

**ASSEMBLY, No. 5016**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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INTRODUCED JANUARY 10, 2023

**Sponsored by:**

**Assemblyman REGINALD W. ATKINS**

**District 20 (Union)**

**Assemblywoman SADAF F. JAFFER**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblyman STERLEY S. STANLEY**

**District 18 (Middlesex)**

**Co-Sponsored by:**

**Assemblymen Sampson, Mukherji, Assemblywomen Carter, Sumter and McKnight**

**SYNOPSIS**

Requires water supply system testing and compliance with secondary drinking water regulations.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning water supply quality, and supplementing  
2 P.L.1977, c.224 (C.58:12A-1 et seq.).  
3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*  
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7 1. a. A public community water system shall sample and test  
8 the water supply on a quarterly basis for compliance with secondary  
9 drinking water regulations in accordance with testing protocols  
10 established by the Department of Environmental Protection. The  
11 testing protocols, in addition to requiring sampling when the water  
12 enters the distribution system, shall require each public community  
13 water system to collect samples for testing from at least 10 percent  
14 of customer taps.

15 b. The department shall require that the owner or operator of a  
16 public community water system submit quarterly and annual test  
17 results to the department, in a format prescribed by department rule  
18 or regulation, to the governing body of each municipality within its  
19 service area, and to customers of the system.

20 c. Whenever the test results of a water supply exceed the  
21 standards established in the secondary water regulations, the  
22 department shall require, within 30 days after receipt of the test  
23 results, that the owner or operator of the public community water  
24 system formulate a compliance plan providing for the public  
25 community water system to take appropriate action, as necessary to  
26 bring the water supply into compliance with the standards, within  
27 30 days after completion of the plan, or within a more expedited  
28 timeframe, if deemed by the department to be necessary to abate a  
29 public health threat. The department may also extend the deadline  
30 for compliance, established pursuant to this subsection, if new  
31 construction is required therefor.

32 d. (1) The department shall require any public community water  
33 system that is subject to the requirements of subsection c. of this  
34 section to develop and submit, for approval, a maintenance plan for  
35 the system to ensure that the water supply continues to meet the  
36 secondary drinking water regulations after being brought into  
37 compliance with those standards, pursuant to the plan adopted  
38 pursuant to subsection c. of this section. No later than 30 days after  
39 receipt by the department of a maintenance plan, the department  
40 shall approve, disapprove, or conditionally approve the plan.

41 (2) If the department approves the maintenance plan, the public  
42 community water system shall implement the plan within 30 days  
43 after receipt of approval from the department or within another  
44 timeframe agreed to by the department. If the plan is disapproved,  
45 the department shall inform the owner or operator of the public  
46 community water system of the reasons for the disapproval, and the  
47 owner or operator shall have 30 days thereafter to submit a revised  
48 plan to the department. If the department conditionally approves

1 the maintenance plan, the owner or operator of the public  
2 community water system, shall implement the plan, subject to any  
3 modifications or additional requirements imposed by the  
4 department in association with the conditional approval, within 30  
5 days after the plan has been deemed conditionally approved.

6 (3) If, at the conclusion of the time period ending 90 days after  
7 receipt, by the department, of a completed maintenance plan, the  
8 department has not approved, conditionally approved, or  
9 disapproved the plan pursuant to this subsection, the plan shall be  
10 deemed to be approved.

11 e. The department may, pursuant to the “Administrative  
12 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules  
13 or regulations necessary to implement the provisions of this act.  
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15 2. This act shall take effect immediately.  
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18 STATEMENT  
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20 This bill would require a public community water system to  
21 sample and test the water supply on a quarterly basis for compliance  
22 with secondary drinking water regulations in accordance with  
23 testing protocols established by the Department of Environmental  
24 Protection (department). The testing protocols, in addition to  
25 requiring sampling when the water enters the distribution system,  
26 would require the public community water system to collect  
27 samples for testing from at least 10 percent of customer taps. The  
28 bill would also require that the owner or operator of a public  
29 community water system submit quarterly and annual test results to  
30 the department, to the governing body of each municipality within  
31 its service area, and to customers of the system. The bill would  
32 further require, whenever the test results of a water supply exceed  
33 the standards established in the secondary drinking water  
34 regulations, that the owner or operator of the public community  
35 water system formulate a compliance plan, within 30 days, that  
36 provides for the public community water system to take any action  
37 necessary to bring the water supply into compliance with the  
38 standard within 30 days after the plan’s completion. Finally, the  
39 bill would require that the public community water system also  
40 develop and submit, for department approval, a maintenance plan  
41 for the system to ensure that the water supply continues to meet the  
42 standards set forth in the State’s secondary drinking water  
43 regulations.