

# ASSEMBLY, No. 4823

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED OCTOBER 24, 2022

**Sponsored by:**

**Assemblyman ROBERT J. KARABINCHAK**

**District 18 (Middlesex)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Assemblyman GARY S. SCHAER**

**District 36 (Bergen and Passaic)**

**SYNOPSIS**

Requires DEP and BPU to study and promote use of microplastics filtering systems and technologies in New Jersey.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 1/10/2023)

1 AN ACT concerning the study and promotion of microplastics  
2 filtering systems and technologies, and supplementing Title 13 of  
3 the Revised Statutes.

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

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8 1. a. As used in this section:

9 “Board” means the Board of Public Utilities.

10 “Commissioner” means the Commissioner of Environmental  
11 Protection.

12 “Department” means the Department of Environmental  
13 Protection.

14 “Microplastic” means a microbead or other miniscule piece of  
15 plastic waste that is less than five millimeters in length and that  
16 enters the environment due to the degradation of larger pieces of  
17 plastic, the shedding of microfibers from clothing and other textiles,  
18 or the use of abrasive cosmetics or hygiene products like cleansers,  
19 toothpastes, and exfoliators.

20 “System owner or operator” means a board, authority, local  
21 government unit, or other person or entity that owns or operates a  
22 water system or a wastewater system in the State.

23 b. Within 30 days after the effective date of this section, the  
24 Department of Environmental Protection and the Board of Public  
25 Utilities shall commence a comprehensive, collaborative study to  
26 evaluate the feasibility and benefits of using filtering systems and  
27 technologies to remove microplastics from drinking water and  
28 wastewater in the State. The study shall be completed not more  
29 than six months after the effective date of this section, and shall  
30 include an evaluation of:

31 (1) the short-term and long-term impacts of microplastics on  
32 human health and the environment, including, but not limited to,  
33 ocean and riparian ecosystems, aquatic and marine organisms,  
34 drinking water quality, and the food chain;

35 (2) the beneficial impacts to human health and the environment  
36 that are likely to result from the increased use of microplastics  
37 filtering systems and technologies in the State;

38 (3) the different types of filtering systems and technologies that  
39 are available, on the market, for use in removing microplastics from  
40 drinking water and wastewater, and the costs thereof;

41 (4) the performance capacity of each type of filtering system or  
42 technology available on the market, including, but not limited to,  
43 the capacity of each such system or technology to adequately filter  
44 microplastics from drinking water and wastewater, and the  
45 efficiency and efficacy of each such filtering system or technology  
46 in performing its stated filtering capabilities;

47 (5) whether, and the extent to which, each available filtering  
48 system or technology is currently being used to filter microplastics

1 from drinking water or wastewater in this or other states, or in other  
2 countries;

3 (6) the feasibility and desirability of establishing a financial  
4 incentive system, or of using other available means and methods,  
5 such as public-private partnerships, financial investments, or  
6 university involvement, to encourage and incentivize the  
7 development and successful deployment of new and effective  
8 microplastics filtering systems and technologies in the State; and

9 (7) the factors that should be considered, and determinations  
10 that should be made, by the board and by the department, when  
11 soliciting and approving proposals for microplastics filtering  
12 projects in the State.

13 c. The department and board shall authorize system owners or  
14 operators in the State to engage in pilot microplastics filtering  
15 projects, with associated pilot project data to be included in the  
16 study conducted pursuant to subsection b. of this section and in the  
17 report produced pursuant to subsection e. of this section. The  
18 department shall solicit and approve applications for, and take other  
19 appropriate action to facilitate, the implementation of pilot  
20 microplastics filtering projects for these purposes.

21 d. In conducting the microplastics filtering study pursuant to  
22 subsection b. of this section, the department and board shall  
23 cooperatively engage in a robust stakeholder engagement process,  
24 which shall include consultation with, and the solicitation of  
25 testimony and information from:

26 (1) professionals, businesses, organizations, and agencies  
27 having particular experience or expertise in one or more of the  
28 following areas: (a) the operation of water supply, water treatment,  
29 or wastewater collection or treatment systems; (b) the operation of  
30 water filtering systems or technologies; (c) the proper handling or  
31 disposal of microplastics; or (d) the study or remediation of water  
32 pollution or contaminants;

33 (2) marine biologists, oceanographers, water quality specialists,  
34 environmental scientists, toxicologists, public health experts, and  
35 other members of appropriate scientific fields;

36 (3) representatives of the plastics manufacturing industry;

37 (4) members of the public; and

38 (5) other relevant and interested parties.

39 e. Not more than three months after the microplastics filtering  
40 study is concluded, pursuant to subsection b. of this section, the  
41 commissioner and the President of the board shall cooperatively  
42 prepare and submit a written report to the Governor and, pursuant to  
43 section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature,  
44 identifying the findings from the study, including any findings and  
45 relevant data associated with pilot projects undertaken pursuant to  
46 subsection c. of this section, and providing recommendations for  
47 legislative, executive, and other actions that can be taken to  
48 facilitate, encourage, and promote the increased use of

1 microplastics filtering systems and technologies in the State. At a  
2 minimum, the report shall:

3 (1) include a strategic plan for the deployment and use of  
4 microplastics filtering systems and technologies by system owners  
5 or operators in the State;

6 (2) identify the procedures and standards that will be used in  
7 soliciting and approving proposals for microplastics filtering  
8 projects in the State; and

9 (3) describe the financial incentives, if any, and any other  
10 alternative means and methods, that should or will be used by the  
11 department and the board to: (a) facilitate the development and  
12 deployment of efficient and effective microplastics filtering systems  
13 and technologies throughout the State, in accordance with the  
14 strategic plan developed pursuant to paragraph (1) of this  
15 subsection; and (b) promote technological innovations in the area of  
16 microplastics water filtering.

17 f. Following the submission of the microplastics filtering  
18 report, pursuant to subsection e. of this section, the department and  
19 the board shall:

20 (1) consistent with the findings set forth in the report, engage in  
21 an ongoing, cooperative public education and awareness campaign,  
22 and take other appropriate action, in order to inform system owners  
23 or operators and members of the public about: (a) the threats to  
24 human health and the environment that are posed by microplastics;  
25 (b) the importance of filtering microplastics from drinking water  
26 and wastewater; (c) the filtering systems and technologies that are  
27 available on the market and have been deemed to be effective in  
28 removing microplastics from water; (d) the goals and primary  
29 elements of the strategic plan established pursuant to paragraph (1)  
30 of subsection e. of this section; and (e) the State and federal  
31 incentives that are available, if any, to facilitate the development,  
32 deployment, and use of new or existing microplastics filtering  
33 systems and technologies in the State;

34 (2) authorize, and issue permits or licenses as may be necessary  
35 to enable, the continuation of pilot projects commenced pursuant to  
36 subsection c. of this section, and the commencement of new  
37 microplastics filtering projects by system owners or operators in the  
38 State; and

39 (3) consistent with the recommendations contained in the report,  
40 and within the limits of funds appropriated to the department or the  
41 board for their purposes, establish incentive or other programs, as  
42 necessary to incentivize, promote, or facilitate the increased use of  
43 effective and efficient new and existing microplastics filtering  
44 systems and technologies in the State.

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46 2. This act shall take effect immediately.

STATEMENT

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This bill would require the Department of Environmental Protection (DEP) and the Board of Public Utilities (BPU) to commence, within 30 days after the bill's effective date, and to complete, within six months after the bill's effective date, a comprehensive, collaborative study evaluating the feasibility and benefits of using filtering systems and technologies to remove microplastics from drinking water and wastewater in the State. In conducting the study, the DEP and BPU would be required to: (1) evaluate various factors related to the use, benefits, costs, and efficacy of filtering systems and technologies; and (2) authorize the owners or operators of water systems and wastewater systems in the State to engage in pilot microplastics filtering projects, with pilot project data to be incorporated into the study and associated study report.

Not more than three months after the study is completed, the DEP commissioner and BPU President would be required to cooperatively prepare and submit a written report, to the Governor and the Legislature, identifying the findings from the study, including any findings and relevant data associated with pilot projects undertaken pursuant to the bill, and providing recommendations for legislative, executive, and other actions that can be taken to facilitate, encourage, and promote the increased use of microplastics filtering systems and technologies in the State. At a minimum, the report would be required to: (1) include a strategic plan for the deployment and use of microplastics filtering systems and technologies by system owners or operators in the State; (2) identify the procedures and standards that will be used in soliciting and approving proposals for microplastics filtering projects in the State; and (3) describe the financial incentives, if any, and any other alternative means and methods, that should or will be used by the DEP and BPU to facilitate the development and deployment of efficient and effective microplastics filtering systems and technologies throughout the State, in accordance with the strategic plan, and to promote technological innovations in the area of microplastics water filtering.

Following the submission of the microplastics filtering report, the DEP and BPU would be required to engage in an ongoing, cooperative public education and awareness campaign, consistent with the findings in the report, and take other appropriate action to inform system owners or operators and members of the public about the threats to human health and the environment that are posed by microplastics, as well as the importance of filtering microplastics from drinking water and wastewater, the filtering systems and technologies that are available on the market and have been deemed to be effective in removing microplastics from water, the goals and primary elements of the strategic plan established pursuant to the

1 bill, and the State and federal incentives that are available, if any, to  
2 facilitate the deployment and use of new or existing microplastics  
3 filtering systems and technologies in the State. The DEP and BPU  
4 would also be required to authorize, and issue permits or licenses as  
5 may be necessary to enable, the continuation of pilot projects  
6 commenced under the bill, as well as the commencement of new  
7 microplastics filtering projects by system owners or operators in the  
8 State. Finally, the DEP and BPU would be required, consistent  
9 with the recommendations contained in the report, and within the  
10 limits of funds appropriated to each agency for its purposes, to  
11 establish incentive or other programs, as necessary to incentivize,  
12 promote, or facilitate the increased use of effective and efficient  
13 new and existing microplastics filtering systems and technologies in  
14 the State.