

Summary of Amendments to Safe Drinking Water Act Rules (N.J.A.C. 7:10) and Private Well Testing Act Rules (N.J.A.C. 7:9E)

The Department of Environmental Protection (Department) adopted rule amendments to the New Jersey Safe Drinking Water Act (SDWA) Rules and the Private Well Testing Act (PWTA) Rules that became effective June 1, 2020. The rule changes include the establishment of new Maximum Contaminant Levels (MCLs) of 0.014 micrograms per liter ($\mu\text{g}/\text{l}$) for perfluorooctanoic acid (PFOA) and 0.013 $\mu\text{g}/\text{l}$ for perfluorooctanesulfonic acid (PFOS). Rule changes to the PWTA Rules expand testing of private wells subject to sale or lease for PFOA, PFOS, and perfluorononanoic acid (PFNA).

What is new?

PFOA & PFOS MCLs: These new amendments add MCLs of 0.014 $\mu\text{g}/\text{L}$ for PFOA and of 0.013 $\mu\text{g}/\text{L}$ for PFOS to the SDWA Rules, as well as monitoring and treatment requirements for public community and public nontransient noncommunity water systems starting in 2021.

The monitoring requirements for PFOA and PFOS are as follows:

1st Quarter of 2021: All public community water systems and all public nontransient noncommunity water systems will be required to begin quarterly monitoring at all points-of-entry to the distribution system.

Monitoring schedules will be viewable through the Division's Drinking Water Watch Application https://www9.state.nj.us/DEP_WaterWatch_public/index.jsp. Compliance with the new MCLs will be based on a running annual average of four (4) consecutive quarters of results. Sample results will be required to be submitted electronically through the E2 system.

The Department is requiring that public community water systems' annual consumer confidence reports (CCRs) include information on PFOA and PFOS. The CCRs inform customers about the quality of their drinking water.

PWTA monitoring for PFOA, PFOS, and PFNA:

Under the adopted rule amendments, private wells subject to sale or lease will be required to be tested for PFOA, PFOS, and PFNA starting December 1, 2021. The PWTA Rules require testing at the time of a real estate transaction, or every five years for rental properties, and notification to potential buyers and tenants.

Expanding one-time testing for new public noncommunity and nonpublic water systems:

The Department has adopted amendments to the public noncommunity and nonpublic water system regulations to require new testing for PFOA, PFOS, and PFNA. The SDWA rules establish one-time testing requirements for newly constructed nonpublic and public noncommunity water systems to ensure that the quality of the source water is evaluated prior to use.

More information as well as a copy of the rule can be found on our website at:

https://www.state.nj.us/dep/watersupply/g_reg.html