ASSEMBLY, No. 2134

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
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Assemblyman Johnson, Assemblywoman Vainieri Huttle, Assemblyman Karabinchak and Assemblywoman Mosquera

SYNOPSIS

Requires public water systems to offer drinking water tests to customers in certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning drinking water testing and supplementing P.L.1977, c.224 (C.58:12A-1 et seq.).

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

1. As used in this act:

"Copper action level" means the standard for copper in drinking water established by the United States Environmental Protection Agency, or a more stringent standard adopted by the department pursuant to the "Safe Drinking Water Act," P.L.1977, c.224 (C.58:12A-1 et al.).

"Lead action level" means the standard for lead in drinking water established by the United States Environmental Protection Agency, or a more stringent standard adopted by the department pursuant to the "Safe Drinking Water Act," P.L.1977, c.224 (C.58:12A-1 et al.).

"Partial service line replacement" means the replacement of some, but not all, of the pipe, tubing, and fittings connecting a water main to an individual water meter or service connection.

2. a. A public water system that exceeds the lead action level or the copper action level shall, upon request by a customer, test the customer's drinking water for the presence of lead and copper, using a laboratory certified for that purpose by the department. The results of the test shall be provided to the customer.

b. A customer who requests a test pursuant to this section shall not be charged a fee by the public water system for the test. A public water system that is a “public utility,” as defined in R.S.48:2-13, and that is regulated by the Board of Public Utilities pursuant to Title 48 of the Revised Statutes, may petition the board to include in the public water system’s rate base the reasonable costs of testing it provides to customers pursuant to this section.

c. A public water system that exceeds the lead action level or the copper action level shall include a notification on each customer's water bill, which clearly states the availability of water testing pursuant to this section.

3. a. A public water system that carries out a partial service line replacement of a lead service line serving a customer shall, upon receiving a request no later than six months after the completion of the replacement, test the customer's drinking water for the presence of lead, using a laboratory that has been certified for that purpose by the department. The results of the test shall be provided to the customer and to the public water system.

b. A customer who requests a test pursuant to this section shall not be charged a fee by the public water system for this test. A public water system that is a “public utility,” as defined in R.S.48:2-13, and that is regulated by the Board of Public Utilities

pursuant to Title 48 of the Revised Statutes, may petition the board to include in the public water system's rate base the reasonable costs of testing it provides to customers pursuant to this section.

c. A public water system that carries out a partial service line replacement of a lead service line serving a customer shall include a notification on the customer's water bill, which clearly states the availability of water testing pursuant to subsection a. of this section.

d. If a test carried out on a property pursuant to this section reveals that the water exceeds the lead action level, the public water system shall provide a written notice by mail of this fact to the chief executive of the municipality in which the property is located and all local health agencies in the municipality in which the property is located.

4. This act shall take effect immediately.

STATEMENT

This bill would supplement the "Safe Drinking Water Act," P.L.1977, c.224 (C.58:12A-1 et seq.), to allow customers of a public water system that has exceeded the action level for lead or copper to request to have their drinking water tested for the presence of lead and copper by the public water system. The public water system would be required to include a notice on its customers' bills that advertises the availability of the water tests.

The bill would also allow customers to request to have their drinking water tested when a public water system carries out a partial service line replacement on their lead service line. The customer would have six months after the completion of the partial service line replacement to make the request. The public water system would be required to include a notice on the customer's bill that advertises the availability of the water tests. If the test reveals an elevated lead level, the public water system would be required to notify local health officials and the municipality.