veterans' Affairs, building owners and managers, water treatment professionals, healthcare facility managers, microbiologists, and many more, all representing 100's of hours of professional and hands-on experience. It would be of great value to ensure the compliance community leverage the existing, vast knowledge represented in ASHRAE 188 and Guideline 12.

**2. Request #2:**

We respectfully request a brief meeting with official representatives from ASHRAE to discuss ways to more fully protect New York citizens and visitors from Legionnaires' disease.

**Again, we appreciate your consideration of our suggested changes to S. 1776 and look forward to speaking with you.**

If you have any questions or need additional information, please do not hesitate to contact me, or have your staff email [GovAffairs@ashrae.org](mailto:GovAffairs@ashrae.org). Thank you for your consideration of this important matter and for working to ensure the health and well-being of building occupants in New York.

Sincerely,



Farooq Mehboob  
2022-2023 ASHRAE President

1. ANSI ASHRAE 188, *Legionellosis: Risk Management for Building Water Systems*, 2018, ASHRAE 180 Technology Parkway NW, Peachtree Corners, Georgia 30092 US.

2. ASHRAE Guideline 12, 2020, *Managing the Risk of Legionellosis Associated with Building Water Systems*, ASHRAE 180 Technology Parkway NW, Peachtree Corners, Georgia 30092 US.
3. Toolkit for controlling Legionella in common sources of exposure (Legionella control toolkit) : information on controlling legionella in commonly implicated sources of legionnaires' disease outbreaks. Version 1.1 : Centers for Disease Control and Prevention (U.S.). January 13, 2021: <https://stacks.cdc.gov/view/cdc/104362>