



State of New Jersey

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

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CATHERINE R. MCCABE
COMMISSIONER

NOTICE OF NON-COMPLIANCE

EA ID #: PEA190001 - 0238001

Name: Suez Water New Jersey Hackensack
Location: 200 Lake Shore Drive
Haworth, NJ 07641
Identifying #: PWSID NJ0238001

You are hereby NOTIFIED that a review of our records conducted on January 03, 2019, found that your facility was out of compliance with the regulations promulgated pursuant to the New Jersey Safe Drinking Water Act, NJSA 58: 12A-1 et seq. This NOTICE OF NON-COMPLIANCE has been recorded as part of the permanent enforcement history of Suez Water New Jersey Hackensack at the above location because your water system failed to comply with the following requirement:

Requirement: Comply with the Action Level (AL) for lead set forth in [40 CFR 141.80(c)(1)]

Violation Details: The lead action level was exceeded during the monitoring period 07/01/2018 to 12/31/2018 for the following sample point ID: Distribution System. The 90th percentile value for one hundred eight (108) samples collected 07/16/2018 to 12/12/2018 was 18 micrograms per liter ($\mu\text{g/L}$) which exceeded the action level of 15 $\mu\text{g/L}$.

In response to this NOTICE OF NON-COMPLIANCE, the following corrective actions must be undertaken to achieve compliance:

1. **Your system must continue to follow the standard monitoring requirements for frequency and number of samples for lead and copper pursuant to 40 CFR 141.86 et seq.** Based on your current residential population of 792,713 persons, a minimum of one hundred (100) samples must continue to be collected for at least two consecutive six-month periods beginning during 1st half 2019.
2. Conduct source water monitoring for lead and copper from each entry point to the distribution system, including any permanent active interconnection, in accordance with 40 CFR 141.88 et seq. A source water treatment recommendation (based on the results) must also be provided, in accordance with 40 CFR 141.83(a)&(b), to the BWSE. Please note that the source water treatment recommendation is required even if it is determined that your source is not contributing to the elevated levels of lead in your water system. Both your source water monitoring and your source

water treatment recommendation are due within six (6) months after the end of the monitoring period in which the lead action level was exceeded. **The source water monitoring and treatment recommendation is due on or before 06/30/2019.**

3. Although you were previously notified by the BWSE, in a letter dated 12/04/2018, to begin optimal water quality parameter (WQP) monitoring on January 1, 2019, Suez Water New Jersey Hackensack must continue to conduct follow-up WQP monitoring as a result of the lead AL exceedance demonstrating the existing corrosion control treatment (CCT) is not optimized.

WQP monitoring schedule is available on New Jersey's Drinking Water Watch at <https://www.nj.gov/dep/watersupply/waterwatch>. Additional details regarding WQP monitoring requirements can be found at 40 CFR 141.87 et seq.

Monitoring results must be submitted electronically to the Bureau of Safe Drinking Water (BSDW) by the 10th day following the end of the month in which the sample was collected. Please note that if the WQP analyses are conducted by a person acceptable to the State, the WQP analytical results shall be entered onto the Excel Generic WQP Analysis Spreadsheet and emailed as an attachment to watersupply@dep.nj.gov with "Month or Quarter/Year WQP Results for PWSID Submittal for PWSID#NJ0238001" in the subject line. The Excel Generic WQP Analysis Spreadsheet and instructions are located at <https://www.state.nj.us/dep/watersupply/dws-sampreg.html>.

4. BSDW records indicate that your system uses zinc orthophosphate corrosion inhibitor and sodium hydroxide for pH adjustment for CCT. The recently exceeded AL for lead indicates that the CCT is not optimized. Suez Water New Jersey Hackensack shall evaluate the performance of the CCT and the most recent WQP data to determine appropriate immediate corrective measures to optimize the treatment. **Submit a summary of the evaluation and corrective measures taken to optimize the existing treatment to the BWSE within 30 days from the date of this letter. The submittal shall be reviewed, approved and signed by the licensed operator of record.**

Please be advised that the BWSE may require additional WQP monitoring based upon the review of your corrective action summary.

5. On May 2, 2017, BWSE conditionally approved Suez Water New Jersey - Hackensack's CCT recommendation. **However, due to the lead AL exceedance, a new optimal CCT recommendation prepared in accordance with 40 CFR 141.82(a) et seq., must be submitted to the BWSE as soon as possible but no later than six (6) months after the end of the monitoring period during which the lead AL was exceeded, in accordance with 40 CFR 141.81(e) et seq.**

The water system should use EPA's Optimal Corrosion Control Treatment (OCCT) Evaluation Technical Recommendations for Primacy Agencies and Public Water Systems when evaluating CCT options. The CCT recommendation must be accompanied by the appropriate OCCT Evaluation Template for your system's population. The OCCT Evaluation Recommendations and Templates are available at: <https://www.epa.gov/dwreginfo/optimal-corrosion-control-treatment-evaluation-technical-recommendations>.

The CCT recommendation and supporting documentation is due on or before 06/30/2019 and shall be reviewed, approved and signed by the licensed operator of record.

6. Public education should be completed immediately; however, no later than 60 days following the monitoring period in which the lead AL was exceeded in accordance with 40 CFR 141.85(b)(4). **Public education must be completed on or before 03/01/2019.** Please note that all public education materials must be reviewed and approved by the BWSE prior to issuing.

Public education information and templates are available at <https://www.nj.gov/dep/watersupply/dws-sampreg.html>. Public education information shall be delivered as follows:

- i. Deliver printed educational materials to all bill paying customers;
 - ii. Deliver educational material to local public health agencies even if they are not located with the water system's service area;
 - iii. Contact the local public health agencies directly by phone or in person;
 - iv. Deliver printed education material and an informational notice encouraging distribution to the following facilities located within the water system's service area:
 - a. Public and private schools or school boards
 - b. Women, Infants, and Children and Head Start Programs
 - c. Public and private hospitals and medical clinics,
 - d. Pediatricians
 - e. Family planning clinics
 - f. Local welfare agencies
 - g. Licensed childcare centers
 - h. Public and private preschools
 - i. Obstetricians-Gynecologists and Midwives
 - v. Provide required message on or in each water bill (no less often than quarterly);
 - vi. Post educational material on the water system's website if the system serves a population greater than 100,000;
 - vii. Submit a press release to newspaper, television, and radio stations;
 - viii. Implement at least three of the following activities:
 - a. Public service announcements
 - b. Public meetings
 - c. Paid advertisements
 - d. Household deliveries
 - e. Public area information displays
 - f. Targeted individual customer contact
 - g. Emails to customers
 - h. Direct material distribution to all multi-family homes and institutions
7. Submit a completed Public Education Certification Form to the BWSE that demonstrates that public education materials met the content requirements in 40 CFR 141.85(a) and the delivery requirements in 40 CFR 141.85(b) and were provided to the persons served by your water system in accordance with 40 CFR 141.90(f). **The Public Education Certification form is available at <https://www.nj.gov/dep/watersupply/pdf/bsd55.pdf> and due by 03/11/2019.**
8. Provide a lead consumer notice to the persons served by your water system of the individual tap results from lead tap water monitoring in accordance with 40 CFR 141.85(d). **This notice is**

required within 30 days of when the water system learns of the results and must address the following:

- i. The results of lead tap water monitoring for the tap that was tested;
- ii. An explanation of the health effects of lead;
- iii. The steps consumers can take to reduce exposure to lead in drinking water;
- iv. Contact information for the water system; and
- v. The notice must also provide the maximum contaminant level goal and the action level for lead and the definitions for these two terms from 40 CFR 141.153(c).

Lead Consumer Notice templates are available at <https://www.nj.gov/dep/watersupply/dws-sampreg.html>.

9. **Submit a completed Consumer Notice of Lead Tap Water Monitoring Results Certification Form (BSDW-54) to the BWSE within ten (10) days of implementation of the consumer notification requirements.** The Consumer Notice of Lead Tap Water Monitoring Results Certification Form is available at <https://www.nj.gov/dep/watersupply/pdf/bsdw54.pdf>.
10. Lead service line replacement shall commence **January 1st, 2019** in accordance with 40 CFR 141.84 et seq. and follow the reporting requirements in 40 CFR 141.90(e). **Submit the total number of lead service lines in your water system and a replacement schedule to the BWSE within 60 days of the date of this letter.**

This NOTICE OF NON-COMPLIANCE does not constitute final agency action and may not be appealed or contested. The issuance of this Notice or your compliance therewith does not preclude the State of New Jersey or any of its agencies from initiating formal administrative and/or judicial enforcement action, including assessment of penalties, with respect to the items of non-compliance listed above or for any other violations. Violations of the above regulations are subject to penalties of up to \$25,000.00 per day/offense and in the event of formal administrative or enforcement action, you may appeal or contest such action and penalties.

Issued by: Felicia Fieo, Section Chief
Bureau of Safe Drinking Water

Signature: Joseph Abaker for FF

Date: 1/7/19