



Compliance Advisory

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Compliance & Enforcement #2020-11 Issued: 6/16/2020

SEPTIC SYSTEM COMPLIANCE

WHO IS AFFECTED BY THIS ADVISORY?

Any property owner with a subsurface sewage disposal system (commonly called septic system) or multiple systems for which the aggregate wastewater design flow is in excess of 2,000 gallons per day (GPD), as calculated in accordance with NJAC 7:9A-7.4. The DEP also evaluates some systems that were designed to serve a facility with a design flow less than 2,000 GPD but owner operations have expanded resulting in a design flow that exceeds 2,000 GPD.

These septic systems are generally commercial establishments and not single-family homes. Local public health departments oversee the location, design, construction, installation, alteration, repair and operation of single-family home septic systems with design flows of less than 2,000 GPD.

WHY IS DEP ADDRESSING SEPTIC SYSTEMS?

These systems are regulated under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules. Failure to maintain or operate septic systems can result in the increased discharge of pollutants, resulting in negative impacts to the State's surface, ground and drinking water supplies, such as disrupting the integrity of the water through chemical, physical, and biological changes, compromises to public health and safety, potable water supplies, recreational and other water uses, as well as disturbing the scenic and ecological values of the water.

During 2019, New Jersey experienced a record number of freshwater harmful algal blooms (HABs) across the state. The presence of excessive nutrients from sources such as malfunctioning or undersized septic systems can contribute to the increased occurrence and duration of HABs.

WHAT IS DEP DOING?

The DEP's Division of Water and Land Use Enforcement (DWLUE) has and will continue to provide statewide outreach to property owner(s) containing one or more septic systems with an aggregate daily design flow in excess of 2,000 GPD that informs them of the requirement to apply for the necessary permits from the Department's Bureau of Nonpoint Pollution Control (BNPC).

DWLUE will continue to respond to incidents of septic non-compliance reported to our Hotline and will continue strategic oversight to confirm that septic system owners have obtained the required Permit and the system(s) are being operated in accordance with the Permit requirements.

WHAT SHOULD I DO?

1. Apply for a NJPDES Discharge to Groundwater Permit from the BNPC, if you own one or more septic systems with a daily design flow that exceeds 2,000 GPD.
2. Amend your NJPDES permit if there is a change in the use of the facility or expanded capacity.

Compliance Advisory

3. Maintain your septic system in good working order:
 - a. Ensure your septic tanks are pumped out and inspected by a licensed septic system hauler at least once every 5 years, or more frequently as necessary to prevent system malfunction or an unpermitted discharge to the surface waters of the State.
 - i. Evidence of malfunctioning systems can include, ponding or breakout of sewage or effluent onto the ground surface, seepage or back-up of sewage or effluent into the building served, odors or an overabundance or loss of vegetative cover at the surface of the septic systems.
 - b. Maintain written records of each septic tank inspection and pumping event.
4. If your inspection reveals a malfunction or unpermitted discharge, institute corrective action in accordance with your approved NJPDES Permit.

WHO SHOULD I CONTACT WITH QUESTIONS?

For permitting questions, please contact:

Bureau of Nonpoint Pollution Control (609) 633-7021

For compliance, inspection or enforcement questions, please contact:

Water Compliance and Enforcement (973) 656-4099 (Northern)
(609) 292-3010 (Central)
(856) 614-3655 (Southern)

WHERE CAN I GET MORE INFORMATION?

The following websites can be accessed for additional information:

For further information regarding the requirements of the NJPDES Sanitary Subsurface Disposal T1 General Permit: <https://www.nj.gov/dep/dwq/t1.htm>

To apply for the T1 General Permit Application: https://www.nj.gov/dep/dwq/forms_ground.htm

For further information regarding Harmful Algal Blooms: <https://www.state.nj.us/dep/hab/>

To comment on this compliance advisory visit: <https://www.nj.gov/dep/enforcement/survey.html>

Please note this advisory is intended to be a summary explanation of department requirements. It does not include all potentially applicable requirements. If you have any questions related to compliance, please contact an Enforcement number listed above.