

ASSEMBLY, No. 1651

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

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SYNOPSIS

Requires boil water notices to be provided by certain public water systems via telephone, email or text message.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning boil water notices and supplementing the "Safe
2 Drinking Water Act," P.L.1977, c.224 (C.58:12A-1 et seq.).

3

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

6

7 1. a. Whenever any public water system experiences an
8 emergency or other condition that requires the issuance of a boil
9 water notice, the owner or operator shall provide notice to its
10 affected customers that a boil water notice is in effect. The owner
11 or operator of the public water system shall notify its affected
12 customers of the boil water notice as soon as possible, but in no
13 case later than 24 hours after the public water system learns of the
14 emergency or other condition.

15 b. (1) Commencing on the 90th day after the effective date of
16 P.L. , c. (C.) (pending before the Legislature as this bill), the
17 owner or operator of the public water system shall notify its
18 customers of a boil water notice via the preferred means of contact
19 of each customer of the public water system made available to
20 customers by the owner or operator, in addition to any other notice
21 required by State or federal law. If a customer does not return the
22 solicitation provided for in paragraph (2) of this subsection or
23 otherwise specify a preferred means of contact, and the public water
24 system has a telephone number on file for the account, the owner or
25 operator of the public water system shall attempt to notify the
26 customer of a boil water notice via telephone or other means of
27 direct contact, at the discretion of the owner or operator. The
28 public water system shall also post notice of the boil water notice
29 on any website that the public water system maintains for the public
30 or its customers.

31 (2) Within 60 days after the effective date of P.L. , c. (C.)
32 (pending before the Legislature as this bill), the owner or operator
33 of the public water system shall include in the water bills issued by
34 the system for each customer a solicitation for the customer's
35 preferred means of contact, from those options made available to
36 customers by the owner or operator. If the system issues its water
37 bills less frequently than every two months, the solicitation shall be
38 included in the bill next issued following the effective date of P.L.
39 , c. (C.) (pending before the Legislature as this bill). It shall
40 be the responsibility of the customer to notify the owner or operator
41 of the public water system of a change in the preferred method of
42 contact provided pursuant to this paragraph. A public water system
43 shall have or acquire the capability to notify its customers of a boil
44 water notice by direct contact, which may include telephone,
45 electronic mail, or text message.

46 c. The notice provided pursuant to this section shall contain the
47 name of the public water system affected, the geographical area
48 affected, the date of the occurrence giving rise to the boil water

1 notice, the consumer corrective measures to be taken, and a
2 telephone number where customers may reach an appropriate party
3 to address questions or other concerns about the boil water notice or
4 the situation necessitating issuance of the notice.

5 d. The owner or operator of the public water system shall be
6 responsible for rescission of the boil water notice. Notice of the
7 rescission of a boil water notice shall be provided in the manner
8 prescribed for notice in paragraph (1) of subsection b. of this
9 section.

10 e. As used in this section:

11 "Boil water notice" means a Tier 1 Public Notice required
12 pursuant to the United States Environmental Protection Agency's
13 National Primary Drinking Water Regulations at Section 141,
14 subpart Q of title 40, Code of Federal Regulations.

15 "Public transient noncommunity water system" means a public
16 water system that is not a public community water system or a
17 public nontransient noncommunity water system and that serves at
18 least 25 transient individuals for at least 60 days in any given
19 calendar year.

20 "Public water system" means the same as the term is defined in
21 section 3 of P.L.1977, c.224 (C.58:12A-3), except that it shall not
22 include a public transient noncommunity water system.

23

24 2. This act shall take effect immediately.

25

26 STATEMENT

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28 This bill would require public water systems to provide prompt
29 public notice when a boil water notice is in effect. Under the bill,
30 the owner or operator of a public water system would be required to
31 notify its affected customers of a boil water notice as soon as
32 possible, but no later than 24 hours after the public water system
33 learns of the emergency or other condition.

34 Beginning 90 days after the bill is enacted into law, a public
35 water system would be required to notify its customers of a boil
36 water notice via the preferred means of contact of each customer of
37 the water system. A public water system would be required to
38 acquire the capability to notify its customers of a boil water notice
39 by telephone, electronic mail, or text message. The bill requires
40 that a boil water notice contain the following information: the name
41 of the public water system affected; the geographical area affected;
42 the date of the occurrence giving rise to the boil water notice; the
43 corrective actions to be taken by the consumers; and a telephone
44 number where customers may reach an appropriate party to address
45 questions or other concerns. The bill also requires the owner or
46 operator of the public water system to notify its customers of the
47 rescission of a boil water notice in the same manner that the notice
48 was issued.