



## State of New Jersey

PHILLIP D MURPHY  
*Governor*

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Mail Code - 401-02B

CATHERINE R. McCABE  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

Water Pollution Management Element  
Bureau of Nonpoint Pollution Control  
P.O. Box 420 – 401 E. State St.  
Trenton, NJ 08625-0420  
Tel: (609) 633-7021 / Fax: (609) 777-0432  
<http://www.state.nj.us/dep/dwq/>

**October 4, 2018**

NJDEP – Division of Water Quality  
401 E. State Street  
Trenton, NJ 08625

Re: Final Ground Water Master General Permit Renewal  
Cat: T1 – Existing Sanitary Septic Systems (GP)  
NJPDES Master General Permit No. NJ0130281  
Trenton City, Mercer County

Dear Permittee:

The **final** renewal of the T1 - Sanitary Subsurface Disposal Permit (general permit) identified above has been issued in accordance with N.J.A.C. 7:14A. A complete copy of the general permit, which is effective November 1, 2018 and expires on October 31, 2023, can be viewed on the internet at [www.state.nj.us/dep/dwq/](http://www.state.nj.us/dep/dwq/) under "Featured Topics".

No written comments were received on the draft action during the comment period, and no provisions of the draft permit have been changed in the final permit. Therefore, the right by you, or any third party, to contest the permit conditions in an adjudicatory hearing is hereby waived pursuant to N.J.A.C. 7:14A-15.13.

If you have any questions or comments regarding the final action, please contact Brian Sage at (609) 633-6021.

Sincerely,

Ron Bannister, P.G., Section Chief  
Bureau of Nonpoint Pollution Control

Enclosures



# NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM

The New Jersey Department of Environmental Protection hereby grants you a NJPDES permit for the facility/activity named in this document. This permit is the regulatory mechanism used by the Department to help ensure your discharge will not harm the environment. By complying with the terms and conditions specified, you are assuming an important role in protecting New Jersey's valuable water resources. Your acceptance of this permit is an agreement to conform with all of its provisions when constructing, installing, modifying, or operating any facility for the collection, treatment, or discharge of pollutants to waters of the state. If you have any questions about this document, please feel free to contact the Department representative listed in the permit cover letter. Your cooperation in helping us protect and safeguard our state's environment is appreciated.

**Permit Number: NJ0130281**

**FINAL: Ground Water Master General Permit Renewal**

**Permittee:**

NJPDES Master General Permit  
 Program Interest Category T1  
 Per Individual Notice of Authorization  
 Division of Water Quality  
 401-02B; P.O. Box 420  
 401 East State Street  
 Trenton, NJ 08625

**Co-Permittee:**

**Property Owner:**

NJPDES Master General Permit  
 Program Interest Category T1  
 Per Individual Notice of Authorization  
 Division of Water Quality  
 401-02B; P.O. Box 420  
 401 East State Street  
 Trenton, NJ 08625

**Location Of Activity:**

NJPDES Master General Permit  
 Program Interest Category T1  
 Per Individual Notice of Authorization  
 Division of Water Quality  
 401-02B; P.O. Box 420  
 401 East State Street  
 Trenton, NJ 08625

Authorization(s) Covered Under This Approval	Issuance Date	Effective Date	Expiration Date
T1 - Existing Sanitary Septic System (GP)	10/04/2018	11/01/2018	10/31/2023

**By Authority of:  
 Commissioner's Office**

**DEP AUTHORIZATION  
 Ron Bannister, P.G., Section Chief  
 Bureau of Nonpoint Pollution Control  
 Division of Water Quality**

(Terms, conditions and provisions attached hereto)

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This Permit Package Contains the Items Listed Below

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5. Part I NARRATIVE REQUIREMENTS

New Jersey Department of Environmental Protection  
Division of Water Quality  
Bureau of Nonpoint Pollution Control (Ground Water)  
401 East State Street, Trenton, NJ 08625

## **FACT SHEET**

This fact sheet sets forth the principal facts and the significant factual, legal, and policy considerations examined during preparation of the draft permit.

### **PERMIT ACTION: Ground Water Master General Permit Renewal**

**Category: T1 – Existing Sanitary Septic System**

#### **Name and Address of the Applicant:**

NJDEP DIVISION OF WATER QUALITY  
401 E STATE ST  
TRENTON, NJ 08625

#### **Name and Address of the Facility/Site:**

NJPDES MASTER GENERAL PERMIT PROGRAM INTEREST  
401 E STATE ST  
TRENTON, NJ 08625  
Per Individual Authorization

#### **Description of the Permit Action:**

This action is a renewal of the T1 Existing Sanitary Septic System master permit (NJ0130281). This renewal updates and clarifies the requirements for the remediation of malfunctioning systems.

#### **Location of the Facility: Statewide**

#### **NAME AND CLASSIFICATION OF THE RECEIVING WATER:**

Ground Waters of the State  
Classes 1, II & III

## **DESCRIPTION OF ELIGIBLE FACILITIES:**

This New Jersey Pollutant Discharge Elimination System - Discharge to Ground Water (NJPDES-DGW) General Permit (NJ0130281) renewal is issued in accordance with N.J.A.C. 7:14A-1 *et seq.*, and authorizes sanitary discharges to ground water from facilities with existing individual subsurface sewage disposal systems (commonly called septic systems). For the purposes of this permit, a sanitary discharge means sanitary sewage discharged from an existing dwelling or other establishment having a daily design flow that exceeds 2,000 gallons per day (GPD). 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 wastes of human origin or containing putrescible material. This term specifically excludes industrial, hazardous or toxic wastes and materials. Any discharge resulting from activities other than those described is prohibited. Examples of existing individual subsurface sewage disposal systems which may qualify for this permit can include: facilities with septic tanks discharging into seepage pits, disposal fields or other systems that were issued a local approval in accordance with the Standards for Individual Subsurface Sewage Disposal Systems, N.J.A.C. 7:9A or its regulatory precursors. This general permit does not address and is not an approval of any past activity which was conducted at the site that has or may have adversely affected the ground waters of the State.

## **GENERAL ELIGIBILITY CRITERIA**

The group of dischargers that can be authorized under this general permit involve the same or substantially similar 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 the threat to human health and the environment. In view of the Department these types of permittees are more appropriately controlled under a general permit than under separate, individual permits.

## **SPECIFIC AUTHORIZATION CRITERIA**

The eligible dischargers must meet the following criteria to qualify for authorization under this general permit: 1) these facilities were designed and approved in accordance with N.J.A.C. 7:9A-1 *et seq.*, (Standards for Individual Subsurface Sewage Disposal Systems) or its regulatory precursors, 2) these facilities were in conformance with the rules, regulations and ordinances in effect at the time of construction and construction was performed in conformance with a valid approval; and 3) the original design of these facilities was not reviewed and approved by the NJPDES Program.

## **REQUEST FOR AUTHORIZATION**

A complete application is considered to be the Request for Authorization (RFA). An RFA consists of a NJPDES-1 form, a site plan, a topographic map, and a T1 facility information form. 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 may, at the discretion of the Department, be authorized under this general permit. The decision to issue an authorization shall be based upon the applicability of the criteria, outlined in the paragraph above, to each individual facility. If it is determined that the

facility meets the outlined criteria, the Department shall notify the permittee regarding authorization under this general permit in accordance with N.J.A.C. 7:14A-6.13.

## **EXISTING FACILITIES**

Some examples of the types of facilities that may be regulated by this permit include schools, day care centers, houses of worship, golf courses, campgrounds, mobile home parks, strip malls, office buildings, restaurants and catering facilities. These types of facilities are required to be regulated in accordance with NJPDES rules because they have a total design flow greater than 2000 gpd (as calculated by N.J.A.C. 7:9A-7.4). The total number of facilities currently regulated under this T1 General Permit (as of the date of this public notice) is approximately 725 facilities statewide. It is anticipated that there are more facilities that could be eligible for this permit and/or exist without the required NJPDES permit and it is the intention of the Department notify them of these requirements.

## **SUMMARY OF PERMIT CONDITIONS**

### **Renewal Permit Conditions**

The Department has included some minor changes upon renewal of this permit. The Department is clarifying requirements for the remediation of malfunctioning systems.

Facilities that qualify for this permit are older sites. These older sites often have smaller setbacks from potential receptors such as potable wells and streams than what current regulations require. These facilities have operated since the mid 1990's without obtaining required state permits and causing ground water pollution. The Department gave permittees who came forward prior to this renewal period more time because those who have been regulated by NJDEP are required to be actively performing regular inspections and do preventative maintenance, repairs and replacements for many years under a NJPDES permit. But those who have been regulated have not likely performed adequate preventative measures or repairs which would minimize pollution.

It is recognized that many of the existing permittees no matter when they applied for the permit have a number of site restrictions and may not be able to put in a conventional system. The cesspool replacement can be accomplished by replacing the outdated cesspool with a system that includes a septic tank and disposal field. Alternative disposal methods can also be proposed for consideration by the Department. Repairs will not be 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 upgraded by installing a system in conformance with N.J.A.C. 7:9A and will need to be accompanied by a Treatment Works Approval (TWA).

The remaining permit conditions are essentially the same with some clarifications or language changes. All permittees must establish an inspection schedule for all visible septic system components within 30 days of the effective date of the permit authorization. For continuously operating septic systems the inspection schedule is still monthly and for seasonal operations, it must be monthly during the season. Records must be kept of these inspection events for a 5 year period. When septic tanks are pumped, the permit requires the septic tank pumper or other qualified individual to inspect the septic tank in accordance with the Department's guidance. This provision

ensures that improperly maintained or leaking tanks can be identified and replaced as necessary. The permit also emphasizes that when septic tanks are pumped more frequently than once per year, it indicates that the system may be malfunctioning or at high risk of malfunctioning, and in these cases, the Department requires the permittee to hire a licensed P.E.. The P.E. needs to determine the probable cause(s) of the frequent pumping and design a remedy to fix it properly. If a system malfunctions, the system must be evaluated and a repair, alteration or complete replacement be proposed to correct the malfunction. The Department considers disposal field malfunctions to be a serious matter that can cause pollution of the waters of the State. The site owner is not permitted to use long term hauling as a solution to a malfunctioning system. Use of non-hazardous chemical or biological additives or enzymes (such as RidX) is allowable under the permit, as long as proper records are maintained. In kind repairs are permitted with NJDEP notification and do not need a Treatment Works approval under very limited circumstances. For septic systems that are altered or replaced, a Treatment Works Approval (TWA) permit must be obtained and any other required NJDEP approvals. The permit does not allow for expansions or changes in use where a proposed change to the facility results in an increase in volume of sewage or a change in nature of the discharge from sanitary to industrial. In these cases, the facility will no longer be eligible for the T1 permit.

**CONTACT INFORMATION**

For further information regarding this renewal permit visit the Division of Water Quality website at [www.state.nj.us/dep/dwq/bnpc](http://www.state.nj.us/dep/dwq/bnpc) or contact Ron Bannister at 609-633-7021 or 609-292-0407.

**ADMINISTRATIVE RECORD**

The following items were used to formulate the basis of the draft permit:

1	N.J.S.A. 58:10A-1 <i>et seq.</i> , New Jersey Water Pollution Control Act.*
2	N.J.A.C. 7:14A-1 <i>et seq.</i> , New Jersey Pollutant Discharge Elimination System Regulations.*
3	Current NJPDES-DGW Permit NJ0130281
4	Statewide Water Quality Management Planning Rules (N.J.A.C. 7:15)*
5	Ground Water Quality Standards (N.J.A.C. 7:9C)*
6	N.J.A.C. 7:9A <i>et sec.</i>

\*The document is part of the administrative record, but is not physically included in the record.

The discharge described above is a regulated activity under the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 *et seq.*, and its implementing regulations, the New Jersey Pollutant Discharge Elimination System (NJPDES) N.J.A.C. 7:14A-1 *et seq.* The permit has been developed pursuant to these regulations and is based on the administrative record, which contains any permit application submitted, correspondence concerning the permit, the Fact Sheet and documents cited therein, the results of any past monitoring, the draft permit, and any past permits issued to the facility under these regulations.

# 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 term specifically excludes industrial, hazardous or toxic wastes and 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 similar 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 than 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 in Section D, Corrective Action.
- 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 Section D, Corrective Action.
- 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 Section 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 in Section D, Corrective Action.

#### **4. Maintenance and Operating Requirements for 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. For advanced treatment units, the inspection form shall be signed by the licensed operator or 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 & 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 at least a 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**

- a. 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:
- b. Immediately cease discharge to the affected disposal area and if necessary pump and haul wastewater.
- c. 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.
- d. Determine the probable cause of malfunction and have a New Jersey Licensed P.E. design a remedy.
- e. 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.
- f. 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.
  - i. 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.

##### **1. Determining Course of Action for Malfunctions of Existing Systems.**

- 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. Complete disposal field replacement is not considered an in-kind repair.
- c. Complete disposal field replacement, including technology in lieu of conventional gravel and pipe disposal field installations, requires a TWA from the Department. Also, a complete site evaluation must be performed by a New Jersey Licensed P.E. and submitted to the permitting Bureau prior to submission of a TWA application and shall incorporate the following:
  - i. Determination of cause of failure;
  - ii. Calculation of design flow to the system;
  - iii. Evaluation of existing soil suitability and permeability;
  - iv. Determination of the estimated depth to seasonal high water table;
  - v. System design must provide for a 4-foot zone of treatment; and
  - vi. All malfunctioning systems shall be constructed and operated in conformance with N.J.A.C. 7:14A-8.16.
- d. 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 ensure that high strength wastewater can meet the treatment effluent criteria listed in 8.1(i).
- e. Multiple malfunctions of a disposal field may require the installation of an advanced treatment unit as required in Part B, Advanced Treatment Units. All advanced treatment units shall satisfy the maintenance and operating requirements as described in Section C, 4. of this permit.
- f. Alternate methods of distributing wastewater (such as drip dispersal) may also be approved by the Department.
- g. The permittee may use any sewage storage or disposal method subject to all NJDEP approvals.
- h. All repairs, alterations, and/or modifications to individual subsurface sewage disposal systems that involve the practice of engineering, as defined by N.J.S.A. 45:8-28(b), shall be conducted under the supervision of a New Jersey Licensed P.E.
- i. 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
- j. For work that requires a TWA from the Department, the Bureau of Environmental, Engineering and Permitting can be contacted at (609)-984-4429.

## **2. 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 begun 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 EDPA. This closure plan needs to include a beginning implementation of no later than 6 months from the 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 initiate a property transfer with operating or improperly closed cesspool(s) 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.
- b. 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.
- c. General Permits (N.J.A.C. 7:14A-6.13)
- d. Penalties for Violations - N.J.A.C. 7:14-8.1 et seq.
- e. Consolidation of Permit Processing - N.J.A.C. 7:14A-15.5
- f. Incorporation by Reference - N.J.A.C. 7:14A-2.3
- g. Enforcement Action - N.J.A.C. 7:14A-2.9
- h. General Conditions Applicable to All Permittees - N.J.A.C. 7:14A-6.2 (see also section A.4.c.)
- i. Duty to Reapply - N.J.A.C. 7:14A-4.2(e) (see also section A.4.d.)
- j. Administrative Continuation of Permits - N.J.A.C. 7:14A-2.8
- k. Duty to Mitigate - N.J.A.C. 7:14A-6.2(a)5,6.2(a)1
- l. Permit Actions - N.J.A.C. 7:14A-2.7(c)
- m. Permit Duration and Renewal - N.J.A.C. 7:14A-2.7(a), (b)
- n. Effect of Permit - N.J.A.C. 7:14A-2.9(c), 6.2(a)6&7 (see also section E. 1.)
- o. Inspection and Entry - N.J.A.C. 7:14A-2.11(e)
- p. Severability - N.J.A.C. 7:14A-2.2(b)
- q. Toxic Pollutants - N.J.A.C. 7:14A-6.2(a)4
- r. Standard Reopener Clause - N.J.A.C. 7:14A-6.2(a)10
- s. General Permits - N.J.A.C. 7:14A-6.13
- t. Fee Schedule - N.J.A.C. 7:14A-3.1
- u. Treatment Works Approval (TWA) N.J.A.C. 7:14A-22.1 et seq.

### **2. 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

### **3. 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](http://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>

NJPDES MASTER GENERAL PERMIT PROGRAM INTEREST, Trenton

Permit No.NJ0130281  
DGW180003 Ground Water Master General Permit Renewal