

ASSEMBLY SPECIAL COMMITTEE ON INFRASTRUCTURE
AND NATURAL RESOURCES

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 4821 and 4823

STATE OF NEW JERSEY

DATED: MARCH 23, 2023

The Assembly Special Committee on Infrastructure and Natural Resources reports favorably a committee substitute for Assembly Bill No. 4821 and Assembly Bill No. 4823.

This committee substitute would require the Department of Environmental Protection (DEP), in consultation with the Drinking Water Quality Institute, to establish a definition of the term “microplastics,” and a standard methodology to be used by public water systems in the testing of drinking water for microplastics. The DEP would be required to establish requirements for the testing and reporting of the concentration of microplastics in drinking water for a four year period by public water systems, and the public disclosure of test results. In addition, the DEP would be required to establish criteria to accredit qualified laboratories in New Jersey to analyze microplastics.

The committee substitute also requires the DEP and the Board of Public Utilities (BPU) to commence a study to evaluate the feasibility and benefits of the use of microplastics removal technologies by system owners or operators to remove microplastics from drinking water and wastewater in the State. In conducting the study, the DEP and BPU would cooperatively engage in a stakeholder engagement process, which shall include consultation with, and the solicitation of testimony and information from: (1) experts in the operation of water supply, water treatment, or wastewater collection or treatment systems; the operation of water filtering systems or removal technologies; the proper handling or disposal of microplastics; or the study or remediation of water pollution or contaminants; (2) marine biologists, oceanographers, water quality specialists, environmental scientists, toxicologists, public health experts, and other members of appropriate scientific fields; and (3) representatives of the plastics manufacturing industry; (4) members of the public; and (5) other relevant and interested parties.

The committee substitute would also require the DEP and BPU to authorize system owners or operators in the State to engage in pilot microplastics removal projects, with associated pilot project data to be included in the study. The proposed committee substitute would

require the DEP to solicit and approve applications for, and take other appropriate action to facilitate, the implementation of pilot projects.

No later than three months after completion of the study, the BPU would be required to prepare and submit a written report to the Governor and to the Legislature, identifying the findings from the study, and providing recommendations for legislative, executive, and other actions that can be taken to facilitate, encourage, and promote the increased use of microplastics removal technologies in the State. At a minimum, the report would include a strategic plan for the deployment and use of microplastics removal technologies. Following the submission of the report, the DEP and BPU would be required to engage in an ongoing, cooperative public education and awareness campaign in order to inform system owners or operators and members of the public about the dangers posed by microplastics, the importance of removing micro plastics from drinking water and waste water, the technologies available on the market to remove microplastics from water, and the goals and primary elements of the strategic plan.