

# New Jersey's Lead Service Line Replacement Law

*Lead Service Line Inventory, Public Notification, and Replacement*

Briefing Date: February 17, 2022



NEW JERSEY  
DEPARTMENT OF  
ENVIRONMENTAL  
PROTECTION

# Drinking Water Systems in New Jersey

Community  
Water systems

**570**

Non-Transient Non-  
Community  
Water Systems  
(e.g., schools, hospitals)

**653**

Transient Non-Community  
Water Systems  
(e.g., gas station,  
campgrounds)

**2315**

Total Number of Drinking Water Systems in New Jersey

**3,538**

# Lead Service Line Replacement Law: P.L. 2021, C.183

## *Lead Service Line Inventory, Public Notification, and Replacement*

- All community water systems (CWS) must replace their lead service lines (LSL) within 10 years of legislation, by **July 22, 2031**
  - CWS shall replace an average of 10% of their LSLs per year
  - Systems are required to replace the entire LSL
    - main to building inlet whether its property-owned or system-owned
  - This applies in cases where the system does not own the entire LSL
  - Inventory reports must be submitted to DEP
  - Notification requirements to consumers

# Lead Service Line Replacement Law: P.L. 2021, C.183

## *Lead Service Line Inventory, Public Notification, and Replacement*

- The law provides options for cost recovery following replacement projects (C. 58:12A-45)
  - For government-owned CWSs the costs may be distributed across all customers across the entire rate base, **OR** assessed to individual property owners
  - For investor-owned CWSs, costs may only be recovered across the entire rate base, consistent with requirements from BPU
  - Grants or other subsidies may be used to defray costs in either case

# How is New Jersey DEP Addressing Lead Issues?

- DEP Currently Administers the **Federal** Lead and Copper Rule (LCR)
  - Corrosion control treatment steps after exceeding an action level
  - LSL replacement after exceeding the lead action level *and* installation of corrosion control treatment
  - Public education after exceeding the lead action level
- DEP Will Propose a NJ-Specific Lead and Copper Rule (NJ LCR)
  - Focused on lead service line replacement, consecutive system considerations, corrosion control treatment, monitoring and public outreach and education.
  - We intend to move forward with a proposal this year
  - Previous stakeholder involvement meeting presentations are available at <https://www.nj.gov/dep/workgroups/>
- Implementing NJ State Lead Laws from the NJ Legislature

# Lead Service Line Inventory Timeline



## Initial Federal LCR Rule

- Federal LCR required water systems to compile materials evaluation to identify highest-risk locations for sampling pools and submit info upon request
- Water Systems required to provide LSL counts to DEP if LSL Replacement triggered due to an Action Level Exceedance.



## Inventory Request Notice

DEP advises all CWS that department in process of closely evaluating lead issues, and would be calling in LSL inventories in the near future

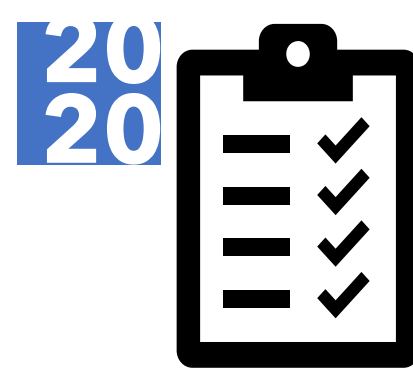
(Jan. 22, 2018)



## 1st Inventory Request

DEP requests all CWSs to submit LSL inventories by March 1, 2019.

(Feb. 1, 2019)



## 2nd Inventory Request

- DEP requests CWS submit updated LSL inventories by April 2020. (Feb. 2020)
- As a consequence of the COVID-19 Pandemic, an extension was given for submitting this inventory to September 2020.



## LSLR Law Requirements

- LSLR law enacted July 22, 2021. CWS required to submit initial LSL inventory by September 2021.
- Updated LSL inventories due to DEP January 22, 2022, with updates due annually in July.