

## Resolution 24-122

### RESOLUTION REQUESTING RECONSIDERATION OF PROPOSED SURFACE WATER QUALITY STANDARDS FOR PFAS CONTAMINANTS

**WHEREAS**, the Rockaway Valley Regional Sewerage Authority (“RVRSA” or “Authority”) was created in 1972 to enable its member municipalities, current and future users to send, receive, treat, and process its wastewater, in a safe and economical way. Its mission is to always be diligent in its efforts to protect and preserve our areas environment and waterways and to work together as a unified regional authority to serve all customers within its service area, while adhering to all mandated federal and state regulations and standards; and

**WHEREAS**, USEPA and NJDEP have determined that Per- and polyfluoroalkyl substances (“PFAS”), a group of synthetic chemicals that are used in many products and industrial processes, are a threat to human health and the environment; and

**WHEREAS**, in September 2024, USEPA published final water quality criteria for ten (10) individual PFAS for the protection of fish and other aquatic life. These levels are not regulatory and are not required, but States and Tribes can consider using them to develop water quality standards, which, among other things, form the basis for wastewater discharge permit effluent limitations; and

**WHEREAS**, in April 2024, USEPA issued enforceable drinking water standards to protect communities from exposure to PFAS. At that time, USEPA concurrently announced a further \$1 billion to help States and territories implement PFAS testing and treatment at public water systems and to help owners of private wells address PFAS contamination; and

**WHEREAS**, on Nov. 21, 2024, the NJDEP announced its plans to propose amendments to N.J.A.C. 7:9B SWQ Standards to establish “new freshwater and saline water criteria for PFNA, PFOA, and PFOS” (“Amendments”). As discussed at the Nov. 21, 2024 online stakeholder meeting and shown in the November 24 presentation entitled, “Anticipated Amendments to the Surface Water Quality Standards (SWQS) at N.J.A.C. 7:9B,” two of the proposed standards (PFOA and PFOS) are a thousand times more stringent than USEPA’s water quality criteria. At the time of the announcement, NJDEP did not identify sufficient funding to help address PFAS contamination or identify adequate treatment technologies to attain compliance; and

**WHEREAS**, the Amendments would translate into effluent limitations for wastewater treatment plants that are not consistent with current detection capabilities; and

**WHEREAS**, the Amendments would require wastewater treatment plants to install enhanced secondary and tertiary treatment technology that may, or may not, achieve these undetectable compliance levels. Further, as this level of treatment has not been implemented on this scale, it is not known what impact the accompanying removal of nutrients along with PFAS will have upon the flora and fauna in the downstream environment; and

**WHEREAS**, it also appears that the NJDEP plans to propose the Amendments without fully considering the implications for sludge management and disposal, which could lead to sludge that cannot be disposed of in an economical or timely manner and may exceed the current capabilities of facilities that dispose of sludge; and

**WHEREAS**, it also appears that the NJDEP is vastly underestimating the costs of sampling, monitoring, laboratory analysis, engineering, design, construction, and operations that would be necessary to achieve compliance. The cost of compliance cannot be reliably determined at this time, but if achievable, would-be tens of millions for most treatment plants individually, and into the tens of billions for New Jersey wastewater treatment plants in total. The excessive costs would be passed on to the wastewater customers, many of whom are already economically challenged, including those who live in disadvantaged communities and have low to moderate levels of income; and

**WHEREAS**, the cost of treatment would force wastewater treatment plants to redirect funds away from important plant repairs and modernization projects that are desperately needed just as aging infrastructure reaches the end of its useful life; and

**WHEREAS**, the Rockaway Valley Regional Sewerage Authority takes its responsibilities of environmental stewardship seriously and is anxious to address the proliferation of PFAS substances to protect public health and the environment, however, these substances must be removed from the waste stream through public awareness and through labeling and public education and other restrictions on their use. Thereafter, if necessary, using methods that are based on sound science, existing analytical capabilities, and feasible technology, further improvements can be required of wastewater treatment plants. Otherwise, considerable resources will be expended for little or no beneficial improvement to levels of PFAS in the community.

**NOW THEREFORE BE IT RESOLVED** that the Rockaway Valley Regional Sewerage Authority calls on the New Jersey Department of Environmental Protection to reconsider the amendments to Surface Water Quality Standards (SWQS) at N.J.A.C. 7:9B, entitled "New freshwater and saline water criteria for PFNA, PFOA, and PFOS".

**BE IT FURTHER RESOLVED**, that the Executive Director is authorized and directed to send a copy of this Resolution to the following: Victor Poretti, Director, Division of Water Monitoring, Standards and Pesticide Control and Kimberly Cenzo, Bureau Chief, Bureau of Environmental Analysis, Restoration and Standards, NJ Department of Environmental Protection, P. O. Box 420, 401 East State Street, Trenton, NJ 08625 and via email at [SWQS@dep.nj.gov](mailto:SWQS@dep.nj.gov).

**CERTIFICATION**

I hereby certify that this Resolution was adopted at a regular meeting of the Rockaway Valley Regional Sewerage Authority held on December 12, 2024.

On motion of: Commissioner Schorno  
Second by: Commissioner Howarth

and a Roll Call Vote as Follows:

Yeas (6) Andes, Corbett, Farrell, Howarth, Isselin, and Schorno.

Nays: (0) None

Abstain: (0) None

Absent: (4) Cegelka, Lavery, Vacant Commissioner of Randolph, and Zuppa.



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Donald Farrell  
Board Secretary