



March 11, 2011

Commissioner Bob Martin
New Jersey Department of Environmental Protection
P.O. Box 402
401 E. State Street, Floor 7
Trenton, New Jersey 08625

Re: New Jersey Drinking Water Quality Institute

Dear Commissioner Martin,

Delaware Riverkeeper Network wrote to the Department in November 2009 inquiring about comments made by the Chemistry Council of New Jersey regarding the New Jersey Drinking Water Quality Institute (DWQI). We expressed our support and our active participation in the public process that is employed by the DWQI to develop the drinking water quality standards for the State. A copy of that letter is attached. We continue to be concerned about the Chemistry Council's unfounded criticism of DWQI process for developing drinking water quality standards that we have heard at DWQI meetings and in the comments they made in 2009, addressed in our attached letter.

We filed an OPRA and a FOIA today, March 11, 2011 regarding any further communications on this. We also re-filed an OPRA for a report prepared by NJDEP on occurrence data for testing done for perfluorinated chemicals (PFOA, PFOS, etc.) that we originally filed July 7, 2010.

As you know, the DWQI was established by the 1983 amendments to the New Jersey Safe Drinking Water Act (N.J.S.A. 58:12A1 et seq., P.L. 1983, c. 443) and is therefore an official body with statutory responsibilities. The DWQI is responsible for developing maximum contaminant levels (MCL) or standards for hazardous contaminants in drinking water and recommending these standards to you as NJDEP Commissioner. The standard setting process was established within the 1983 amendments to the New Jersey Safe Drinking Water Act.

We regularly attend DWQI public meetings and attended the last meeting in September, 2010. Reports at that meeting made it clear that the Institute is very busy with several important initiatives at the subcommittee and full Institute level. We heard four subcommittee reports among other reports. Hexavalent chromium, perfluorinated chemicals, perchlorate, uranium,

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gross alpha and radium, were all reported on since there are active projects underway regarding testing and, in some cases, risk assessments and MCL's being developed.

We are perplexed as to why there has been no public meeting noticed or planned of the DWQI yet this year. We are very interested in the upcoming subcommittee reports regarding progress on these items. The website says it was updated March 7, 2011 yet there are no meetings listed under "Upcoming meetings" and no newly posted reports on the issues addressed at the September 2010 DWQI meeting. A news report on NJN News this week noted that there are no public meetings announced of the DWQI. There usually is a meeting of the full DWQI noticed by now. Has there been a change in the operation of the DWQI?

We are very concerned as a member of the interested public that there seems to be a halt to the DWQI public process. We note that New Jersey's Safe Drinking Water Quality Act attaches statutory requirements to the DWQI that must be met. We have great confidence in the high quality of expertise and science-based knowledge of those who serve at the DWQI and we fully support the Institute's deliberations and process for protecting New Jersey residents' health by establishing safe drinking water standards. The professionalism and nationally recognized quality work that has been accomplished by the Institute is a source of pride for New Jersey and our State's public health benefits because of the carefully developed standards they adopt.

We respectfully request disclosure as to how the Department is meeting the responsibilities of the DWQI under the Act. And we ask what is the current public process regarding the important work of the Institute? Delaware Riverkeeper Network requests a response to our inquiry about the DWQI and its current activities and the public reporting of progress on these critical water quality issues.

Thank you in advance for your response.

Sincerely,

Maya van Rossum
the Delaware Riverkeeper

Tracy Carluccio
Deputy Director

Cc: Branden Johnson, NJDEP Bureau of Safe Drinking Water for NJ Drinking Water Quality Institute

Attachment: 11.6.09 letter from DRN to NJDEP