

# Boulder County's Septic Smart Program

[www.SepticSmart.org](http://www.SepticSmart.org)



**Western States Source Water and Ground Water  
Protection Forum**

*May 2009*



**Boulder County Public Health**

# The Problem

- Need Periodic check-in
- Improve homeowners relationship with their septic system.

# Septic shock in state's outback

Monday, February 2, 2009

Score one for California's new political force: **toilet power**. An **uprising in rural counties** has obliged Sacramento to postpone a crackdown on that backcountry essential, the septic tank.

The **piquant dispute** has filled meeting halls from Redding to Riverside with **near unanimous demands** that state authorities back off plans to oversee the backyard mini-sewer systems. The proposal called for inspections every five years - at an expected cost of \$325 - backed by the nuclear option for broken systems: a requirement for a new septic set up including an underground box and **leech lines** that can cost upwards of \$25,000.

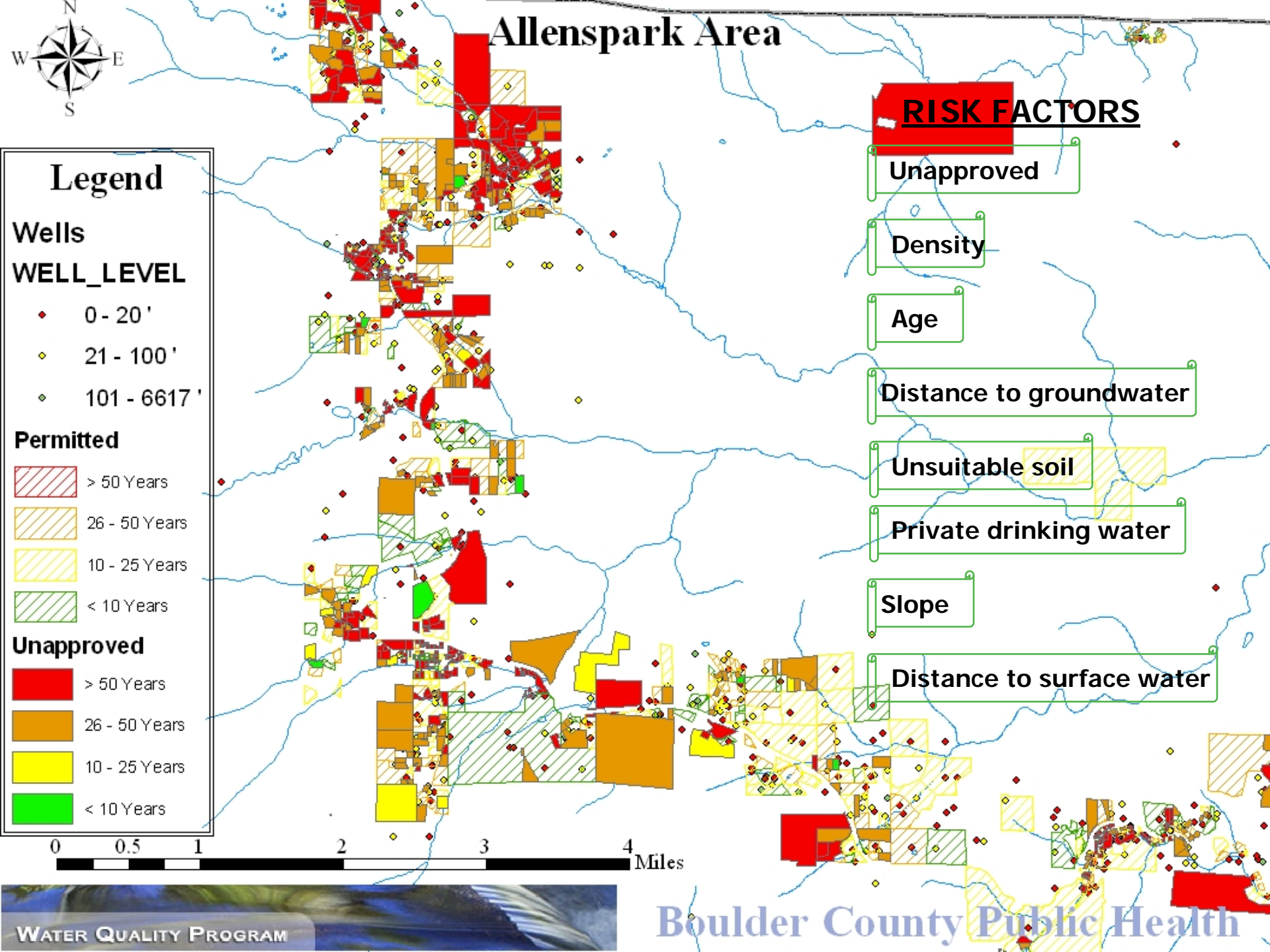
The regulations, based on a law passed in 2000, gained notice as the state Water Resources Control Board put the final touches on the package expected to take effect next January. But over the past two months an **uprising took place** as homeowners - and interest groups such as contractors, **real estate agencies and property-rights groups...**

Does Fecal  
Matter?

Yes

# Developing the Rationale

- GIS work & number of unapproved OWS
- Supporting research on risk factors
- Finding similar programs
- Projected workload



# Similar Programs

- State of Arizona:  
<http://www.azdeq.gov/environ/water/permits/download/septictank.pdf>
- State of Hawaii:  
<http://hawaii.gov/health/environmental/water/wastewater/forms.html> (Owners bound to operation & maintenance manuals on sale of property – sign and affidavit. See Section 11-62-31.1.(e)(2))
- Jefferson County Colorado:  
[http://www.co.jefferson.co.us/health/health\\_T111\\_R56.htm](http://www.co.jefferson.co.us/health/health_T111_R56.htm)
- State of Massachusetts:  
<http://www.mass.gov/dep/water/wastewater/buysell.htm>
- State of Minnesota:  
<http://septic.umn.edu/realtor/disclosures/index.html>
- State of New Mexico:  
<http://www.nmenv.state.nm.us/fod/LiquidWaste/Contractors.htm>
- Washtenaw County Michigan:  
[http://www.ewashtenaw.org/government/departments/environmental\\_health/wells\\_septic/eh\\_owsdshome.html](http://www.ewashtenaw.org/government/departments/environmental_health/wells_septic/eh_owsdshome.html)

# Projected Workload

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- Approx. 250 property transfer inspections
  - 9 years of real estate sales data in unincorporated county
  - Peak was 484, Feb '07-Feb'08 were 382
- 126 additional major repair permits per year
  - 33% of unincorporated Boulder County properties have unapproved OWS

**Will you have the capacity?**





# Implementing Septic Smart

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## The SepticSmart Program:

- Provides information about the importance of a approved system
- Identifies failing septic systems so they can be upgraded immediately.
- Assures that systems are approved before a home is transferred to a new owner through the Property Transfer Regulation
- Helps with enforcement of the current regulation
- Moves us toward inspecting and approving all OWS within 15 years



# 3.

## What it means for you

### What the proposed regulation means

All septic systems must be approved by Boulder County Public Health (BCPH). This means it must pass specific criteria and be certified by BCPH. If you are selling your home, you must have a Certificate of Operation or have secured a permit that details what work is needed to bring the septic system to approved status.

### Easy steps to meeting the proposed regulation . . .

#### Check

Find out the status of your home's septic system by checking our website, which will tell you if your system is permitted and has a final approval date. It will even tell you the maximum number of bedrooms your system can accommodate. This is important in case you have added any bedrooms.

#### Permit

You'll need a septic system permit to transfer a property, build a new system, or repair an existing system. All septic systems must be permitted and must receive final approval.

#### Update

After you receive your permit to build or repair your system, your design engineer and licensed installer can begin doing the work.

#### Approve

Once the installation or repairs are complete, Boulder County Public Health will inspect the system to ensure the protection of the public's health and the environment. You will then receive a Certificate of Final Approval.

## NEW

Beginning 2008

### Septic Smart Proposed Strategies

As part of the SepticSmart Program, Boulder County is proposing to enact a property transfer regulation in 2008. This would require all homes to have an inspection at the time of sale or purchase of a home to ensure the septic system is adequately operating and APPROVED. Just like inspecting a roof or electrical system, buyers and sellers will need to make sure the septic system is in good working condition or discuss agreements for the completion of any needed repairs within six months of the purchase.

Other strategies include directing outreach to high risk areas, general education, and helping those with permitted systems get approved. Homeowners are being asked to provide input on these proposed strategies through public open house events.

## Where to begin

To find out more about why fecal matters, please visit our website. It includes all sorts of helpful stuff - details about the septic system approval process, questions and answers, a list of certified septic system inspectors and industry professionals, proposed strategies, your septic permit status, and what to do next.

Go to our new website  
[www.SepticSmart.org](http://www.SepticSmart.org)  
or call our HelpLine  
877-462-2911



Boulder County Public Health  
3450 Broadway  
Boulder CO 80304  
HelpLine 877-462-2911

# Does Fecal Matter?

What you need to know about your  
septic system, your health, and  
PROPOSED STRATEGIES.





# Selling a house?

Here's what **you,**  
**the seller,**  
need to know about new  
septic regulations.



Over the years we've gotten smart about the impact of septic systems in Boulder County. *There is clear evidence that aging, unapproved septic systems are leaking into our water system.* This is bad news for our health and for the environment. New regulations, effective September 1, 2008, in Boulder County will protect our health and environment.



Your approval certificate can be a great selling point.

## Here are 6 FACTS a seller should know:

- 1 The new **Property Transfer Regulation** requires that a septic system be permitted, approved, and inspected before the sale of the home. Either the existing owner or the buyer will need to make any repairs or replacements within one year of the sale date.
- 2 The **status** of your home's septic system is as important as that of your roof, foundation, or electrical system. The condition of your septic system will be determined during the certified inspection.
- 3 If you don't know the approval/permit status of your home's septic system, find out by going to **www.septicmart.org/check**. Assemble records of maintenance, and have a certified inspection performed.
- 4 Tanks will be pumped at the inspection. **Don't spend money needlessly pumping tanks before that time.**
- 5 It is important to plan ahead so you can **present** the Property Transfer **Certificate of Operation** issued by Boulder County Public Health during visits by potential buyers.
- 6 If improvements are necessary, the seller and buyer will need to have an **agreement** in place at the time of **closing**.

Check the list of exemptions to this process at [www.SepticSmart.org](http://www.SepticSmart.org)

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# Buying a house?

Here's what **you,**  
**the buyer,**  
need to know about new  
septic regulations.



Over the years we've gotten smart about the impact of septic systems in Boulder County. *There is clear evidence that aging, unapproved septic systems are leaking into our water system.* This is bad news for our health and for the environment. New regulations, effective September 1, 2008, in Boulder County will protect our health and environment.



## Here are 6 FACTS a home buyer should know:

- 1 The new **Property Transfer Regulation** requires that a septic system be permitted, approved, and inspected before the sale of the home. Either the existing owner or the buyer will need to make any repairs or replacements within one year of the sale date.
- 2 The **status** of the home's septic system is as important as that of the roof, foundation, or electrical system. The condition of the septic system will be determined during the certified inspection.
- 3 You can **check** the approval/permit status of a home's septic system by going to **www.septicmart.org/check**.
- 4 If you plan to remodel, you should know that **land use** regulations state that certain home improvements **cannot** be made unless the septic system has been inspected and approved.
- 5 If improvements are necessary, the seller and buyer will need to have an **agreement** in place at the time of **closing**.
- 6 Early in the process ask the seller for a copy of the Property Transfer **Certificate of Operation** issued by Boulder County Public Health for their septic system. It will assure that the system has been checked, updated, permitted, and approved.

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# Measuring Objectives

- How many sales are complying? (25%)
- Why are homeowners applying for repairs?
- How does this compare as an enforcement tool?

# Reasons for Applying (Major Repairs)

- Found out my OWS isn't approved- 18%
- Failed a Property Transfer Inspection – 5%
- Selling my house – 3%
- My realtor told me to – 1%
- Land Use/Building Dept. told me to – 10%
- Remodeling my house – 4%
- Upgrading my OWS – 13%
- Found out my OWS is failing – 29%
- Enforcement letter – 3%

# Efficacy Compared to other “Triggers”

- Septic Smart related – 27%
- Land Use Referrals – 27%
- Knew OWS was failing – 29%
- Other or Unknown – 17%

Questions? Comments?