

LEGAL Q&A

Q I want to develop a parcel that is not included in a wastewater service area. What options do I have?

A Counties attempting to satisfy DEP's mandate to update Wastewater Management Plans (WMPs) have excluded significant areas of developable land from proposed future wastewater service areas (FWSA), limiting allowable groundwater discharge to 2,000 gpd or less. Legislation adopted in January 2012 (P.L. 2011, c.203) provides affected landowners with an avenue of relief for such excluded parcels. The Legislation allows for site specific amendments or revisions to WMPs for discharges to groundwater of greater than 2,000 gpd.

Lands not included in a FWSA are eligible for installation of septics. A site specific amendment may be issued by DEP for discharges to groundwater from 8,000 gpd but less than 20,000 gpd if the New Jersey Pollutant Discharge Elimination System rules requirements are also met. A site specific revision to the WMP may be issued for discharges between 2,000 and 8,000 gpd.

Applicants wishing to take advantage of the site specific amendment process should act quickly. The application requirements can be extensive and the law expires January 17, 2014.



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