

NJDEP's Proposed Amendments to Ground Water Quality Standards and Remediation Standards

Environmental and Land Use Alert

NJDEP's Proposed Amendments to Ground Water Quality Standards and Remediation Standards

Frances B. Stella
Member & Chair, Environmental and Land Use

Lindsay P. Cambron
Associate, Environmental and Land Use

BRACH | EICHLER LLC
Counsellors at Law

1/26/2024

The New Jersey Department of Environmental Protection (Department) announced a January 30, 2024 public hearing concerning its proposal to amend the Ground Water Quality Standards at N.J.A.C. 7:9C and the Remediation Standards at N.J.A.C. 7:26D-7.2(b). The proposed updates will result in changes to the ground water quality standards for 65 of the 73 constituents. In addition, the Department announced that it is proposing to amend N.J.A.C. 7:9C-1.7(c)3i to enable the Department to update the specific ground water quality criterion for a constituent with a corresponding maximum contaminant level (MCL) in the New Jersey Safe Drinking Water Act rules, N.J.A.C. 7:10, when the Department determines that the "weight of evidence" approach specified at N.J.A.C. 7:9C-1.7(c)3ii would more appropriately address the risk posed by the constituent than the health-based level used to establish the MCL. The Department is also proposing amendments to the default values for body weight and drinking water consumption rate and to the rounding provisions.

The proposed amendment to the Remediation Standard would enable the Department to update the attendant remediation standard when it modifies or adds a ground water criterion to Appendix Table 1 through either rulemaking or notice of administrative change.

A copy of the proposal was published in the New Jersey Register on January 2, 2024 and can be found here: <https://www.nj.gov/dep/rules/notices.html>.

If you have any questions about this article, please contact:

Frances B. Stella, Member and Chair, Environmental and Land Use Practice, at fstella@bracheichler.com or 973.403.3149

Lindsay P. Cambron, Associate, Environmental and Land Use Practice, at lcambron@bracheichler.com or 973.364.5232