

ASSEMBLY, No. 4761

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED OCTOBER 11, 2022

Sponsored by:

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblywoman SHAMA A. HAIDER

District 37 (Bergen)

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

Co-Sponsored by:

Assemblymen Benson and Stanley

SYNOPSIS

Requires DEP to perform certain assessments concerning regulation of perfluoroalkyl and polyfluoroalkyl substances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/30/2023)

1 AN ACT concerning perfluoroalkyl and polyfluoroalkyl substances
2 and supplementing P.L.1977, c.224 (C.58:12A-1 et seq.).

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. a. The Department of Environmental Protection shall
8 conduct an annual assessment of perfluoroalkyl and polyfluoroalkyl
9 substances that are unregulated at the time of the assessment, in
10 order to determine whether a maximum contaminant level or other
11 drinking water standard should be established for one or more such
12 PFASs.

13 b. The Department of Environmental Protection shall conduct
14 an assessment of whether current and proposed maximum
15 contaminant levels for PFASs adequately protect the health of
16 children, given their lower average body weight, as compared to a
17 maximum contaminant level based on the average adult body
18 weight.

19 c. The depart may consult or collaborate with the Drinking
20 Water Quality Institute established pursuant to section 10 of
21 P.L.1983, c.443 (C.58:12A-20) in order to implement the provisions
22 of this section.

23 d. The department shall submit a written report containing the
24 findings of each assessment conducted pursuant to this section to
25 the Governor and, pursuant to section 2 of P.L.1991, c.164
26 (C.52:14-19.1), to the Legislature. The department shall also
27 publish each report on its Internet website.

28 e. As used in this section, "perfluoroalkyl and polyfluoroalkyl
29 substance" or "PFAS" means any member of the class of fluorinated
30 organic chemicals containing at least one fully fluorinated carbon
31 atom.

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33 2. This act shall take effect immediately.

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STATEMENT

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38 This bill would require the Department of Environmental
39 Protection (DEP) to conduct assessments on the regulation of
40 perfluoroalkyl and polyfluoroalkyl substances (PFAS) in drinking
41 water.

42 Specifically, the bill would require the DEP to conduct an annual
43 assessment of PFASs that are unregulated at the time of the
44 assessment, in order to determine whether a maximum contaminant
45 level or other drinking water standard should be established for
46 additional PFASs. The bill would also require the DEP to conduct
47 an assessment of whether current and proposed maximum
48 contaminant levels for PFASs adequately protect the health of

1 children, given their lower average body weight, as compared to a
2 maximum contaminant level based on the average adult body
3 weight. The bill would require the DEP to provide a written report
4 containing the findings of each assessment to the Governor and the
5 Legislature, and to post the report on its website.

6 PFAS are man-made chemical compounds that have multiple
7 fluorine atoms bonded to a chain of carbon atoms. Since the 1930s,
8 PFAS have been widely used in countless consumer products
9 because they repel oil, water, and grease. The carbon-fluorine bond
10 that forms PFAS is one of the strongest chemical bonds found in
11 nature and does not break down under typical environmental
12 conditions. As a result, the presence of PFAS in the environment is
13 widespread. There are over 12,000 different types of PFAS, and
14 new types are continually being developed and used in commerce.

15 Perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate
16 (PFOS) were first developed in the 1940's and are the two most
17 commonly found PFAS in the environment and are also the two
18 most studied and regulated PFAS. In 2018, the DEP adopted
19 amendments to its Safe Drinking Water Act regulations to establish
20 drinking water standards for another common PFAS,
21 perfluorononanoic acid (PFNA), at a maximum contaminant level
22 (MCL) of 13 parts per trillion. In 2020, the DEP adopted additional
23 drinking water standards for PFOA at a MCL of 14 parts per trillion
24 and for PFOS at a MCL of 13 parts per trillion.