



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

MAIL CODE 401-02B

DIVISION OF WATER QUALITY
WATER POLLUTION MANAGEMENT ELEMENT

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SHAWN M. LATOURETTE

Acting Commissioner

April 22, 2021

[VIA EMAIL]

TO: Delegated Local Authorities

REQUEST FOR INFORMATION -- PFAS Source Evaluation and Reduction Requirements Survey

Dear IPP Representative:

The New Jersey Department of Environmental Protection (hereafter 'Department'), Division of Water Quality, is requiring Wastewater Treatment Plants (WWTP) with approved Industrial Pretreatment Programs (IPPs) to evaluate potential sources of per- and polyfluoroalkyl substances ("PFAS"). In accordance with N.J.A.C. 7:14A-2.11 and N.J.A.C. 7:14A-6.2 (a)(14), the Department is requiring Local Agencies with approved IPPs to evaluate potential sources through the use of a survey that can be accessed using this link: [UNIQUE LINK PROVIDED TO DLA]

The Department is requiring you to take this action as a first step to investigate discharges of PFAS to your system which could potentially (1) cause impacts to surface water and/or (2) impact the management of sewage sludge. This initial screening will involve outreach to all your significant indirect users (SIU) to review their current and past practices that may be sources of PFAS. Each Delegated Local Authority (DLA) will send out its unique assigned survey link to all SIUs along with the survey instructions in Attachment I. The Department will provide each DLA with a spreadsheet of the survey results on a weekly basis. If the DLA would like survey results at a different frequency, please notify the Department via email at DWO_Pretreatment@dep.nj.gov. It is the responsibility of the DLA to ensure that all SIUs complete the survey and all responses are submitted within 60 days of the issuance of the request for information letter dated April 22, 2021. At some point in the near future, it will also be necessary to investigate probable sources, reduce/eliminate the sources found (such as product substitution, operational controls, or treatment), and take other actions to protect surface water and sludge quality.

PFAS are manmade fluorinated alkane molecules historically used as a processing aid in the emulsion process used to make fluoropolymers, which are high-performance plastics that are resistant to harsh chemicals and high temperatures. They are also found in aqueous film forming foams, surfactants, and stain resistant coatings, and are used in metal plating and finishing. PFAS are extremely persistent in the environment and soluble and mobile in water. PFAS are developmental toxicants, liver toxicants, and immune system toxicants that are probable carcinogens and bioaccumulate in animal and human tissue. Since these chemicals are persistent and heavy, they may settle at the bottoms of tanks and pits and be present long after PFAS-containing chemicals were used. Because of the risks to public health and safety and the environment, and increasing public and regulatory interest in PFAS chemicals, the Department must proactively evaluate the possible presence of these chemicals at your facility and consider potential reduction requirements for your PFAS discharges, if any.

Each DLA will have **60 calendar days from receipt of this email to solicit survey responses from its significant indirect users and another 30 days to analyze survey results and provide a summary report to the Department.** Failure to do so may result in enforcement action.

For questions, please contact dwq_pretreatment@dep.nj.gov with “PFAS DLA Communication” in the subject line of the email.

Regards,



Carlton Dudley, Assistant Director
Water Pollution Management Element
Division of Water Quality

C: Janice Brogle, Director, Division of Water Quality
Rich Paull, Director, Division of Water and Land Use Enforcement

Attachment I

Survey Instructions

1. Please follow these instructions in preparing and submitting your response.
2. Responses must be prepared or assisted by a qualified employee or agent of your facility who understands the company's business processes and activities. Responses must be signed and certified by a Responsible Official as defined in N.J.A.C. 7:14A-4.9.
3. When responding, you must review manufacturing operations over the last 20 years to the fullest extent possible. Consider if your facility currently or has historically discharged wastewater into the sanitary sewers from any of the manufacturing operations or activities listed in this survey.
4. Before you begin, please prepare to electronically submit all sampling data you may have which include analyses for PFAS compounds. If laboratory data are provided, include laboratory SDS/MSDS chemical sheets
5. Certification by Authorized Signature – The survey evaluation must be certified by an authorized signature as required by N.J.A.C. 7:14A-4.9. The required certification statement language is included at the end of the survey.
6. Once submitted, the respondent will not be able to regain access to the survey to update or change answers.
7. The DLA or NJDEP may take follow-up measures with your facility.