

Newark Exceeds the Federal Action Level for Lead Tap Water Samples in the First Half of 2020

Using documents produced in the litigation that are not publicly posted, NRDC determined in 2020 that due to Newark's sampling errors, Newark's 90th percentile lead level in its drinking water for the first half of 2020 was **17.2 parts per billion (ppb)**. That is approximately the same 90th percentile lead level Newark had for [the first half of 2018](#), during the height of the drinking water crisis. It is above the federal action level of 15 ppb, and even 15 ppb does not represent a health-protective standard. **There is [no safe level of lead exposure](#).**

On August 17, 2020, NRDC presented its calculations to Newark and the New Jersey Department of Environmental Protection (DEP) in order to provide Newark and the DEP an opportunity to identify any possible errors in NRDC's calculations. Despite multiple follow-up requests in the ensuing months, neither Newark nor NJDEP identified any errors in NRDC's calculations.

By January 2021, NRDC had not received any statement from Newark or DEP disputing NRDC's calculations or presenting a revised calculation. DEP provided an analysis in December 2020 finding [multiple errors in Newark's sampling practices](#), but DEP did not recalculate earlier reported lead levels. On January 6, 2021, NRDC advised DEP that NRDC will assume that NRDC's calculation and conclusion that Newark exceeded the action level for the first half of 2020 was accurate absent specific evidence to the contrary provided by the end of that week. No such evidence was provided by DEP—by January 8 or through today's date, February 12, 2021.

NRDC therefore understands that **Newark's 90th percentile lead level for the first half of 2020 exceeded the federal action level**, contrary to the public statements made by both Newark and the DEP. DEP's "Drinking Water Watch," a tool for public transparency, still [reports](#) that Newark was below the action level for the first half of 2020.

NRDC does not know how long the errors in Newark's sampling practices identified in DEP's December 2020 analysis have persisted, or whether they affect other reporting periods.

If you have further questions about this issue, please reach out to Margie Kelly at mkelly@nrdc.org.