

## **NEW JERSEY CLEAN WATER COUNCIL**

**April 12, 2005**  
**Meeting Highlights**

### **Location:**

NJ Environmental Infrastructure Trust, Building 6, Suite 201, 3131 Princeton Pike, Lawrenceville, NJ

### **Attendees:**

Members: Ferdows Ali, Jim Cosgrove, Russ Furnari, Amy Goldsmith, Steve Lenox, Pat Matarazzo, Anthony McCracken, L. Mason Neely, Carmen Valentin, Dan Van Abs, Ray Zabihach, and Ray Nichols.

Others: Helen Heinrich (NJ Farm Bureau) and Karen Norwicki (OEA).

Meeting convened by Chairman Pat Matarazzo

### **PRESENTATION by JUDY LOUIS, Ph.D., Chief, Bureau of Environmental Health Science and Environmental Assessment, Division of Science, Research and Technology, NJDEP.**

#### **“UNDERSTANDING NEW JERSEY’S PRIVATE WELL WATER TEST RESULTS”**

Since September, 2002, as required by the New Jersey Private Well Testing Act, before a house served by a private well is sold, the well must be tested for the presence of possible contaminants. Both the buyer and DEP must be informed of the test results. Landlords of certain properties must also test for certain drinking water parameters at least once every five years and provide a written copy of the results to their tenants.

Judy Louis discussed the results of the preliminary analysis of the data submitted to DEP between September 2002 and September 2004. She noted that this meeting represents the first time that this analysis was being presented. It was not in final form, thus not ready for publication. She anticipated that the final report will be published in July, and will then be available on the DEP website. Data has been collected from about 26,000 private wells. This data is very valuable because of the number of samples and the geographic extent of the database. Use of the database is constrained by the accuracy of the location of the wells, the fact that only one sample is collected per well, and confidentiality requirements.

The test results have been compared to the standards established by the NJ Safe Drinking Water Act, except for arsenic and lead. Lead exceedances are based on DEP’s Ground Water Quality Standard (10 ppb) while arsenic exceedances are based on the proposed federal MCL of 10 ppb. Overall, about 9% of the well tests showed one or more contaminants above the Safe Drinking Water Standards. The occurrence of different groups of contaminants show that the problems in NJ wells in descending order are: gross alpha, arsenic, nitrate, fecal coliform, volatile organic compounds, and mercury.

**APPROVAL OF MARCH'S MEETING HIGHLIGHTS:**

Helen Heinlich requested that the minutes for the March meeting be amended to show that she had offered to bring a speaker to the May meeting to talk about ethanol as a gasoline additive. Subject to that clarification, the highlights were approved. The permanent copy of the minutes shall be modified accordingly.

**OLD BUSINESS:**

There were no changes to council member status since last month.

Discussion of planning for 2005 public hearing was postponed to the May meeting.

**NEW BUSINESS:**

**November Meeting date:** Since the regular date (second Tuesday of the month, Nov. 8) is Election Day, and a State Holiday, the scheduled date was changed to the following Tuesday. Recently, the Clean Air Council which will have its regularly scheduled meeting on Wed., Nov. 9, 2005, has suggested that this date might be appropriate for a joint meeting, if the members of the CWC so desire. This topic was tabled for discussion during the May meeting.

**DEP Update:** Ray Nichols noted that since last month's meeting, Commissioner Campbell had promoted John Hazen to be DEP's Director of Legislative Affairs. Also, Alyssa Wolfe was appointed as Counselor to the Commissioner, succeeding Dante DiPirro.

He announced that the Compliance and Enforcement Division has recently published the "**2001 Annual Report of the Clean Water Enforcement Act**". Anyone who wants to read it can see it on the Web site at: <http://www.nj.gov/dep/enforcement/report-cwea.html>.

Other announcements: The Clean Air Council Annual Public Hearing is/was April 13, in the DEP building's Public Hearing Room

The Clean Communities Council will host a seminar and awards program on May 25 & 26 in Red Bank. The theme is "Clean Water for Today and Tomorrow".

The Watershed Partnership for New Jersey is sponsoring its 2<sup>nd</sup> annual interactive conference for educators on June 28 & 29, at the Rutgers EcoComplex in Bordentown.

**Other Announcements:** Pat announced that the Annual Water Environment Association Conference will be May 2-5 in Atlantic City. On Wed., May 4 there will be a session on "The Watershed Approach in NJ: Are We On Track?"

**OPEN DISCUSSION:**

**Ethanol and MTBE:** Lou Neeley & Helen Heinlich brought up the fact that there will be a legislative hearing on 4/27 re the proposed ban on MTBE (A-3547). Helen offered to have an ethanol advocate make a presentation to the CWC in May. The council members discussed these related subjects, and declined the offer, noting that an ethanol advocate had come to the January meeting and spoke on that topic.

The council members decided to draft a position statement supporting the abolishment of MTBE as an additive, noting that there is much less need for any oxygenate than there had been when EPA imposed the oxygenate requirement. They supported the State seeking relief from EPA

from the oxygenate requirement. Furthermore, they noted that before any ban was to take effect, there should be a thorough study of the effects of any proposed substitute on the environment, due to the law of unintended consequences.

Russ Funari was going to draft the actual resolution. Some of the CWC members indicated that they were likely to go to the hearing on 4/27.

**CO2 Rule proposal:** Due to the number and nature of the negative comments the DEP received during the public comment period, Commissioner Campbell has invited the commenters to a special meeting on 4/15 where they will be able to discuss their concerns.

**SWQS Rule proposal:** The imminent publication of the revised Surface Water Quality Standards Rule proposal was discussed. The CWC members would like Debra Hammond to come to a council meeting, as soon as possible, to discuss the proposed changes, so that the Council and interested members could provide comments to the Department before the end of the public comment period.

Ray Nichols offered to notify the members as soon as he knew that the rule proposal was going to be posted on the web, so they could view it there. (Editorial Note: Subsequent to this meeting, the DEP received a four month extension from the Governor on the deadline for proposing revised Surface Water Quality Standards.)

## **ADJOURNMENT**

**\*\*\*\*THE NEXT MEETING WILL BE ON MAY 10, 2005, BEGINNING AT 10:00 A.M. \*\*\*\***

**\*\*\*\*The primary topic for discussion will be planning for the annual CWC public hearing. \*\*\*\***