

ASSEMBLY, No. 2563

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Assemblyman Caputo, Assemblywomen Vainieri Huttie and Speight

SYNOPSIS

Requires public water systems to provide certain notice of boil water notices and violations of drinking water quality standards.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/13/2020)

1 **AN ACT** concerning certain notifications by public water systems
2 regarding boil water notices and violations of drinking water
3 quality standards, amending P.L.2019, c.279, and supplementing
4 P.L.1977, c.224 (C.58:12A-1 et seq.).

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

8
9 1. Section 1 of P.L.2019, c.279 (C.58:12A-8.2) is amended to
10 read as follows:

11 1. a. Whenever any public water system experiences an
12 emergency or other condition that requires the issuance of a boil
13 water notice, the owner or operator of the public water system shall
14 provide notice that a boil water notice is in effect to :

15 (1) the mayor and municipal clerk, or an authorized designee, of
16 each affected municipality that receives water from the public water
17 system **that a boil water notice is in effect** ; and

18 (2) commencing on the 90th day after the effective date of
19 P.L. , c. (C.) (pending before the Legislature as this bill), to
20 the affected customers .

21 b. The notice required pursuant to paragraph (1) of subsection
22 a. of this section shall be:

23 (1) provided as soon as possible, but in no case later than one
24 hour after the public water system learns of the emergency or other
25 condition;

26 (2) given via both telephone and electronic mail; and

27 (3) issued in addition to any other notice required by State or
28 federal law.

29 The notice required to be given to affected customers pursuant to
30 paragraph (2) of subsection a. of this section shall be given as soon
31 as possible, but in no case later than 24 hours after the public water
32 system learns of the emergency or other condition that required the
33 issuance of the boil water notice. The owner or operator of the
34 public water system shall notify its customers via the preferred
35 means of direct contact for each customer as provided pursuant to
36 section 2 of P.L. , c. (C.) (pending before the Legislature as
37 this bill).

38 c. The notice provided pursuant to subsection a. of this section
39 shall contain:

40 (1) the name of the public water system affected;

41 (2) the geographical area affected;

42 (3) the date of the occurrence giving rise to the boil water
43 notice;

44 (4) the consumer corrective measures to be taken by consumers
45 of the water; and

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is
not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 (5) a telephone number where the mayor, the municipal clerk, or
2 an authorized designee, and customers may reach an appropriate
3 party to whom questions or other concerns about the boil water
4 notice or the situation necessitating issuance of the notice may be
5 addressed.

6 d. Upon rescission of the boil water notice, the owner or
7 operator of the public water system shall provide notice to the
8 mayor, municipal clerk, or an authorized designee of each affected
9 municipality that receives water from the public water system via
10 both telephone and electronic mail, and to the affected customers
11 via the preferred means of direct contact for each customer as
12 provided pursuant to section 2 of P.L. , c. (C.) (pending
13 before the Legislature as this bill), that the boil water notice has
14 been rescinded. **【This notice shall be provided via both telephone**
15 **and electronic mail.】**

16 e. The public water system shall post notice of a boil water
17 notice, and the rescission of a boil water notice, on any website and
18 social media accounts that the public water system maintains for the
19 public or its customers.

20 f. For the purposes of this section:

21 “Boil water notice” means a Tier 1 Public Notice required
22 pursuant to the United States Environmental Protection Agency’s
23 National Primary Drinking Water Regulations at Part 141, subpart
24 Q of title 40, Code of Federal Regulations.

25 “Public transient noncommunity water system” means a public
26 water system that is not a public community water system or a
27 public nontransient noncommunity water system and that serves at
28 least 25 transient individuals for at least 60 days in any given
29 calendar year.

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

33 (cf: P.L.2019, c.279, s.1)
34

35 2. (New section) a. Within 60 days after the effective date of
36 P.L. , c. (C.) (pending before the Legislature as this bill),
37 the owner or operator of the public water system shall include in the
38 water bills issued by the system for each customer a solicitation for
39 the customer's preferred means of direct contact, from the options
40 made available to each customer by the owner or operator. If the
41 system issues its water bills less frequently than every two months,
42 the solicitation shall be included in the bill next issued following
43 the effective date of P.L. , c. (C.) (pending before the
44 Legislature as this bill). It shall be the responsibility of the
45 customer to notify the owner or operator of the public water system
46 of a change in the preferred method of direct contact provided
47 pursuant to this subsection.

1 The recently enacted P.L.2019, c.279 requires a public water
2 system to provide notice to the mayor and municipal clerk, or their
3 authorized designees, of each affected municipality that receives
4 water from the public water system when a boil water notice is in
5 effect. This bill would amend that law to require the public water
6 system to notify affected customers of a boil water notice and to
7 also post notice of a boil water notice, and the rescission of a boil
8 water notice, on any website and social media accounts that the
9 public water system maintains for the public or its customers.

10 In addition, beginning 60 days after the bill's enactment, a public
11 water system would be required to include in the water bills for each
12 customer a solicitation for the customer's preferred means of direct
13 contact, from the options made available to each customer by the
14 owner or operator. A public water system would be required to
15 acquire the capability to notify its customers by telephone, electronic
16 mail, or text message. A customer of record receiving a solicitation on
17 behalf of two or more units within a multiple dwelling, condominium,
18 or cooperative, would be required to provide a copy of the solicitation
19 to every unit within the multiple dwelling, condominium, or
20 cooperative for which the customer is the customer of record.

21 Lastly, the bill would require the owner or operator of a public
22 water system to immediately notify, by telephone and electronic mail,
23 the governing body and municipal clerk of a municipality and the chief
24 administrator of every school district, charter school, and nonpublic
25 school located within each municipality served by the public water
26 system whenever the public water system violates any drinking water
27 quality standard or exceeds an action level for drinking water supplied
28 by the public water system within the municipality. The notification is
29 to contain: 1) the name of any contaminant that exceeds a drinking
30 water quality standard or action level; 2) the maximum contaminant
31 level or the action level, as appropriate, for the contaminant; 3) the
32 dates when the tests were performed; 4) the level of the contaminant
33 found on each date; 5) the location of each sample tested; 6) the
34 location of each sample tested that exceeds a maximum contaminant
35 level or action level; and 7) information on suggested remedies that a
36 customer may take to address the violation or exceedance.