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SHAWN M. LATOURETTE
Commissioner

May 28, 2025

Dr. Phoebe Stapleton, Ph.D., Chair
New Jersey Drinking Water Quality Institute
P.O. Box 420, Mail Code 401-04Q
Trenton, New Jersey 08625-0402

**RE: Request for Institute Evaluation and Recommendations
PFAS Maximum Contaminant Levels**

Dear Dr. Stapleton:

As the Drinking Water Quality Institute (Institute) convenes for its Spring 2025 Meeting, I write on behalf of the Department of Environmental Protection (DEP) to share our gratitude for the Institute's longstanding work to improve drinking water quality, and to express DEP's continuing commitment to advancing measures that reduce the risks of per- and polyfluoroalkyl substances (PFAS) to public health and the environment. The Institute's thoughtful work has helped make New Jersey a national leader in drinking water safety, and with respect to PFAS, has blazed a trail for action at the state and national levels. As the Institute convenes, DEP again calls upon your expertise to further evaluate standards to reduce human exposure to PFAS in drinking water.

As you know, upon the Institute's recommendation, DEP enacted to the first enforceable drinking water maximum contaminant level (MCL) for any PFAS in the United States in 2018. In the years since, DEP has established, monitored, and enforced a State MCL of 14 parts per trillion (ppt) for perfluorooctanoic acid (PFOA) and State MCLs of 13 ppt each for perfluorooctanesulfonic acid (PFOS) and perfluorononanoic acid (PFNA), all of which are unfortunately prevalent in New Jersey water supplies. As DEP implemented these health-based standards under State law, we also supported the development of National Primary Drinking Water Regulations (NPDWR) for PFAS and welcomed the enactment of first Federal MCLs for PFAS last year.

On April 10, 2024, the United States Environmental Protection Agency (USEPA) enacted a final NPDWR that established enforceable Federal MCLs for six PFAS: 4 ppt for both PFOA and PFOS, and 10 ppt each for PFNA, perfluorohexanesulfonic acid (PFHxS), and hexafluoropropylene oxide dimer acid (HFPO-DA) (commonly referred to as GenX). USEPA also established an MCL of 1 (unitless) for mixtures containing two or more of PFHxS, PFNA, HFPO-DA, and perfluorobutanesulfonic acid (PFBS) using a Hazard Index calculation. The MCLs were to become effective in 2029, providing the regulated community five years to prepare for implementation.

On May 14, 2025, USEPA announced its intent to maintain the Federal MCLs for PFOA and PFOS, but to delay their implementation until 2031. At the same time, USEPA announced its intent to rescind and reconsider the regulatory determinations for PFHxS, PFNA, HFPO-DA (GenX), and the Hazard Index mixture of these three PFAS, plus PFBS. While formal Federal regulatory action along these lines is anticipated, none has been taken as of the date of this letter.

It being in the public interest that New Jersey maintains drinking water quality standards protective of human health, we again call upon the Institute's expertise in risk assessment, analytical methods, and drinking water treatment technology to aid in the development of new or revised State MCLs.

As the Institute will recall, prior to USEPA regulatory actions, DEP requested that the Institute review the scientific basis of Interim Health Advisories for PFOA and PFOS issued by USEPA in June 2022. The Institute's Health Effects Subcommittee concluded that health-based MCLs below New Jersey's current practical quantitation limits (PQLs) of 4 ppt for PFOA and 6 ppt for PFOS were scientifically supported. At this time, DEP respectfully requests that the Institute build upon its earlier work by undertaking a prompt and thorough evaluation of the health effects, analytical methods, and best available treatment options for all six PFAS for which USEPA established federal MCLs as of April 10, 2024.

The purpose of the Institute's evaluation would be to inform potential revisions to the State MCLs for PFOA, PFOS, and PFNA and the potential establishment of State MCLs for PFHxS, HFPO-DA (GenX), and PFBS pursuant to the New Jersey Safe Drinking Water Act and for their inclusion as parameters under the New Jersey Private Well Testing Act. As part of this evaluation, we ask that the Institute consider the occurrence of these six PFAS in public drinking water systems and private drinking water wells, examine information concerning the human and environmental persistence and health effects of these compounds, and ultimately provide DEP with the Institute's recommendation(s) for revising or establishing State MCLs for these six PFAS.

Once again, my DEP colleagues and I thank the Institute and each of its members for the invaluable service they provide to the public, and for their ongoing partnership and support in responding to the challenges presented by new and emerging contaminants. Your important work is critical to improving and protecting public health and the environment we all share.

Sincerely,



Shawn M. LaTourette
Commissioner

- c: Patricia Gardner, Assistant Commissioner, Water Resources Management, DEP
Patricia Ingelido, Director, Division of Water Supply & Geoscience, DEP-WRM
Dr. Nicholas A. Procopio, Ph.D., Director, Division of Science & Research, DEP

