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NJDEP Formally Adopts Interim Standards and Expands Testing Requirements for Certain PFAS

On June 15, 2026, the New Jersey Department of Environmental Protection (NJDEP) adopted amendments to its Ground Water Quality and Soil Remediation Standards to formally codify interim standards previously established for several per- and polyfluoroalkyl substances (PFAS), including hexafluoropropylene oxide dimer acid and its ammonium salt (collectively referred to as GenX). While the rulemaking codifies interim standards that have largely been in effect since 2022, the rule also expands analytical requirements during site investigations to include these contaminants.

Expanded Analytical Requirements

Prior to this rulemaking, N.J.A.C. 7:26E-2.1(c)1ii required analysis for the Target Compound List/Target Analyte List, hexavalent chromium, extractable petroleum hydrocarbons, and pH where the contaminants that may be present in an Area of Concern are unknown or not well documented.

Under those circumstances, the adopted rule now requires investigators to also analyze for:

- GenX;
- perfluorononanoic acid (PFNA);
- perfluorooctane sulfonate (PFOS);
- perfluorooctanoic acid (PFOA); and
- 2,3,7,8-tetrachlorodibenzo-p-dioxin.

According to NJDEP's rule proposal and adoption, these contaminants have become sufficiently widespread or prevalent throughout New Jersey to justify routine evaluation for them in the absence of available information demonstrating that PFAS were not used or discharged at the site. However, NJDEP also affirmed that Licensed Site Remediation Professionals may rely on professional judgment and documented lines of evidence in determining whether PFAS analyses are necessary.

Interim PFAS and GenX Standards Become Codified

The rule also formally adopts groundwater and soil remediation standards that NJDEP previously established on an interim basis for GenX, PFNA, PFOA, PFOS, and methanol.

Among other changes, the rule codifies the:

- specific groundwater quality standard of 0.02 µg/L for GenX;
- residential and nonresidential soil remediation standards for GenX, PFNA, PFOA, PFOS, and methanol for the ingestion-dermal exposure pathway; and
- soil and soil leachate standards for GenX, PFNA, PFOA, PFOS, and methanol for the migration to groundwater pathway.

Because these standards have generally existed as interim standards since 2022 (and for the GenX groundwater quality standard, since 2023), the rulemaking does not establish entirely new cleanup obligations. Instead, it formally incorporates those standards into New Jersey's regulatory framework

Potential Implications

The expanded analytical requirements may have practical consequences on remediation strategies where there is insufficient information to demonstrate that PFAS are not a potential site-related contaminant. Parties involved in acquisitions, redevelopment projects, and other transactions may need to give additional consideration to PFAS and related contaminants during due diligence when historical operations are not well documented, a challenge encountered in many transactions. Owners, developers, and other parties conducting remediation may also need to reevaluate ongoing remediations to determine whether these new analytical requirements could affect scope, scheduling, or cost.

The rule also signifies NJDEP's continued emphasis on regulating PFAS and other emerging contaminants of concern.

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