National Review of Financial Assistance for Septic System Repair and Time of Property Requirements

This is a cursory review of all the states websites for their septic system programs, coastal nonpoint programs and financial assistance programs. There is considerable variability between states, including legislative mandate, terminology, role of agent/private sector and web page formatting, which made finding the information sometimes challenging.

AL-SRF appears to be allowed in repairing of septic systems… Time of property transfer inspections is not required

AK – SRF (ACWA) can be used for septic repairs. Time of transfer inspections is not required. Appears to have database of permits for potential homebuyers and has a fact sheet for homeowners. AK's CZMA plan has more information.

AZ – requires an inspection prior to time of property transfer. Private contractor does the inspection and submits to ADEQ with $50 reporting fee. SRF is not available for septics.

AR – SRF not available for septic. AR appears to have ATT requirements similar to Oregon. Arkansas' website does not have much in the way of info for homeowners.

CA – State code not uniform. State provides funding for septic repairs, not sure if it includes SRF. California had legislation requiring the development of onsite rules statewide. ~2/09 public comment closed with over 2500 written and oral comments. Due to the recession it appears the rulemaking could be a long way off. One of the requirements was septic inspection every 5 years.

CO – no funding for repairs. No statewide time of property transfer inspections required. Colorado has several individual counties and a three-county group with Time of Transfer programs, all slightly different. The State does not see the reports. These counties are mostly the higher population/large number of OWS counties so the impact is greater than it might appear.
Interestingly, no definition in rule or statute for failure.

CT – state does have funding options to repair existing septic. Does not have a Time of property transfer inspections required. Coastal Management plan indicates that onsite nonpoint pollution from onsite systems is achieved by ensuring they are properly sited, constructed, operated and maintained. There doesn't appear to be any requirements on homeowners to verify system function through reporting to an agent. (may want to check coastal counties to verify). Minor rule revision in 2009.

DE – funding does exist to assist in repairing septics. There is a time of property transfer pump out and inspection requirement for Delaware's inland bay area (not statewide). Good website with valuable information. Web link indicates a portion of state SRF money is a funding source for repairs.

FL – SRF money is available for septic repairs, according to NESC but FL website did not have easily accessed information. Time of property transfer inspections not required statewide but they have a buyer's guide for septic systems. Escambia and Santa Rosa Counties have local time of transfer inspection requirements. It appears that the inspection is conducted by county staff for $150. They have a link to a paper on the costs of adopting a 5 year strategy to adopt a mandatory maintenance

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program. Senate Bill 550 was passed requiring statewide tank pumping every 5 years, but new elections put the implementation on hold.

GA – no SRF allowed for septics and no statewide time of transfer inspection requirement. Rules revised in 2007.

HI – no SRF for homeowner septic repairs, considering SRF for community septic and no time of transfer inspections. No permits required for homeowner systems.

ID – no SRF or other funding sources for repairing failed septics or statewide time of transfer required.

IL – had no SRF money for failing septics but that was due to change in 2007 (verify). No statewide time of transfer inspections required, but a few local jurisdictions have created such a program.

IN- No SRF or other funding and no time of property transfer inspections required.

IA – Funding through loans is available for septic repairs. In 2008, time of transfer inspections legislation was passed in Iowa. I was told by the state guy, Dan, that the rule brought about the replacement of 3,000 problem systems and a 25% increase in permit activity in his state. The report goes to local county but a report is also submitted to the state.

KS – rules (called a bulletin) last updated in 1997. There may be a financing component to the program through a local environmental protection program (LEPP). No time of transfer inspection required.

KY – no SRF for repairs and no statewide time of transfer inspections required.

LA – SRF for septic repairs is not allowed in LA but there has been some discussions on whether it should/could be used for septic (source was the nonpoint planning page). There doesn't appear to be a time of property transfer in LA but there have been 319 grants to have some parishes do inspections.

Louisiana DEQ's nonpoint web site had this to say about home sewage systems: **A significant portion of Louisiana's nonpoint source pollution can be attributed to sewerage runoff from homes, camps, and businesses that are not connected to municipal sewerage treatment facilities. It is estimated that 1,323,600 people in Louisiana treat and dispose of their sewage with individual waste disposal systems, and that over 50% of these systems are malfunctioning because of incompatible soil types or lack of maintenance. These failing systems are a major cause of water quality degradation in Louisiana's scenic streams and fresh water aquifers.**

ME – Low-income funding through the Small Community Grant Program is available for homeowner replacement. There is no indication that SRF does or does not fund this grant. Maine has a voluntary inspection program.

MD – last rule revision in '92(verify). Maryland assesses a $30 annual fee for each home served by a septic system (~$12 million/yr) with 60% of that money is used for septic upgrades to nitrogen-reducing systems and 40% for cover crops. There is also a low interest loan program (Linked Deposit) for system replacement for those who qualify. MD doesn't have a time of transfer inspections

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program, but they require those that do inspections mandated by lending institutions have training provided by state.

MA – Clean Water SRF money is available for repairs and time of transfer (Title V or 5) inspections required, since 1995. Reports go to local board of health. Their tip is to make sure inspectors are educated, by required ongoing continuing education to maintain credentials.

MI – no statewide onsite rules for onsite and no funding available for repairs. Some counties have what they call point of sale inspections by the local health dept. A 2004 Whitepaper on the MI Onsite program suggest a mandatory septic system inspection program should be legislated for more success. MI onsite program is funded solely by general funds, though they are looking at something like OR's surcharge. The Strategic Water Quality Initiatives Fund (SWQIF) is a low interest revolving loan program that allows qualified municipalities to access financing for the construction of needed water pollution control facilities that cannot qualify for SRF assistance, including upgrading and replacement of septic systems.

MN – Financing available for septics from the state. No time of transfer inspection is required at the state level, but many counties do have such an ordinance. The Clean Water Partnership loan program includes a note that 22 individual septic system repairs have been funded by CWP loans. The state provided a report to the legislature on the onsite program and did a comprehensive view of the state program and different levels of management provided by counties and what works and what doesn't.

MS – no funding for repairs is available & statewide time of transfer inspections does not appear to be required.

MO – Pilot project for SRF and other funding for repairs, though I could not confirm on their web page. No statewide time of transfer inspections required.

MT – No SRF for septics, though some local areas have funding. No statewide time of transfer inspections required.

NE – no SRF for septics and no statewide time of transfer inspections required. City of Lincoln/Lancaster County had a voluntary time of sale program that was quite successful until a few years ago and they noted that fewer people were having them done, so a few years ago it became mandatory.

NV –No SRF and no statewide time of transfer inspections required.

NH –No SRF and no statewide time of transfer inspections required. Developed waterfront property requires a NH-certified designer to inspect the system prior to transferring ownership of the property.

NJ – NJ SRF loan info states that septic systems qualify for funding (through a management district). NJ recommends that septic systems have inspections at the time of a real estate transaction.

NM – NM passed legislation to create a liquid waste assistance program fund but there is not yet any funding, they are looking for state and federal money to put into the fund. There IS a Time of Transfer inspections required to be done by certified inspectors. Systems without records need to be inspected

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by NM Env Dept employees. Flowchart illustrates inspection protocol. Onsite is the 'liquid waste' program.

NY – There does appear to be a loan program for repair septics in at least part of the state. Web site has very little information. This website has some info on a program to fund septic system upgrades in the Catskills. As part of the CZMA plan, NY developed recommendations for coastal towns to implement a mandatory inspection and reporting program. Southampton has an inspection program but may not be fully implemented. NY does not appear to have a statewide time of transfer inspection program.

NC –Website has a "program improvement team" that appears to focus on audits local programs. Coastal Nonpoint plan includes Shellfish Sanitation & Recreation Recreational Water Quality program staff annually walk or drive by 5,000-6,000 septic systems and door to door inspection every 3 years to verify systems are not failing in a high risk areas. See page 15:

Nancy Deal from NC gave a presentation at 2011 O2WA conference indicating they now have a time of transfer requirement, and that the state does not get a copy of the report. It is a transaction between the buyer and the seller, and there is a strong motivation for the buyer to resolve issues with a septic system prior to taking ownership.

There is a grant program called Clean Water Management Trust Fund (CWMTF) that addresses straight pipe discharges and other failing systems.

ND – Website for Coastal Nonpoint indicates that 319 grant money can be used for cost-sharing replacement of a failing septic system.

OH –I think they were updated in the last few years. SRF is available for repairs and time of transfer inspections is required; website was confusing and I can't confirm either statement.

OK – funding available but not SRF. Statewide time of transfer inspections not required by the state.

OR – SRF not available for repairs and no statewide time of transfer inspections currently required. Dunes City had a local ordinance for periodic septic system inspections, that was revoked November, 2011.

PA – Onsite systems are called on-lot systems in PA. Funding Program is called Pennvest that is a low interest loan program. PA does not have a time of transfer inspection program, nor a septic system inspection and maintenance/reporting program in place.

RI – Community Septic System Loan Program uses "recycled" CWSRF dollars for repairs available for communities who have completed a Onsite Wastewater Management Plan. Some local governments have an inspection program in place, there is nothing statewide.

SC – Does not appear to have funding options for repairs. Website appears to be looking for local governments to adopt a septic system inspection program in the Coastal Nonpoint Zone, and that is early in the process.

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SD – Rules updated in '97? No SRF for repairs and no statewide requirements for time of transfer inspections.

TN – no SRF or other funding and no statewide time of transfer inspection requirements

TX – No SRF and no statewide time of transfer inspection requirements.

UT – Financing available through the State Revolving Fund is available for repairs. Utah does not have a time of transfer inspection requirement.

VT – SRF may be available through municipalities (verify) and no statewide requirement for time of transfer inspections

VA – Could not find any information on system repair funding sources outside of VA collecting $10 of every septic application. The money goes into the Indemnification Fund, which comes into play if a septic system fails within 3 years of construction due to Dept of Health negligence. There does not appear to be a statewide time of transfer inspection program in Virginia.

WA – wide variability in the state; some jurisdictions have funding for septic repairs, as well as time of Time of Transfer inspections. My understanding is that 11 counties in the Puget Sound area do have ordinances for time of transfer programs.

WV – No SRF and no statewide time of property transfer inspections required.

WI – The Wisconsin Fund- Private On-site Wastewater Treatment System Replacement or Rehabilitation Financial Assistance Program, created in 1978, is nearly statewide (4 counties haven't signed up) that has grants and loans for septic repairs. Time of property transfer inspections are not required by the state, though a growing number of counties are amending their ordinances to require them.

WY – No SRF for repairs and no statewide time of property transfer inspections required.

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