

58: 12A-1 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA 58:12A-1 et al.

Laws of 1977 Chapter 224 ("Safe Drinking Water Act")

Bill No. S3131

Sponsor(s) Russo

Date Introduced February 17, 1977

Committee: Assembly Energy & Natural Resource; Agriculture & Environment

Senate Energy & Environment

Amended during passage Yes

Amendments during passage denoted by asterisks

Date of passage: Assembly July 11, 1977

Senate June 20, 1977

Date of approval September 17, 1977

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports XXXX Yes No

Hearings XXXX Yes No

Checked card catalog under: NJ--Drinking Water

DEPOSITORY COPY Do Not Remove From Library

MAY 1978

10/4/76

224

27

9/17
[OFFICIAL COPY REPRINT]

SENATE, No. 3131

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 17, 1977

By Senator RUSSO

Referred to Committee on Energy and Environment

AN ACT concerning safe drinking water, providing certain powers to the Department of Environmental Protection, providing penalties, repealing parts of the statutory law and ***[making an appropriation]*** **amending P. L. 1947, c. 177**.

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

1 1. This act shall be known and may be cited as the "Safe Drink-
2 ing Water Act."

1 2. The Legislature finds and declares that it is a paramount
2 policy of the State to protect the purity of the water we drink and
3 that the Department of Environmental Protection shall be em-
4 powered to promulgate and enforce regulations to purify drinking
5 water by filtration or such other treatment method as it may
6 require, prior to the distribution of said drinking water to the
7 public*; *that the maintenance of high-quality potable water is*
8 *essential in order to safeguard the health and welfare of the people*
9 *of the State; that the Federal Safe Drinking Water Act provides*
10 *a comprehensive framework for regulating the collection, treat-*
11 *ment, storage, and distribution of potable water, and for consolidat-*
12 *ing and improving existing State law regarding potable water; and*
13 *that it is in the best interests of the people of the State for the*
14 *State, through its Department of Environmental Protection, to*
15 *assume primary enforcement responsibility under the Federal Safe*
16 *Drinking Water Act.**

1 3. As used in this act, unless the context clearly requires a differ-
2 ent meaning, the following words and terms shall have the follow-
3 ing meanings:

4 a. "Administrator" means the Administrator of the United
5 States Environmental Protection Agency or his authorized repre-
6 sentative;

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

- 7 b. "Contaminant" means any physical, chemical, biological or
8 radiological substance or matter in water;
- 9 c. "Commissioner" means the Commissioner of Environmental
10 Protection or his designated representative;
- 11 d. "County" means any county or any agency or instrumentality
12 of one or more thereof;
- 13 e. "Department" means the Department of Environmental
14 Protection;
- 15 f. "Federal act" means the Safe Drinking Water Act, P. L.
16 93-523, 42 U. S. C. § 300 et al.;
- 17 g. "Federal agency" means any department, agency, or instru-
18 mentality of the United States;
- 19 h. "Municipality" means any city, town, township, borough or
20 village or any agency or instrumentality of one or more thereof;
- 21 i. "National primary drinking water regulations" means pri-
22 mary drinking water regulations promulgated by the administrator
23 pursuant to the Federal act;
- 24 j. "Person" means any individual, corporation, company, firm,
25 association, partnership, municipality, county, State agency or
26 Federal agency;
- 27 k. "Primary drinking water regulation" means a regulation
28 which:
- 29 (1) Applies **at a minimum** to public water systems;
- 30 (2) Specifies contaminants which, in the judgment of the com-
31 missioner, may have any adverse effect on the health of persons;
- 32 (3) Specifies for each such contaminant either (a) a maximum
33 contaminant level if, in the judgment of the commissioner, it is
34 economically and technologically feasible to ascertain the level of
35 such contaminant in water in public water systems, or (b) if, in
36 the judgment of the commissioner, it is not economically or tech-
37 nologically feasible to ascertain the level of such contaminant, each
38 treatment technique known to the commissioner which leads to a
39 reduction in the level of such contaminant sufficient to satisfy the
40 requirements of section 4 of this act;
- 41 (4) Contains criteria and procedures to assure a supply of
42 drinking water which dependably complies with such maximum
43 contaminant levels, including quality control*, *sampling fre-*
44 *quencies** and testing procedures to insure compliance with such
45 levels and to insure proper operation and maintenance of the
46 system, and requirements as to: (a) the minimum quality of water
47 which may be taken into the system, and (b) siting for new facilities
47A for public water systems;

48 1. "Public water system" means a system for the provision to
 49 the public of piped water for human consumption, if such system
 50 has at least 15 service connections or regularly serves at least 25
 51 individuals. Such term includes: (1) any collection, treatment,
 52 storage and distribution facilities under control of the operator of
 53 such system and used primarily in connection with such system,
 54 and (2) any collection or pre-treatment storage facilities not under
 55 such control which are used primarily in connection with such
 56 system;

57 m. "State agency" means any department, agency or instrumen-
 58 tality of this State or of this State and any other State or States;

59 n. "Supplier of water" means any person who owns or operates
 60 a public water system*;* **[.]***

61 *o. "*Maximum contaminant level*" means the maximum per-
 62 missible level of a contaminant in water which is delivered to the
 63 free-flowing outlet of the ultimate user of a public water system or
 64 other water system to which State primary drinking water regula-
 65 tions apply, except in the case of turbidity where the maximum
 66 permissible level is measured at the point of entry to the distribu-
 67 tion system. Contaminants added to the water under circumstances
 68 controlled by the user, except those resultnig from corrosion of
 69 piping and plumbing caused by water quality, are excluded from
 70 this definition;

71 p. "Nonpublic water system" means a water system that is not
 72 a public water system;

73 q. "Sanitary survey" means an on-site review of the water
 74 source, facilities, equipment, operation and maintenance of a public
 75 or nonpublic water system for the purpose of evaluating the
 76 adequacy of the source, facilities, equipment, operation and mainte-
 77 nance for producing and distributing safe drinking water with
 78 adequate pressure and volume;

79 r. "Secondary drinking water regulation" means a regulation
 80 applying to one or more water systems, and which specifies the
 81 maximum contaminant levels that are required to protect the public
 82 welfare; such regulations may apply to any contaminant in drink-
 83 ing water (1) which may adversely affect the taste, odor, or appear-
 84 ance of such water and consequently may cause a substantial
 85 number of the persons served by such water systems to discontinue
 86 their use, or (2) which may otherwise adversely affect the public
 87 welfare;

88 s. "Water system" means a system for providing potable water
 89 to any person.*

1 4. a. The commissioner shall prepare, promulgate and enforce
 2 **and may amend or repeal (1)** State primary drinking water
 3 regulations that at any given time shall be no less stringent than
 4 the complete interim or revised national primary drinking water
 4A regulations in effect at that time*; (2) *State secondary drinking*
 4B *water regulations; and (3) other regulations to protect potable*
 4C *waters, regulate public and nonpublic water systems, and carry*
 4D *out the intent of this act in any one or more areas of the State re-*
 4E *quiring a particular safe drinking water program*.*

5 b. Subject to section 5. of this act, State primary drinking water
 6 regulations shall apply to each public water system in the State,
 7 except that such regulations shall not apply to a public water
 8 system:

9 (1) Which consists only of distribution and storage facilities
 10 and which does not have any collection and treatment facilities;

11 (2) Which obtains all of its water from, but is not owned or
 12 operated by, a public water system to which such regulations
 13 apply; or

14 (3) Which does not sell water to any person;

15 c. The commissioner shall adopt and implement adequate pro-
 16 cedures*, *promulgate appropriate rules and regulations, and issue*
 17 *such orders as are necessary** for the enforcement of State primary
 18 drinking water regulations***],** including monitoring and inspection
 19 procedures, that comply with regulations established by the admin-
 20 istrator pursuant to the Federal act.**]*** **and for the provision of*
 21 *potable water of adequate volume and pressure; such regulations*
 22 *and procedures to include but not be limited to:*

23 (1) *Monitoring and inspection procedures;*

24 (2) *Maintenance of an inventory of public water systems in the*
 25 *State;*

26 (3) *A systematic program for conducting sanitary surveys of*
 27 *public water systems throughout the State or in a part thereof*
 28 *whenever the commissioner determines that such surveys are*
 29 *necessary or advisable;*

30 (4) *The establishment and maintenance of a program for the*
 31 *certification of laboratories conducting analytical measurements of*
 32 *drinking water contaminants specified in the State primary and*
 33 *secondary drinking water regulations; and the assurance of the*
 34 *availability to the department of laboratory facilities certified by*
 35 *the administrator and capable of performing analytic measure-*
 36 *ments of all contaminants specified in the State primary and secon-*
 37 *dary drinking water regulations;*

38 (5) *The establishment and maintenance of a program concern-*
39 *ing plans and specifications for the design and construction of new*
40 *or substantially modified public water systems, which program (a)*
41 *requires all such plans and specifications, or either, to be first*
42 *approved by the department before any work thereunder shall be*
43 *commenced and (b) assures that all such projects, upon completion,*
44 *will comply with any rules and regulations of the department con-*
45 *cerning their construction; will be capable of compliance with the*
46 *State primary drinking water regulations or such requirements of*
47 *the State secondary drinking water regulations as the commissioner*
48 *deems applicable, and will deliver water with sufficient volume and*
49 *pressure to the users of such systems.**

50 d. The commissioner shall keep such records and make such
51 reports with respect to his activities under subsections a. and c. of
52 this section as may be required by regulations established by the
53 administrator pursuant to the Federal act*; * [.]*

54 *e. *The commissioner may require any public water system to*
55 *install, use, and maintain such monitoring equipment and methods,*
56 *to perform such sampling, to maintain and retain such records of*
57 *information from monitoring and sampling activities, to submit*
58 *such reports of monitoring and sampling results, and to provide*
59 *such other information as he may require to assist in the establish-*
60 *ment of regulations under this act, or to determine compliance or*
61 *noncompliance with this act or with regulations promulgated*
62 *pursuant to this act;*

63 f. *The commissioner shall have the right to enter any premise*
64 *upon presentation of appropriate credentials during regular*
65 *business hours, in order to test, inspect or sample any feature of*
66 *a public water system and in order to inspect, copy or photograph*
67 *any monitoring equipment or records required to be kept under*
68 *provisions of this act.*

69 g. *The department shall further transmit copies of all rules and*
70 *regulations proposed pursuant to this act to the Senate and General*
71 *Assembly on a day on which both Houses shall be meeting in the*
72 *course of a regular or special session. The provisions of the afore-*
73 *said "Administrative Procedure Act" or any other law to the con-*
74 *trary notwithstanding, no such rule or regulation shall take effect*
75 *if, within 60 days of the date of its transmittal to the Senate and*
76 *General Assembly, the Legislature shall pass a concurrent resolu-*
77 *tion stating in substance that the Legislature does not favor such*
78 *proposed rule or regulation.**

1 5. The commissioner may authorize variances or exemptions
2 from the regulations issued pursuant to section 4. of this act under
3 conditions and in such manner as he deems necessary and desirable;
4 provided, however, that such variances or exemptions shall be
5 granted only under conditions and in a manner which are no less
6 stringent than the conditions under, and the manner in which,
7 variances and exemptions may be granted under the Federal act.
8 **Notwithstanding the foregoing variances may be granted for no*
9 *longer than 5 years, subject to one or more renewals of no longer*
10 *than 5 years each.**

1 6. The commissioner, upon receipt of information that a con-
2 taminant which is present in or is likely to enter a public water
3 system may present an imminent and substantial endangerment to
4 the health of persons, may take such actions as he may deem
5 necessary in order to protect the health of such persons. Such
6 actions may include, but shall not be limited to: a. issuing such
7 orders as may be necessary to protect the health of persons who
8 are or may be users of such system, including travelers; and, b.
9 commencing a civil action for appropriate relief, including a
10 restraining order or permanent or temporary injunction.

1 7. The commissioner shall promulgate an adequate plan for the
2 provision of safe drinking water under emergency circumstances.
3 When, in the judgment of the commissioner, emergency circum-
4 stances exist in the State with respect to a need for safe drinking
5 water, he may take such actions, including the issuance of orders,
6 as he may deem necessary in order to provide such water where
7 it otherwise would not be available.

1 8. Whenever a public water supply system: a. is not in com-
2 pliance with the State primary drinking water regulations; b. fails
3 to perform monitoring required by regulations adopted by the
4 commissioner; or, c. fails to comply with the requirements pre-
5 scribed by a variance or exemption, the supplier of water shall as
6 soon as practicable give notice of that fact and of the nature, and
7 extent and possible health effects of such fact to the municipal and
8 county health departments, the department, the administrator, and
9 communications media serving the area served by the system of
10 such fact. Such notice also shall be given by the supplier of water
11 by publication in a newspaper of general circulation, as determined
12 by the commissioner, within the area served by such public water
13 system at least once every 3 months so long as the violation
14 continues. If the water bills of a public water system are issued
15 more often than once every 3 months, such notice shall also be
16 included in at least one water bill of the public water system for

17 each customer every 3 months; if the public water system issues its
 18 water bills less often than once every 3 months, such notice shall
 19 be included in each of the water bills issued by the system for each
 20 customer; provided, however, that the commissioner may prescribe
 21 by regulations alternative notice requirements.

1 9. The commissioner is authorized and empowered, in order to
 2 carry out the provisions and purposes of this act, to:

3 a. Perform any and all acts necessary to carry out the purposes
 4 and requirements of this act relating to the adoption and enforce-
 5 ment of ***[State primary drinking water regulations]*** **any regula-*
 5A *tions authorized pursuant to this act**;

6 b. Administer and enforce the provisions of this act and all rules,
 7 regulations, and orders promulgated, issued, or effective here-
 8 under;

9 c. Enter into agreements, contracts, or cooperative arrange-
 10 ments, under such terms and conditions as he deems appropriate
 11 with other state agencies, Federal agencies, municipalities, counties,
 12 educational institutions, municipal or county health departments,
 13 or other organizations or individuals;

14 d. Receive financial and technical assistance from the Federal
 15 Government and other public or private agencies;

16 e. Participate in related programs of the Federal Government,
 17 other states, interstate agencies, or other public or private
 18 agencies or organizations;

19 f. Establish adequate fiscal controls and accounting procedures
 20 to assure proper disbursement of and accounting for funds appro-
 21 priated or otherwise provided for the purpose of carrying out the
 22 provisions of this act;

23 g. Delegate those responsibilities and duties as deemed appro-
 24 priate for the purpose of administering the requirements of this
 25 act;

26 h. Establish and collect fees, in accordance with a fee schedule
 27 adopted as a rule or regulation, for conducting inspections and
 28 laboratory analyses **and certifications** as may be necessary;

29 i. Prescribe such regulations **and issue such orders** as are
 30 necessary or appropriate to carry out his functions under this
 30A act ***[;]*** *.*

31 ***[j. Enter and inspect any building or place, except private resi-**
 32 **dences, for the purpose of investigating an actual or suspected**
 33 **violation of this act or of any rule, regulation or order promulgated**
 34 **or issued pursuant to this act.]***

1 10. a. If any person violates any of the provisions of this act or
 2 any rule, regulation or order promulgated or issued pursuant to the

3 provisions of this act, the department may institute a civil action
 4 in a court of competent jurisdiction for injunctive relief to prohibit
 5 and prevent such violation or violations and the said court may
 6 proceed in the action in a summary manner.

7 b. Any person who violates the provisions of this act or any
 8 rule, regulation or order promulgated pursuant to this act shall be
 9 liable to a penalty of not more than \$5,000.00 for each offense, to
 10 be collected in a civil action by a summary proceeding under The
 11 Penalty Enforcement Law (N. J. S. 2A:58-1 et seq.), or in any
 12 case before a court of competent jurisdiction wherein injunctive
 13 relief had been requested. The Superior Court, County Court and
 14 county district court shall have jurisdiction to enforce said Penalty
 15 Enforcement Law. If the violation is of a continuing nature, each
 16 day during which it continues shall constitute an additional,
 17 separate and distinct offense.

18 c. The department is hereby authorized and empowered to com-
 19 promise and settle any claim for a penalty under this section in
 20 such amount in the discretion of the department as may appear
 21 appropriate and equitable under all of the circumstances.

1 11. If any provision of this act or the application thereof to any
 2 person or circumstance is held invalid, the remainder of the act and
 3 the application of such provision to persons or circumstances other
 4 than those to which it is held invalid, shall not be affected thereby.
 5 This act shall be liberally construed to effectuate the purpose and
 6 intent thereof. **All rules and regulations promulgated pursuant to
 7 any statutes repealed by this act are continued in full force and
 8 effect until superseded and repealed by rules and regulations
 9 promulgated pursuant to this act.**

1 *12. Section 7 of P. L. 1947, c. 177 (C. 26:1A-7), is amended to
 2 read as follows:

3 7. The Public Health Council shall have power, by the affirmative
 4 vote of a majority of all its members, to establish, and from time
 5 to time amend and repeal, such reasonable sanitary regulations not
 6 inconsistent with the provisions of this act or the provisions of
 7 any other law of this State as may be necessary properly to pre-
 8 serve and improve the public health in this State. The regulations
 9 so established shall be called the State Sanitary Code.

10 The State Sanitary Code may cover any subject affecting public
 11 health, or the preservation and improvement of public health and
 12 the prevention of disease in the State of New Jersey, including the
 13 immunization against disease of all school children in the State
 14 of New Jersey. In addition thereto, and not in limitation thereof,

15 said State Sanitary Code may contain sanitary regulations:
 16 (a) prohibiting nuisances hazardous to human health; (b) [pro-
 17 hibiting pollution of any water supply;] (*deleted by amendment*)
 18 (c) regulating the use of privies and cesspools; (d) regulating the
 19 disposition of excremental matter; (e) regulating the control of fly
 20 and mosquito breeding places; (f) regulating the detection, report-
 21 ing, prevention and control of communicable and preventable dis-
 22 eases; (g) regulating the conduct of public funerals; (h) regulating
 23 the conduct of boarding homes for children; (i) regulating the
 24 conduct of maternity homes and the care of maternity and infant
 25 patients therein (j) regulating the conducts of camps; (k) regulat-
 26 ing the production, distribution and sale of certified milk; (l)
 27 regulating the preparation, handling, transportation, burial or
 28 other disposal, disinterment and reburial of dead human bodies;
 29 and (m) prescribing standards of cleanliness for public eating
 30 rooms and restaurants.

31 Prior to the final adoption by the council of any sanitary regula-
 32 tion or amendment thereto or repealer thereof the council shall
 33 hold a public hearing thereon. The council shall cause to be pub-
 34 lished, at least once, not less than 15 days prior to such hearing,
 35 in each of the counties of the State in a newspaper published in
 36 each of said counties, or if no newspaper be published in any such
 37 county, then in a newspaper circulated in such county, a notice of
 38 such hearing, specifying the time when and the place where such
 39 hearing will be held, together with a brief summary of the proposed
 40 regulation, amendment or repealer and a statement that copies of
 41 the text thereof may be obtained from the State Commissioner of
 42 Health or from the board of health of any municipality in the State.
 43 The State Department of Health shall prepare and make available
 44 on request therefor, copies of the text of such proposed regulations
 45 and changes therein in the manner described in such public notice.

1 13. Section 37 of P. L. 1947, c. 177 (C. 26:1A-37) is amended to
 2 read as follows:

3 37. The department shall formulate comprehensive policies for
 4 the promotion of public health and the prevention of disease within
 5 the State. It shall in addition to other powers and duties vested in
 6 it by this act or by any other law:

7 a. Collect, preserve and tabulate all information required by law
 8 in reference to births, marriages, deaths and all vital facts and shall
 9 obtain, collect and preserve such information relating to the health
 10 of the people of the State and to the prevention of disease as may be
 11 useful in the discharge of the functions of the department;

12 b. Prepare and administer or supervise a State-wide program of
13 health education, prepare and make available to practicing physi-
14 cians and local boards of health in the State technical information
15 concerning public health, cooperate with the Commissioner of
16 Education in the preparation and distribution of health bulletins
17 among all the public schools of the State for the purpose of educat-
18 ing children in sanitation and hygiene, cooperate with the Commis-
19 sioner of Education in the preparation of a program of school
20 health services.

21 c. Administer or supervise a program of public health nursing,
22 prescribe the minimum qualifications of all public health nurses
23 engaged in official public health work, and encourage and aid in
24 coordinating local public health nursing services;

25 d. Encourage, direct and aid in coordinating local programs con-
26 cerning control of preventable diseases in accordance with a unified
27 State-wide plan which shall be formulated by the department;

28 e. Administer or supervise a program of maternal and child
29 health services, encourage and aid in coordinating local programs
30 concerning maternal and infant hygiene, and encourage and aid in
31 coordinating local programs concerning prenatal and post-natal
32 care, and may, when requested by a local board of education, super-
33 vise the work of school nurses;

34 f. Administer or supervise a program of dental health, encourage
35 and aid in coordinating local programs concerning dental health;

36 g. Establish and maintain adequate serological, bacteriological
37 and chemical laboratories with such expert assistance and such
38 facilities as are necessary for routine examinations and analyses,
39 and for original investigations and research in matters affecting
40 public health;

41 h. Administer or supervise a program of industrial hygiene, en-
42 courage the establishment of medical, dental, environmental
43 engineering and nursing services in all industrial plants in the
44 State, cooperate with the State Department of Labor in formulating
45 rules and regulations concerning industrial sanitary conditions;

46 i. [Supervise sanitary engineering facilities and projects within
47 the State, authority for which is now or may hereafter be vested by
48 law in the State Department of Health, and shall, in the exercise of
49 such supervision, make and enforce rules and regulations concern-
50 ing plans and specifications, or either, for the construction, im-
51 provement, alteration or operation of all public water supplies, all
52 public bathing places, and of sewerage systems and disposal plants
53 for treatment of sewage, wastes and other deleterious matter,

54 liquid or solid, discharged into any of the waters of the State, re-
 55 quire all such plans or specifications, or either, to be first approved
 56 by it before any work thereunder shall be commenced, inspect all
 57 such projects during the progress thereof and enforce compliance
 58 with such approved plans and specifications;】 (*Deleted by amend-*
 59 *ment*)

60 j. Enforce the State food, drug, and cosmetic laws and collab-
 61 orate in the enforcement of the Federal Food, Drug, and Cosmetic
 62 Act;

63 k. Keep complete and accurate minutes of all hearings held be-
 64 fore the commissioner or any member of the department pursuant
 65 to the provisions of this act.

66 All such minutes shall be retained in a permanent record, and
 67 shall be available for public inspection at all times during the
 68 office hours of the department.*

1 *【12.】* *14.* The following are repealed:

2 R. S. 58:7-1 to R. S. 58:7-3 inclusive.

3 R. S. 58:8-1.

4 R. S. 58:9-1.

5 R. S. 58:11-1 to 【R. S. 58:11-9】 *R. S. 58:11-13* inclusive.

6 *R. S. 58:10-1 to R. S. 58:10-4 inclusive.

7 *P. L. 1945, c. 192, s. 1 (C. 26:3B-1).*

8 *P. L. 1945, c. 192, s. 4 (C. 26:3B-4).**

1 *【13. There is hereby appropriated to the Department of En-
 2 vironmental Protection the sum of \$100,000.00 for the administra-
 3 tion of this act.】*

1 *【14.】* *15.* This act shall take effect immediately.

4 than those to which it is held invalid, shall not be affected thereby.
5 This act shall be liberally construed to effectuate the purpose and
6 intent thereof.

1 12. The following are repealed:

2 R. S. 58:7-1 to R. S. 58:7-3 inclusive.

3 R. S. 58:8-1.

4 R. S. 58:9-1.

5 R. S. 58:11-1 to R. S. 58:11-9 inclusive.

1 13. There is hereby appropriated to the Department of Environ-
2 mental Protection the sum of \$100,000.00 for the administration of
3 this act.

1 14. This act shall take effect immediately.

STATEMENT

This bill empowers the Department of Environmental Protection to protect the purity of the State's drinking water through the promulgation, monitoring and enforcement of safe drinking water regulations. Every public water supply system which is not in conformance with the safe drinking water regulations is required to conform to such standards, or be subject to general remedies, including penalties of up to \$5,000.00 per day, and to notify the State, local health departments and the press of any such violation. The bill appropriates \$100,000.00 for this purpose and repeals parts of the statutory law.

SENATE ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE, No. 3131

STATE OF NEW JERSEY

DATED: APRIL 28, 1977

The Safe Drinking Water Act empowers the Department of Environmental Protection to protect the purity of the State's drinking water through the promulgation, monitoring and enforcement of safe drinking water regulations. The bill authorizes exemptions and variances under certain conditions. It provides general administrative powers to the department and special emergency powers to be utilized under emergency circumstances. It provides a complete revision, consolidation and improvement of the existing potable water statutes. Every public water supply system which is not in conformance with the safe drinking water regulations is required to conform to such standards or be subject to certain remedies, including penalties of up to \$5,000.00 per day and requirements to notify the State, local health departments, the consumer and the press of any such violation.

The Senate Committee Amendments establish a Legislative oversight role which includes a possible legislative veto over any rules proposed for promulgation pursuant to the act. The amendments authorize the Commissioner to promulgate secondary and other drinking water regulation. They authorize the commissioner to conduct inventories of water systems, sanitary surveys, a laboratory certification program and a program to approve or disapprove construction proposals for public water systems. The amendments repeal additional redundant statutes. The amendments remove the appropriation, because of the availability of federal aid to finance the program.

FROM THE OFFICE OF THE GOVERNOR

SEPTEMBER 17, 1977

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

ANNE BURNS

Governor Brendan Byrne today signed into law S-3131, sponsored by Senator John F. Russo (D-Ocean) which is known as the "Safe Drinking Water Act."

The bill authorizes the Department of Environmental Protection to protect the purity of the State's drinking water by developing, monitoring and enforcing safe drinking water regulations.

The bill is the State complement of federal legislation on Safe Drinking Water.

Under this legislation, DEP is given general administrative powers as well as special powers to be used under emergency circumstances.

It also revises and consolidates existing potable safe drinking water statutes.

Every public water supply system which does not comply with the safe drinking water regulations is required to conform or will be subject to penalties of up to \$5,000 per day. The municipality will also be required to notify the State local health departments, consumers and the press of any violations.

The bill was signed at the Toms River Chemical Corporation in Toms River.

PROPERTY OF
NEW JERSEY STATE LIBRARY

001 2 1977

335 W. State Street
Trenton, N.J.

