

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

NEWARK EDUCATION)	
WORKERS CAUCUS et al.,)	
)	
Plaintiffs,)	2:18-cv-11025
)	
v.)	Judge Katharine S. Hayden
)	Magistrate Judge Cathy L. Waldor
CITY OF NEWARK, et al.,)	
)	
Defendants.)	
<hr/>		

Declaration of Mekela Panditharatne

I, Mekela Panditharatne declare as follows:

1. I am an attorney for Plaintiff Natural Resources Defense Council (NRDC), 1152 15th St. NW, Washington, D.C. 20005.
2. Using data provided by the New Jersey Department of Environmental Protection (NJDEP) to NRDC in response to a New Jersey Open Public Records Act (OPRA) request, I calculated that Newark reported sampling 93 unique Tier 1 sites for the first six-month monitoring period in 2018, from January 1, 2018, to June 30, 2018, under the Lead and Copper Rule.

3. To calculate this, I counted every entry appearing in a spreadsheet titled “Pb data for Newark NJ0704001 from 01.01.2018 to 06.30.2018,” produced by NJDEP. Each entry was assigned a Sample Point ID, consisting of either “PBCU,” followed by a number, or “DS,” with a small number of exceptions. Each Sample Point ID was also assigned a “Tier” number of “1,” “2,” or “3,” with a small number of exceptions. I counted 134 total Sample Point ID values, including duplicates.

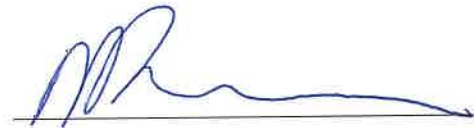
4. A document provided to NRDC by NJDEP in response to an Open Public Records Act request, containing lead sampling data from July 18, 2012, to April 13, 2018, indicated that all of the water samples taken in Newark assigned a Sample Point ID of “DS” were customer-requested samples, while all of the samples taken from sites in Newark’s sampling pool were assigned Sample Point IDs beginning with “PBCU.” From this, I concluded that the entries with Sample Point IDs beginning with “PBCU” were sampling-pool entries, while entries with “DS” as their Sample Point ID were customer-requested entries.

5. Using Microsoft Excel’s “Remove Duplicates” function, I removed 28 duplicate Sample Point ID values, and one unique “DS” Sample Point ID value, leaving 105 remaining unique Sample Point ID values.

6. Of the 105 remaining unique Sample Point ID values, I counted 93 Sample Point ID values assigned a "Tier" value of 1.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 10th day of October, 2018.

A handwritten signature in blue ink, consisting of stylized initials and a long horizontal stroke.

Mekela Panditharatne