

P.L. 2021, CHAPTER 183, *approved July 22, 2021*
Assembly, No. 5343 (*Second Reprint*)

1 AN ACT concerning the replacement of lead service lines and
2 supplementing Title 58 of the Revised Statutes.

3

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

6

7 1. The Legislature finds that the presence of lead in drinking
8 water represents a threat to the public health, especially the health
9 and development of New Jersey’s children; that pipes containing
10 lead that connect water mains to homes and other buildings, often
11 called lead service lines, are a primary source of lead in drinking
12 water; and that, due in part to the age of New Jersey’s housing,
13 there does not exist a full and complete inventory of all lead service
14 lines in the State.

15 The Legislature therefore declares that public water systems
16 should fully inventory all service lines and gradually replace all
17 lead services lines, portions of which may exist on private property;
18 and that, given the risk to public health and the resulting social
19 costs that lead exposure imposes upon society as a whole, it is in the
20 public interest that each public water system be obligated to replace
21 lead service lines, including those that exist on private property, and
22 be authorized to recoup the costs of lead service line replacements
23 from all subscribers of the public water system.

24

25 2. As used in this act:

26 “Board” means the Board of Public Utilities or any successor
27 agency.

28 ¹“Customer” means a property owner or lessee who receives, and
29 is required to pay, a water utility bill for water being supplied to the
30 property.

31 “Distributed System Improvement Charge” means a surcharge
32 that is imposed by an investor-owned public community water
33 system on its customers, with the approval of the board, to enable
34 the system to recoup the costs of non-revenue producing
35 infrastructure improvements outside the context of a base rate case.¹

36 “Gooseneck, pigtail, or connector” means the short section of
37 flexible piping, usually one to two feet long, which is used to
38 connect rigid sections of service line piping.

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:

¹Assembly ANR committee amendments adopted March 15, 2021.

²Senate SBA committee amendments adopted June 17, 2021.

1 “Government-owned public community water system” means a
2 public community water system established, pursuant to law, by a
3 political subdivision of this State or an agency or instrumentality of
4 one or more thereof.¹

5 “Investor-owned public ¹community¹ water system” means a
6 public ¹community¹ water system that is a public utility, as defined
7 in R.S.48:2-13, and which is subject to the jurisdiction of the board
8 pursuant to Title 48 of the Revised Statutes.

9 “Lead service line” means a ¹[service line] water supply
10 connection¹ that is made of, or lined with, ¹[materials containing] a
11 material consisting of¹ lead¹, and which connects a water main to a
12 building inlet¹. ¹["Lead service line" shall include a] A¹ lead
13 pigtail, lead¹ gooseneck, ¹[pigtail,]¹ or ¹[connector] other lead
14 fitting shall be considered to be a lead service line¹, regardless of
15 the composition of the ¹[rigid sections of]¹ service line¹ or other
16 portions of¹ piping to which¹ [they are] such piece is¹ attached.
17 ¹["Lead service line" shall also include a] A galvanized¹ service
18 line¹ [composed of galvanized steel] shall be considered to be a
19 lead service line. A lead service line may be owned by the public
20 community water system, a property owner, or both¹.

21 ¹“Non-paying consumer” means the lessee or primary occupant
22 of institutional, commercial, or residential space in a system’s
23 service area, who does not receive, and is not required to pay, a
24 water utility bill for water supplied to the property.

25 “Off-site owner” means the owner of residential, commercial, or
26 institutional property located within the service area of a public
27 community water system, who resides at another property, outside
28 the service area, and who does not receive, and is not required to
29 pay, a water utility bill for water being supplied to the owner’s
30 property in the service area.¹

31 “Partial replacement” means the act of replacing any service line
32 component without replacing the entire service line.

33 ¹“Property owner” means the owner of residential, commercial,
34 or educational institution property located within the service area of
35 a public community water system.¹

36 “Property¹-¹owner side” means the portion of a service line ¹that
37 is¹ owned by a property owner.

38 “Public ¹community¹ water system” ¹or “system”¹ means a
39 ¹public water¹ system ¹[for the provision to the public of water for
40 human consumption through pipes or other constructed
41 conveyances, if the system] or the owner of a public water system,
42 as that term is defined by section 3 of P.L.1977, c.224 (C.58:12A-
43 3), which system either:¹ has at least 15 service connections¹ that
44 are used by year-round residents;¹ or regularly serves ¹[an average
45 of]¹ at least 25 ¹[individuals daily at least 60 days out of the year]

1 year-round residents¹. "Public community¹ water system" ¹**【shall**
 2 include: (1) any collection, treatment, storage and distribution
 3 facilities under control of the operator of the system and used
 4 primarily in connection with the system; and (2) any collection or
 5 pre-treatment storage facilities not under control of the operator
 6 which are used primarily in connection with the system. "Public
 7 water system" shall also include the operator of the system. "Public
 8 water system" shall not include transient, non-community systems**】**
 9 includes an investor-owned public community water system¹.

10 ¹**【**"Public water system side" means the portion of a service line
 11 owned by a public water system.**】**¹

12 "Service line" means any piping, tubing, and fittings connecting
 13 a water main to a building that serves a customer of a public water
 14 system. "Service line" ¹**【shall include】** includes¹ the property¹_
 15 ¹owner side and the ¹**【public water】**¹ system side of a service line.

16 ¹"System side" means the portion of a service line that is owned
 17 by a public community water system.¹

18

19 3. a. Each public community¹ water system in the State shall
 20 develop a service line inventory^{1,1} in accordance with the
 21 requirements of this section, in order to determine the existence or
 22 absence of a lead service line at each service connection in its
 23 service area. The service line inventory shall include information
 24 about service line locations and the composition of service lines at
 25 each location. The department may prescribe data management
 26 means and methods to provide for the receipt of uniform
 27 submissions of the service line inventory by public community¹
 28 water systems.

29 b. No later than ¹**【30】** 60¹ days after the effective date of this
 30 act, a public community¹ water system shall compile and submit^{1,1}
 31 to the department^{1,1} an initial count ¹**【of】** showing¹ the number of
 32 lead service lines and the number of service lines of unknown
 33 composition that are known to be present in the system's¹ service
 34 area ¹**【of the public water system】**, as well as the number of lead
 35 service lines that are to be replaced annually, based on the
 36 replacement rate established pursuant to paragraph (1) of subsection
 37 b. of section 5 of this act¹ .

38 c. No later than six months after the effective date of this act, a
 39 public community¹ water system shall submit to the department an
 40 initial service line inventory. The inventory shall include:

- 41 (1) the locations of ¹all¹ identified lead service lines;
 42 (2) an indication ¹**【of】** as to¹ whether ¹**【the】** each¹ identified
 43 lead service ¹**【lines are】** line is¹ completely composed of lead or
 44 otherwise ¹**【meet】** meets¹ the definition of ¹a¹ lead service line;

- 1 (3) the **1[locations]** location¹ of each¹ service **1[lines]** line that
2 is¹ suspected to be lead;
- 3 (4) for each identified and suspected lead service line, an
4 indication as to¹ whether the line is owned by the public
5 community¹ water system, the¹ property owner, or both;
- 6 (5) the locations and compositions of all¹ non-lead service
7 lines; and
- 8 (6) a separate **1[category]** list¹ identifying all service lines of
9 unknown composition.
- 10 **1[d.]** The public community¹ water system shall use historical
11 building records and other available information, including data
12 from the American Water Works Association or other industry
13 research groups, to determine the likelihood of the presence of lead
14 service lines in all portions of its service area¹, as provided by this
15 section¹.
- 16 **1[After]** e. Following¹ the submission of the initial service line
17 inventory pursuant to subsection c. of this section¹, each public
18 community¹ water system in the State shall continue the inventory
19 process and utilize every reasonable method available to locate all
20 lead service lines within its service area. This process shall include,
21 but shall not be limited to **1[,]**:
- 22 (1)¹ visual inspection during planned maintenance, meter
23 replacement, and main replacement projects **1[,]**¹ and
24 (2) the solicitation and receipt of comments, complaints, and
25 other¹ input **1[that the public water system requests]**¹ from **1[its]**¹
26 customers and non-paying consumers in the service area¹.
- 27 **1[d.] f. (1)**¹ No later than one year after the effective date of
28 this act, a public community¹ water system shall submit^{1,1} to the
29 department^{1,1} an updated inventory of service lines in¹ its service
30 **1[territory that meets the requirements of]** area. The updated
31 inventory shall contain the information required by¹ subsection c. of
32 this section¹**1[.** The updated inventory shall also contain the
33 following information**1[, and shall additionally include**¹:
- 34 **1[(1)] (a)** for each service line suspected of containing lead,¹
35 supporting information detailing the **1[reasoning behind the**
36 **identification of]** the reasons why¹ each such¹ service line
37 **1[identified as being suspected of containing]** is believed to
38 contain¹ lead; and
- 39 **1[(2)] (b)**¹ for each service line identified as being of unknown
40 composition, a description detailing the steps undertaken to
41 determine **1[if]** whether¹ the line contains lead.
- 42 (2)¹ The public community¹ water system shall keep the
43 department informed of its progress pursuant to this subsection
44 **1[and shall continue to adhere]**, through the annual reports

1 submitted pursuant¹ to the provisions of section 7 of this act. If a
 2 public community¹ water system exhausts all other methods of
 3 identifying a service line, including the use of new technologies that
 4 become available, the department may require excavation^{1,1} as
 5 necessary, to identify the service line.

6 ~~1[e.] g.~~¹ Beginning two years after the effective date of this act,
 7 and until such time as all lead service lines have been replaced in
 8 accordance with this act,¹ a public community¹ water system shall
 9 annually submit to the department:

10 (1) an updated service line inventory that meets the
 11 requirements of ~~1[subsections c. and d.] subsection f.~~¹ of this
 12 section; and

13 (2) a ~~1[certification]~~ statement certifying¹ that the public
 14 community¹ water system is in compliance with the provisions of
 15 this act.

16 ~~1[f.] h.~~¹ A public community¹ water system shall provide its
 17 most recent service line inventory, upon request and at no cost, to
 18 appropriate State officials or to the local government officials of a
 19 municipality served by the public community¹ water system. A
 20 public community¹ water system ~~1[that serves more than 3,300~~
 21 ~~customers]~~ shall make its most recent service line inventory
 22 available on its Internet website. For public community water
 23 systems serving fewer than 3,300 customers, whenever an Internet
 24 website is not available, the public community water system shall
 25 make its most recent service line inventory available in another
 26 publicly accessible location.¹

27
 28 4. a. No later than 30 days after submitting an initial service
 29 line inventory to the department pursuant to subsection c. of section
 30 3 of this act, and periodically thereafter as the department may
 31 require, a public community¹ water system shall send, to each
 32 ~~1[property owner and]~~¹ customer and non-paying consumer¹
 33 served by a lead service line ~~1[or service line of unknown~~
 34 ~~composition]~~ in the service area, and to any off-site owner of
 35 property served by a lead service line in the service area¹, written
 36 notice of the composition of the service line. ~~1[The public water~~
 37 ~~system shall determine if a landlord-tenant relationship exists at the~~
 38 ~~premises being notified. The public water system shall determine~~
 39 ~~the names and addresses of each tenant, in order to provide the~~
 40 ~~notice, by methods that shall include, but not be limited to, mailings~~
 41 ~~to landlords requesting a list of tenants. The utility shall provide~~
 42 ~~copies of the notice to each head of household tenant. The]~~

43 b. A¹ notice provided pursuant to this section¹ shall ¹:

44 (1)¹ be sent^{1,1} by certified mail, ~~1[in a separate mailing]~~ to each
 45 residential, commercial, or institutional address affected by the
 46 known lead service line and addressed to the primary resident or

1 commercial or institutional occupant thereof, as appropriate. Notice
2 shall be sent to all affected addresses, as provided in this paragraph,
3 regardless of whether the resident or occupant is a system customer
4 or is a non-paying consumer;

5 (2) be sent, by certified mail, to each off-site owner of property
6 affected by the known lead service line and addressed to the
7 property owner's last known address, as determined through the
8 review of local property tax and other available records;

9 (3) be included in a mailing that is separate and distinct¹ from
10 '[the] the water¹ bill¹ that is issued for the property¹. The '[notice
11 shall be in a form and manner as determined by the department, and
12 shall] notice shall contain large, easily readable text and be
13 presented on distinctly colored paper or other paper that is easily
14 distinguishable from the water billing statement; and

15 (4)¹ include, '[but not be limited to: information about] at a
16 minimum: (a) a list of the lead service lines that are being used to
17 serve the customer or non-paying consumer; (b) information
18 describing¹ the sources of lead in drinking water, including lead
19 service lines and household plumbing; (c) a description of¹ the
20 health effects of lead exposure; and (d) the¹ steps¹ that system¹
21 customers¹ and non-paying consumers in the service area¹ can take
22 to reduce their exposure to lead in drinking water.

23 '[In the case] c. If the recipient of notice provided pursuant to
24 this section is the owner or operator¹ of '[a] an apartment building,
25 group home, or other¹ multi-family¹ or multi-unit¹ dwelling, '[until
26 the lead service line has been replaced or identified as a non-lead
27 service line, the landlord] such owner or operator shall provide a
28 hard copy of the notice to each existing resident of the multi-family
29 or multi-unit dwelling and¹ shall¹ additionally¹ post¹ a copy of¹ the
30 notice in a conspicuous location in a common area of the dwelling.
31 The '[landlord] owner or operator¹ shall also inform each new
32 '[tenant of] resident of the multi-family or multi-unit dwelling,
33 prior to their residence, about¹ the existence of the lead service line
34 '[or service line of unknown composition],¹ and shall¹ provide
35 each new '[tenant] resident¹ with a hard¹ copy of the notice
36 received pursuant to this section, upon the commencement of their
37 residence. A notice posted in a common area of a multi-family or
38 multi-unit dwelling, pursuant to this subsection, may be removed
39 only after all of the lead service lines identified in the notice have
40 been replaced and determined to be non-lead service lines¹.

41 '[b.] d.¹ If a public community¹ water system serves a
42 municipality in which the primary language of 10 percent or more
43 of the residents is a language other than English, the public
44 community¹ water system shall provide the notice required
45 pursuant to subsection a. of this section in both English and the

1 other language ¹to the applicable property owners and customers
2 in that municipality] spoken by residents¹.

3
4 5. a. No later than 12 months after the effective date of this
5 act, each public ¹community¹ water system shall submit^{1,1} to the
6 department^{1,1} an initial plan for replacing all lead service lines
7 within its service area. The plan shall be ¹annually¹ updated
8 ¹annually and made] to be¹ consistent with the annual updates to
9 the ¹public water¹ system's service line inventory¹, which are¹
10 required pursuant to section 3 of this act, ¹and shall remain in
11 effect¹ until all lead services lines within the ¹public water¹
12 system's service area have been ¹identified and¹ replaced.

13 b. Each lead service line replacement plan and annual update
14 thereto shall¹:

15 (1)¹ provide for the ¹average¹ annual replacement of at least
16 ¹seven] 10¹ percent of all lead service lines ¹that were known to,
17 and¹ identified by^{1,1} the public ¹community¹ water system on the
18 date it ¹submits] submitted¹ its initial ¹service line replacement¹
19 plan to the department ¹. In addition, each plan and update thereto
20 shall], pursuant to subsection a. of this section;

21 (2)¹ provide for the replacement of all lead service lines within
22 the ¹system's¹ service area ¹of the public water system],¹ no later
23 than ¹20] 10¹ years after the effective date of this act, regardless
24 of whether the lines ¹are] were¹ known or unknown ¹on the date]
25 to¹ the public ¹community¹ water system ¹submits] on the date
26 that it submitted¹ its initial plan to the department ¹. The
27 department may require additional] pursuant to subsection a. of this
28 section. Each public community water system in the State shall be
29 encouraged to complete the replacement of all lead service lines in
30 its service area within 10 years after the effective date of this act, as
31 provided in the system's lead service line replacement plan;
32 however, notwithstanding the provisions of this paragraph to the
33 contrary, the public community water system shall be authorized to
34 continue lead service line replacement activities for a maximum
35 period of 15 years if necessary to enable the system to fully comply
36 with the provisions of this act; ²and]²

37 (3) include ²a plan for notifying consumers of health effects and
38 steps they may take to reduce their exposure to lead before and after
39 any lead service line replacement; and

40 (4) include² any other¹ information¹, as it deems appropriate, to
41 be included in each lead service line replacement plan and annual
42 update thereto] or certifications required by the department¹.

43 c. ¹A] (1) Except during an emergency, such as a water
44 main or service line break, ²or during a water main replacement,² a¹
45 public ¹community¹ water system shall not¹, except during

1 emergencies such as a water main or service line break,¹ conduct a
2 partial replacement of a lead service line ²[" and] . In all instances,
3 the public community water system² ¹["the public water system"]¹
4 shall make a good faith effort to replace the entire lead service line
5 and shall conduct a partial replacement only as a last resort² . A
6 partial replacement of a lead service line shall not count toward the
7 public ¹community¹ water system's replacement requirements
8 pursuant to subsection b. of this section.

9 ¹(2) A public community water system shall not
10 ²["permanently"]² suspend the water service of a customer ²["who
11 denies"] solely because of a denial of² access to the property owner-
12 side of a lead service line ²["during an attempt to replace"] for the
13 replacement of² a lead service line pursuant to this act.¹

14 d. ¹(1)¹ A public ¹community¹ water system may apply for,
15 and the department may approve, a reasonable extension of any
16 target or deadline set forth in this section ¹[" , provided that] ¹if¹ the
17 public ¹community¹ water system demonstrates to the department
18 that the extension is necessary to meet a service reliability demand
19 or public health need, not related to lead abatement, within the
20 system.

21 ¹["e. In the event of fiscal distress, a municipally owned] (2) A
22 government entity that owns a¹ public ¹community¹ water system
23 may apply for^{1,1} and the department, in consultation with Division
24 of Local Government Services in the Department of Community
25 Affairs, may approve^{1,1} a reasonable extension of any target or
26 deadline set forth in this section ¹if the government-owned system
27 demonstrates to the department that the extension is necessary
28 because the system or the municipality is experiencing financial
29 distress.

30 e. Notwithstanding the provisions of R.S.40:56-1 to the
31 contrary, any costs incurred by a government-owned public
32 community water system to assess or replace a lead service line
33 pursuant to this act, excluding any portion funded by grants or other
34 subsidies, may be borne by all of the customers of the government-
35 owned public water system or may be assessed to a property of a
36 property owner in the same manner as provided for the assessment
37 of local improvements, pursuant to R.S.40:56-1 et seq., upon notice
38 to the Director of the Division of Local Government Services in the
39 Department of Community Affairs¹.

40
41 6. a. ¹["An investor-owned public water system may recoup the
42 costs of lead service line replacements from its customers, subject
43 to the provisions of this section. A proposal to recoup the costs of
44 lead service line replacements shall be considered in the context of
45 the investor-owned public water system's next general rate case
46 proceeding, initiated after the effective date of this act, during

1 which the board shall consider the rate impacts of the proposed lead
 2 service line replacement plan prior to approving the proposal.]
 3 ²[(1)]² Notwithstanding the provisions of any law, rule, regulation,
 4 or order to the contrary, 100 percent of the costs associated with
 5 undertaking and funding the replacement of lead service lines
 6 pursuant to this act, excluding any portion funded by grants or other
 7 subsidies, shall be borne by all of the customers, in the State, of an
 8 investor-owned public community water system and shall be
 9 included in the investor-owned public community water system's
 10 rate base or otherwise be recoverable from the system's customers,
 11 in a manner determined by the board. In making a determination
 12 under this subsection, the board shall stipulate that:

13 ²[(a)] (1)² the proportionate share of project costs for the
 14 replacement of the system side of a lead service line may be
 15 incorporated into the rate base as capital assets of the investor-
 16 owned public community water system or may be recovered
 17 through the use of a Distributed System Improvement Charge ²[or
 18 alternate recoupment methodology approved by the board] as
 19 allowed under existing law² ; and

20 ²[(b)] (2)² the proportionate share of project costs for the
 21 replacement of the property-owner side of a lead service line ²,
 22 including the investor-owned public community water system's
 23 embedded cost of debt, as authorized in its most recent base rate
 24 case,² shall be treated as an operation and maintenance cost, with
 25 no ²[profit] cost of equity² additive ²[, because the property-owner
 26 side is, by definition, not a capital asset of the investor-owned
 27 public community water system.] . Costs for the replacement of
 28 property-owner side lead service lines incurred since the investor-
 29 owned public community water system's last base rate case and
 30 incurred until all property-owner side lead service lines have been
 31 eliminated from the investor-owned public community water system
 32 shall be recoverable on a semi-annual basis through a separate lead
 33 service line expense surcharge and not imbedded into base rates.²

34 ²[(2) Nothing in this section shall be construed to allow an
 35 investor-owned public community water system to earn a return, in
 36 rates, on any costs associated with property that is not used and
 37 useful investor-owned public community water system property.]²

38 b.¹ In order to recoup the costs of lead service line replacements
 39 from its customers, ¹as provided by subsection a. of this section,¹ an
 40 investor-owned public ¹community¹ water system shall submit
 41 ¹[the] to the board, for approval at its next general rate case
 42 proceeding, a petition that includes a¹ proposal ¹[within a petition
 43 to the board that addresses] for cost recoupment. The proposal
 44 shall contain¹ the following ¹information¹:

45 (1) the estimated total cost to replace both the property¹-¹owner
 46 ¹[sides] side¹ and ¹[public water] the¹ system ¹[sides] side¹ of all

1 lead service lines that lie within, or are connected to, the
2 **investor-owned public water** system's service area, including,
3 but not limited to, the estimated total cost to evaluate service lines
4 of unknown composition and to replace both the property-owner
5 side and system side of any such lines that are determined to be lead
6 service lines, and an estimated range for the annual cost to be
7 incurred by the system under the system's current lead service line
8 replacement plan;

9 (2) **a** quantification of the shareholder contribution to be made
10 in order to meet the requirements of this act;

11 (3) **the** availability of grants or low interest loans and whether
12 the investor-owned public community water system plans to use
13 available grants or low interest loans to help the system finance or
14 reduce lead service line replacement costs, including a detailed
15 description of any efforts made by the system to secure such
16 financing;

17 **(4)** (3) **the** investor-owned public community water
18 system's proposed rate treatment of the replacement costs,
19 including:

20 (a) any proposed deferred accounting treatment of the costs;

21 (b) the proposed rate base treatment of the costs, and whether
22 and how the system is planning to effectuate system side cost
23 recoupment through the use of a Distributed System Improvement
24 Charge or alternate recoupment methodology approved by the
25 board;

26 (c) the proposed operations and maintenance expense treatment
27 of the costs; and

28 (d) the average monthly residential bill impact of the proposed
29 rate treatment of the costs;

30 **(5)** (4) a description of how the replacement of lead service
31 lines will be accomplished in conjunction with other replacement
32 projects in the **investor-owned public water** system's service
33 area;

34 **(6)** (5) the estimated savings, per lead service line, that
35 will be achieved by requiring the investor-owned public
36 community water system **replacing,** and not the property
37 owner, to replace the property-owner sides of lead service lines
38 **instead of the property owner** in the service area; and

39 **(7)** (6) the **investor-owned public water system's** proposal
40 **means and methods that will be used by the system to**:

41 (a) **communicating the system's** inform all system customers
42 and non-paying consumers in the system's service area about the
43 system's lead service line replacement plan **to replace a lead**
44 **service line to a property owner and customer**; and

1 (b) ~~1~~ **1** ~~documenting a property owner's or~~ document each
2 customer's consent^{1,1} or lack of consent^{1,1} to the replacement of a
3 lead service line.

4 ~~1~~ **1** ~~b.~~ c. Before an investor-owned public community¹ water
5 system may be authorized by the board to¹ recoup the costs of lead
6 service line replacements from its customers^{1,1} pursuant to
7 ~~1~~ **1** ~~subsection a. of~~ this section, the board shall ensure that the
8 department has ~~1~~ **1** ~~approved~~ received¹ the ~~1~~ **1** ~~investor-owned public~~
9 ~~water~~¹ system's ~~1~~ **1** ~~plan for the replacement of the lead service lines~~
10 ~~required pursuant to section 5 of this act~~ inventory, as required by
11 section 3 of this act¹.

12
13 7. No later than December 31 of each year, a public
14 community¹ water system shall submit to the department, in a form
15 and manner to be determined by the department, a report detailing
16 the public community¹ water system's progress in replacing lead
17 service lines pursuant to this act. A public community¹ water
18 system ~~1~~ **1** ~~that serves more than 3,300 customers~~¹ shall make its
19 report available on its Internet website. If an Internet website is
20 not available, the public community water system shall make its
21 report available in another publicly accessible location.¹ If the
22 department determines, based on the information provided by the
23 public community¹ water system pursuant to this section¹, that the
24 ~~1~~ **1** ~~public water~~¹ system has completed the replacement of all lead
25 service lines within the ~~1~~ **1** ~~public water~~¹ system's service area, the
26 ~~1~~ **1** ~~public water~~¹ system shall no longer be required to submit a
27 report pursuant to this section.

28
29 8. a. The Department of Environmental Protection may adopt,
30 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
31 (C.52:14B-1 et seq.), any rules and regulations necessary to
32 implement the provisions of this act.

33 b. The Board of Public Utilities may adopt, pursuant to the
34 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
35 1 et seq.), any rules and regulations necessary to implement the
36 provisions of this act.

37 1 c. The Department of Environmental Protection and the Board
38 of Public Utilities shall consult with one another and with the
39 Division of Local Government Services in the Department of
40 Community Affairs when adopting rules and regulations pursuant to
41 this section.¹

42
43 9. This act shall take effect immediately.
44
45
46

A5343 [2R]

12

- 1 Requires public community water systems to inventory and
- 2 replace lead service lines within 10 years; provides for recoupment
- 3 of costs by investor-owned public water systems.