



Association of Contracting Plumbers Raises \$129k for Covenant House



L to Right: Holly Gallichio, Manager, Key Relationships, Covenant House International; Tom Maniuszko, Chair of Charity Golf Outing Committee; Terence O'Brien, ACP Executive Vice President & Senior Director of the Plumbing Foundation; Rob Greenberg, ACP President; Sarah Mobarak, MGO, Covenant House International.

The Association of Contracting Plumbers of the City of New York, Inc. held its annual "Plumbing Industry Day" Charity Golf Outing on May 2, 2022. The charity chosen this year was Covenant House (CH). CH provides housing and supportive services to youth facing homelessness, and helps young people transform their lives and put them on a path to independence. CH has locations across the country and internationally, 33 cities across six countries to be exact. Since opening 50 years ago, it has served over 1 million youth. Covenant House New York (CHNY) serves youth ages 16-24 and is located in midtown Manhattan where young people can access short-term emergency care through CHNY's street outreach program, drop-in services, and emergency shelter. CHNY has an on-site health clinic, and the Covenant Works program helps them navigate the world of employment. Rights of Passage, CH's transitional housing program, empowers youth to build the skills they need to live independently. CH expects that over the next 5 years it will provide over 4 million nights of housing, open an additional 200 beds, and sustain the 750 beds that were most recently opened.

The ACP is pleased to report that \$129,000 was donated to the Covenant House. Thank you to everyone who made the day a success!

Plumbing Foundation Held *Water Conservation, Safety, and Welfare* series March 22-24

The Plumbing Foundation held its three-part webinar series *Water Conservation, Safety, & Welfare* the week of World Water Day (March 22nd). The three-part series was divided into three main topics: water efficiency, Legionella prevention, and preparedness against backflow.

The first webinar on water efficiency was held on March 22, 2022, World Water Day. Panelists included Stephanie Tanner, CEM, LEED AP BD+C, the Lead Engineer of the U.S. Environmental Protection Agency's (EPA) WaterSense Program; Alan Cohn, the Managing Director of the NYC Department of Environmental Protection's (DEP) Integrated Water Management program; John Brock, a Policy Analyst for DEP's Integrated Water Management program; and Peter Li, PE, LEED AP, an Associate Partner at Jaros, Baum & Bolles (JB&B). The panel was moderated by Executive Director April McIver and Senior Director Terence O'Brien.

Ms. Tanner provided an informative overview of the WaterSense Program, including the efficiency and performance criteria WaterSense uses for products, a discussion of the multifamily building score, and a review of the NYC Water Score (NYC average is 33 versus the national average of 47). The DEP representatives, Mr. Cohn and Mr. Brock, discussed water efficiency in NYC specifically, including a review of water demand in correspondence with population, the Delaware aqueduct bypass connection, the Water Demand Management Program and Municipal Water Efficiency Program, and the Water Conservation Reuse Grant. Finally, Mr. Li discussed JB&B's experience in the energy consulting industry.

The second webinar on Legionella prevention was held on March 23, 2022. Panelists included Manhattan Borough President Mark Levine; Dr. Janet Stout, President of Special Pathogens Laboratory; John Letson, VP of Plant Operations at Memorial Sloan-Kettering; and Rob Greenberg, President of Evergreen Mechanical and President of the Association of Contracting Plumbers. The panel was moderated by Neil Skidell, Managing Director at Par Plumbing.

Dr. Stout provided an important foundation to the discussion by explaining who is at greatest risk to contract Legionnaires' Disease, where Legionella comes from (including potable water), examples of recent NYC outbreaks, problems with "denial" of the issue, and prevention through legislation (including why NYC needs to adopt a new law). BP Levine next discussed his experience as Chair of the NYC Council Committee on Health, the passage of the cooling tower inspection legislation, working with the Plumbing Foundation on the inspection/maintenance of water tanks legislation in 2019, and his support of legislation requiring a comprehensive building water management plan. Mr. Letson discussed his experience running operations in a healthcare facility (including his "zero tolerance" policy for Legionella), the longstanding requirement for healthcare facilities to have a building water management plan, the importance of water temperature and the problem with low flow fixtures, and his support of legislation put forth by the Plumbing Foundation. Finally, Mr. Greenberg explained his experience in the field, specifically in hotels and multifamily buildings, with copper ionization, and said his company is trying to get owners to be more proactive. Mr. Greenberg also emphasized that now is the time to act in the NYC Council on the legislation put forward by the Plumbing Foundation. Mr. Skidell then moderated a discussion which included a dialogue on NYC's biggest challenges to Legionella prevention, and the potential health risks posed by energy policies like low hot water temperatures and low flow fixtures.

The final webinar on preparedness against backflow was held on March 24, 2022. Panelists included NYS Senator Joseph Addabbo Jr.; Muhammad Hossain, PhD, PE, Chief of the NYC DEP's Connections and BWSO unit; Rob Greenberg, President of Evergreen Mechanical; and Ron Merhige, PE, CEM, President of RLM Engineering PLLC. The panel was moderated by Neil Skidell.

Executive Director McIver first established a foundation of the discussion by providing a presentation on backflow prevention device requirements, backwater valves, and the role of climate change. Next, Senator Addabbo explained the experience of his



Queens constituents, that backflow and backwater are a health and property damage issue. He further explained what the state has done and what else it can do to ensure implementation of important laws. Mr. Hossain of the DEP reviewed the role of the Cross Connection Control Unit, relevant codes and rules, and the permitting process and device test reporting for backflow devices. Following, Mr. Greenberg provided a plumbing contractor's perspective on installing and testing backflow prevention devices, and the emerging concern over backwater given climate change. Finally, Mr. Merhige presented on placement/location of devices in buildings and challenges on filing and installations, including pushback or lack of interest by the property owner. Neil Skidell asked the panel about a common occurrence in which owners have devices that have not been registered or approved in decades, which led to a discussion on ensuring owners are educated not just by the DEP but by their contractors. It was also mentioned that this panel focused on primary devices regulated by DEP but that there is a separate host of problems on the DOB side with secondary devices, which was set aside for a later discussion.

The Plumbing Foundation graciously thanks all of the panelists for sharing their time and expertise! We are extending the viewability of the recorded series until June 30, 2022. To view the full recordings, visit:

www.plumbingfoundation.nyc/water-conservation-safety-and-welfare

Update on NYS Budget, Gas Ban, and Climate Action Council

Last quarter, in *Pipecaster* Issue 1: Vol. 45, we wrote the article *Carbon Reduction, Gas Bans, Electrification: Updates on the NYS CLCPA* providing the status of Governor Kathy Hochul's gas ban proposal in the Executive Budget as well as discussing the Draft Scoping Plan released by the NYS Climate Action Council (CAC), tasked with determining how the state should go about meeting its goals set forth in the Climate Leadership and Community Protection Act (CLCPA). As a reminder, the 2019 law requires that by 2040, New York State achieves 100% zero-emission electricity and by 2050, reduces emissions at least 85% below 1990 levels. The NYS Legislative Session ended on June 3 and comments on the Draft Scoping Plan were submitted to the CAC by June 10. Below is a summary of what has occurred since the end of March.

After pushback from industry stakeholders and elected officials alike, the gas ban proposal was removed from the final budget. The budget was passed about one week after its due date of April 1. However, the NYS Assembly, the house that left the Governor's proposal out of its one-house budget proposal, held a public hearing on gas bans on May 12. The Plumbing Foundation submitted written testimony to the Assembly regarding our concerns with banning gas, the Draft Scoping Plan, and that the Assembly was even holding a hearing when the CAC was in the middle of hearings and reviewing stakeholder feedback.

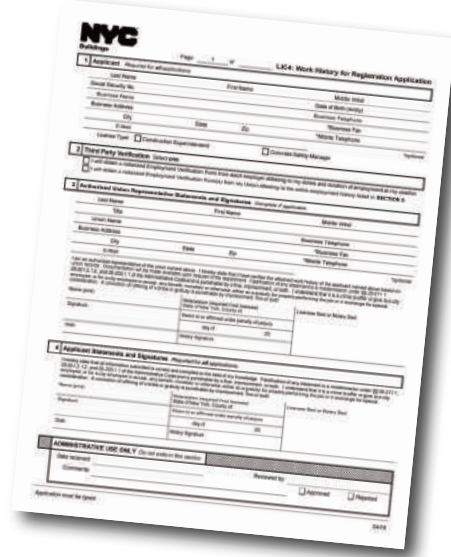
The state Legislature finally adjourned session on Friday, June 3. Fortunately, there was no additional movement on the gas ban legislation (S.6843A - Kavanagh / A.8431 - Gallagher). However, in lieu of that, both houses did pass the Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2022 (A.10439 - Fahy / S.9405 - Parker) which, *inter alia*, redefines duties and authority of the State Fire Prevention and Building Code Council; adds new definitions with respect to products that will eventually have efficiency standards, including plumbing products, and regulates the sale of these; adopts federal efficiency standards; redefines duties of the NYSEDA president and secretary of state; and expands subpoena authority of the secretary of state to those installing devices that do not meet the standards required by law. This is a far cry from the state gas ban which was proposed and is a much more sensible piece of legislation, although the efficiency standards that will be set forth remain to be determined, thus we will continue to monitor.

Finally, in late May, the Plumbing Foundation submitted its comments directly to the CAC outlining its concerns with the Draft Scoping Plan. The major concerns are financial implications, feasibility, and job loss. The next steps involve the CAC taking all stakeholder feedback and making necessary changes to the Draft Scoping Plan by the end of 2022. The Plan is then submitted to the NYS Legislature to be introduced as legislation. We have an opportunity at that point to submit comments and meet with our legislators.



Warning: Plumbers Be Cautious on Experience Verification Letters

The NYC Department of Buildings (DOB) recently charged a licensed master plumber with making a material false or misleading statement and negligence, incompetence, lack of knowledge, or disregard of the code (NYC Admin. Code sections 28-409.19[2] and [6] respectively) for providing conflicting experience verification information on a journeyman application and on the subsequent master plumber license application. This LMP provided an experience verification affidavit for an employee applying to be a journeyman plumber in 2016 wherein the LMP stated the employee performed plumbing work under the LMP, but then in 2020 the experience verification affidavit he submitted for that same employee said the employee worked as a project coordinator from August 2009 to May 2018 but did not perform plumbing work under the LMP's supervision. The DOB found this constituted making a false statement as well as negligence, incompetence, lack of knowledge, and/or disregard of the code, and the LMP pled guilty to the charges. The LMP's plumbing license is suspended for 9 months and his fire suppression contractor license is suspended for 6 months. He was fined \$15,000.

The image shows a 'NYC DOB Work History for Registration Application' form. It is a multi-section document with fields for personal information, employment history, and signatures. The form is titled 'NYC DOB Work History for Registration Application' and includes sections for '1. Applicant Information', '2. Employer Information', '3. Work History', and '4. Applicant Signature and Declaration'. The form is filled out with handwritten information, including dates and signatures.

The employee/applicant was issued a plumbing license despite the falsifying of one of the experience verification affidavits. Upon further discussions with the DOB, it was determined by DOB that the 2016 letter was truthful and that the 2020 letter was falsified and that it related to a personal issue between the licensed plumber and employee/applicant.

The Plumbing Foundation urges licensees to keep detailed records of any and all experience verification affidavits, as well as other similar documentation, to ensure accuracy of information whether or not it is submitted to a governmental agency. Equally important, licensees should always conduct themselves in a professional and candid manner. Honesty is a key element in upholding the integrity of the licensed plumbing profession.

NYS Senate and Assembly Pass Long Overdue Modular Construction Legislation!

A BIG KUDOS to Assemblyman Erik Dilan and Senator Jessica Ramos and all those in the NYS Legislature who co-sponsored or voted in the affirmative to pass A.2039-B/S.4738-A to ensure modular construction projects are held to the same safety standards as traditional stick-built construction projects under the NYC Building Code! This vital piece of legislation requires all modular construction projects to comply with the licensing requirements in the NYC Code, protecting the integrity of the licensed plumber, licensed electrician, and licensed fire suppression contractor, as well as ensuring the safety of NYC residents and visitors!



Next steps, the bill will be sent to Governor Kathy Hochul's office for review and approval. The Plumbing Foundation is working diligently to ensure the Governor and her staff are briefed and prepared on this important safety matter and will update the industry on the bill's status.

State Legislature Adopts Public Contract Price Escalation Bill

The end of the New York State Legislative Session also included passage of A.10109 (Zebrowski) / S.8844 (Reichlin-Melnick), which amends the State's construction and commodity contracts to provide equitable relief to contractors who have sustained unanticipated expenses by reason of construction materials price escalation. As anyone in the construction industry knows, the impacts of the COVID-19 pandemic led to massive increases in the cost of materials as well as major supply chain delays. Numerous contractors across the City and State have found themselves locked into public works contracts prior to the pandemic but with the actual work starting late into the pandemic when price increases went through the roof, meaning if contractors were held to the original bid prices, that economic impact could potentially close their businesses down. The bill applies to bids submitted prior to April 1, 2020 but only for which materials were purchased or invoiced after March 1, 2020. If signed by the Governor, it will allow contractors who submitted bids to the State of New York or a public benefit corporation to receive an adjusted contract on materials costs where the price escalated in excess of five (5) percent upon invoice or purchase of said materials from the original bid.

Unlike private contracts where potential contract clauses could be imposed, like force majeure, public works contracts are more difficult to break and/or revise. We applaud the Sponsors for recognizing the catastrophic impact that price escalation can and will continue to have on construction contractors. The bill awaits Governor Kathy Hochul's approval.

The Plumbing Foundation seeks to have a similar expanded law, rule or policy passed at the City level to ensure contractors in similar situations with City Agencies are able to seek relief.



in sink erator®

NEW LIFT AND LATCH™ - OUR EASIEST INSTALL EVER

For over 85 years, InSinkErator® has worked hard to help make your tough jobs easier. Introducing our new Lift and Latch™ technology, developed just for you, making installing InSinkErator garbage disposals easier than ever. Patented tabs hold the mounting ring in place, freeing up both hands to lift, latch and turn the garbage disposal onto the sink. Quick, simple and ... **easy.**

1-800-558-5700

LIFT AND LATCH™ FREES UP BOTH HANDS TO TWIST ON GARBAGE DISPOSAL

© 2022 InSinkErator, InSinkErator® is a business unit of Emerson Electric Co. All Rights Reserved.

THE PIPECASTER is published by the Plumbing Foundation City of New York, Inc.

535 Eighth Ave., Fl. 17, New York, NY 10018 | Phone (212) 481-9740 | Fax (212) 481-7185 | (E) info@plumbingfoundation.nyc
Lawrence J. Levine, Chairman; Louis J. Buttermark, Vice Chairman; Barr Rickman, Treasurer; April McIver, Executive Director; Terence O'Brien, Editor. Board of Directors: Anthony D. Altimari, Paul Belli, Marc Breslaw, Louis J. Buttermark, Harris Clark, Alex Greenberg, Nicholas Katragis, Angelo Lemodetis, Lawrence J. Levine, Scott Lyons, Barr Rickman, Richard Turchiano





**PLUMBING
FOUNDATION
CITY OF NEW YORK**

535 8th Avenue
17th Floor
New York, NY 10018



SUNY EMPIRE
STATE COLLEGE

Schedule for 2022 SUNY Empire / CTLTC 7-Hour License Renewal Courses

Please see the upcoming 2022 schedule for SUNY Empire State College / Construction Trades License Training Corp. 7-Hour Master Plumber and Master Fire Suppression Contractor License Renewal Courses, all to take place at **535 8th Ave, Floor 17, New York, NY 10018:**

Wednesday, July 27, 2022

Wednesday, August 24, 2022

Wednesday, September 28, 2022

Wednesday, October 26, 2022

Wednesday, November 30, 2022

These courses will all have a 20 person maximum capacity. To register for the next course, visit: www.plumbingfoundation.nyc/resources/renewal-course/.

THE PLUMBING FOUNDATION'S ENVIRONMENTAL STATEMENT

Since its establishment in 1986, the Plumbing Foundation has worked diligently to ensure the plumbing industry has as little a "carbon footprint" on New York City as possible. The plumbing industry has historically utilized environmentally friendly materials such as recycled cast-iron and copper piping/fittings. The Foundation will continue in its role of protecting New York City as well as being an advocate for the environment by strengthening its water/sanitary regulations and thereby reducing wasteful water consumption in the City.



We wear our heart on our sleeve.

Charlotte Pipe is a proud 119-year-old American company. We understand a strong military and economy are both essential to the success of our great country. That's why Charlotte Pipe is committed to keeping the economy strong by making and selling our products right here in the U.S.A.

charlottepipe.com

CHARLOTTE
PIPE AND FOUNDRY COMPANY

You can't beat the system.®

Fleet can help complete the puzzle.



**STORMWATER RE-USE SYSTEMS
BOOSTER & TANK FILL SYSTEMS**

**HEAT PUMP WATER HEATERS
SUMP & SEWAGE PUMP SYSTEMS**

**WATER HEATERS
WATER FILTERS**

**WE HAVE YOU COVERED
FROM PLAN AND SPEC TO
SERVICE AND REPLACEMENT.**

GAFLEET.COM

T 914-835-4000





New York Water Fact Sheet



New York State is known for its abundant water resources and natural beauty. The Finger Lakes, the Great Lakes, and Niagara Falls attract thousands of visitors each year and provide the state with water for household, business, and industrial use. At the same time, the state is home to the bustling metropolis of New York City, with the sizeable water needs that one would expect from the largest population hub in the United States.



Water Sources

Approximately one quarter of New Yorkers get their water from groundwater sources. The remaining demand is largely filled by surface water. Lakes Ontario and Erie supply the area around the cities of Rochester and Buffalo, respectively. Smaller lakes and streams supply other areas.

New York City is home to the largest engineered water system in the nation, supplying more than 1 billion gallons of water each day to approximately 9 million people, representing half of the state's population. The city draws its water from reservoirs upstate, supplied by a 1,900-square-mile watershed—that's about the size of Delaware.

Such extensive systems require substantial efforts to maintain. New York has 30,000 miles of aging sewer and water treatment systems that

will require significant investment in repairs and upgrades during the next two decades. If New Yorkers use water more efficiently, it will help reduce these infrastructure investments.

Conservation Efforts

In 1989, New York built water conservation into its legal system by adopting legislation that required applicants for water distribution permits to document their water conservation efforts.

The New York City Department of Environmental Protection has partnered with WaterSense® to promote awareness of the WaterSense label and water conservation by distributing program materials at public outreach events and the Union Square Greenmarket farmers' market. And on the commercial side, the New York City Water Board offers a rate reduction for buildings that reuse a large percentage of their water.

At the consumer level, the New York City Department of Environmental Protection offers free residential water surveys to residents to identify leaks and measure the flow rates of water-using devices.

New York City also invested \$393 million in a 1.6-gallon-per-flush toilet rebate program, which reduced water demand and wastewater flow by 90.6 million gallons per day, representing a 7 percent savings. The rebate program saved \$605 million by creating a 20-year delay before water supply and wastewater-treatment expansion projects are required.

Across the state, even more can be done to save water. If just one out of every 10 households in New York replaced its older, inefficient toilets with WaterSense labeled toilets, it would save nearly 8 billion gallons and more than \$46 million in water bills annually. That's more than four hours' worth of flow over the Niagara Falls! And if every household in New York replaced its showerheads with WaterSense labeled models, it could save about 17 billion gallons of water annually, representing \$100 million in water bills and more than \$180 million in energy costs for heating the water saved each year.

For more information and water-saving tips, visit www.epa.gov/watersense.

Increasing Conservation Statewide

The New York State Environmental Facilities Corporation (NYSEFC), a WaterSense promotional partner, provides low-cost financing and technical assistance to municipalities, business, and state agencies. Since New York needs such extensive water infrastructure renovation, NYSEFC stresses water conservation to reduce the need for and costs associated with the maintenance and operation of that infrastructure.

The corporation presents the importance of water conservation and steps that can be taken to increase conservation to audiences ranging from students at the State University of New York at Albany to state agency staffers. For example, NYSEFC promoted Fix a Leak Week, sponsored by WaterSense, to New York hardware stores and consumers. In addition, NYSEFC replaced Suffolk County Community College's aging toilets with WaterSense labeled models, reducing the institution's water demand by 50 percent.

