

# ASSEMBLY, No. 4525

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED JANUARY 23, 2017

**Sponsored by:**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblyman JAMES J. KENNEDY**

**District 22 (Middlesex, Somerset and Union)**

**SYNOPSIS**

Requires institutions of higher education to test for lead in drinking water annually, report test results, and install lead filters or treatment devices.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 1/31/2017)

1 AN ACT concerning lead in drinking water at institutions of higher  
2 education and supplementing Title 18A of the New Jersey  
3 Statutes.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8 1. a. Each institution of higher education shall undertake  
9 periodic testing of each drinking water outlet used at the institution  
10 for the presence of lead. Each test for lead shall be conducted by a  
11 laboratory certified for this purpose by the Department of  
12 Environmental Protection, and in accordance with the sampling and  
13 testing methods established and provided by the department. The  
14 initial tests for lead shall be conducted no later than 90 days after  
15 the effective date of this act and subsequent testing shall be  
16 conducted at least annually thereafter.

17 b. Within 30 days after completion of the testing required  
18 pursuant to subsection a. of this section, each institution of higher  
19 education shall:

20 (1) provide a copy of the test results to the Secretary of Higher  
21 Education and the Commissioner of Environmental Protection;

22 (2) post the test results on its Internet website; and

23 (3) notify students, faculty, and staff, electronically or in writing,  
24 of the test results, and the actions being taken to remediate drinking  
25 water outlets found to be contributing to an elevated lead level in  
26 drinking water.

27 c. (1) If testing conducted pursuant to subsection a. of this  
28 section reveals an elevated lead level at a drinking water outlet, the  
29 institution of higher education shall immediately close off access to  
30 that outlet and provide an alternate drinking water supply until such  
31 time as the lead level in the drinking water is tested to be below the  
32 standard therefore established by the United States Environmental  
33 Protection Agency, or the department, whichever is more stringent.

34 (2) Each institution of higher education shall identify each  
35 building at the institution that contains lead pipes, lead solder, or  
36 fixtures containing lead, and provide a list of the identified  
37 buildings to the Secretary of Higher Education. Each institution  
38 shall install a water filter or water treatment device certified to  
39 remove lead on each drinking water outlet in the identified  
40 buildings. The water filters or water treatment devices shall be  
41 maintained and replaced in accordance with the manufacturer's  
42 recommendations for the filter or device to ensure they remain  
43 functional.

44 d. As used in this section:

45 "Department" means the Department of Environmental  
46 Protection.

1       “Drinking water outlet” means any water fountain, faucet, or tap  
2 regularly used for drinking or food preparation, including ice-  
3 making and hot drink machines.

4       “Elevated lead level” means a lead concentration in drinking  
5 water that exceeds the standard therefor established by the United  
6 States Environmental Protection Agency, or the department,  
7 whichever is more stringent.

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9       2. This act shall take effect immediately.

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### STATEMENT

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14       This bill would require institutions of higher education to test for  
15 lead in drinking water annually, report the test results, and install  
16 lead filters or treatment devices.

17       Specifically, under the bill, each institution of higher education  
18 in the State would be required to test each drinking water outlet  
19 used at the institution for the presence of lead no later than 90 days  
20 after the effective date of the act, and repeat the testing at least once  
21 annually. The testing would have to be conducted by a laboratory  
22 certified for this purpose by the Department of Environmental  
23 Protection (DEP) and in accordance with the sampling and testing  
24 methods provided by the DEP. Within 30 days after completion of  
25 the testing, each institution of higher education would be required  
26 to: 1) provide a copy of the test results to the Secretary of Higher  
27 Education and the Commissioner of Environmental Protection; 2)  
28 post the test results on its Internet website; and 3) notify students,  
29 faculty, and staff, electronically or in writing, of the test results and  
30 the actions being taken to remediate any lead issues.

31       Under the bill, if testing reveals an elevated lead level at a  
32 drinking water outlet, the institution of higher education must  
33 immediately close off access to the outlet and provide an alternate  
34 source of drinking water until such time as the lead level in the  
35 drinking water is tested to be below the federal or State standard for  
36 lead in drinking water, whichever is more stringent. In addition,  
37 each institution would be required to identify each building at the  
38 institution that contains lead pipes, lead solder, or fixtures  
39 containing lead, and provide a list of the identified buildings to the  
40 Secretary of Higher Education. Each institution would be required  
41 to install a water filter or water treatment device on each drinking  
42 water outlet in the identified buildings, and maintain those devices  
43 appropriately.