

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 968

STATE OF NEW JERSEY

DATED: JANUARY 27, 2020

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 968.

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

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 is greater than 15 parts per billion in more than 10 percent of tap water samples collected during any monitoring period, 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 supplements the existing notice requirements by requiring the public water system to send 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 the lead action level 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 tenants served by the public water system.

Additionally, the bill requires landlords to provide 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.