ASSEMBLY, No. 5016 STATE OF NEW JERSEY 220th LEGISLATURE

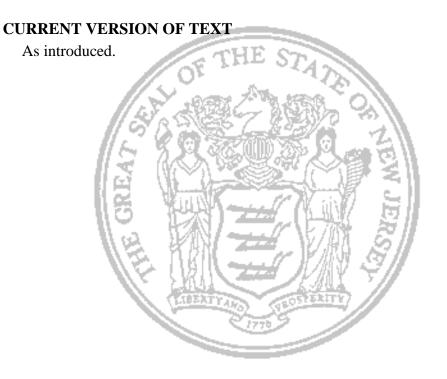
INTRODUCED JANUARY 10, 2023

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.



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: 6 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 Whenever the test results of a water supply exceed the c. 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

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.

for compliance, established pursuant to this subsection, if new

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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

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the maintenance plan, the owner or operator of the public community water system, shall implement the plan, subject to any modifications or additional requirements imposed by the department in association with the conditional approval, within 30 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.

e. The department may, pursuant to the "Administrative
Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules
or regulations necessary to implement the provisions of this act.

2. This act shall take effect immediately.

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STATEMENT

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.