

58:11-25a to 58:11-25d

LEGISLATIVE HISTORY CHECKLIST

NJSA: 58: 11-25a to 58: 11-25d

(Waste treatment systems-- allows use of alternate methods if approved by local Boards of Health)

LAWS OF: 1983

CHAPTER: 26

Bill No: A725

Sponsor(s): Kern and others

Date Introduced: February 8, 1982

Committee: Assembly: Agriculture and Environment

Senate: Energy and Environment

Amended during passage: Yes Amendments during passage denoted by asterisks

Date of Passage: Assembly: May 20, 1982

Senate: Dec. 13, 1982

Date of Approval: January 25, 1983

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

New Jersey Regulations, referred to in law: See letter--attached

1-25-83

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## ASSEMBLY, No. 725

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 8, 1982

By Assemblymen KERN, SCHUBER, Assemblywoman WRIGHT,  
Assemblyman BENNETT, Assemblywoman OGDEN and Assem-  
blyman ROD

Referred to Committee on Agriculture and Environment

AN ACT authorizing the use of alternative waste treatment systems  
and greywater systems \***[approved by local health depart-  
ments]**\* *and supplementing P. L. 1954, c. 199 (C. 58:11-23 et  
seq.)*.\*

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. As used in this act:

2 a. "Acceptable alternative greywater system" means a system  
3 for the treatment and disposal of waste water which normally does  
4 not receive human body wastes or industrial waste and is approved  
5 for use by a local health department.

6 b. "Acceptable alternative waste treatment system" means a  
7 waste system which has been approved for use by \***[a local health]**\*  
8 *\*the State\** department and which is properly operated and main-  
9 tained so as not to cause a health hazard or nuisance. An acceptable  
10 alternative waste treatment system may include an organic waste  
11 treatment system or compost toilet which operates on the principle  
12 of decomposition of heterogeneous organic materials by aerobic and  
13 facultatively anaerobic organisms and utilizes an effectively  
14 aerobic composting process which produces a stabilized humus.  
15 Acceptable alternative waste treatment system does not include a  
16 septic tank—drain field system or other system that results in a  
17 discharge to the ground or surface water of this State.

18 \***[c. "Available public sanitary sewer system" means a public**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill  
is not enacted and is intended to be omitted in the law.**

**Matter printed in italics thus is new matter.**

**Matter enclosed in asterisks or stars has been adopted as follows:**

\*—Assembly committee amendments adopted May 13, 1982.

19 sanitary sewer system located in a right of way, easement, high-  
 20 way, street, or public way which crosses, adjoins, or abuts upon the  
 21 property and passing not more than 200 feet at the nearest point  
 22 from a structure in which sanitary sewage originates.

23 d. "Public sanitary sewer system" means a sanitary sewer or a  
 24 combined sanitary and storm sewer used or intended for use by the  
 25 public for the collection and transportation of sanitary sewage for  
 26 treatment or disposal.】\*

27 \*【e. "Structure in which sanitary sewage originates" or "struc-  
 28 ture"】\* \*c. Structure\* means a building in which toilet, kitchen,  
 29 laundry, bathing, or other facilities which generate *\*less than 2,000*  
 30 *gallons per day of\** water-carried sanitary sewage are used or are  
 31 available for use for household, commercial, industrial, or other  
 32 purposes.

1 2. Notwithstanding any other law, *\*rule, regulation or ordi-*  
 2 *nance to the contrary,\** a person may install and use in a structure  
 3 an acceptable alternative waste treatment system or an acceptable  
 4 alternative waste treatment system in combination with an accept-  
 5 able alternative greywater system. Installation and use of an  
 6 acceptable alternative waste treatment system or an acceptable  
 7 alternative waste treatment system in combination with an  
 8 acceptable alternative greywater system shall be subject to local  
 9 health department regulation *\*and inspection by the appropriate*  
 10 *subcode official in accordance with the State Uniform Construction*  
 11 *Code pursuant to P. L. 1975, c. 217 (C. 52:27D-119 et seq.)\*.*

1 3. A person who installs and uses an acceptable alternative waste  
 2 treatment system or an acceptable alternative waste treatment  
 3 system in combination with an acceptable alternative greywater  
 4 system shall not be exempt from any special assessments levied by  
 5 a municipality for the purpose of financing the construction of an  
 6 **\*【available public】\*** *\*approved\** sanitary sewer system *\*and sew-*  
 7 *erage facilities\*.*

1 **\*【4. An owner of a structure using an acceptable alternative**  
 2 **waste treatment system in combination with an acceptable alterna-**  
 3 **tive greywater system shall not be required to connect to an avail-**  
 4 **able public sanitary sewer system.**

1 5. An owner who does not connect to an available public sanitary  
 2 sewer system pursuant to section 4, shall not be required to pay  
 3 connection or user fees to a municipality.】\*

1 **\*【6. The State】\*** *\*4. Within 180 days of the effective date of this*  
 2 *act the\** Department of **\*【Health】\*** *\*Environmental Protection and*  
 3 *the Department of Community Affairs\** shall **\*【advise local health**  
 4 **departments】\*** *\*jointly establish minimum standards\** regarding

5 the appropriate installation and use of acceptable alternative waste  
6 treatment systems and acceptable alternative waste treatment  
7 systems in combination with acceptable alternative greywater  
8 systems.

1 \***[7.]**\* \*5.\* This act shall take effect immediately.

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21 property and passing not more than 200 feet at the nearest point  
22 from a structure in which sanitary sewage originates.

23 d. "Public sanitary sewer system" means a sanitary sewer or a  
24 combined sanitary and storm sewer used or intended for use by the  
25 public for the collection and transportation of sanitary sewage for  
26 treatment or disposal.

27 e. "Structure in which sanitary sewage originates" or "structure"  
28 means a building in which toilet, kitchen, laundry, bathing, or other  
29 facilities which generate water-carried sanitary sewage are used  
30 or are available for use for household, commercial, industrial, or  
31 other purposes.

1 2. Notwithstanding any other law, a person may install and use  
2 in a structure an acceptable alternative waste treatment system or  
3 an acceptable alternative waste treatment system in combination  
4 with an acceptable alternative greywater system. Installation and  
5 use of an acceptable alternative waste treatment system or an  
6 acceptable alternative waste treatment system in combination with  
7 an acceptable alternative greywater system shall be subject to local  
8 health department regulation.

1 3. A person who installs and uses an acceptable alternative waste  
2 treatment system or an acceptable alternative waste treatment  
3 system in combination with an acceptable alternative greywater  
4 system shall not be exempt from any special assessments levied by  
5 a municipality for the purpose of financing the construction of an  
6 available public sanitary sewer system.

1 4. An owner of a structure using an acceptable alternative waste  
2 treatment system in combination with an acceptable alternative  
3 greywater system shall not be required to connect to an available  
4 public sanitary sewer system.

1 5. An owner who does not connect to an available public sanitary  
2 sewer system pursuant to section 4, shall not be required to pay  
3 connection or user fees to a municipality.

1 6. The State Department of Health shall advise local health  
2 departments regarding the appropriate installation and use of  
3 acceptable alternative waste treatment systems and acceptable  
4 alternative waste treatment systems in combination with acceptable  
5 alternative greywater systems.

1 7. This act shall take effect immediately.

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#### STATEMENT

Inasmuch as many areas of the State of New Jersey do not have  
sewers and must depend upon septic tanks, drain field systems or

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other systems that often result in a discharge to the ground or surface water of this State, this bill will allow for an alternative system.

The alternative system is a greywater system, which is a system for the treatment and disposal of waste water which normally does not receive human body wastes or industrial wastes, and is known as Clivus Multrum. Clivus Multrum will minimize the pollution of the aquifer presently found in areas dependent upon septic and drain field systems because there is no discharge to the ground or surface water with Clivus Multrum. This alternative greywater system is to be approved by local health departments.

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ASSEMBLY AGRICULTURE AND ENVIRONMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 725**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 13, 1982

This bill permits the use of alternative waste treatment system which utilize an effective aerobic composting process to produce a stabilized humus innocuous to the environment. The bill would also permit the use of such a system in conjunction with an acceptable alternative greywater system.

The committee amended the bill to supplement "The Realty Improvement Sewerage and Facilities Act 1954," P. L. 1954, c. 199 (C. 58:11-23 et seq.) pursuant to which the Department of Environmental Protection regulates sewage facilities and onsite waste treatment systems. The committee further amended the bill to: require the Department of Environmental Protection and the Department of Community Affairs to jointly establish minimum standards regarding alternative waste treatment systems within 180 days of the effective date of this act; to restrict approval of these system to structures generating less than 2,000 gallons of water-carried sewage per day; to require installation and use of these systems to be subject to appropriate subcode officials pursuant to the Uniform Construction Code; and to delete the prohibition against municipalities requiring connection to a public sewerage system and charging user fees.

SENATE ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 725**

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**STATE OF NEW JERSEY**

DATED: NOVEMBER 8, 1982

Assembly Bill No. 725 OCR permits the use of alternative waste treatment systems which utilize an effective aerobic composting process in structures which generate less than 2,000 gallons of water carried sewage per day. Such systems could also be used in conjunction with an approved greywater system.

Assembly Bill No. 725 OCR provides that these alternative systems must be installed in accordance with the State Uniform Construction Code, that persons installing such systems shall not be exempt from special municipal sewer assessments, and that a municipality may require persons installing such systems to also connect to an available public sewer system.

Assembly Bill No. 725 OCR also directs the Department of Environmental Protection and the Department of Community Affairs to establish minimum standards concerning the installation of these alternative systems.



A-557, sponsored by Assemblyman Anthony M. Villane, R-Monmouth, to establish more stringent standards of financial accountability and professional conduct for dental plan organizations and dental plan consultants.

A-1495, sponsored by Assemblyman Walter Kavanaugh, R-Somerset, to permit members of volunteer fire companies and first aid, rescue and emergency squads to participate in drills without fear of lawsuits for accidental damage.

A-725, sponsored by Assemblyman Walter M. D. Kern, R-Bergen, to permit the use of alternative waste treatment systems by structures generating less than 2,000 gallons per day of water-carried sanitary sewage. The alternative systems are required by homeowners who are unable to use traditional septic systems because of the characteristics of their property.

AJR-44, sponsored by Senator Gormley, to memorialize the U. S. Congress to enact legislation authorizing New Jersey to register and regulate labor organizations which represent employees of the casino gaming industry.

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State of New Jersey  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF REGULATORY SERVICES  
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TRENTON, N.J. 08625  
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REC'D JUN 12 1985

58.11.1985  
MICHAEL F. CATANIA  
DIRECTOR

GERARD BURKE  
DEPUTY DIRECTOR

June 7, 1985

Kaye B. Gordon  
Law Librarian  
Department of Education  
State Library  
185 West State Street  
Trenton, New Jersey 08625

Dear Ms. Gordon:

You January 8, 1985 request to Assistant Commission Graham for information on the promulgation of the "minimum standards" required under L. 1983, c.26 was referred to me for response.

No regulations have been adopted yet on this matter; they are being developed as part of a complete revision of all regulations concerning onsite waste treatment systems (c.199 regulations) which the Division of Water Resources is in the process of drafting. If you have any questions on those regulations, please contact Rachel Lehr, Regulatory Officer, at 984-3729.

Sincerely,

*Patricia E. A. Skelly*

Patricia E.G. Skelly  
Regulatory Officer  
Office of Regulatory Services

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cc: Assistant Commissioner Graham  
Rachel Lehr