



Legislation Text

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Int. No. 1966

By Council Members Constantinides, Powers, Kallos and Yeger

A Local Law to amend the administrative code of the city of New York, in relation to creating a pilot program to test sewage for COVID-19 RNA

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 24-531 to read as follows:

§ 24-531 Wastewater testing program. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Metagenomic next generation sequencing. The term “metagenomic next generation sequencing” means running all nucleic acids in a sample that may contain mixed populations of microorganisms and assigning them to their reference genomes to understand which microbes are present and in what proportions.

Rate of infection. The term “rate of infection” means the probability or risk of an infection in a population, used to measure the frequency of occurrence of new instances of infection within a population over a specific period of time.

SARS-CoV-2. The term “SARS-CoV-2” means severe acute respiratory syndrome coronavirus 2, which is the strain of coronavirus that causes the novel coronavirus, COVID-19.

Wastewater-based epidemiology. The term “wastewater-based epidemiology” means the chemical analysis of pollutants and biomarkers in raw wastewater to obtain qualitative and quantitative data on the activity of inhabitants within a given wastewater catchment.

b. The commissioner of environmental protection, in consultation with the commissioner of health and

mental hygiene, shall establish a pilot sampling program to test for the presence of SARS-CoV-2 in sewage at each city wastewater treatment plant in accordance with this section. Such sampling program shall include, but not be limited to the following:

1. The composition of each species detected in each sample collected;
2. The proportion of each species detected in each sample collected; and
3. Use of metagenomic next generation sequencing to test samples.

c. No less than once per every seven days, and for no less than six months, the commissioner, in consultation with the commissioner of health and mental hygiene, shall collect sewage samples in an amount determined by the commissioner of health and mental hygiene that is enough to conduct wastewater-based epidemiology of such samples.

d. No later than June 1, 2021, the commissioner shall submit to the mayor and speaker of the council a report, which shall include, but not be limited to the following:

1. Sampling results disaggregated by the site where the sample was collected, date sample was collected, date sample was tested, and composition and proportion of each species in the samples collected;
2. The total cost of such pilot program;
3. Analysis of the effectiveness of the pilot program in testing for SARS-CoV-2;
4. Recommendations to expand the pilot program to include sampling at manhole sites if wastewater-based epidemiology detects SARS-CoV-2 in an amount, as determined by the commissioner of health and mental hygiene, that indicates a localized concentration of COVID-19;
5. Extending the pilot program for up to an additional six months if more testing is necessary, as determined by the commissioner, in consultation with the commissioner of health and mental hygiene;
6. A plan for weekly testing at each city wastewater treatment plant if the commissioner of health and mental hygiene or state commissioner of health declares that the SARS-CoV-2 rate of infection is at least 1.1 or if the centers for disease control and prevention issues a SARS-CoV-2 pandemic declaration; and

7. Recommendations for making the pilot program permanent.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of environmental protection and commissioner of health and mental hygiene may 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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