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ENVIRONMENTAL PROTECTION

WATER RESOURCES MANAGEMENT

WATER MONITORING, STANDARDS, AND PESTICIDE CONTROL

Notice of Readoption

Surface Water Quality Standards

Readoption: N.J.A.C. 7:9B

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

Authorized By: Shawn M. LaTourette, Commissioner, Department of Environmental Protection.

Effective Date: July 17, 2023.

New Expiration Date: July 17, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the Surface Water Quality Standards (SWQS) rules at N.J.A.C. 7:9B are readopted and shall continue in effect for a seven-year period. The rules were scheduled to expire on October 17, 2023. The Department of Environmental Protection (Department) has reviewed these rules and has determined that the rules should be readopted with no changes, as they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

The SWQS rules establish the designated uses and antidegradation categories for all surface waters of the State, classify those surface waters based on the designated uses, and specify the water quality criteria that must be met to support the designated uses. The rules also

set forth the procedures for modifying water quality-based effluent limitations established pursuant to the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A, and the procedures for reclassifying specific segments of waterbodies for less or more restrictive uses.

The SWQS rules are implemented through other Department regulatory programs, including Contaminated Site Remediation and Redevelopment, to ensure that a discharge from a contaminated site that has reached surface water and exceeds any applicable surface water quality standard is remediated, and Land Resource Protection to establish permit requirements that are protective of the designated uses established for the State's surface waters.

The Department is considering amendments to the SWQS, including the addition of a significant figures and rounding policy, revisions, and additions to the human health criteria for 94 toxic substances based on the U.S. Environmental Protection Agency's 2015 updates to the Federal criteria, as well as new human health criteria for perfluorononanoic acid (PFNA), perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), and 1,4-dioxane based on drinking water exposure. Any further action proposing amendments to the SWQS rules would be the subject of a separate notice in the New Jersey Register.