

[First Reprint]

SENATE, No. 4468

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED JUNE 15, 2026

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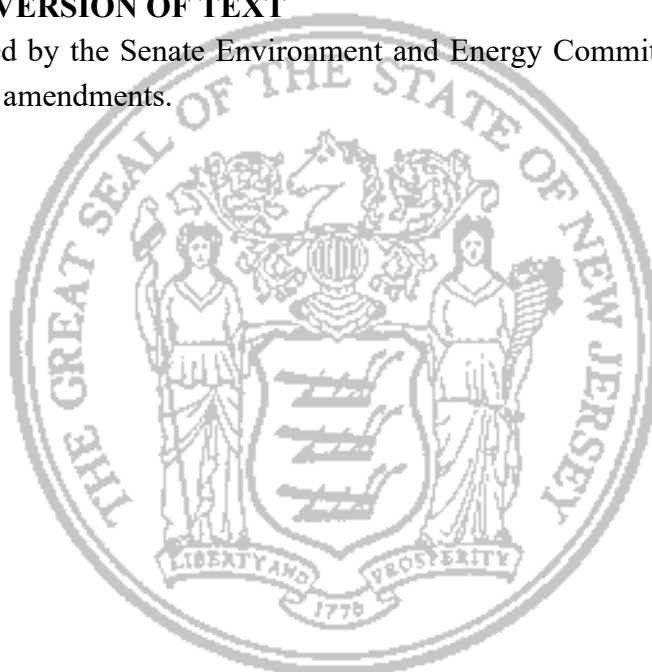
Senator Tiver

SYNOPSIS

Requires DEP to establish maximum contaminant level for certain perfluoroalkyl and polyfluoroalkyl substances in drinking water and establish private well testing program.

CURRENT VERSION OF TEXT

As reported by the Senate Environment and Energy Committee on October 8, 2026, with amendments.



(Sponsorship Updated As Of: 9/28/2026)

1 AN ACT concerning the presences of perfluoroalkyl and
 2 polyfluoroalkyl substances in drinking water and supplementing
 3 P.L.1977, c.224 (C.58:12A-1).

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

7
 8 1. As used in this act:

9 “EPA” means the United States Environmental Protection
 10 Agency.

11 “Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS”
 12 means the same as that term is defined in section 3 of P.L.2025,
 13 c.202 ¹(C.56:3-55)¹ .

14
 15 2. a. No later than ¹12 months after the effective date of this
 16 act,¹ April 26, 2029,¹ the department shall adopt drinking water
 17 standards for PFAS that are ¹consistent with ¹no less stringent
 18 than¹ the EPA’s National Primary Drinking Water Regulations
 19 promulgated under the federal “Safe Drinking Water Act,” (42
 20 U.S.C. s.300f et seq.), as in effect on January 1, 2026. The
 21 maximum contaminant levels adopted shall be as follows:

22 (1) 4.0 parts per trillion for ¹maximumperfluorooctanoic¹
 23 perfluorooctanoic¹ acid (PFOA);

24 (2) 4.0 parts per trillion for ¹perfluorooctane sulfonic¹
 25 perfluorooctanesulfonic¹ acid (PFOS);

26 (3) 10 parts per trillion for perfluorohexanesulfonic acid
 27 (PFHxS);

28 (4) 10 parts per trillion for perfluorononanoic acid (PFNA); and

29 (5) 10 parts per trillion for hexafluoropropylene oxide dimer acid
 30 (HFPO-DA).

31 b. In adopting the drinking water standards pursuant to
 32 subsection a. of this section, the department shall also establish ¹a¹
 33 hazard index ¹requirements¹ of one for the PFAS listed in
 34 subsection a. of this section and¹ for ¹any¹ other regulated PFAS
 35 compounds that are identified in EPA’s National Primary Drinking
 36 Water Regulations promulgated under the federal “Safe Drinking
 37 Water Act,” (42 U.S.C. s.300f et seq.) ¹, as in effect on January 1,
 38 2026.

39 c. In addition to the requirements of subsection a. of this section,
 40 the department may adopt a maximum contaminant level for a
 41 PFAS not listed in subsection a. of this section, a class of PFAS, or
 42 a total PFAS limit.

43 d. The department shall establish provisions concerning case-by-
 44 case variances, and monitoring and public notice requirements for

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
 not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEN committee amendments adopted October 8, 2026.

1 public community water systems, concerning the maximum
2 contaminant levels established pursuant to this section, consistent
3 with the provisions of the “Safe Drinking Water Act,” P.L.1977,
4 c.224 (C.58:12A-1 et seq.) and the rules and regulations adopted
5 pursuant thereto.

6 e. The maximum contaminant levels established pursuant to this
7 section shall be enforced even if the United States Environmental
8 Protection Agency establishes less stringent maximum contaminant
9 levels, or abolishes the federal maximum contaminant levels. In the
10 event that the United States Environmental Protection Agency
11 establishes more stringent maximum contaminant levels, the federal
12 levels shall take precedence over those established pursuant to this
13 section.

14 f. Any existing maximum contaminant levels for the PFAS listed
15 in subsection a. of this section, which are in effect on the effective
16 date of this act, shall remain in effect until the department adopts
17 the maximum contaminant levels enumerated in subsection a. of
18 this section.

19 g. The provisions of this act shall not be construed to abrogate
20 or modify the duties or authority of the Drinking Water Quality
21 Institute pursuant to section 10 of P.L.1983, c.443 (C.58:12A-20) or
22 any other law¹ .

23
24 3. a. No later than 12 months after the effective date of this act,
25 the department shall establish and implement a “Private Well
26 Testing Program” for the purpose of improving access to, and
27 providing financial assistance for, the testing of private wells for
28 PFAS in the State. ¹In implementing the program, the department
29 may collaborate with municipalities, local health departments,
30 nonprofit community-based organizations, and other appropriate
31 entities to provide outreach, education, testing coordination, and
32 assistance to private well owners.¹ In implementing the program,
33 the department shall, at a minimum:

34 (1) identify households or other buildings within the State that
35 have private wells that require testing for PFAS and offer testing for
36 PFAS of those private wells;

37 (2) provide financial assistance for the testing of private wells
38 for PFAS;

39 (3) develop educational materials concerning PFAS
40 contamination in drinking water, including effective methods to
41 remediate PFAS contamination from private wells;

42 (4) publish information related to the private well testing
43 program on the department’s Internet website; ¹**[and]**¹

44 (5) establish and maintain a database ¹, including a publicly
45 accessible interactive map,¹ that contains information on the
46 locations of private wells that were tested for PFAS and found to be
47 contaminated for PFAS ¹, private wells that were tested and found

1 to be uncontaminated, and private wells that have not been tested
2 for PFAS. The database may include data provided by nonprofit
3 organizations that conduct PFAS testing, provided that any water
4 tests were conducted by a laboratory certified by the Department of
5 Environmental Protection pursuant to subsection c. of section 4 of
6 P.L.1977, c.224 (C.58:12A-4) to test for drinking water
7 contaminants. The department shall aggregate results in the
8 publicly available database and map to preserve the privacy of
9 individual property owners and residents, but shall make address-
10 level data available to academic institutions or other entities
11 deemed appropriate by the department; and

12 (6) establish and utilize a priority system for wells to be tested,
13 using factors such as the proximity to known PFAS contamination,
14 aquifer vulnerability, and gaps in existing data¹.

15 b. No later than one year after the implementation of the private
16 well testing program pursuant to subsection a. of this section, and
17 annually thereafter, the department shall prepare and submit a
18 report to the Governor and to the Legislature, pursuant to section 2
19 of P.L.1991, c.164 (C.52:14-19.1), evaluating the effectiveness of
20 the program. ¹The report may include data provided by nonprofit
21 organizations that conduct PFAS testing, provided that any water
22 tests were conducted by a laboratory certified by the Department of
23 Environmental Protection pursuant to subsection c. of section 4 of
24 P.L.1977, c.224 (C.58:12A-4) to test for drinking water
25 contaminants. The department shall post and maintain each report
26 on its Internet website.¹ The report shall contain, at a minimum:

27 (1) the number private wells tested for PFAS during the
28 preceding year;

29 (2) the locations of the private wells tested for PFAS during the
30 preceding year;

31 (3) information related to any geographic locations where PFAS
32 contamination was found to be significantly higher than in other
33 regions of the State;

34 (4) the total amount of funds from the "Private Well Testing
35 Assistance Fund," established pursuant to section 4 of this act, used
36 to conduct testing of private wells for PFAS during the preceding
37 year;

38 (5) the total amount of funds from the "Private Well Testing
39 Assistance Fund," established pursuant to section 4 of this act, used
40 to provide remediation assistance, including the installation of
41 drinking water filtration systems, to individuals whose private wells
42 were found to be contaminated with PFAS;

43 ¹(6) information on the likely time between receiving a positive
44 PFAS test and successful treatment of the water;¹ and

45 ¹[(6)] (7)¹ any recommendations to modify the program to make
46 the program more effective.

1 ¹c. As part of the Private Well Testing Program, the department
2 shall establish, and regularly meet with, a stakeholder advisory
3 group. The group may include representatives of the New Jersey
4 Private Well Consortium, watershed organizations, and community
5 organizations. The group shall advise the department on testing
6 priorities, educational materials, annual reports, and other aspects of
7 the Private Well Testing Program.

8 d. Copies of any water test result conducted pursuant to this
9 section, which indicates the presence of PFAS in excess of a
10 maximum contaminant level shall be provided at the closing of title
11 on the sale of the property served by the well, in the same manner
12 as water test results are provided pursuant to the “Private Well
13 Testing Act,” P.L.2001, c.40 (C.58:12A-26 et seq.). Copies of any
14 water test result conducted pursuant to this section shall also be
15 provided to any lessor of a property served by the well, in the same
16 manner as provided for in section 7 of P.L.2001, c.40 (C.58:12A-
17 32).

18 e. Each water test conducted pursuant to this section shall be
19 conducted by a laboratory certified by the Department of
20 Environmental Protection pursuant to subsection c. of section 4 of
21 P.L.1977, c.224 (C.58:12A-4) to test for drinking water
22 contaminants.¹

23
24 4. a. The “Private Well Testing Assistance Fund,” hereinafter
25 referred to as the “fund,” is hereby established as a nonlapsing,
26 revolving fund in the department. Monies in the fund shall be
27 invested in permitted investments or shall be held in interest-
28 bearing accounts in those depositories as the State Treasurer may
29 select, and may be invested and reinvested in permitted investments
30 or as other trust funds in the custody of the State Treasurer in the
31 manner provided by law.

32 b. Monies in the fund shall be used only to implement the
33 “Private Well Testing Program,” established pursuant to section 3
34 of this act, including the following purposes:

35 (1) to improve access to, and provide financial assistance for,
36 testing of private wells for PFAS in the State; ¹~~and~~¹

37 (2) subject to the availability of funding, to provide remediation
38 assistance to individuals whose private wells were found to ¹~~be~~
39 ~~contaminated with~~ have¹ PFAS ¹concentrations in excess of a
40 maximum contaminant level¹, including the installation ¹and
41 maintenance¹ of drinking water filtration systems ¹, filter
42 replacements, and follow-up testing. The department shall give
43 priority to individuals in low-income households; and

44 (3) to provide grants to nonprofit organizations, watershed
45 associations, and county and local health agencies to fund private
46 well testing activities¹.

- 1 c. The fund shall be administered by the department and ¹**【may】**
2 shall¹ be credited with ¹at least three percent of all¹ monies
3 received by the State from any settlement or judgment between the
4 department and ¹**【the 3M Company, or any other company,】** any
5 party¹ concerning PFAS contamination ¹in 2026 and thereafter¹ .
6 d. The Legislature shall annually appropriate monies to the fund
7 in the annual appropriations act to ensure that the department has
8 the funding necessary to effectuate the purposes of subsection b. of
9 this section.
10
11 5. The department shall adopt, pursuant to the “Administrative
12 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), rules and
13 regulations as necessary to effectuate the purposes of this act.
14
15 6. This act shall take effect immediately.