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Dear South Orange Resident,

We are writing to you regarding an issue that has arisen involving the quality of the drinking water being provided to South Orange Village water customers by the East Orange Water Commission (EOWC).

This water quality issue has been the subject of two media releases issued by the Village, and information has been posted on the Village website since March 3rd. The purpose of this letter is to advise you of the current status of this matter. As discussed further below, the New Jersey Department of Environmental Protection (NJDEP) has determined that the water being provided by the EOWC exceeds the standards established by NJDEP for one chemical, tetrachloroethylene. *It is important to emphasize that, according to information provided by NJDEP, there are no immediate health risks associated with drinking water provided by EOWC.*

As addressed in the prior media releases, on March 25, 2011, the NJDEP issued a revised Notice of Non-compliance to the EOWC, the supplier and operator of South Orange's drinking water system. This Notice of Non-compliance cited the EOWC for exceeding the allowable concentration of one volatile organic compound (VOC), tetrachloroethylene, in drinking water distributed by the EOWC. In particular, the Notice indicated that, based on the water samples collected from within the EOWC's system through the first quarter of 2011, the NJDEP had calculated a running annual average of 1.54 µg/L (micro-grams per liter) for tetrachloroethylene. NJDEP regulations require that the running annual average for tetrachloroethylene, as calculated for a calendar quarter, not exceed the NJDEP's maximum concentration limit ("MCL") of 1 µg/L, equivalent to 1 part per billion. The rounding protocol currently used by the NJDEP treats a running annual average of 1.5 µg/L or greater as an exceedance (but not 1.49 µg/L or less).

The Notice of Non-compliance required that the EOWC provide public notification of this exceedance to its customers by May 2nd, and that it provide the NJDEP with a report identifying the remedial measures that the EOWC would be taking to ensure compliance with the tetrachloroethylene MCL by that same date. The Notice and the applicable NJDEP regulations further require that compliance with the MCL be achieved within one year.

The EOWC failed to comply with the public notification requirement of the March 25th Notice of Non-compliance and has failed to submit the remedial measures report required by that Notice. Based on a letter

dated April 29, 2011, sent to the NJDEP by the attorneys for the EOWC, the reason that the EOWC did not comply is that it intends to challenge the manner in which the NJDEP calculated the running annual average. As the Village understands the EOWC's position, the EOWC maintains that the running annual average should have been calculated as being slightly below 1.5 µg/L, and thus, should not have been treated as an exceedance, given the NJDEP's rounding protocol. The EOWC apparently intends to file a formal challenge to the NJDEP's determination.

According to the NJDEP, the concentration of tetrachloroethylene that caused this violation does not pose any immediate health risk and customers do not need to use alternatives such as bottled water, boiling drinking water, or taking other corrective measures. If the EOWC takes appropriate actions to reduce the concentration and maintains it below the MCL, there would not appear to be adverse health impacts from the current MCL levels.

Whereas the EOWC has chosen to challenge the NJDEP's determination, South Orange disagrees with that approach. From South Orange's perspective, the EOWC should focus its efforts on addressing the levels of tetrachloroethylene in its water. From the information currently available, it appears that the source of that contaminant is groundwater from one or two of the EOWC's water wells, and that the installation of air strippers, similar to the one installed for Well #17 within the Village's system, would reduce the current concentration of tetrachloroethylene to acceptable levels.

In light of the EOWC's refusal to provide the public notification of the tetrachloroethylene exceedance, as required by the March 25 Notice of Non-compliance, the NJDEP is considering whether to require South Orange to provide the specific form of notice to the EOWC customers within South Orange. While we believe that notification obligation is the EOWC's, as it supplies the water, bills customers for it, and collects payment for it, if the NJDEP requests South Orange to provide such a separate form of notice, we will do so.

South Orange will continue to closely monitor the situation with the NJDEP. We have instructed the Village's attorneys to employ appropriate legal measures to ensure that the EOWC complies with its obligations under its 1996 Inter-Local Services Agreement with South Orange, including the EOWC's obligation to provide drinking water which meets all applicable drinking water quality standards.

Please visit the Village website, www.southorange.org, regularly for further updates regarding this matter.

Very truly yours,



John O. Gross
Administrator/CFO