



Enforcement **Alert**

Making You Aware of Anticipated Enforcement Activities

Compliance and Enforcement

Issued: March 26, 2020

#2020-05

DEP issues guidance for Public Water Systems and Wastewater Monitoring, Licensed Operator and Certified Laboratory issues due to the COVID-19 Pandemic

Who is affected by this advisory?

This advisory affects public drinking water systems and Category A (individual permits for domestic discharge) and ASC (general permit authorizations for school discharge) NJPDES surface water discharge permitted facilities that are required to perform routine monitoring pursuant to the state and federal regulations and their NJPDES permits where applicable. Additionally, it affects NJ State Certified Laboratories and any system in New Jersey that requires a potable water or wastewater Licensed Operator. All four of these regulatory programs are closely linked in the Drinking Water and Wastewater Sector.

Why is DEP addressing these issues?

As part of the state's coordinated response to address the novel coronavirus (COVID-19) outbreak, as of today Governor Phil Murphy has declared a State of Emergency and a Public Health Emergency under Executive Orders 103, 104, 107, 108, and 109. The New Jersey Department of Environmental Protection (DEP) understands that the unprecedented circumstances of the COVID-19 outbreak, including the need to restrict unnecessary travel and adopt social distancing practices as described in the Executive Orders, has created limitations for many regulated entities, including the Drinking Water and Wastewater Sector, largely due to workforce reductions. As a result of the limitations stemming from the outbreak, and in accordance with the Executive Orders, the Department is responding to the immediate needs of the Drinking Water and Wastewater Sector, and NJ State Certified Laboratories and Licensed Operators, to allow these entities to focus their attention on the highest priorities, while continuing to meet the necessary requirements that help ensure public health and safety.

What is DEP doing?

The DEP's Division of Water and Land Use Enforcement (DWLUE), Office of Quality Assurance (OQA) – Certified Laboratories, Division of Water Quality (DWQ) and Division of Water Supply and Geoscience (DWS&G) are collaborating with industry representatives from the Water and Wastewater Sector Resiliency and Security Working Group to provide

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recommendations on how to continue the necessary monitoring to ensure public health and safety despite the logistical concerns and challenges anticipated as a result of the measures undertaken in accordance with the Executive Orders. To this end, on March 21, 2020, the DWS&G provided the *Distribution Sampling Guidance During COVID-19-01*. It can be found at <https://www.state.nj.us/dep/watersupply/pdf/distribution-sampling-guidance-covid-19-20200321.pdf>. Additionally, the Division of Water Quality provided the *Reduced Monitoring Frequency for Sanitary Wastewater Dischargers* on March 23, 2020 in response to the COVID-19 pandemic, which can be found at <https://www.nj.gov/dep/dwq/covid19.html>

The Department will continue to exercise enforcement discretion to provide the necessary flexibility to allow the Water and Wastewater Sector to continue to provide essential services relied on by the public in a manner that is protective of public health and in compliance with applicable regulations despite staffing limitations and other needs related to measures intended to reduce the rate of community spread of COVID-19.

The Department will continue to provide additional guidance and its enforcement staff will provide compliance assistance to the regulated community and continue to respond to incidents that pose a threat to public health for the duration of the COVID-19 pandemic.

What should I do?

1. Refer to updates on the DWS&G and Bureau of Surface Water Discharge websites for COVID-19 guidance.
2. Be aware of notifications from DEP listservs and sign up as appropriate.
 - OQA listserv signup: <https://www.nj.gov/dep/enforcement/oqa/subscribe.html>
 - Many NJDEP Programs can be accessed through: <https://public.govdelivery.com/accounts/NJDEP/subscriber/new>
3. If you are a public water system and are experiencing problems with sampling or analysis due to staff unavailability, reduced laboratory capacity, or the inability to enter homes for distribution system sampling, please contact the Bureau of Safe Drinking Water as instructed below or visit the Bureau's website for addition guidance at <https://www.nj.gov/dep/watersupply>.
4. If you are a NJPDES facility and are experiencing problems with sampling or analysis due to staff unavailability or reduced laboratory capacity, please contact the DWQ as instructed below or visit DWQ's website for additional guidance at www.nj.gov/dep/dwq.
5. If you are a public water system or a NJPDES facility and are experiencing issues with the staffing of appropriately licensed operators, please notify your respective Enforcement field office.
6. If you are a certified laboratory and anticipate temporary closures, please contact OQA as instructed below.

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7. You must continue to notify the Department's Hotline at 1-877- WARN DEP (1-877-927-6337) when your operational situation requires such notification. Please refer to Enforcement Alert: #2020-04, issued on March 20, 2020.

Where can I get more information?

The following web sites can be accessed for additional information regarding this advisory:

Public Drinking Water System Monitoring
Division of Water Supply and Geoscience

www.nj.gov/dep/watersupply

NJPDES Category: A (Domestic Surface Water Discharge) & ASC (Consolidated School)

Division of Water Quality

www.nj.gov/dep/dwq

Who should I contact with questions?

For Drinking Water questions, please contact:

Division of Water Supply & Geoscience

Please use Compliance Advisory in the subject line.

watersupply@dep.nj.gov

For NJPDES permit questions, please contact:

Division of Water Quality

Please use Compliance Advisory in the subject line.

DWQ@dep.nj.gov

For Office of Quality Assurance – Certified Laboratories questions, please contact:

Please use Compliance Advisory in the subject line.

OQA@dep.nj.gov

For compliance, inspection or enforcement questions, please contact:

Division of Water and Land Use Enforcement

(973) 656-4099 (Northern)

(609) 292-3010 (Central)

(856) 614-3655 (Southern)

Please note this advisory is intended to be a summary explanation. If you have any questions related to compliance, please contact the Enforcement number listed above.