



Notice of Rule Proposal

PFOA AND PFOS
PETROLEUM DISCHARGES, GROUNDWATER STANDARDS, PRIVATE
WELL TESTING, NJPDES AND SAFE DRINKING WATER ACT

Discharges of Petroleum and Other Hazardous Substances Rules, N.J.A.C. 7:1E Ground Water Quality Standards, N.J.A.C. 7:9C Private Well Testing Act Rules, N.J.A.C. 7:9E Safe Drinking Water Act Rules, N.J.A.C. 7:10 New Jersey Pollutant Discharge Elimination System Rules, N.J.A.C. 7:14A

PUBLIC NOTICE

Take notice that the NJ Department of Environmental Protection is proposing amendments to the Discharge of Petroleum and Other Hazardous Substance rules, Ground Water Quality Standards, Private Well Testing Act rules, Safe Drinking Water Act rules, and New Jersey Pollutant Discharge Elimination System rules. A statement of the substance of the proposal follows:

The Department is proposing to amend the New Jersey Safe Drinking Water Act (SDWA) rules at N.J.A.C. 7:10 to establish, as recommended by the New Jersey Drinking Water Quality Institute (Institute), a maximum contaminant level (MCL) for perfluorooctanoic acid (PFOA) of 0.014 micrograms per liter ($\mu\text{g}/\text{l}$) and an MCL for perfluorooctanesulfonic acid (PFOS) of 0.013 $\mu\text{g}/\text{l}$. The proposal includes monitoring requirements for PFOA and PFOS for public community and public nontransient noncommunity water systems. Further, the Department proposes to amend the Private Well Testing Act rules at N.J.A.C. 7:9E to require testing of private wells subject to sale or lease for perfluorononanoic acid (PFNA), PFOA, and PFOS and to amend the SDWA rules to require testing of newly constructed wells for public noncommunity water systems and nonpublic water systems for PFNA, PFOA, and PFOS.

In addition, the Department is proposing to amend the Ground Water Quality Standards at N.J.A.C. 7:9C to establish a specific ground water quality standard for PFOA of 0.014 $\mu\text{g}/\text{l}$ and a specific ground water quality standard for PFOS of 0.013 $\mu\text{g}/\text{l}$. Further, the Department is proposing to add PFNA, PFOA, and PFOS to the Permit Application Testing Requirements/Pollutant Listings and the Requirements for Discharges to Ground Water in the New Jersey Pollutant Discharge Elimination System rules at N.J.A.C. 7:14A. Lastly, the Department is proposing to add the acidic and anionic forms of PFOA and PFOS, and their salts and esters, to the List of Hazardous Substances at N.J.A.C. 7:1E, Discharges of Petroleum and Other Hazardous Substances rules.

The proposal is scheduled to be published in the New Jersey Register dated April 1, 2019. A copy of the proposal is available from: <http://www.nj.gov/dep/rules/proposals/20190401a.pdf>.

A public hearing(s) concerning the proposal is scheduled as follows:

Wednesday, May 15, 2019 2:00 P.M.
Department of Environmental Protection
401 East State Street
Trenton, NJ 08625
1st floor, Public Hearing room

Written comments may be submitted electronically by May 31, 2019 at:

<http://www.nj.gov/dep/rules/comments>; or in hard copy to:

Ryan H. Knapick, Esq.
ATTN: DEP Docket No. 02-19-03
Office of Legal Affairs
Department of Environmental Protection
401 East State Street, 7th Floor
Mail Code 401-04L; PO Box 402
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