

CHAPTER 10

SAFE DRINKING WATER ACT

Authority

N.J.S.A. 13:1D-1 et seq., 58:10A-1 et seq., 58:11-9.1 et seq.,
58:11-23 et seq., 58:11-64 et seq. and 58:12A-1 et seq.

Source and Effective Date

R.2004 d.442, effective November 4, 2004.
See: 36 N.J.R. 295(a), 36 N.J.R. 5383(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 10, Safe Drinking Water Act, expires on May 3, 2010. See: 41 N.J.R. 4381(a).

Chapter Historical Note

Chapter 10, Bureau of Potable Water, was adopted and became effective prior to September 1, 1969.

Chapter 10, Bureau of Potable Water, was repealed and Chapter 10, Safe Drinking Water Act, was adopted as new rules by R.1979 d.271, effective July 13, 1979. See: 11 N.J.R. 170(a), 11 N.J.R. 374(b).

Pursuant to Executive Order No. 66(1978), Chapter 10, Safe Drinking Water Act, was readopted as R.1983 d.244, effective June 3, 1983. See: 15 N.J.R. 592(a), 15 N.J.R. 1019(c).

Pursuant to Executive Order No. 66(1978), Chapter 10, Safe Drinking Water Act, was readopted as R.1989 d.514, effective September 1, 1989. See: 21 N.J.R. 1945(a), 21 N.J.R. 3098(a).

Pursuant to Executive Order No. 66(1978), Chapter 10, Safe Drinking Water Act, was readopted as R.1994 d.482, effective August 25, 1994. See: 26 N.J.R. 2720(a), 26 N.J.R. 3833(a).

Pursuant to Executive Order No. 66(1978), Chapter 10, Safe Drinking Water Act, was readopted as R.1996 d.50, effective December 26, 1995. See: 27 N.J.R. 4060(a), 28 N.J.R. 850(a).

Chapter 10, Safe Drinking Water Act, except Subchapter 13, was repealed and Chapter 10, Safe Drinking Water Act, was adopted as new rules by R.1996 d.536, effective November 18, 1996. See: 27 N.J.R. 4064(a), 28 N.J.R. 4900(a).

Subchapter 13, Water Supply and Wastewater Collection and Treatment Systems: Examining and Licensing of Operators, was recodified as N.J.A.C. 7:10A-1 by R.1997 d.48, effective February 3, 1997. See: 28 N.J.R. 4300(a), 29 N.J.R. 480(c).

Pursuant to Executive Order No. 66(1978), Chapter 10, Safe Drinking Water Act, was readopted as R.2000 d.354, effective July 31, 2000, and Subchapter 13, Standards for Technical, Managerial, and Financial Capacity of Public Community and Noncommunity Water Systems, was adopted as new rules by R.2000 d.354, effective August 21, 2000. See: 31 N.J.R. 2717(a), 32 N.J.R. 3106(a).

Notice of Receipt of Petition for Rulemaking: Fluoridation of the Public Water Supply of the State of New Jersey. See: 35 N.J.R. 891(a), 1454(a).

Chapter 10, Safe Drinking Water Act, was readopted as R.2004 d.442, effective November 4, 2004. As a part of R.2004 d.442, Subchapter 6, Variances and Exemptions, was repealed, effective December 6, 2004. See: Source and Effective Date. See, also, section annotations.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 7:10-1.1 Authority
- 7:10-1.2 Scope, applicability and purpose

- 7:10-1.3 Definitions
- 7:10-1.4 Procedures for inspections and sanitary surveys of water systems
- 7:10-1.5 Severability

SUBCHAPTER 2. GENERAL REQUIREMENTS

- 7:10-2.1 Department inventory of public water systems
- 7:10-2.2 Department recordkeeping and reporting
- 7:10-2.3 Plan for the provision of potable water in emergencies
- 7:10-2.4 Reporting of changes to plants and emergencies
- 7:10-2.5 Ban on further connections to over-extended or otherwise inadequate systems
- 7:10-2.6 Program information
- 7:10-2.7 Managerial and technical competence of water systems

SUBCHAPTER 3. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR ADJUDICATORY HEARINGS

- 7:10-3.1 Scope
- 7:10-3.2 Authority
- 7:10-3.3 Procedures for issuing an administrative order pursuant to the State Act
- 7:10-3.4 Procedures for assessment, settlement and payment of civil administrative penalties for violations
- 7:10-3.5 Procedures to request an adjudicatory hearing to contest an administrative order and/or a notice of civil administrative penalty assessment; procedures for conducting adjudicatory hearings
- 7:10-3.6 Civil administrative penalties for violation of the State Act-general
- 7:10-3.7 Civil administrative penalty for failure to pay a fee
- 7:10-3.8 Civil penalties for violations of the State Act
- 7:10-3.9 Civil actions for violations of the State Act

SUBCHAPTER 4. DISINFECTION

- 7:10-4.1 Disinfection

SUBCHAPTER 5. STATE PRIMARY DRINKING WATER REGULATIONS

- 7:10-5.1 Applicability of National Regulations
- 7:10-5.2 Discretionary changes to National Regulations
- 7:10-5.3 Analytical requirements
- 7:10-5.4 Reporting requirements
- 7:10-5.5 Public notification
- 7:10-5.6 Recordkeeping
- 7:10-5.7 Remediation requirements and procedures

SUBCHAPTER 6. (RESERVED)

SUBCHAPTER 7. STATE SECONDARY DRINKING WATER REGULATIONS

- 7:10-7.1 Authority, purpose and scope
- 7:10-7.2 Recommended upper limits and optimum ranges for physical, chemical and biological characteristics in drinking water
- 7:10-7.3 Monitoring
- 7:10-7.4 Public notification

SUBCHAPTER 8. DRINKING WATER ADDITIVES

- 7:10-8.1 Purpose and scope
- 7:10-8.2 Drinking water additives

SUBCHAPTER 9. SURFACE WATER TREATMENT REQUIREMENTS

- 7:10-9.1 Purpose and scope
- 7:10-9.2 Discretionary changes to national surface water treatment requirements
- 7:10-9.3 Determination of ground water sources to be evaluated for direct influence of surface water

- 7:10-9.4 Monitoring requirements and criteria for determination for ground water sources under the direct influence of surface water
- 7:10-9.5 Surface water treatment plant reporting requirements
- 7:10-9.6 Additional requirements

SUBCHAPTER 10. PHYSICAL CONNECTIONS AND CROSS CONNECTION CONTROL BY CONTAINMENT

- 7:10-10.1 Purpose and scope
- 7:10-10.2 General provisions and prohibitions
- 7:10-10.3 Approved physical connection installation requirements
- 7:10-10.4 Installation
- 7:10-10.5 Physical connection permit application and renewal procedures
- 7:10-10.6 Inspection and testing requirements and procedures for physical connection installations
- 7:10-10.7 Physical connection permit modifications; termination of physical connection permits on removal of physical connection installations
- 7:10-10.8 Requirements for approval as a certifying agency
- 7:10-10.9 Cross-connection control by containment
- 7:10-10.10 Requests for adjudicatory hearings

APPENDIX A

APPENDIX B

SUBCHAPTER 11. STANDARDS FOR THE CONSTRUCTION OF PUBLIC COMMUNITY WATER SYSTEMS

- 7:10-11.1 Purpose and scope
- 7:10-11.2 Penalties
- 7:10-11.3 Deviations from construction standards
- 7:10-11.4 Additional definitions and general provisions
- 7:10-11.5 Permit requirement; application contents
- 7:10-11.6 General requirements for source, treatment, storage and distribution components
- 7:10-11.7 Standards for the construction and development of ground water sources
- 7:10-11.8 Standards for the construction and development of surface water sources and ground water sources under the direct influence of surface water
- 7:10-11.9 Standards for the construction of pumping stations
- 7:10-11.10 Permit requirements and standards for the construction of distribution systems; master permits
- 7:10-11.11 Distribution storage requirements
- 7:10-11.12 Chemical handling and chemical feed systems
- 7:10-11.13 Pretreatment requirements
- 7:10-11.14 Filtration
- 7:10-11.15 Miscellaneous treatment processes
- 7:10-11.16 Disinfection of public community water system water supplies
- 7:10-11.17 Requests for adjudicatory hearings

SUBCHAPTER 12. STANDARDS FOR THE CONSTRUCTION OF PUBLIC NONCOMMUNITY WATER SYSTEMS AND NONPUBLIC WATER SYSTEMS

- 7:10-12.1 Authority and scope
- 7:10-12.2 Penalties
- 7:10-12.3 Additional definitions
- 7:10-12.4 General provisions and prohibitions
- 7:10-12.5 Deviations from construction standards
- 7:10-12.6 Water volume requirements
- 7:10-12.7 Sources of water
- 7:10-12.8 Frost protection
- 7:10-12.9 Physical connection
- 7:10-12.10 Priming systems
- 7:10-12.11 Disinfection of water system components
- 7:10-12.12 Minimum distance requirements

- 7:10-12.13 through 7:10-12.21 (Reserved)
- 7:10-12.22 Test for yield and submission of well report
- 7:10-12.23 Springs
- 7:10-12.24 Cisterns and dug wells
- 7:10-12.25 Surface water sources
- 7:10-12.26 through 7:10-12.29 (Reserved)
- 7:10-12.30 Water quality analysis and treatment
- 7:10-12.31 Chemical handling and chemical feed systems
- 7:10-12.32 Disinfection of public noncommunity and nonpublic water systems
- 7:10-12.33 Chemical and physical treatment
- 7:10-12.34 General requirements for storage of finished water
- 7:10-12.35 Required storage capacity
- 7:10-12.36 General requirements for distribution systems
- 7:10-12.37 Capacity and size of service lines
- 7:10-12.38 Water crossings
- 7:10-12.39 General requirements for the certification of new, altered or replacement nonpublic or public noncommunity water systems
- 7:10-12.40 Additional requirements for the certification of single dwelling nonpublic water systems and other nonpublic water systems
- 7:10-12.41 Additional requirements for the certification of public noncommunity water systems
- 7:10-12.42 Requirements for certification by the Department of water supply systems for 50 or more realty improvements
- 7:10-12.43 Requests for adjudicatory hearings

SUBCHAPTER 13. STANDARDS FOR TECHNICAL, MANAGERIAL, AND FINANCIAL CAPACITY OF PUBLIC COMMUNITY AND NONCOMMUNITY WATER SYSTEMS

- 7:10-13.1 Purpose and scope
- 7:10-13.2 Additional definition
- 7:10-13.3 Demonstration of technical capacity for community water systems
- 7:10-13.4 Demonstration of managerial and financial capacity for community water systems
- 7:10-13.5 Demonstration of technical capacity for public nontransient noncommunity water systems
- 7:10-13.6 Demonstration of managerial and financial capacity for nontransient noncommunity water systems
- 7:10-13.7 Public water systems under the jurisdiction of the Department of Community Affairs or under the jurisdiction of the Board of Public Utilities

SUBCHAPTER 14. (RESERVED)

SUBCHAPTER 15. FEES

- 7:10-15.1 Purpose and scope
- 7:10-15.2 Payment of fees
- 7:10-15.3 Calculation of permit application review fees
- 7:10-15.4 Calculation of annual operation fees
- 7:10-15.5 Fees for physical connection permits

SUBCHAPTER 1. GENERAL PROVISIONS

7:10-1.1 Authority

These rules are promulgated pursuant to the New Jersey Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq., as amended; the Subsurface and Percolating Waters Act, N.J.S.A. 58:4A-4.1 et seq.; the Realty Improvement Sewerage and Facilities Act, N.J.S.A. 58:11-23 et seq.; the Water Supply Management Act, N.J.S.A. 58:1A-1 et seq.; and N.J.S.A. 58:11-9.1 et seq.