

CHAPTER 9A

STANDARDS FOR INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL SYSTEMS

Authority

N.J.S.A. 13:1D-1 et seq.; 26:3A2-21 et seq., 58:10A-1 et seq.; including 58:10A-16; and 58:11-23 et seq.

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Chapter Expiration Date

Chapter 9A, Standards for Individual Subsurface Sewage Disposal Systems, expires on January 26, 2010.

Chapter Historical Note

Chapter 9A, Standards for Individual Subsurface Sewage Disposal Systems, was adopted as R.1989 d.450, effective August 21, 1989 (operative January 1, 1990). See: 20 N.J.R. 1790(a), 21 N.J.R. 2534(a).

Petition for Rulemaking. See: 23 N.J.R. 622(a).

Pursuant to Executive Order No. 66(1978), Chapter 9A, Standards for Individual Subsurface Sewage Disposal Systems, was readopted as R.1994 d.469, effective August 18, 1994. See: 26 N.J.R. 2715(a), 26 N.J.R. 3829(a).

Pursuant to Executive Order No. 66(1978), Chapter 9A, Standards for Individual Subsurface Sewage Disposal Systems, was readopted as R.1999 d.314, effective August 18, 1999. See: 31 N.J.R. 1416(a), 31 N.J.R. 2741(a).

Chapter 9A, Standards for Individual Subsurface Sewage Disposal Systems, was readopted as R.2005 d.79, effective January 26, 2005. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

7:9A-1.1 Purpose

(a) The purpose of this chapter is to:

1. Prevent pollution of the waters of the State that results from improper location, design, construction, installation, alteration, operation or maintenance of individual subsurface sewage disposal systems;
2. Provide standards for the proper location, design, construction, installation, alteration, repair and operation of individual subsurface sewage disposal systems;
3. Protect the public health and safety and the environment;
4. Protect potable water supplies; and
5. Safeguard fish and aquatic life and ecological values.

Amended by R.1993 d.294, effective June 21, 1993.
See: 24 N.J.R. 1987(a), 25 N.J.R. 2704(b).

7:9A-1.2 Scope

(a) This chapter prescribes standards for the location, design, construction, installation, alteration, repair and operation of individual subsurface sewage disposal systems.

(b) Except as otherwise provided by N.J.S.A. 58:11-25, the following shall constitute the rules of the New Jersey Department of Environmental Protection and shall be regarded as uniform standards, in force throughout the State, governing individual subsurface sewage disposal systems.

Amended by R.1993 d.294, effective June 21, 1993.
See: 24 N.J.R. 1987(a), 25 N.J.R. 2704(b).

7:9A-1.3 Construction of rules

(a) This chapter shall be liberally construed to permit the Department to discharge its statutory functions.

(b) All appendices attached to this chapter are incorporated into this chapter and are made a part hereof.

7:9A-1.4 Practice where rules do not govern

The Commissioner, or any other appropriate management employee within the Department, shall exercise his or her discretion in respect to any matters not governed by this chapter.

Amended by R.1994 d.469, effective September 19, 1994.
See: 26 N.J.R. 2715(a), 26 N.J.R. 3829(a).

7:9A-1.5 Severability

If any provision of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this chapter, and to this end, the provisions of this chapter are declared to be severable.

7:9A-1.6 General prohibitions

(a) A person shall not install, construct, alter or repair an individual subsurface sewage disposal system without first obtaining the necessary permits, approvals or certifications as required by this chapter.

(b) An administrative authority shall not issue an approval, permit or certification for installation, construction, alteration, or repair of an individual subsurface sewage disposal system where such installation, construction, alteration or repair will violate or otherwise not be in compliance with the requirements of this chapter.

(c) The use of a subsurface sewage disposal system for more than one property is prohibited unless a treatment works approval or a NJPDES permit has been issued by the Department.

(d) Individual subsurface sewage disposal systems shall not be located, designed, constructed, installed, altered, repaired or operated in a manner that will allow the dis-

charge of an effluent onto the surface of the ground or into any water course.

“Conventional disposal field installation” means a type of disposal field installation described in N.J.A.C. 7:9A-10.1(b)1.

“County soil survey report” means a report prepared by the U.S. Department of Agriculture, Soil Conservation Service which includes maps showing the distribution of soil mapping units throughout a particular county together with narrative descriptions of the soil series shown and other information relating to the uses and properties of the various soil series.

“D-box” means a distribution box.

“Delineated stream” or “delineated floodplain” means a stream or flood plain for which the flood hazard areas have been officially specified by the State of New Jersey.

“Department” means the Department of Environmental Protection.

“Design permeability” means the permeability or percolation rate measured at the level of infiltration, as prescribed in N.J.A.C. 7:9A-6. For the purpose of this chapter, a percolation rate measured at the level of infiltration, though not a true measurement of permeability, may be considered to be a form of design permeability.

“Direct supervision” means control over and direction of work carried out by others with full knowledge of and responsibility for such work.

“Disposal bed” means an individual subsurface sewage disposal system component consisting of a closed excavation made within soil or fill material to contain filter material in which two or more distribution laterals have been placed for the disposal of septic tank effluent.

“Disposal field” means a disposal bed or a group of one or more disposal trenches. The perimeter of the disposal field corresponds to the perimeter of the disposal bed, or a line circumscribing the outermost edges of the outermost disposal trenches and including the area between the disposal trenches.

“Disposal trench” means an individual subsurface sewage disposal system component of a covered excavation made within soil or fill material to contain filter material in which a single distribution lateral has been placed for the disposal of septic tank effluent.

“Distribution box” means a water-tight structure which receives sanitary sewage effluent from a septic tank and distributes such sewage effluent in equal portions to two or more pipelines leading to the disposal field.

“Distribution lateral” means a perforated pipe or one of several perforated pipes used to carry and distribute septic tank effluent throughout the disposal field. The term “distribution line” is equivalent in meaning.

“Distribution network” means two or more inter-connected distribution laterals.

“Disturbed ground” means any site or portion of a site which has been modified in its suitability for absorption or disposal of septic tank effluent, or its ability to physically support the system components, as a result of activities carried out by man other than those specified in the approved engineering design. Except for artificial drainage, ground disturbed only for cultivation or related agricultural activities, shall not be considered disturbed ground. Disturbed ground includes those conditions set forth in N.J.A.C. 7:9A-5.10(b).

“Dosing tank” means a water-tight receptacle located between the septic tank and the disposal field, equipped with a siphon or pump, and designed to store and deliver doses of septic tank effluent to the disposal field.

“Dry well” means a covered pit with open-jointed lining through which drainage from roofs, basement floors or areaways may seep into the surrounding soil.

“Dwelling unit” means any building or portion of a building, permanent or temporary in nature, used or proposed to be used as a residence either seasonally or throughout the year.

“Encroachment line” means a line encompassing the channel of a natural stream and portions of the 100-year flood plain adjoining the channel which are reasonably required to carry and discharge the flood water or flood flow of any natural stream. It is approximately equal to the floodway line along delineated streams.

“Equivalent spherical diameter” of a particle means the diameter of a sphere which has a volume equal to the volume of the particle.

“Excessively coarse horizon” means a horizon of limited thickness within the soil profile which provides inadequate treatment of septic tank effluent due to a high coarse fragment content, excessively coarse texture and/or excessively rapid permeability.

“Excessively coarse substratum” means a substratum below the soil profile which extends beyond the depth of soil profile pits and borings and which provides inadequate treatment of septic tank effluent due to a high coarse fragment content, excessively coarse texture and/or excessively rapid permeability.

“Existing ground surface” means the natural surface of the ground at the site of a proposed individual subsurface sewage disposal system after the completion of re-grading in accordance with an approved engineering design.

“Expansion attic” means that part of a dwelling unit left unfinished but which is capable of being finished as a

bedroom or bedrooms and which is accessible by permanent stairways or designed so that stairways can be installed.

“Experimental system” means an individual subsurface sewage disposal system which does not conform in location, design, construction or installation to standard engineering practice as set forth in this chapter.

“Extremely firm consistence” means a type of soil consistence which is described in N.J.A.C. 7:9A-5.3(h).

“Fill material” means any soil, rock or other material which is placed within an excavation or over the pre-existing surface of the ground. The term “fill” is equivalent in meaning.

“Filter material” means washed gravel or crushed stone, free of fines such as dust, ashes or clay, and meeting the size requirements of N.J.A.C. 7:9A-10.3(e)2 or 10.7(f).

“Finished grade” means the surface of the ground after completion of final grading.

“Firm consistence” means a type of soil consistence which is described in N.J.A.C. 7:9A-5.3(h).

“Flood fringe” means that portion of the flood hazard area not designated as the floodway. See N.J.A.C. 7:13.

“Flood hazard area” means the floodway and the flood fringe area of a delineated stream. See also N.J.A.C. 7:13.

“Floodway” means the channel of a natural stream and portions of the flood hazard area adjoining the channel which are reasonably required to carry and discharge the flood water or flood flow of any natural stream. See also N.J.A.C. 7:13.

“Footing drain” means a subsurface drain installed below the foundation of a building to prevent the accumulation of surface and ground water below the foundation of the building.

“Fractured rock substratum” means a rock substratum which contains an adequate number of open and interconnected fractures to allow unimpeded absorption of applied wastewater and transmission of this wastewater away from the disposal area.

“Gal/day” or “gpd” means U.S. gallons per day, which is a measure of rate of flow or hydraulic loading.

“Gravel” means a rounded or subrounded coarse fragment which is between two millimeters (0.1 inches) and 76 millimeters (three inches) in diameter.

“Gravity dosing” means a type of effluent distribution which is defined in N.J.A.C. 7:9A-9.1(a)2.

“Gravity flow” means a type of effluent distribution which is defined in N.J.A.C. 7:9A-9.1(a)1.

“Grease trap” means a device in which the grease present in sanitary sewage is intercepted, congealed by cooling, accumulated and stored for pump-out and disposal.

“Greywater” means that portion of the sanitary sewage generated within a residential, commercial or institutional facility which does not include discharges from water closets or urinals.

“Ground water” means water below the land surface in a zone of saturation.

“Hard consistence” means a type of soil consistence which is described in N.J.A.C. 7:9A-5.3(h).

“Health Officer” means an individual licensed as such pursuant to N.J.S.A. 26:1A-41.

“Holding tank” means a closed water-tight structure designed and operated in such a manner as to receive and store sanitary sewage or septic tank effluent but not to discharge sanitary sewage or septic tank effluent to the surface or ground water or onto the surface of the land.

“Hue” means the dominant spectral color, one of the three variables of soil color defined within the Munsell system of classification.

“Hydraulically restrictive horizon” means a horizon within the soil profile which slows or prevents the downward or lateral movement of water and which is underlain by permeable soil horizons or substrata. Any soil horizon which has a saturated permeability less than 0.2 inch per hour or a percolation rate slower than 60 minutes per inch is hydraulically restrictive.

“Hydraulically restrictive substratum” means a substratum below the soil profile which slows or prevents the downward or lateral movement of water and which extends beyond the depth of profile pits or borings or to a massive substratum. A substratum which has a saturated permeability less than 0.2 inch per hour or a percolation rate slower than 60 minutes per inch is hydraulically restrictive.

“Individual subsurface sewage disposal system” means a system for disposal of sanitary sewage into the ground which is designed and constructed to treat sanitary sewage in a manner that will retain most of the settleable solids in a septic tank and to discharge the liquid effluent to a disposal field. The term “system” is equivalent in meaning.

“Industrial wastes” means solid or liquid wastes resulting from processes employed in industrial establishments or in any commercial establishment engaged in processes which use or generate any of the pollutants or any substance containing any of the pollutants regulated under section 307(a), (b), or (c) of the Federal Clean Water Act of 1977, 33 U.S.C. §§ 1251 et seq., and the regulations promulgated pursuant thereto and any amendments thereto.