



NJ PINELANDS COMMISSION
Sample Deed Notice Language for
An Individual On-site Septic Wastewater Treatment System
Intended to Reduce the Level of Nitrogen in Wastewater

Instructions for Applicant:

Fill in the requested information prior to submitting the deed notice along with the property deed for recordation by the County Clerk's office. We recommend that you submit the draft deed to the Pinelands Commission for approval prior to having it recorded.

We further recommend that you contact the County Clerk's Office to determine if the deed notice needs to contain the name, address, and signature of the property owner and if the owner's signature needs to be notarized.

The Pinelands Commission will accept as evidence of recordation a copy of the deed notice that is stamped as received by the County Clerk's office and accompanied by the receipt from the County Clerk's office.



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The unique ecological character of the New Jersey Pinelands is in large part attributable to the exceptional quality of Pinelands surface and ground water resources. The Pinelands Protection Act mandates that the Pinelands Comprehensive Management Plan (CMP), (N.J.A.C. 7:50-1 et seq.), protect and maintain the quality of these water resources through the control of development and land use. The CMP's water quality program includes provisions aimed at controlling the amount of nitrogen that enters the environment because nitrogen in ground and surface waters can have deleterious effects on human health and ecological systems. Septic systems have been demonstrated to be a major source of nitrogen contamination of surface and ground water resources. The water quality provisions of N.J.A.C. 7:50-6, Part VIII, require that nitrogen concentrations in ground and surface waters be limited to two parts per million at a developed parcel's property line. Based upon the Pinelands Septic Dilution Model, standard and pressure dosing septic systems, to which no nitrogen attenuation is attributed, require at least 3.2 acres to dilute the concentration of nitrogen in discharged wastewater from a single-family dwelling to the two parts per million standard at the property line. In order to facilitate residential development authorized by the CMP on lots smaller than 3.2 acres, the Pinelands Commission adopted amendments to the CMP to create a Pilot Program for Alternate Design Wastewater Treatment Systems which allows for the use of advanced onsite wastewater treatment technologies subject to stringent operation, maintenance and monitoring safeguards. The amendments establishing this Pilot Program took effect on August 5, 2002 and are codified at N.J.A.C. 7:50-10.21 et seq. Septic system technologies that are in the Pilot Program are governed by the Commission's regulations codified at N.J.A.C. 7:50-10.21 et seq. Septic system technologies that have satisfied the requirements of the Pilot Program and are authorized to be installed on a permanent basis are governed by the Commission's regulations codified at N.J.A.C. 7:50-6.84(a)5. The development of a single-family dwelling on the subject parcel (**Block** _____ + _____, **Lot** _____, _____ [MUNICIPALITY]), containing less than 3.2 acres, is regulated pursuant to the provisions of the Pilot Program for Alternate Design Wastewater Treatment Systems if the septic system technology is being piloted or the provisions of N.J.A.C. 7:50-6.84(a) 5 if the septic system technology has been authorized on a permanent basis .

The septic system technology installed on this parcel is identified as a _____ [name of treatment system] (hereinafter referred to as the "system") and is manufactured by _____ [name of vendor]. In accordance with the requirements of N.J.A.C. 7:50-10.21 et seq. or N.J.A.C. 7:50-6.84(a)5, the property owner is obligated to utilize the system at all times in a manner that is consistent with the Homeowner's Operation and Maintenance Manual prepared by _____ [name of vendor] for the system. The property owner is further obligated to maintain an Operation and

Maintenance Service Contract that complies with the requirements specified at N.J.A.C 7:9A-12.3 et seq. with _____ **[name of vendor]** or its agent during the time period required by the CMP. N.J.A.C 7:9A-12.3(a). The property owner is further obligated to maintain the system during the life of the system in accordance with the specifications of _____ **[name of vendor]**. In addition, the property owner is obligated to provide access for the purpose of monitoring and maintenance of the system during reasonable times and with reasonable advance notice to the local board of health and its agents, the Pinelands Commission and its agents, _____ **[name of vendor]** and its agents, the operation and maintenance service firm and the effluent sample collection technician for the purpose of complying with the provisions of the CMP. The system is further subject to the terms and conditions of the New Jersey Department of Environmental Protection Treatment Works Approval Permit Number [02-3487-4SG]. This deed notice shall run with the property and is binding on any owner of the property during the life of the system.