



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Mail Code 401-04Q

Division of Water Supply & Geoscience
Water System Operations Element
Bureau of Safe Drinking Water
401 E. State Street - P.O. Box 420
Trenton, New Jersey 08625-0420
Tel #: (609) 292-5550 - Fax #: (609) 633-1495
<https://www.nj.gov/dep/watersupply/>

SHAWN M. LATOURETTE
Commissioner

PHILIP D. MURPHY
GOVERNOR

SHEILA Y. OLIVER
LT. GOVERNOR

Notice sent via email only: MBaker@freeholdboro.org

September 9, 2022

Michael Baker
Freehold Borough Water Department
51 West Main Street
Freehold, NJ 07728

**RE: Notice of Non-Compliance – Water Quality Parameter Excursions
Freehold Borough Water Department
PWSID #: NJ1315001
EA ID #: PEA220003 - 1315001
Violation #: 1344**

Dear Michael Baker,

Enclosed for service upon you is a Notice of Non-Compliance issued by the Department of Environmental Protection. **Submit your response to this Notice to the Bureau of Safe Drinking Water (Bureau) via email to watersupply@dep.nj.gov, unless otherwise noted. When submitting via email, reference your PWSID No., the violation number, and the specific submission and/or form number in the subject line.** If you have any questions concerning the enclosed Notice please contact Edmund Salter at (609) 292-5550 or by email at Edmund.Salter@dep.nj.gov. When contacting this office, reference PWSID No. NJ1315001 and EA ID No. PEA220003 so that we can assist you more efficiently.

Sincerely,

Matthew Wilson, Bureau Chief
Bureau of Safe Drinking Water

Enclosure

cc: Central Bureau, Water Compliance and Enforcement (via email),
Michael T. Baker, Licensed Operator (MBaker@licensedoperator.com)



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NOTICE OF NON-COMPLIANCE

EA ID #: PEA220003 – 1315001

Name: Freehold Borough Water Department
Location: Waterworks Road
Freehold, NJ 07728
Identifying #: PWSID No. NJ1315001
Violation #: 1344

You are hereby NOTIFIED that a review of New Jersey Department of Environmental Protection (Department), Bureau of Safe Drinking Water (Bureau) records conducted on August 31, 2022 found that your facility was out of compliance with the regulations promulgated pursuant to the New Jersey Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq. This NOTICE OF NON-COMPLIANCE has been recorded as part of the permanent enforcement history of Freehold Borough Water Department at the above location because your water system failed to comply with the following requirement:

Requirement: All water systems operating corrosion control treatment shall continue to operate and maintain optimal corrosion control treatment, including maintaining water quality parameters at or above the minimum values or within the ranges designated by the State, in accordance with [40 CFR 141.82(g)].

Violation Details: Greater than nine (9) excursions of WATER QUALITY PARAMETERS for LEAD & COPPER RULE during the January 1, 2022 – June 30, 2022 monitoring period.

Specifically, your water system had 23 excursions for pH.

In response to this NOTICE OF NON-COMPLIANCE the following corrective actions must be undertaken to achieve compliance:

1. A public water system that does not meet the Optimal Water Quality Parameter Values set by the State must report the violation to the Bureau of Safe Drinking Water within forty-eight (48) hours of becoming aware of the violation in accordance with 40 CFR 141.31(b).
2. Tier 2 public notification (PN) requirements must be completed in accordance with 40 CFR 141.201 et seq. Templates may be found at <https://www.state.nj.us/dep/watersupply/dws-sampreg.html>. It is strongly recommended that all PN materials be reviewed by the Bureau prior to issuing. Public notification must be completed as soon as practical but **no later than thirty (30) days after the system learns of the violation** and must continue for the duration of the

violation or situation, but in no case for less than seven (7) days, even if the violation is resolved (**due October 9, 2022**). Please note that in accordance with 40 CFR 203(b)(2), PN must be repeated every three (3) months as long as the violation or situation persists.

3. Submit to the Bureau a representative copy(s) of each completed PN that was distributed, posted, or otherwise made available to the persons served by your water system **within ten (10) days of completing the PN requirements**. In addition, you must submit a completed *Public Notification Certification Form DEP_10-F_00008.1* (previously BSDW-53) in accordance with 40 CFR 141.31(d). The Public Notification Certification Form is available on our webpage at <https://www.state.nj.us/dep/watersupply/pdf/bsdw53.pdf>.
4. Submit a *Remedial Measures Report Form* (BWSE-40), per SDWA §1445 - §300j-4(a), detailing proposed or completed remedial measures to the Bureau **within thirty (30) calendar days of receipt of this letter (due October 9, 2022)**. The report should include documentation (e.g., invoices, estimates, receipts) of the measures proposed or taken, and any corresponding analytical results that demonstrate the measures were effective. The BWSE-40 is available on our webpage at <https://www.state.nj.us/dep/watersupply/pdf/bwse40.pdf>.

In addition, **within fourteen (14) days of completing all state approved remedial measures and/or corrective actions**, you will be required to submit a Corrective Actions Completion Certification Form available at <https://www.state.nj.us/dep/watersupply/pdf/wso-ca-01.pdf>.

To ensure a prompt response, all submittals should be sent via email to watersupply@dep.nj.gov. Reference your PWSID No., violation number, and specific submission and/or form number in the subject.

This NOTICE OF NON-COMPLIANCE does not constitute final agency action and may not be appealed or contested. The issuance of this Notice or your compliance therewith does not preclude the State of New Jersey or any of its agencies from initiating formal administrative and/or judicial enforcement action, including assessment of penalties, with respect to the items of non-compliance listed above or for any other violations. Violations of the above regulations are subject to penalties of up to \$25,000.00 per day/offense and in the event of formal administrative or enforcement action, you may appeal or contest such action or penalties.

Issued by: Matthew Wilson, Bureau Chief
Bureau of Safe Drinking Water

Signature:  _____

Date: September 9, 2022