

ASSEMBLY BILL NO. 1400
(First Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 1400 (First Reprint) with my recommendations for reconsideration.

This bill would require the operator of a public water system to notify a municipality and the chief administrators of schools within that municipality whenever the public water system incurs a violation that requires a Tier 2 Public Notice under federal law. The notice required by this bill must include the name of any contaminant that exceeds a drinking water quality standard, the maximum contaminant level or the action level, as appropriate, for the contaminant, the level of the contaminant found on each date, the dates when the tests were performed, the location of each sample tested, and the location of each sample tested that exceeds a maximum contaminant level or action level, as well as measures that customers may take to ameliorate the violation.

I applaud the sponsors of this legislation for seeking to ensure that local representatives and school officials are notified of water system violations. I share the sponsors' concern for public health and the desire to reduce exposure to potentially contaminated water, particularly among New Jersey's student population. Today, I am recommending modest changes to ensure that the notifications issued pursuant to the bill effectively reach the impacted populations and conform to federal requirements, and to clarify that public water systems bear the burden of remedying the violation.

First, I recommend revising the scope of parties to be notified under this bill to those who are located within the service area of the public water system that incurred the violation. Because public water system service areas do not always

align with municipal boundaries, it is important to ensure that only those municipalities and chief administrators of schools that fall within the affected service area will be notified. Second, to ensure compliance with the federal Safe Drinking Water Act, which governs the form and content of Tier 2 Public Notices, I propose clarifying that the notification provided under the bill must include any other information required under federal law. Finally, I am recommending a technical revision to clarify that customers do not bear the responsibility to remedy or address a public water system violation.

Therefore, I herewith return Assembly Bill No. 1400 (First Reprint) and recommend that it be amended as follows:

Page 2, Section 1, Line 12: Delete "located within the municipality" and insert "served by the public water system"

Page 2, Section 1, Line 25: After "level" insert ", in addition to any other requirements under the federal Safe Drinking Water Act, 42 U.S.C. § 300f et seq"

Page 2, Section 1, Line 26: Delete "remedies" and insert "measures"

Page 2, Section 1, Line 27: Delete "address" and insert "minimize the impact of"

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Kate E. McDonnell

Chief Counsel to the Governor