






## SAFE DRINKING WATER ACT & PRIVATE WELL TESTING ACT RULE UPDATE

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NOVEMBER & DECEMBER 2018

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## RULE CHANGES



- ◆ Amendments were recently made to the Safe Drinking Water Act (SDWA) rules N.J.A.C. 7:10 and the Private Well Testing Act (PWTa) rules N.J.A.C. 7:9E.
- ◆ These amendments were published in the N.J. Register and became effective on September 4, 2018.
- ◆ More detailed information as well as a copy of the SDWA rules can be found on our website at:  
[https://www.state.nj.us/dep/watersupply/g\\_reg.html](https://www.state.nj.us/dep/watersupply/g_reg.html).

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## OVERVIEW




- ◆ New MCL for 1,2,3-Trichloropropane (1,2,3-TCP) of 30 ppt (0.030 µg/l)
- ◆ New MCL for Perfluorononanoic Acid (PFNA) of 13 ppt (0.013 µg/l)
- ◆ Monitoring Requirements for all Community and Non-Transient Non-Community Water Systems
- ◆ Status of other contaminants of concern
- ◆ Additional Rule Changes

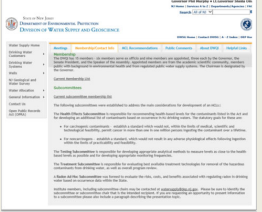
<https://www.nj.gov/dep/rules/adoptions.html>

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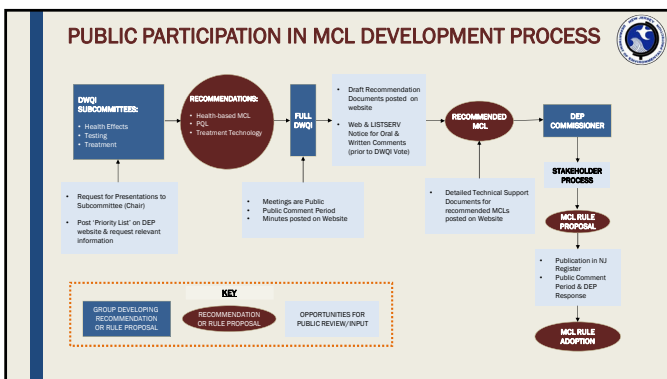
## Drinking Water Quality Institute (DWQI)



- ◆ Established under 1984 SDWA amendments and charged with recommending MCLs
- ◆ Meeting information including agendas at:  
[www.nj.gov/dep/watersupply/g\\_boards\\_dwqi.html](http://www.nj.gov/dep/watersupply/g_boards_dwqi.html)
- ◆ Three subcommittees: Health, Treatment & Testing




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## New Jersey Rule Process




- ◆ Stakeholder process
- ◆ Draft rule proposal
- ◆ Proposal published in NJ Register
- ◆ Public hearings and comment period
- ◆ Adoption within one year
- ◆ Effective date noted upon publication

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# PFNA AND 1,2,3-TCP


The road to regulation of two contaminants



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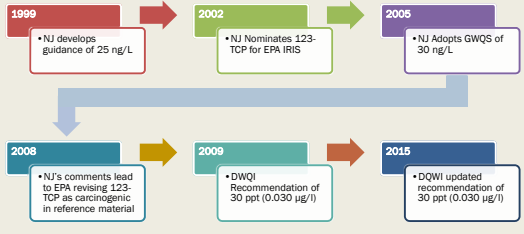
## QUICK FACTS: 1,2,3-TRICHLOROPROPANE

- Uses: pesticides (as an impurity), industrial solvent, cleaning & degreasing agent, paint remover
- Evaporates from surface water but leaches through soil to groundwater
- Potent carcinogen. Causes mutations and DNA damage.
- Detected in UCMR3 between 0.03 - 0.051 µg/l




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## TIMELINE: 1,2,3-TRICHLOROPROPANE




- 1999**: NJ develops guidance of 25 ng/L
- 2002**: NJ Nominates 123-TCP for EPA IRIS
- 2006**: NJ Adopts GWQS of 30 ng/L
- 2008**: NJ's comments lead to EPA revising 123-TCP as carcinogenic in reference material
- 2009**: DWQI Recommendation of 30 ppt (0.030 µg/l)
- 2015**: DWQI updated recommendation of 30 ppt (0.030 µg/l)



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# MONITORING FRAMEWORK

1,2,3-Trichloropropane




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## 1,2,3-TRICHLOROPROPANE

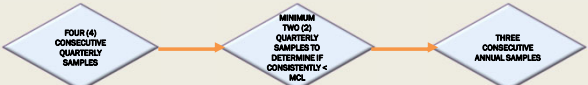
Monitoring required at:

- 1<sup>st</sup> Quarter 2019:
  - All Community Water Systems ≤10K using groundwater and all Non-Transient Non-Community Water Systems
- 1<sup>st</sup> Quarter 2020:
  - All Community Water Systems >10K and all Community Water Systems using a surface water source
  - Private Wells under PWTAs




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## SOC Monitoring Framework



- If three consecutive annual samples have **no** detections system can be issued a waiver
- PWS <3,300 may reduce sampling to 1 quarterly sample during each compliance period with no detections
- Monitoring period in the three year cycle is determined by population and type of water system (N.J.A.C. 7:10-5.2(a)7)



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### ANALYTICAL METHODS

- NOTE: Methods 524.3 and 504.1 used to test for 1,2,3-TCP **also detect EDB and DBCP.**

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### QUICK FACTS: EDB AND DBCP

- Health Effects:
  - EDB/DBCP - Potent carcinogens. Causes mutations and DNA damage.
- Federally regulated SOCs
  - EDB - MCL of 0.05 µg/l
  - DBCP - MCL 0.2 µg/l
- Systems can receive waivers under the following three year monitoring cycles:
  - 2017-2019
  - 2020-2022

**No waivers will be granted for these two SOCs during the compliance cycle when the water system is testing for 1,2,3-TCP.**

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## MCL DEVELOPMENT

Perfluorononanoic Acid

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### QUICK FACTS: PERFLUORONONANOIC ACID (PFNA)

- Used in manufacturing of consumer goods
- Does not break down in the environmental and is water soluble
- Detected in UCMR3 in NJ
  - EPA MRL = 20 ng/L
  - Detected in 7/1456 samples (0.5%); 4/175 systems (2%)

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### NJ versus National PFAS Detections in UCMR3 (2013-15)

| Compound     | Reporting Level (ng/L) | New Jersey PWS # Detects** | % Detects | National PWS # Detects (other than NJ)** | % Detects (other than NJ) |
|--------------|------------------------|----------------------------|-----------|--|---------------------------|
| PFOA (C8)    | 20                     | 18/175                     | 10.3%     | 98/4745                                  | 2.1%                      |
| PFNA (C9)    | 20                     | 4/175                      | 2.3%      | 10/4745                                  | 0.2%                      |
| PFOS (C8-S)  | 40                     | 6/175                      | 3.4%      | 89/4745                                  | 1.9%                      |
| PFHxS (C6-S) | 30                     | 2/175                      | 1.1%      | 53/4745                                  | 1.1%                      |
| PFBS (C4-S)  | 90                     | 0/175                      | 0%        | 8/4745                                   | 0.2%                      |
| PFHpA (C7)   | 10                     | 6/175                      | 3.4%      | 80/4745                                  | 1.7%                      |
| Any PFC      | —                      | 25/175                     | 14.3%     | 169/4745***                              | 3.6%***                   |

\* New Jersey data as of 10/14/16.  
 \*\* USEPA data posted online as of 7/16.  
 \*\*\* Based on Hu et al. (2016).

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### TIMELINE: PERFLUORONONANOIC ACID

- 2009: NJDEP PFC Occurrence Study
- 2013: Literature search revealed PFNA levels in NJ exceeded any others reported worldwide
- 2014: NJDEP Guidance issued to South Jersey residents
- 2013-2015: UCMR3 Testing detects PFNA in NJ more frequently than nationally
- 2014: DWQI Recommendation of 13 ppt (0.013 µg/l)
- 2018: NJDEP adoption of MCL

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**MONITORING FRAMEWORK**  
Perfluorononanoic Acid

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**PERFLUORONONANOIC ACID**

Monitoring required at:

- 1<sup>st</sup> Quarter 2019:
  - All Community Water Systems ≤10K using groundwater and all Non-Transient Non-Community Water Systems
- 1<sup>st</sup> Quarter 2020:
  - All Community Water Systems >10K and all Community Water Systems using a surface water source

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**VOC MONITORING FRAMEWORK**

- If three consecutive annual samples have no detections system can be placed on triennial monitoring
- Monitoring period in the three year cycle is determined by population and type of water system (N.J.A.C. 7:10-5.2(a)7)

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**NOTE: PFOA/PFOS**

- Water systems reporting data for PFNA are encouraged to also report data for PFOA and PFOS
- If MCLs are adopted in the future, results submitted may be evaluated as "grandfathered data" and used to reduce monitoring frequency.

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**MONITORING SCHEDULES**

- Letters have been sent to all water systems confirming monitoring schedules
- 100% bulk purchase systems received initial letter but no monitoring schedule letter

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**MONITORING SCHEDULES**

Monitoring Schedules are available on Drinking Water Watch

| Sample Point ID | Analyte Name                  | Schedule Starts | Sampling Year | Requirements          |
|-----------------|-------------------------------|-----------------|---------------|-----------------------|
| DS              | PH                            | 07/01/2018      | 2018          | 20 Sample(s)/Every 6M |
| TP001004        | 1,2,3-TRICHLOROPROPANE        | 01/01/2020      | 2020          | 1 Sample(s)/QT        |
| TP001004        | 1,2-DIBROMO-3-CHLOROPROPANE   | 01/01/2020      | 2020          | 1 Sample(s)/QT        |
| TP001004        | CARBON, TOTAL                 | 01/01/2002      | 2018          | 1 Sample(s)/Month     |
| TP001004        | ETHYLENE DIBROMIDE            | 01/01/2020      | 2020          | 1 Sample(s)/QT        |
| TP001004        | NITRATE                       | 01/01/2003      | 2018          | 1 Sample(s)/YR        |
| TP001004        | PERFLUORONONANOIC ACID (PFNA) | 01/01/2020      | 2020          | 1 Sample(s)/QT        |
| TP001004        | PH                            | 07/01/2018      | 2018          | 1 Sample(s)/Every 2W  |
| TP001004        | TURBIDITY                     | 01/01/2002      | 2018          | 1 Sample(s)/Month     |

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### Child Care Facilities

- ◆ Please be aware that the new analytes required under the SDWA rule amendments (PFNA and 1,2,3-TCP) also apply to Child Care Facilities.
- ◆ EDB and DBCP are also required to be collected and analyzed by Child Care Facilities.

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### NEW JERSEY SUMMARY

| Contaminant  | Stage In Process  |
|--|---|
| PFNA<br>1,2,3 - TCP  | Rule adopted and effective September 4, 2018.   |
| PFOA   | DWQI recommended MCL in March 2017, Rulemaking process initiated.                       |
| PFOS   | DWQI recommended MCL in May 2018, Rulemaking process initiated.                         |
| Chrome (VI)<br>Chlorate<br>Tertiary Butyl Alcohol<br>1,4 Dioxane | Commissioner asked DWQI to consider starting the process of setting an appropriate MCL. |

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### OTHER RULE CHANGES

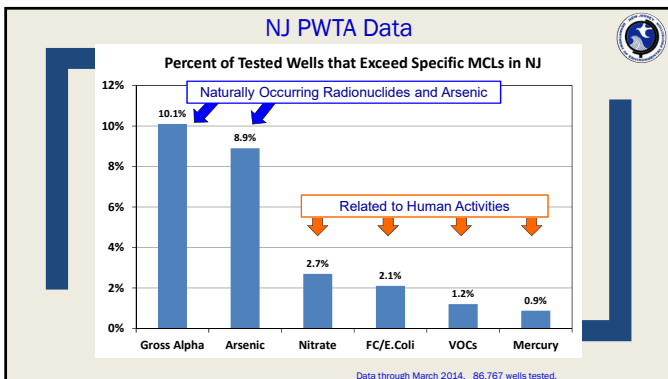
- ◆ 1<sup>st</sup> Quarter 2019: Radionuclides testing for non transient non-community water systems
- ◆ Notice of Administrative Change to the GWQS
- ◆ CCR Requirements for PFNA/1,2,3-TCP
- ◆ PWTA Changes
- ◆ New one time testing for newly constructed non-community or non-public wells

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### BASED ON A GEOLOGIC FRAMEWORK

- ◆ Uranium Testing: North Jersey
- ◆ Gross Alpha Testing: Statewide
- ◆ Arsenic Testing: Statewide

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### IMPORTANT RESOURCES – TREATMENT FUNDING

- ◆ Spill Funds Claims under the Spill Compensation and Control Act  
NJDEP Site Remediation Program: <https://www.nj.gov/dep/srp/>  
Fund Management Section at 609-984-2076 or  
Publicly Funded Response Element at 609-984-3074
- ◆ New Jersey Drinking Water State Revolving Fund  
Bureau of Safe Drinking Water at (609) 292-5550


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### IMPORTANT RESOURCES

- ◆ EPA Rule Actions: <https://www.epa.gov/pfas/epa-actions-address-pfas>
- ◆ Interstate Technology and Regulatory Committee Factsheets: <https://pfas-1.itrcweb.org/fact-sheets/>
- ◆ Unregulated Contaminant Monitoring Rule: <https://www.epa.gov/dwucmr/third-unregulated-contaminant-monitoring-rule>

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### SUMMARY OF KEY DATES

- ◆ Rule Adopted: **September 4, 2018**
- ◆ Sampling for all nontransient noncommunity water systems: **1<sup>st</sup> Quarter 2019**
- ◆ Sampling for community water systems: **1<sup>st</sup> Quarter 2019 or 1<sup>st</sup> Quarter 2020**
- ◆ Start of PWTA requirements for gross alpha, uranium, arsenic: **September 4, 2018**
- ◆ Start of PWTA requirements for 1,2,3-TCP, EDB and DBCP: **March 3, 2019**

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### QUESTIONS?

watersupply@dep.nj.gov

609-292-5550 (phone)

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