
ENVIRONMENTAL Fact Sheet



29 Hazen Drive, Concord, New Hampshire 03301 • (603) 271-3503 • www.des.nh.gov

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Replacement of a Failed Subsurface Disposal System

What is a Failed Subsurface Disposal System?

New Hampshire RSA 485-A:2 defines failure as “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.”

Special Requirements for Replacing a Failed Subsurface Disposal System.

To ensure prompt and effective replacement of a failed subsurface system, the following steps must be taken (Env-Wq 1004.20).

1. The town health officer, a permitted designer, or other local official responsible for health code enforcement, must prepare a written statement verifying that the existing system is in failure. This statement must be submitted to NHDES (New Hampshire Department of Environmental Services) with the application to replace the existing system.
2. If construction approval is granted, the construction must be completed within 90 days. Failure to complete construction and obtain operational approval of the system within the 90-day period will result in invalidation of NHDES approval.
3. In the event that your construction approval becomes invalid as a result of exceeding the 90-day construction period, a request for extension must be submitted to NHDES, Subsurface Systems Bureau. NHDES shall grant one 90-day extension. The request for extension must include all the information required by New Hampshire Administrative Rule Env-Wq 1004.13 (d).

This fact sheet is intended as a basic source of information concerning the replacement of a failed subsurface disposal system; it is not intended to replace the administrative rules contained in Env-Wq 1000. It is also important to remember that some municipalities have additional requirements, and you should check with your local officials before beginning any project.

For Further Information

If you have any questions concerning septic systems, contact NHDES Subsurface at (603) 271-3501, or 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095; Fax: (603) 271-6683.