



Sterns & Weinroth, P.C.

REAL ESTATE / TRANSACTIONAL LAW

# Update

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## NEED A REPLACEMENT SEPTIC SYSTEM?

### *Peat Biofilter Wastewater Treatment Systems: A Replacement Solution to Existing Septic Systems*

By Michelle Lebovitz Lamar, Esq.

If you have a failing septic system you should consider replacing it with a Peat Biofilter Wastewater Treatment Systems. The New Jersey Department of Environmental Protection (DEP) has determined that a peat biofilter treatment system may be allowed for new construction, an expanded project, or to alter an existing, malfunctioning treatment system. For new construction or an expanded project, the peat biofilter treatment system must be in addition to, and not a replacement for, an existing system which meets all State standards for individual sewage disposal systems. However, where the peat biofilter treatment system is intended as an alteration to repair an existing malfunctioning system, the DEP has determined that local authorities may approve the use of “advanced treatment technologies,” including the peat biofilter treatment system.

#### **Why Peat?**

- *“Cleaner” than traditional septic systems*

Peat biofilter treatment systems use sphagnum peat moss or peat fiber to remove and retain contaminants until they are broken down. Manufacturers of such systems claim that the effluent treated with peat moss is “environmentally superior” – with more than 99.9% of harmful bacteria eliminated

- *Better for environmentally sensitive areas*

Because peat biofilter treatment systems are cleaner than traditional septic systems and can significantly reduce biological oxygen

demand, suspended solids, and fecal coliforms in the effluent, these systems work well in environmentally sensitive areas that require a higher level of treatment and in areas where soils may not be acceptable for traditional septic treatment.

- *More compact – “usable” in areas too small for traditional septic systems*

Because the peat biofilter treatment system can be discharged to soils at higher rates than septic tank effluent, the DEP accepts allowances for a smaller disposal field size. As a result, peat biofilter treatment systems are an alternate to unsightly “mound systems” and can be used on smaller lots. Recent buyers of an historic, “decommissioned” church located on a historically small town lot (purchased for use as a single family residence) chose to install a peat biofilter treatment system to replace the aging, traditional septic system.

#### **Interested?**

In considering a peat biofilter treatment system, be sure to contact your municipality to see whether local regulations permit this system.

The DEP’s, Division of Waste Quality in New Jersey, can provide detailed information and guidance for those considering a peat biofilter wastewater treatment system on its website: <http://www.state.nj.us/dep/dwq>, or by telephone at 609.292.4543.

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