

[First Reprint]

SENATE, No. 3398

STATE OF NEW JERSEY
219th LEGISLATURE

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District 11 (Monmouth)

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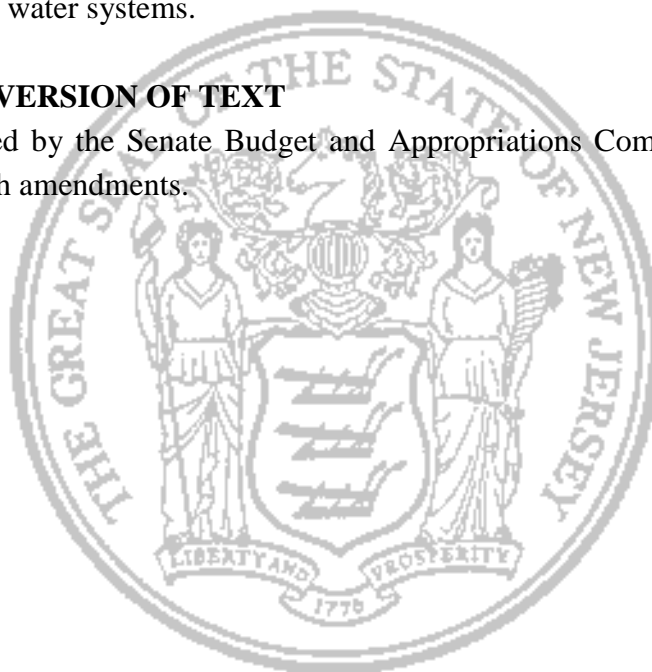
Senators Lagana, Pou, Ruiz and Turner

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 17, 2021, with amendments.



(Sponsorship Updated As Of: 4/26/2021)

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 that
 32 is imposed by an investor-owned public community water system on
 33 its customers, with the approval of the board, to enable the system to
 34 recoup the costs of non-revenue producing infrastructure
 35 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 connect
 38 rigid sections of service line piping.

39 ¹"Government-owned public community water system" means a
 40 public community water system established, pursuant to law, by a
 41 political subdivision of this State or an agency or instrumentality of
 42 one or more thereof.¹

43 "Investor-owned public ¹community¹ water system" means a
 44 public ¹community¹ water system that is a public utility, as defined in

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 SBA committee amendments adopted June 17, 2021.

1 R.S.48:2-13, and which is subject to the jurisdiction of the board
2 pursuant to Title 48 of the Revised Statutes.

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

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

19 “Off-site owner” means the owner of residential, commercial, or
20 institutional property located within the service area of a public
21 community water system, who resides at another property, outside the
22 service area, and who does not receive, and is not required to pay, a
23 water utility bill for water being supplied to the owner’s property in
24 the service area.¹

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

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

30 “Property¹ – owner side” means the portion of a service line ¹“that
31 is”¹ owned by a property owner.

32 “Public ¹“community”¹ water system” ¹“or “system””¹ means a
33 ¹“public water”¹ system ¹“for the provision to the public of water for
34 human consumption through pipes or other constructed conveyances,
35 if the system”¹ or the owner of a public water system, as that term is
36 defined by section 3 of P.L.1977, c.224 (C.58:12A-3), which system
37 either:¹ has at least 15 service connections ¹“that are used by year-
38 round residents;”¹ or regularly serves ¹“an average of”¹ at least 25
39 ¹“individuals daily at least 60 days out of the year”¹ year-round
40 residents¹. “Public ¹“community”¹ water system” ¹“shall include: (1)
41 any collection, treatment, storage and distribution facilities under
42 control of the operator of the system and used primarily in connection
43 with the system; and (2) any collection or pre-treatment storage
44 facilities not under control of the operator which are used primarily in
45 connection with the system. “Public water system” shall also include
46 the operator of the system. “Public water system” shall not include

1 transient, non-community systems] includes an investor-owned public
 2 community water system¹.

3 ¹["Public water system side" means the portion of a service line
 4 owned by a public water system.]¹

5 "Service line" means any piping, tubing, and fittings connecting a
 6 water main to a building that serves a customer of a public water
 7 system. "Service line" ¹[shall include] includes¹ the property¹ - ¹owner
 8 side and the ¹[public water]¹ system side of a service line.

9 ¹"System side" means the portion of a service line that is owned by
 10 a public community water system.¹
 11

12 3. a. Each public ¹community¹ water system in the State shall
 13 develop a service line inventory¹,¹ in accordance with the
 14 requirements of this section, in order to determine the existence or
 15 absence of a lead service line at each service connection in its service
 16 area. The service line inventory shall include information about
 17 service line locations and the composition of service lines at each
 18 location. The department may prescribe data management means and
 19 methods to provide for the receipt of uniform submissions of the
 20 service line inventory by public ¹community¹ water systems.

21 b. No later than ¹[30] 60¹ days after the effective date of this act,
 22 a public ¹community¹ water system shall compile and submit¹,¹ to the
 23 department¹,¹ an initial count ¹[of] showing¹ the number of lead
 24 service lines and the number of service lines of unknown composition
 25 that are known to be present in the ¹system's¹ service area ¹[of the
 26 public water system], as well as the number of lead service lines that
 27 are to be replaced annually, based on the replacement rate established
 28 pursuant to paragraph (1) of subsection b. of section 5 of this act¹ .

29 c. No later than six months after the effective date of this act, a
 30 public ¹community¹ water system shall submit to the department an
 31 initial service line inventory. The inventory shall include:

32 (1) the locations of ¹all¹ identified lead service lines;

33 (2) an indication ¹[of] as to¹ whether ¹[the] each¹ identified lead
 34 service ¹[lines are] line is¹ completely composed of lead or otherwise
 35 ¹[meet] meets¹ the definition of ¹a¹ lead service line;

36 (3) the ¹[locations] location¹ of ¹each¹ service ¹[lines] line that
 37 is¹ suspected to be lead;

38 (4) for each identified and suspected lead service line, ¹an
 39 indication as to¹ whether the line is owned by the public ¹community¹
 40 water system, ¹the¹ property owner, or both;

41 (5) the locations and compositions of ¹all¹ non-lead service lines;
 42 and

43 (6) a separate ¹[category] list¹ identifying all service lines of
 44 unknown composition.

1 ¹d.¹ The public ¹community¹ water system shall use historical
 2 building records and other available information, including data from
 3 the American Water Works Association or other industry research
 4 groups, to determine the likelihood of the presence of lead service
 5 lines in all portions of its service area¹, as provided by this section¹.

6 ¹**After** ¹e. Following¹ the submission of the initial service line
 7 inventory ¹pursuant to subsection c. of this section¹, each public
 8 ¹community¹ water system in the State shall continue the inventory
 9 process and utilize every reasonable method available to locate all lead
 10 service lines within its service area. This process shall include, but
 11 shall not be limited to¹**[,]**:

12 ¹(1)¹ visual inspection during planned maintenance, meter
 13 replacement, and main replacement projects¹**[,]**¹ and

14 ¹(2) the solicitation and receipt of comments, complaints, and
 15 other¹ input ¹**[that the public water system requests]**¹ from ¹**[its]**¹
 16 customers ¹and non-paying consumers in the service area¹.

17 ¹**[d.] f. (1)**¹ No later than one year after the effective date of this
 18 act, a public ¹community¹ water system shall submit^{1,1} to the
 19 department^{1,1} an updated inventory of ¹service lines in¹ its service
 20 ¹**[territory that meets the requirements of]** area. The updated
 21 inventory shall contain the information required by¹ subsection c. of
 22 this section¹**[. The updated inventory shall also contain the following**
 23 **information]**, and shall additionally include¹:

24 ¹**[(1)] (a)** for each service line suspected of containing lead,¹
 25 supporting information detailing the ¹**[reasoning behind the**
 26 **identification of]** the reasons why¹ each ¹such¹ service line
 27 ¹**[identified as being suspected of containing]** is believed to contain¹
 28 lead; and

29 ¹**[(2)] (b)**¹ for each service line identified as being of unknown
 30 composition, a description detailing the steps undertaken to determine
 31 ¹**[if]** whether¹ the line contains lead.

32 ¹(2)¹ The public ¹community¹ water system shall keep the
 33 department informed of its progress pursuant to this subsection ¹**[and**
 34 **shall continue to adhere]**, through the annual reports submitted
 35 pursuant¹ to the provisions of section 7 of this act. If a public
 36 ¹community¹ water system exhausts all other methods of identifying a
 37 service line, including the use of new technologies that become
 38 available, the department may require excavation^{1,1} as necessary, to
 39 identify the service line.

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

44 (1) an updated service line inventory that meets the requirements
 45 of ¹**[subsections c. and d.] subsection f.**¹ of this section; and

1 (2) a ¹**['certification]** statement certifying¹ that the public
 2 ¹community¹ water system is in compliance with the provisions of this
 3 act.

4 ¹**['f.] h.¹** A public ¹community¹ water system shall provide its
 5 most recent service line inventory, upon request and at no cost, to
 6 appropriate State officials or to the local government officials of a
 7 municipality served by the public ¹community¹ water system. A
 8 public ¹community¹ water system ¹**['that serves more than 3,300**
 9 **customers]¹** shall make its most recent service line inventory available
 10 on its Internet website. ¹For public community water systems serving
 11 fewer than 3,300 customers, whenever an Internet website is not
 12 available, the public community water system shall make its most
 13 recent service line inventory available in another publicly accessible
 14 location.¹
 15

16 4. a. No later than 30 days after submitting an initial service line
 17 inventory to the department pursuant to subsection c. of section 3 of
 18 this act, and periodically thereafter as the department may require, a
 19 public ¹community¹ water system shall send, to each ¹**['property**
 20 **owner and]¹** customer ¹and non-paying consumer¹ served by a lead
 21 service line ¹**['or service line of unknown composition]** in the service
 22 area, and to any off-site owner of property served by a lead service line
 23 in the service area¹, written notice of the composition of the service
 24 line. ¹**['The public water system shall determine if a landlord-tenant**
 25 **relationship exists at the premises being notified. The public water**
 26 **system shall determine the names and addresses of each tenant, in**
 27 **order to provide the notice, by methods that shall include, but not be**
 28 **limited to, mailings to landlords requesting a list of tenants. The utility**
 29 **shall provide copies of the notice to each head of household tenant.**
 30 **The]**

31 b. A ¹notice ¹provided pursuant to this section¹ shall ¹:

32 (1) ¹be sent¹, ¹by certified mail, ¹**['in a separate mailing]** to each
 33 residential, commercial, or institutional address affected by the known
 34 lead service line and addressed to the primary resident or commercial
 35 or institutional occupant thereof, as appropriate. Notice shall be sent
 36 to all affected addresses, as provided in this paragraph, regardless of
 37 whether the resident or occupant is a system customer or is a non-
 38 paying consumer;

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

43 (3) be included in a mailing that is separate and distinct¹ from
 44 ¹**['the]** the water¹ bill ¹that is issued for the property¹. The ¹**['notice**
 45 shall be in a form and manner as determined by the department, and
 46 shall ¹**['notice shall contain large, easily readable text and be presented**

1 on distinctly colored paper or other paper that is easily distinguishable
2 from the water billing statement; and

3 (4)¹ include, ¹["but not be limited to: information about"] at a
4 minimum: (a) a list of the lead service lines that are being used to
5 serve the customer or non-paying consumer; (b) information
6 describing¹ the sources of lead in drinking water, including lead
7 service lines and household plumbing; ¹(c) a description of¹ the health
8 effects of lead exposure; and ¹(d) the¹ steps ¹that system¹ customers
9 ¹and non-paying consumers in the service area¹ can take to reduce
10 their exposure to lead in drinking water.

11 ¹["In the case"] c. If the recipient of notice provided pursuant to
12 this section is the owner or operator¹ of ¹[a] an apartment building,
13 group home, or other¹ multi-family ¹or multi-unit¹ dwelling, ¹["until
14 the lead service line has been replaced or identified as a non-lead
15 service line, the landlord"] such owner or operator shall provide a hard
16 copy of the notice to each existing resident of the multi-family or
17 multi-unit dwelling and¹ shall ¹additionally¹ post ¹a copy of¹ the
18 notice in a conspicuous location in a common area of the dwelling.
19 The ¹["landlord"] owner or operator¹ shall also inform each new
20 ¹["tenant of"] resident of the multi-family or multi-unit dwelling, prior
21 to their residence, about¹ the existence of the lead service line ¹["or
22 service line of unknown composition"],¹ and ¹shall¹ provide each new
23 ¹["tenant"] resident¹ with a ¹hard¹ copy of the notice ¹received pursuant
24 to this section, upon the commencement of their residence. A notice
25 posted in a common area of a multi-family or multi-unit dwelling,
26 pursuant to this subsection, may be removed only after all of the lead
27 service lines identified in the notice have been replaced and
28 determined to be non-lead service lines¹.

29 ¹["b."] d.¹ If a public ¹community¹ water system serves a
30 municipality in which the primary language of 10 percent or more of
31 the residents is a language other than English, the public ¹community¹
32 water system shall provide the notice required pursuant to subsection
33 a. of this section in both English and the other language ¹["to the
34 applicable property owners and customers in that municipality"]
35 spoken by residents¹.

36

37 5. a. No later than 12 months after the effective date of this act,
38 each public ¹community¹ water system shall submit^{1,1} to the
39 department^{1,1} an initial plan for replacing all lead service lines within
40 its service area. The plan shall be ¹annually¹ updated ¹["annually and
41 made"] to be¹ consistent with the annual updates to the ¹["public
42 water"]¹ system's service line inventory¹, which are¹ required pursuant
43 to section 3 of this act, ¹and shall remain in effect¹ until all lead
44 services lines within the ¹["public water"]¹ system's service area have
45 been ¹identified and¹ replaced.

1 b. Each lead service line replacement plan and annual update
2 thereto shall¹:

3 (1)¹ provide for the 'average' annual replacement of at least
4 '[seven] 10' percent of all lead service lines 'that were known to,
5 and' identified by¹,¹ the public 'community' water system on the date
6 it '[submits] submitted' its initial 'service line replacement' plan to
7 the department '[. In addition, each plan and update thereto shall],
8 pursuant to subsection a. of this section;

9 (2)¹ provide for the replacement of all lead service lines within the
10 'system's' service area '[of the public water system],' no later than
11 '[20] 10' years after the effective date of this act, regardless of
12 whether the lines '[are] were' known or unknown '[on the date] to'
13 the public 'community' water system '[submits] on the date that it
14 submitted' its initial plan to the department '[. The department may
15 require additional] pursuant to subsection a. of this section. Each
16 public community water system in the State shall be encouraged to
17 complete the replacement of all lead service lines in its service area
18 within 10 years after the effective date of this act, as provided in the
19 system's lead service line replacement plan; however, notwithstanding
20 the provisions of this paragraph to the contrary, the public community
21 water system shall be authorized to continue lead service line
22 replacement activities for a maximum period of 15 years if necessary
23 to enable the system to fully comply with the provisions of this act;

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

27 (4) include any other¹ information¹ '[. as it deems appropriate, to
28 be included in each lead service line replacement plan and annual
29 update thereto] or certifications required by the department¹.

30 c. '[A] (1) Except during an emergency, such as a water main
31 or service line break, or during a water main replacement, a' public
32 'community' water system shall not¹ '[. except during emergencies
33 such as a water main or service line break,]' conduct a partial
34 replacement of a lead service line '[. and] . In all instances,' the
35 public 'community' water system shall make a good faith effort to
36 replace the entire lead service line 'and shall conduct a partial
37 replacement only as a last resort' ¹. A partial replacement of a lead
38 service line shall not count toward the public 'community' water
39 system's replacement requirements pursuant to subsection b. of this
40 section.

41 ¹(2) A public community water system shall not suspend the water
42 service of a customer solely because of a denial of access to the
43 property owner-side of a lead service line for the replacement of a lead
44 service line pursuant to this act.¹

1 d. ¹(1)¹ A public ¹community¹ water system may apply for, and
2 the department may approve, a reasonable extension of any target or
3 deadline set forth in this section ¹[, provided that] ¹if¹ the public
4 ¹community¹ water system demonstrates to the department that the
5 extension is necessary to meet a service reliability demand or public
6 health need, not related to lead abatement, within the system.

7 ¹[e. In the event of fiscal distress, a municipally owned] (2) A
8 government entity that owns a¹ public ¹community¹ water system may
9 apply for¹, ¹and the department, in consultation with Division of Local
10 Government Services in the Department of Community Affairs, may
11 approve¹, ¹a reasonable extension of any target or deadline set forth in
12 this section ¹if the government-owned system demonstrates to the
13 department that the extension is necessary because the system or the
14 municipality is experiencing financial distress.

15 e. Notwithstanding the provisions of R.S.40:56-1 to the contrary,
16 any costs incurred by a government-owned public community water
17 system to assess or replace a lead service line pursuant to this act,
18 excluding any portion funded by grants or other subsidies, may be
19 borne by all of the customers of the government-owned public water
20 system or may be assessed to a property of a property owner in the
21 same manner as provided for the assessment of local improvements,
22 pursuant to R.S.40:56-1 et seq., upon notice to the Director of the
23 Division of Local Government Services in the Department of
24 Community Affairs¹.

25
26 6. a. ¹[An investor-owned public water system may recoup the
27 costs of lead service line replacements from its customers, subject to
28 the provisions of this section. A proposal to recoup the costs of lead
29 service line replacements shall be considered in the context of the
30 investor-owned public water system's next general rate case
31 proceeding, initiated after the effective date of this act, during which
32 the board shall consider the rate impacts of the proposed lead service
33 line replacement plan prior to approving the proposal.]
34 Notwithstanding the provisions of any law, rule, regulation, or order to
35 the contrary, 100 percent of the costs associated with undertaking and
36 funding the replacement of lead service lines pursuant to this act,
37 excluding any portion funded by grants or other subsidies, shall be
38 borne by all of the customers, in the State, of an investor-owned public
39 community water system and shall be included in the investor-owned
40 public community water system's rate base or otherwise be
41 recoverable from the system's customers, in a manner determined by
42 the board. In making a determination under this subsection, the board
43 shall stipulate that:

44 (1) the proportionate share of project costs for the replacement of
45 the system side of a lead service line may be incorporated into the rate
46 base as capital assets of the investor-owned public community water

1 system or may be recovered through the use of a Distributed System
 2 Improvement Charge as allowed under existing law; and

3 (2) the proportionate share of project costs for the replacement of
 4 the property-owner side of a lead service line, including the investor-
 5 owned public community water system's embedded cost of debt, as
 6 authorized in its most recent base rate case, shall be treated as an
 7 operation and maintenance cost, with no cost of equity additive. Costs
 8 for the replacement of property-owner side lead service lines incurred
 9 since the investor-owned public community water system's last base
 10 rate case and incurred until all property-owner side lead service lines
 11 have been eliminated from the investor-owned public community
 12 water system shall be recoverable on a semi-annual basis through a
 13 separate lead service line expense surcharge and not imbedded into
 14 base rates.

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

22 (1) the estimated total cost to replace both the property¹-¹owner
 23 ¹[sides] side¹ and ¹[public water] the¹ system ¹[sides] side¹ of all
 24 lead service lines ¹that lie¹ within, or ¹are¹ connected to, the
 25 ¹[investor-owned public water]¹ system's service area¹, including, but
 26 not limited to, the estimated total cost to evaluate service lines of
 27 unknown composition and to replace both the property-owner side and
 28 system side of any such lines that are determined to be lead service
 29 lines,¹ and an estimated range for the annual cost to be incurred by the
 30 system under the system's current lead service line replacement plan;

31 (2) ¹[a quantification of the shareholder contribution to be made
 32 in order to meet the requirements of this act;

33 (3)¹ the availability of grants or low interest loans and whether
 34 the investor-owned public ¹community¹ water system plans to use
 35 available grants or low interest loans to help the system finance or
 36 reduce lead service line replacement costs, including a detailed
 37 description of any efforts made by the system to secure such financing;

38 ¹[(4)] (3)¹ the investor-owned public ¹community¹ water
 39 system's proposed rate treatment of the replacement costs, including:

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

41 (b) the proposed rate base treatment of the costs ¹, and whether
 42 and how the system is planning to effectuate system side cost
 43 recoupment through the use of a Distributed System Improvement
 44 Charge or alternate recoupment methodology approved by the board¹;

45 (c) the proposed operations and maintenance expense treatment of
 46 the costs; and

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

¹[(5)] (4)¹ a description of how the replacement of lead service lines will be accomplished in conjunction with other replacement projects in the ¹["investor-owned public water"]¹ system's service area;

¹[(6)] (5)¹ the estimated savings¹,¹ per lead service line¹, that will be¹ achieved by ¹requiring¹ the investor-owned public ¹community¹ water system ¹[replacing], and not the¹ property owner¹, to replace the property-owner¹ sides of lead service lines ¹[instead of the property owner] in the service area¹; and

¹[(7)] (6)¹ the ¹["investor-owned public water system's proposal for] means and methods that will be used by the system to¹:

(a) ¹["communicating the system's] inform all system customers and non-paying consumers in the system's service area about the system's lead service line replacement¹ plan ¹[to replace a lead service line to a property owner and customer]¹; and

(b) ¹["documenting a property owner's or] document each¹ customer's consent¹,¹ or lack of consent¹,¹ to the replacement of a lead service line.

¹[b.] c.¹ Before an investor-owned public ¹community¹ water system may be authorized by the board to¹ recoup the costs of lead service line replacements from its customers¹,¹ pursuant to ¹[subsection a. of]¹ this section, the board shall ensure that the department has ¹[approved] received¹ the ¹["investor-owned public water"]¹ system's ¹[plan for the replacement of the lead service lines required pursuant to section 5 of this act] inventory, as required by section 3 of this act¹.

7. No later than December 31 of each year, a public ¹community¹ water system shall submit to the department, in a form and manner to be determined by the department, a report detailing the public ¹community¹ water system's progress in replacing lead service lines pursuant to this act. A public ¹community¹ water system ¹["that serves more than 3,300 customers"]¹ shall make its report available on its Internet website. ¹If an Internet website is not available, the public community water system shall make its report available in another publicly accessible location.¹ If the department determines, based on the information provided by the public ¹community¹ water system pursuant to this section¹, that the ¹["public water"]¹ system has completed the replacement of all lead service lines within the ¹["public water"]¹ system's service area, the ¹["public water"]¹ system shall no longer be required to submit a report pursuant to this section.

8. a. The Department of Environmental Protection may adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410

- 1 (C.52:14B-1 et seq.), any rules and regulations necessary to implement
2 the provisions of this act.
- 3 b. The Board of Public Utilities may adopt, pursuant to the
4 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.),
5 any rules and regulations necessary to implement the provisions of this
6 act.
- 7 ¹c. The Department of Environmental Protection and the Board of
8 Public Utilities shall consult with one another and with the Division of
9 Local Government Services in the Department of Community Affairs
10 when adopting rules and regulations pursuant to this section.¹
11
- 12 9. This act shall take effect immediately.