

I am writing in response to your January 23 article on Assemblyman Burzichelli's Bill A2123 to change the make-up of New Jersey's Drinking Water Quality Institute (DWQI) with some information and a different perspective.

It's true that the Bill seeks to add 3 industrial/commercial representatives to the state's top panel that recommends safe drinking water standards to NJ Department of Environmental Protection (DEP). But the Institute is not a regulatory board so the Bill would not accomplish what Mr. Burzichelli states as the legislation's goal – to give industry access to “regulatory discussions” that could assist those companies “who may get fined for violating regulations”.

New Jersey's Drinking Water Quality Institute (DWQI) is charged by law to recommend the standards that water providers must meet to protect public health. Pollutants that are found in raw water in the state must be treated to safe levels that are developed by scientists at the DWQI, based on a body of evidence that includes risk assessments, health studies, sampling of New Jersey water, and the evaluation of available technology to remove or reduce their presence. That recommendation then goes to DEP, the regulatory process commences and a decision is made through “regulatory discussions” in the public rulemaking arena where all stakeholders, including industry, can participate. When a standard is adopted by the State, the water purveyors implement it through treatment and are on the hook to meet standards, not the chemical dischargers.

The DWQI is not the place for more industry or commercial influence. This is basically a technical and scientific effort with a reasonable balance of interests already represented on the Institute's board to ask the tough questions – water purveyors, academic scientists, the public (one of whom currently represents a pharmaceutical company) and six ex-officio members from various agencies. What could the public possibly gain from giving chemical-generating industries extra influence over the science of setting safe drinking water levels of these substances? How could this NOT be a conflict of interest?

For thirty years the nationally-recognized NJ DWQI has successfully done the methodical work of protecting us from dangerous contaminants through a cautious and considered process. Highly toxic substances such as PCB's, MTBE, arsenic, and various hazardous organic compounds have been studied and maximum contaminant levels set in our drinking water based on DWQI recommendations.

A DEP spokesman in your article stated the last DWQI recommendation was made in 2009 but it wasn't stated that those recommendations for contaminants such as volatile organics have been ignored by DEP and, in a new low, the DWQI was basically shut down in September 2010 by the current administration. This stopped all progress on

some of the most hazardous substances in our drinking water – perfluorinated chemicals (PFOA, PFOS), hexavalent chromium, and perchlorate; since these are not regulated at the federal level either, we are drinking water polluted with these substances, all known to have harmful health effects. New Jersey's Chemistry Council appears to be behind the current standstill, now it seems they are manipulating legislation.

Finally, the bill's sponsor says the goal is more transparency. The Institute's work is distinguished already by openness -- it is very accessible to public view and input through all stages of research and information gathering through its website, committee reports and public meetings; they follow EPA guidance and the highest standards of scientific inquiry. Giving industry more seats at the table does nothing to open the process wider for the public. And the Bill's proposed changes to operating procedures amount to nothing more than red tape that will slow down the research process and prolong the amount of time the public is exposed to a chemical in their tap water.

Ironically, this Bill highlights an agency that is in trouble, but the proposed legislation does not address the problem. The problem is a de facto *coup d'état* has shut down the DWQI, holding hostage the NJ Safe Drinking Water Act that mandates that our drinking water be cleaned of dangerous emerging pollutants. A2123 should be scrapped and the DWQI must be allowed to get back to its statutorily assigned work of protecting public health.

Tracy Carluccio
Deputy Director
Delaware Riverkeeper Network

Office - 215-369-1188 x 104 or Mobile – 215-692-2329