PART I

NARRATIVE REQUIREMENTS

Sanitary Subsurface Disposal (GP)

A. General Conditions

1. Scope

a. This permit applies to all areas of the state of New Jersey.

2. Eligibility

a. The categories of dischargers that can be authorized under this general permit are those which discharge sanitary sewage to ground water from facilities using individual subsurface sewage disposal systems. These are often referred to as "septic systems."

b. The following systems are eligible to be authorized under this general permit:

i. Systems approved by the administrative authority (prior to January 1, 1990) in accordance with N.J.A.C. 7:9A, or applicable laws or regulations predating that rule. The aggregate daily design flow from these septic systems exceeds 2,000 gallons per day (GPD) per property served (which is the total daily volume of sewage generated, calculated as prescribed in N.J.A.C. 7:9A-7.4).

ii. Systems approved by the administrative authority (after January 1, 1990) in accordance with N.J.A.C. 7:9A as having an aggregate daily design flow over 2,000 gallons per day (GPD) per property served, that utilize an advanced treatment unit in accordance with Section B. of this permit.

iii. Systems currently discharging over 2,000 gallons per day (GPD) per property served, that were approved by the administrative authority in accordance with N.J.A.C. 7:9A, as having an aggregate daily design flow of under 2,000 gallons per day (GPD) per property served, that utilize an advanced treatment unit in accordance with section B. of this permit.

c. These individual subsurface sewage disposal systems receive and treat sanitary sewage and dispose only sanitary wastewater.

i. Sanitary sewage is defined at N.J.A.C. 7:14A-1.2 and means "any liquid waste containing animal or vegetable matter in suspension or solution, or water carried wastes resulting from the discharge of water closets, laundry tubs, washing machines, sinks, dishwashers or any other source of water carried human wastes of human origin or containing putrescible material". This termspecifically excludes industrial, hazardous or toxic wastes ande materials. However, this permit does allow for the responsible use and discharge of commonly used cleaning compounds that may enter the septic system.

ii. Examples of individual subsurface sewage disposal systems which may qualify for this permit include septic tanks with seepage pits, disposal fields, leach or tile fields (or an equivalent distribution mechanism); dry wells, injection wells and infiltration galleries. These may be regulated under a general permit as they involve the same or substantially similiar operations with respect to the nature of the discharge activity, discharge the same type of wastes and engage in similar disposal practices, require the same operating conditions and standards for disposal, require the same monitoring and/or inspections of the system as a first defense against threat to human health and the environment and, in the opinion of the Department, are more appropriately controlled under a general permit that under separate individual permits.

d. Any facilities meeting the eligibility requirements above, that also have cesspools, privies, and/or outhouses, may be eligible for this permit but shall upgrade these methods of sewage disposal in accordance with the corrective action requirements below.

i. A cesspool, for the purposes of this permit, means "a covered pit with open jointed lining into which untreated sewage is discharged, the liquid portion of which is disposed of by leaching into the surrounding soil, the solids or sludge being retained within the pit."

e. If a facility is responsible for contravening the Ground Water Quality Standards, N.J.A.C.7:9C, the Department may revoke the authorization under this permit and shall regulate the facility under a more appropriate permit document, such as an individual NJPDES permit or authorization under another general permit, pursuant to N.J.A.C. 7:14A-6.13 and 16.4.

3. Request For Authorization

a. A Request For Authorization (RFA) consists of:

i. A standard NJPDES-1 application form;

ii. A topographic map depicting the location of the facility;

iii. A plot plan as described in N.J.A.C. 7:14A-7.9;

iv. A summary statement specifying the number, type and location of Individual Subsurface Sewage Disposal Systems, and/or cesspools, privies and/or outhouses.

b. A facility which has submitted a complete application for an individual discharge to ground water permit in accordance with N.J.A.C. 7:14A-4 or its regulatory precursors may, at the discretion of the Department, be authorized under this general permit without submission of an RFA, provided that the applicant meets all eligibility criteria for the T1 general permit. A complete application is considered to be the RFA.

c. After a complete RFA has been submitted to the Department for consideration, the Department shall, in accordance with N.J.A.C. 7:14A-6.13, either:

i. Issue notification of authorization under this permit, in which case the authorization is effective as of the first day of the following month.

ii. Deny authorization under this permit and require submittal of an application for an individual permit; or

iii. Deny authorization under this permit and require submittal of an RFA for an authorization for another general permit.

4. Automatic Renewal of Authorization

a. Renewal of the authorization shall be automatic upon reissuance of the general permit provided the authorized discharge continues to meet the eligibility criteria. The most recently submitted RFA shall be considered a timely and complete RFA. However, if the information provided in the RFA is no longer accurate, the permittee shall submit an update of the information in 3.a above on a Department supplied form or a complete RFA.

B. Advanced Treatment Units

1. **To be eligible for authorization under this general permit as described in section A., 2., b., ii and section A., 2., b, iii of this permit, an advanced treatment unit must be utilized. This advanced treatment unit shall:**

   a. Consist of an ANSI/NSF Standard 40 certified pretreatment device (Aerobic Treatment Unit) that bears the mark of NSF, or other method(s) approved by the Department after being certified by the manufacturer of the device and a N.J. licensed professional engineer to meet USEPA secondary treatment standards (40 CFR Part 133) based upon the actual wastewater generated at the facility.

   b. The use of these advanced technologies requires a licensed operator, unless the permittee maintains a Department approved service and maintenance contract from an authorized service provider per section C., 4. of this permit.

C. Operating Requirements

1. Visual Inspections

a. A visual inspection of an individual subsurface sewage disposal system may include, but is not limited to, an inspection of all septic tanks, pumps, siphons, distribution boxes, and disposal fields. It is the permittee's responsibility to determine what appurtenances to include in the inspection, as access may vary from site to site. At a minimum, the immediate surroundings of the disposal areas shall be inspected to observe any evidence of malfunctioning. Said evidence may include, but is not limited to, breakout, ponding, wet areas, odors and an overabundance or loss of vegetative cover. If the aforementioned evidence of malfunction is discovered, the permittee shall institute corrective action as specified below.

b. For systems which operate year round, visual inspections shall be conducted at a minimum frequency of monthly beginning 1 month following the Effective Date of Permit Authorization (EDPA).

c. For systems operated seasonally, at least one visual inspection must be conducted each month (or parts of months) of operation.

2. Conduct Training

a. The Permittee shall ensure that all current employees are aware of the requirements of the permit.

3. Maintain all Systems in Good Working Order

a. The operation of an individual subsurface sewage disposal system shall at no time create an unpermitted discharge to any ground or surface waters of the state.

b. If any portion of the system is found to be malfunctioning due to septic tanks leaking, or when septic tanks refill with ground water within days of a pumping event, or when the ground becomes saturated and/or clogged and can no longer absorb effluent, or when the seepage pits/dry wells become full so that effluent no longer infiltrates properly, the permittee shall institute corrective action in accordance with this permit.

c. The permittee shall ensure that each septic tank is pumped and inspected per procedures for septic tanks in "Technical Guidance for Inspections of Onsite Wastewater Treatment and Disposal Systems" at least once every 5 years by a licensed septic system hauler. Note: when a septic tank needs to be pumped more than once per year, it indicates a system that is not functioning optimally. When more frequent pumping is necessary to avoid malfunctions, the Department requires the permittee to hire a New Jersey Licensed Professional Engineer (P.E.) to determine the probable cause of the frequent pumping and to design a remedy as described in Part D, Corrective Action.

d. The use of non-hazardous chemicals, biological additives, or enzyme treatments is allowed but not considered to be an appropriate repair method. Such treatment is not authorized to be used in lieu of corrective action as required below.

4. Maintenance and Operating Requirements for Advanced Treatment Units

a. Facilities may satisfy the maintenance and operating requirements of this permit by utilizing a licensed operator as specified in the Treatment Works Approval for the system that includes an advanced treatment unit.

b. At facilities that do not utilize a licensed operator, the owner of the property where a system that includes an advanced treatment unit must have in place a service contract, for the life of the system, with an authorized service provider.

   i. Advanced treatment units shall be maintained according to the manufacturer's maintenance requirements by an authorized service provider. An up to date copy of the maintenance requirements from the manufacturer must be kept on-site and be made available to the Department upon request.

   ii. Advanced treatment units shall be inspected by an authorized service provider, on an annual basis at a minimum

c. All inspection results shall be recorded on an inspection form and signed by the authorized service provider. Inspection results must be kept on-site and made available to the Department upon request.

d. Visual Inspection Log

   i. Within thirty (30) calendar days of the effective date of the authorization, the permittee shall develop a visual inspection log which, at a minimum, fulfills the inspection requirements of this permit. This log shall be maintained onsite at all times. The permittee may choose any organized method of recordkeeping as long as it meets the requirements of this permit.

e. Plot Plan

   i. The most up to date plot plan must be maintained onsite at all times. Locations of all septic tanks and disposal areas must be detailed on the plot plan and should include pumpout locations. Whenever septic systems are relocated, the plot plan must be updated once the construction of the new or updated septic systems is complete. This is consistent with N.J.A.C. 7:14A- 7.9(3) iv.

   ii. The Department may request at any time an updated copy of the plot plan.

f. Emergency Phone List: Within thirty (30) days of the EDPA, the permittee must compile an emergency phone list to be utilized in the event of an emergency situation. It is suggested these phone numbers, as well as descriptions of emergency situations and the required responses, be posted in a common area such as the facility office or maintenance building. Emergency situations include, but are not limited to; power failure, equipment malfunction, pump failure, septic tanks leaking, surfacing of effluent, clogged piping, etc. The emergency phone list shall at a minimum include:

   i. Septic Hauler

   ii. Facility Owner

   iii. Licensed Operator or contracted septic system maintenance personnel (if applicable)

   iv. Local Health Department

   v. The appropriate NJDEP Regional Bureaus of Water Compliance & Enforcement Northern Field Office (Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex and Warren) (973) 656-4099
   Central Field Office (Mercer, Middlesex, Monmouth, Ocean & Union) (609) 584-4200
   Southern Field Office (Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester & Salem) (856) 614-3655

   vi. If the malfunction occurs during the evenings or weekends, contact the NJDEP Hotline (1-877-WARNDEP/1-877-927-6337).

   vii. If appropriate; contact the local police, fire department, gas or electrical utilities, or an electrician.

g. The permittee shall maintain records including receipts of all items or substances (including chemical, biological or enzyme additives) purchased and used in the system for an at least 5 year period.

h. Record of septic tank pumping events

   i. The permittee shall maintain a written record of the septic tank inspection and pumping events (including the locations and volume removed) for each septic system as required above. All of these records are to be maintained for a minimum of 5 years. These records shall be made available to Department personnel upon request.

5. Notifying the Department

a. Prior to any change in ownership or operating entity of the regulated facility, the current permittee shall comply with the requirements of N.J.A.C. 7:14A-16.2, pertaining to notification of change of ownership.

b. Permittees are required to advise the Department of any changes or of missing or incorrect information, including address changes per N.J.A.C. 7:14A-2.11(f);6.10(e)2 & (f)3, and 7:14A-6.13(d)9.i.

c. Certain activities or changes to a facility may require additional approvals or different levels of Department oversight. Examples of these situations are as follows:

   i. If your facility is planning to alter the system for any reason other than to conduct an "in-kind" repair, the permittee will need to apply to the Department for a Treatment Works Approval (TWA);

ii. If the use of the facility changes such that it results in an increase in volume of sanitary sewage, then the permittee shall notify the Department within ninety (90) days prior to the proposed implementation date. This type of change may result in the need for other Department approvals. (One example of this type of change occurs when a facility adds additional seats to a restaurant).

iii. If a proposed change to the facility results in a change in the nature of the discharge such that it no longer meets the definition of "sanitary sewage" in accordance with N.J.A.C.7:14-1.2, the facility will no longer be eligible for this permit.

d. Cesspool closure plans shall be submitted to the Bureau of Nonpoint Pollution Control, Mail Code 401-02B P.O. Box 420- 401 E State Street, Trenton, NJ 08625.

D. Corrective Action

1. **If any inspection indicates that any portion of the system is found to be malfunctioning due to septic tanks leaking, or when septic tanks refill with ground water within days of a pumping event, or when the ground becomes saturated and/or clogged and can no longer absorb effluent, or when the seepage pits/dry wells become full so that effluent no longer infiltrates properly, the permittee shall institute corrective action in accordance with this permit:**

   a. Immediately cease discharge to the affected disposal area and if necessary pump and haul wastewater.

   b. Contact the appropriate Regional Enforcement Bureau (or the NJDEP Hotline) and the Bureau of Nonpoint Pollution Control (BNPC) at (609) 633-7021 or (609) 292-0407, to report the malfunction as soon as possible after it is observed.

   c. Determine the probable cause of malfunction and have a New Jersey Licensed P.E. design a remedy.

   d. If the cause of malfunction was unintentional overloading of the disposal area due to unequal distribution of the discharge or heavy rain, snow melt, etc., the permittee shall not resume discharging until the affected disposal area drains and returns to operational status.

   e. If the system is undersized for the given flow or is physically clogged, then the discharge shall not resume until an approved measure has been taken to rectify the situation.

2. **When an inspection of the individual subsurface sewage disposal systems identifies that maintenance is required to ensure continued proper operation of the system, said maintenance must be performed without delay. Within 48 hours, the permittee shall document the maintenance need in the inspection log and determine the course of action that will be taken to address the problem.**

   a. The permittee is allowed to perform "in-kind" repairs to all components, except to the disposal field as discussed below, without the need to obtain a TWA approval. An "in-kind" repair means to replace worn, damaged, defective or inoperable wastewater pumps, septic tanks, and associated components, providing that the capacity and location will not change. It also includes rehabilitation or replacement of existing building sewer lines to the septic tanks or sewer lines that lead to the disposal field.

   b. If a disposal field malfunctions due to mechanical problems, such as a broken pipe or tree root obstructions, the permittee is allowed to perform "in-kind" repairs.

c. The design engineer is allowed to substitute alternative technology (such as chambers) instead of conventional gravel and pipe disposal field installations, provided that the disposal field dimensions will not change. The Licensed P.E. shall submit in writing to the permit issuing Bureau to certify that the modification will correct the malfunction.

3. **Determining Course of Action for the First Malfunction of a Disposal Field that is Due to Soil Clogging**

a. The first time a disposal field malfunctions due to soil clogging or due to the presence of a seasonal high water table as determined by a New Jersey Licensed P.E., the permittee may perform an "in-kind" repair under the following conditions:

i. Submit written notice to the permit-issuing Bureau.

ii. All disposal field repairs must be overseen by a New Jersey Licensed P.E. To obtain authorization to perform an "In-kind" disposal field repair, the engineer must submit to the permit issuing Bureau a certification that explains the cause of the disposal field failure and that the previously approved design will remedy the malfunction.

iii. If a 4 foot unsaturated zone of treatment does not exist with the present design, the permittee shall apply for TWA to alter the disposal field.

iv. Repairs are not allowed for any cesspool, privy or outhouse or other method of sewage disposal not considered to be an individual subsurface sewage disposal system. All replacements to these methods of sewage disposal must be done in accordance with a TWA.

v. Work beyond the scope of an "in-kind" repair will require a TWA. NJDEP Bureau of Construction and Connection Permits shall be contacted at 609-984-4429 prior to initiating any remedial work not discussed above. The permit issuing Bureau shall be advised in writing that a TWA will be filed for the needed work to be performed.

4. **Determining Course of Action for the Subsequent Malfunctions of the Disposal Field that are Due to Soil Clogging**

a. If a disposal field malfunctions due to soil clogging more than once within 5 years, the permittee must upgrade the system by using one of the following options:

i. Install a system designed using the requirements in N.J.A.C. 7:9A-8 through 10.

ii. If the facility is a food service establishment, the permittee shall install a system designed using the design requirements in N.J.A.C. 7:9A-8.1 (a) through (l) to insure that high strength wastewater can meet the treatment effluent criteria listed in 8.1 (i).

iii. Install an advanced treatment unit as described in Part B. of this permit and satisfy the maintenance and operating requirements for advanced treatment units as described in section C., 4., of this permit.

iv. Alternate methods of distributing wastewater (such as drip dispersal) may also be approved by the Department.

v. The permittee may use any sewage storage or disposal method subject to all NJDEP approvals.

5. **Elimination of Cesspools**

a. Small Capacity Cesspools

i. If the regulated facility has individual small capacity cesspools (with a design volume less than or equal to 2,000 gallons per day), privies, or outhouses, the permittee should have produced a closure plan to abandon and replace these methods of sewage disposal with systems that do not result in an increase in the volume of sanitary sewage by 5/31/2010 or 2 years after original EDPA.

ii. All permittees should have began implementation of their closure plan by 5/31/2013 or within 2 years after original EDPA. All permittees who are still in the implementation phase of cesspool closures need to follow the plan on file at NJDEP.

iii. Any facilities that need to amend or modify a cesspool closure plan may do so in consultation with the permit issuing bureau.

iv. Any facility newly authorized under this permit that has any cesspools, outhouses or privies, operating or otherwise, is required to submit a closure plan within 3 months of the effective date of permit authorization (EDPA). This closure plan needs to include a beginning implementation of no later than 6 months EDPA. The closure plan must include an estimated timeframe for when the facility will submit a TWA to replace system(s) with an adequate individual sewage disposal system and final closure dates for all cesspools, outhouses and privies.

v. Any existing permittee with cesspools, outhouses or privies who have failed to file a timely closure plan is required to submit a closure plan to NJDEP. This closure plan needs to include a beginning implementation of no later than 6 months after the effective date of this renewal or be subject to obtain an individual NJPDES permit.

vi. Any permittee that discovers a cesspool structure not previously identified that is operating or not properly closed must submit a closure plan within 3 months of discovery. This closure plan needs to include a beginning implementation of no later than 6 months after submitting said closure plan. The closure plan must include an estimated timeframe for when the facility will submit a TWA to replace system(s) with an adequate individual sewage disposal system and final closure dates for all cesspools.

b. Large Capacity Cesspools

i. Large capacity cesspool(s) with a design flow greater than 2,000 gallons per day shall be closed in accordance with the requirements of N.J.A.C. 7:14A-8.4(a)3i. These cesspools should have been closed by April 5, 2005. Any permittees with these types of sewage disposal remaining after this date must submit a closure plan within 3 months after discovery of these cesspool structures. This closure plan needs to include a beginning implementation of no later than 6 months after submitting said closure plan and shall include an estimated timeframe for when the system is replaced with an adequate individual sewage disposal system.

E. Closure Requirements

1. When closing or abandoning any individual subsurface sewage disposal systems, the permittee should refer to N.J.A.C. 7:14A -8.16(d) or call the permit issuing Bureau for specific requirements.

2. Property transfer with operating cesspools

i. Any facility that intends to initate a property transfer with operating or improperly closed cesspool in place shall proceed with the closure of such structures in accordance with the NJDEP approved closure plan for that facility.

F. General Conditions Applicable to all Permits

1. **Compliance With Rules**

   a. The permittee shall comply with any other applicable Federal, State and local rules, regulations and ordinances. The issuance of this permit shall not be considered a waiver from any of these other requirements.

2. **The following conditions are incorporated by reference. The permittee is required to comply with the rules which were in effect as of the effective date of the final permit.**

   a. General Permits (N.J.A.C. 7:14A-6.13)

   b. Penalties for Violations - N.J.A.C. 7:14-8.1 et seq.

   c. Consolidation of Permit Processing - N.J.A.C. 7:14A-15.5

   d. Incorporation by Reference - N.J.A.C. 7:14A-2.3

   e. Enforcement Action - N.J.A.C. 7:14A-2.9

   f. General Conditions Applicable to All Permittees - N.J.A.C. 7:14A-6.2 (see also section A.4.c.)

   g. Duty to Reapply - N.J.A.C. 7:14A-4.2(e) (see also section A.4.d.)

   h. Administrative Continuation of Permits - N.J.A.C. 7:14A-2.8

   i. Duty to Mitigate - N.J.A.C. 7:14A-6.2(a)5,6.2(a)1

   j. Permit Actions - N.J.A.C. 7:14A-2.7(c)

   k. Permit Duration and Renewal - N.J.A.C. 7:14A-2.7(a), (b)

   l. Effect of Permit - N.J.A.C. 7:14A-2.9(c) ,6.2(a)6&7 (see also section E. 1.)

   m. Inspection and Entry - N.J.A.C. 7:14A-2.11(e)

   n. Severability - N.J.A.C. 7:14A-2.2(b)

   o. Toxic Pollutants - N.J.A.C. 7:14A-6.2(a)4

   p. Standard Reopener Clause - N.J.A.C. 7:14A-6.2(a)10

   q. General Permits - N.J.A.C. 7:14A-6.13

   r. Fee Schedule - N.J.A.C. 7:14A-3.1

   s. Treatment Works Approval (TWA) N.J.A.C. 7:14A-22.1 et seq.

3. **Operation and Maintenance**

   a. Proper Operation and Maintenance - N.J.A.C. 7:14A-6.12(a)

   b. Need to Halt or Reduce not a Defense - N.J.A.C. 7:14A-2.9(b)

   c. Bypass - N.J.A.C. 7:14A-6.11

   d. Upset - N.J.A.C. 7:14A-6.11

4. Records and Reporting Requirements

a. Record Keeping - N.J.A.C. 7:14A-6.6

b. Planned Changes - N.J.A.C. 7:14A-6.7

c. Changes in Discharge - N.J.A.C. 7:14A-6.7

d. Anticipated Noncompliance - N.J.A.C. 7:14A-6.7

e. Transfer - N.J.A.C. 7:14A-6.2(a)8, 6.13(n), 16.1, 16,2

f. Compliance Schedules - N.J.A.C. 7:14A-6.4

g. Noncompliance Reporting - N.J.A.C. 7:14A-6.10

h. Duty to Provide Information - N.J.A.C. 7:14A-2.11, 6.2(a)14

i. Signatory Requirements - N.J.A.C. 7:14A-4.9

j. Public Access to Information - N.J.A.C. 7:14A-18.1

k. Additional Requirements for all Existing Manufacturing, Commercial Mining, Silviculture, and Research Facilities - N.J.A.C. 7:14A-11.3

l. Missing or Incorrect Information - N.J.A.C. 7:14A-2.11(f), 6.10(e)2 and (f)3

m. Confidentiality - N.J.A.C. 7:14A-18.2

n. Copies of the NJPDES rules may be purchased by contacting:
LexisNexis Customer Service at (800) 223-1940, or go to the LexisNexis bookstore on the internet at www.lexisnexis.com/bookstore. Copies are also available on the Division of Water Quality's website at: http://www.state.nj.us/dep/dwq/rules.htm