

STATE OF NEW HAMPSHIRE STATUES
TITLE L, WATER MANAGEMENT AND PROTECTION
CHAPTER 485-A
WATER POLLUTION AND WASTE DISPOSAL

Section 485-A:1

IV. "Failure" means the condition produced when a subsurface sewage or waste disposal system does not properly contain or treat sewage or causes the discharge of sewage on the ground surface or directly into surface waters, or the effluent disposal area is located in the seasonal high groundwater table. *(Note: According to the DES Subsurface Systems Bureau, cesspools are in failure. The above law cannot be waived or changed except by the legislature and approval of the Governor. No systems are grandfathered)*

STATE OF NEW HAMPSHIRE
CODE OF ADMINISTRATIVE RULES

(Administrative Rules in the Code are enacted by state agencies pursuant to the rule making authority granted by the New Hampshire General Court).

Env-Wq 1022.03 Holding Tanks.

(a) Holding tanks or closed systems shall not be approved except in the following instances:

- (1) As a replacement for an existing system in failure when no other means of disposal is practical; *(Note: DES ' strong preference is that holding tanks not be replaced. Given this, DES is willing to issue waivers to allow the installation of leaching field systems. DES will request the property owner to show that no alternative exists to a replacement holding tank.)*
- (2) When the structure proposed to be served by the holding tank will be connected to a municipal sewer within one year of approval of the holding tank application; or
- (3) For an infrequent commercial use, such as a fairgrounds at which events are held less than 6 times per year.

(b) Holding tanks shall be:

- (1) Water-tight;
- (2) A minimum of 2,000 gallons in size; and
- (3) Provided with an alarm system to indicate when the tank is full and requires pumping.

(c) Any person applying for a holding tank approval shall submit with the application a copy of the signed contract with a licensed septage hauler that identifies at least one approved disposal site to which the seepage will be hauled.

(d) The owner of the property on which a holding tank has been installed shall:

(1) Retain all receipts for pumping services for a period of 2 years from the date of the receipt; and

(2) Submit copies of said receipts to the local health officer on a quarterly basis.

Source. (See Revision Notes #1 and #2 at chapter heading) #11184, eff 10-1-16