SENATE, No. 968

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

Sponsored by:
Senator TROY SINGLETON
District 7 (Burlington)
Senator JOSEPH A. LAGANA
District 38 (Bergen and Passaic)

Co-Sponsored by:
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SYNOPSIS
Requires public water systems to provide notice of elevated lead levels in drinking water to customers and local officials; requires landlords to notify tenants of elevated lead levels.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning the notification of lead in drinking water and
supplementing P.L.1977, c.224 (C.58:12A-1 et seq.);

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

1. As used in P.L. , c. (C. ) (pending before the
Legislature as this bill):
"Landlord" means the same as that term is defined in section 2 of
"Lead action level" means the standard for lead in drinking water
established by the United States Environmental Protection Agency,
or a more stringent standard adopted by the department pursuant to
seq.).
"Local health agency" means the same as that term is defined in
section 3 of P.L.1975, c.329 (C.26:3A2-3).

2. a. A public water system that exceeds the lead action level
shall provide a written notice, by regular mail, to all customers
served by the public water system, all schools and daycare centers
served by the public water system, all local health agencies in the
public water system's service area, and the chief executive of each
municipality in the public water system's service area. The written
notice shall be sent no later than 10 calendar days after the end of
the monitoring period during which the exceedance is discovered.
The written notice shall:
(1) clearly state that the public water system is in exceedance of
the lead action level;
(2) explain what the lead action level is and the measurement
process that the public water system is required to perform to
monitor drinking water for lead;
(3) provide additional information on the possible sources of
lead in drinking water, the health effects of drinking water with
elevated levels of lead, and measures a customer can take to reduce
or eliminate lead in drinking water; and
(4) state, in easily legible type, the responsibility of a landlord
to distribute the written notice to every tenant pursuant to section 3
of P.L. , c. (C. ) (pending before the Legislature as this
bill).

b. The notice required pursuant to this section shall be in
addition to any notice requirements under federal law.

3. a. When a landlord receives any notice or health and safety
information from a public water system concerning the presence of
lead in drinking water, including but not limited to the written
notice submitted pursuant to section 2 of P.L. , c. (C. )
(pending before the Legislature as this bill), the landlord shall:
(1) distribute the notice or information, within five calendar
days of receipt, to every tenant who has entered into a lease
agreement with the landlord and whose dwelling unit is served by
the public water system; and

(2) post the notice or information, within five calendar days of
receipt, in a prominent location at the entrance of each rental
premises that is owned by the landlord and served by the public
water system.

b. When a public water system provides any notice or
information to its customers concerning the presence of lead in
drinking water, the public water system shall include a statement,
printed in easily legible type, explaining the requirements set forth
in subsection a. of this section.

4. This act shall take effect immediately.

STATEMENT

This bill would supplement the "Safe Drinking Water Act,"
P.L.1977, c.224 (C.58:12A-1 et seq.) to require public water
systems to provide their customers, local health agencies, and
municipal governments with expedited written notice by mail of
elevated lead levels. The bill also requires landlords to notify
tenants of elevated lead levels in drinking water.

The federal "Lead and Copper Rule" requires public water
systems to periodically sample their water supplies to check the
amount of lead present. If the concentration of lead in more than 10
percent of tap water samples collected during any monitoring period
is greater than 15 parts per billion, the public water system is said to
exceed the lead action level, and federal regulations require the
public water system to take various actions. Among other things,
the regulations require the public water system to deliver public
education materials to its customers within 60 days after the end of
the monitoring period.

In New Jersey, the Department of Environmental Protection
enforces the federal drinking water regulations pursuant to the "Safe
Drinking Water Act." This bill would supplement the existing
notice requirements by requiring the public water system to send
out an expedited notice no later than 10 calendar days after the end
of the monitoring period in which the public water system exceeds
the lead action level. This notice would be provided to all
customers serviced by the public water system, including schools
and daycare centers, and all local health agencies and municipalities
located within the system’s service area.

Under the bill, this written notice would: (1) clearly state that the
public water system is in exceedance of the lead action level; (2)
explain what the lead action level is and the measurement process
that the public water system is required to perform to monitor
drinking water for lead; (3) provide additional information on the
possible sources of lead in drinking water, the health effects of lead
in drinking water, and measures a customer can take to reduce or
eliminate lead in drinking water; and (4) state the responsibility of a
landlord to distribute the notice to all tenants served by the public
water system.

Additionally, the bill requires landlords to provide all tenants
with any notice or information received from a public water system
concerning the presence of lead in drinking water. Specifically, the
bill requires the landlord to: (1) distribute the notice or information
to every tenant who has entered into a lease agreement with the
landlord and whose dwelling unit is served by the public water
system; and (2) post the notice or information in a prominent
location at the entrance of each rental premises that is owned by the
landlord and served by the public water system. The bill also
requires a public water system to include a statement explaining
these requirements in any notice or information provided to its
customers concerning the presence of lead in drinking water.