

ASSEMBLY TELECOMMUNICATIONS AND UTILITIES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2894

STATE OF NEW JERSEY

DATED: JUNE 5, 2023

The Assembly Telecommunications and Utilities Committee reports favorably Assembly Bill No. 2894.

As reported, this bill requires public water systems to provide certain notices concerning boil water notices and violations of drinking water quality standards.

Under current law, a public water system is required to provide notice to the mayor and municipal clerk, or their authorized designees, of each affected municipality that receives water from the public water system when a boil water notice is in effect and upon the recession of the boil water notice. The bill expands this requirement to include the provision of notice by the public water system to each customer affected by the boil water notice.

Specifically, the bill requires the notices provided to affected customers to be submitted via the customer's preferred means of direct contact and provided no later than 24 hours after the public water system learns of the emergency that required the issuance of the boil water notice. The bill also requires the public water system to post notice of the boil water notice, as well as the recession of the boil water notice, on the website and any social media accounts maintained by the public water system for the public or its customers.

The bill also requires the owner or operator of each public water system to submit a solicitation to each customer to determine the customer's preferred means of direct contact from the options made available to the customer by the public water system. However, the bill requires each public water system to develop the capacity to notify customers by direct contact, including telephone, electronic mail, or text message.

Specifically, the bill requires each public water system to include the solicitation in the water bills issued to each customer within 60 days after the enactment of the bill, except that if the public water system issues bills less frequently than every two months, the solicitation is required to be included in the next water bills issued after the enactment of the bill. If a customer fails to respond to this solicitation, the bill also requires the public water system to attempt to notify the customer via telephone, or other means of direct

contact, if the public water system has access to a telephone number for the customer's account. The bill also provides that when a customer of record receives the solicitation on behalf of two or more units within a multiple dwelling, condominium, or cooperative, the customer would be required to provide a copy of the solicitation to every unit within the multiple dwelling, condominium, or cooperative.

Additionally, the bill requires the owner or operator of a public water system to immediately notify, by telephone and electronic mail, the governing body and municipal clerk of each municipality served by the public water system, as well as the chief administrator of each school district, charter school, and nonpublic school located within any such municipality, whenever the public water system violates any drinking water quality standard or exceeds an action level for drinking water supplied by the public water system within the municipality. Under the bill, this notification would be required to contain: (1) the name of any contaminant that exceeds a drinking water quality standard or action level; (2) the maximum contaminant level or the action level, as appropriate, for the contaminant; (3) the dates when the tests were performed; (4) the level of the contaminant found on each date; (5) the location of each sample tested; and (6) any information on the suggested remedies that a customer may take to address the violation or exceedance.