

Nick Bennett, Executive Secretary
Local Finance Board
Department of Community Affairs
PO Box 803
Trenton, NJ 08625-0803

Re: N.J.A.C. 5:30 Proposed Chapter Readoption

Dear Mr. Bennett:

Every person in New Jersey deserves a safe and healthy environment that nurtures their full potential. Lead exposure thwarts this basic goal. Across New Jersey, lead in drinking water threatens human health, especially among children. To address the risks from lead in water, Jersey Water Works—with support from The Fund for New Jersey—convened a 30-member task force of representatives from local, state, and federal governments, water utilities, academia, environmental and public health organizations, and smart growth and community advocacy groups. Jersey Water Works is a collaborative effort of many diverse organizations and individuals who embrace the common purpose of transforming New Jersey's water infrastructure.

The Lead in Drinking Water Task Force celebrates the 2021 NJ Mandate for all public drinking water system utilities to remove all lead and galvanized water service lines within their service areas by 2031. We also recognize the challenges with meeting such a mandate. Removal of each service line typically involves one road opening at the connection of the water lateral to the water main. The opening is typically 9–16 square feet in dimension and is often slightly off-center, as the water lateral is connected on the side of the main. Occasionally, water mains run close to the edge of the roadway, so the road opening would be near the edge, as well.

It is estimated that water companies currently spend between 5–20% of their entire construction budgets on traffic control and related administrative fees when they are required to hire off-duty police officers. The intent of the lead and galvanized service replacements is to protect public health from potential exposure to lead through drinking water. Despite the NJ mandate and the importance of public health, state and federal assistance for this work is very limited. Therefore, money spent by water systems on traffic control and fees are often passed on in the form of higher water rates to their customers, the constituents of the very municipalities that are requiring payment for traffic control.

The Lead in Drinking Water Task Force highlights the following best practices as you consider the proposed section 8.6 of N.J.A.C. 5:30 that impacts the water infrastructure work in our state.

The proposed rules would ensure the fees charged to utilize off-duty law enforcement officers for traffic control are used only for their intended purpose of promoting public safety. Moreover, these rules would increase transparency in public contracting and reduce unnecessary expenses that drive up the cost of taxpayer-funded public health projects.

The Task Force acknowledges the proposed rules at N.J.A.C. 5:30-8.6, which will reduce the administrative fees that the counties and municipalities charge drinking water systems on top of the officer's rate, as a best practice to lower costs.

We thank you for your consideration and are grateful for the opportunity to submit these comments.

Sincerely,

Lead in Drinking Water Task Force, Implementation Workgroup Co-Chairs
Rich Calbi (Ridgewood, NJ) and Mike Furrey (Agra Environmental and Laboratory Services)

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