

## **N.J.A.C 7:9A**

### **INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL SYSTEMS**

#### **RULE AMENDMENT HIGHLIGHTS**

- **Provides standards to design, construct, operate and maintain advanced wastewater treatment and disposal technologies through approvals issued at the local level. State approvals are no longer necessary.**
- **Establishes a State Standard for inspection of onsite systems conducted during real estate transactions. The rule does not require inspections be done, but identifies minimum requirements to be a ‘state recognized’ inspection. Inspections are typically required by mortgage lenders, banks or home buyers and are conducted by private parties. They are NOT conducted by health departments, unless required by local ordinance.**
- **Prohibits the continued use of malfunctioning cesspools. It requires the replacement of cesspools at the time of real property transfer, with limited exceptions.**
- **Establishes that inspections of systems during real property transactions be reported to the local health department and requires the health departments to respond only to observations representative of a malfunction. Any other problem identified by the system inspector must be resolved between the parties involved in the transfer. Any work conducted on the system must be properly permitted through the health department.**
- **Updates design standards, including requirements for effluent filters and risers to grade on all systems; advanced pretreatment of high strength waste (such as restaurants); and allowing for smaller disposal fields, when appropriate pretreatment is provided. These improvements will enhance system performance and longevity for all new systems.**
- **Establishes requirements which will enable health departments to approve certain systems that previously required a State variance.**
- **Prohibits incremental phased designs whose estimated volumes are greater than 2,000 gallons per day.**
- **Establishes rules regarding onsite system Critical Areas required by statute.**