

Time of Transfer Step by Step

OK, so you're selling your home, what do I need to do to ensure my septic system meets the new State of Iowa Time of Transfer requirements (Chapter 69)?

1) Does your septic system consist of a septic tank **AND** a secondary treatment system such as a leach field, sand filter, lagoon, etc.... if so you may be OK. A septic tank with a pipe from it to the "ditch out back" is unacceptable and the whole system may have to be replaced.

2) Is **ALL** the home's wastewater going into the septic system? This includes the washing machine, dishwasher, sinks, bathtubs and showers as well as the toilets. If not, and some of these other gray water sources are going to the "ditch out back" by way of a direct pipe, your plumbing will have to be upgraded so that everything goes to the septic system.

3) **WHAT** is your septic tank made of? Is your septic tank made of concrete, plastic or fiberglass? If not, it does not meet current code and will have to be replaced.

4) Is there visible signs of sewage on the ground, wet spots, excessive vegetation over the secondary treatment area? If so, your system may not pass, but only a certified Time of Transfer inspector can make that determination.

What do I do next?

1) If you know your system is going to fail the inspection, the system will have to be upgraded or replaced to meet the current Iowa Code. For a digital copy of Chapter 69, please go to:

<http://www.legis.state.ia.us/aspx/ACODOCS/DOCS/567.69.pdf> Please take a copy of the *Septic Installation Step by Step* document from the Louisa County Environmental/Public Health Office.

2) Pick up a *Time of Transfer Septic System Inspection Authorization* packet from the Louisa County Environmental Health service coordinator at 805 J L Hodges Ave N, Wapello, IA, 319-523-3981. The cost for the Time of Transfer inspection is \$200 if done by the County. Please read through the packet carefully and contact the office if you have any questions, they will either have an answer for you or know where to get one. **Please note that Louisa County will not pump your septic tank as part of the inspection.** If you want a Louisa County representative to conduct the inspection, you must arrange to have the tank pumped and inspected by a licensed pumper if it has not been done in the last 3 years. If it has been pumped in that time frame, a report on the tank's condition at the time of pumping will be required. **If you are going to have the tank pumped, the Louisa County representative needs to be on site when the tank is being pumped to discuss the condition of the system with the licensed pumper.**

Time of Transfer Septic System Inspection Authorization

I authorize _____ to enter the property at _____ for the purpose of inspecting the private sewage disposal system. I will have exposed those portions of the private sewage disposal systems that require exposure for inspection (see attached sections of Iowa Chapter 69). I also agree to conduct the records search per section 69.2(8)b with assistance from the Louisa County Sanitarian. If the tank is to be pumped prior to inspection, the certified pumper will provide a report on the condition of the tank per section 69.2(8)c. I understand that inspection will require entrance into the home or building to ensure that all wastewater from the home is directed to the private sewage disposal system. In addition, I understand that the home or building may have the private sewage system hydraulically tested or dye tested and a source of water for hydraulically testing the system should be made available.

I understand that if the private sewage system components are not exposed per Chapter 69, the inspection cannot be conducted.

Signature of Owner _____ or

Authorized Representative _____

and

Louisa Count Environmental Health Specialist _____

INSPECTION FEE: \$200.00
PAYABLE TO:
Louisa County
805 J L Hodges Avenue N.
Wapello, IA 52653

CHAPTER 69
PRIVATE SEWAGE DISPOSAL SYSTEMS

IMPORTANT SECTIONS ABOUT TIME OF TRANSFER INSPECTIONS.....

567—69.2(455B) Time of transfer inspections.

69.2(1) *Inspections required.* Beginning July 1, 2009, prior to any transfer of ownership of a building where a person resides, congregates, or is employed that is served by a private sewage disposal system, the sewage disposal system serving the building shall be inspected. A building that will be demolished without being occupied does not require an inspection. A legally binding document verifying that the building will be demolished shall be provided to the county and to the department for record. In the event that weather or other temporary physical conditions prevent the certified inspection from being conducted, the buyer shall execute and submit a binding acknowledgment with the county board of health to conduct a certified inspection of the private sewage disposal system at the earliest practicable time and to be responsible for any required modifications to the private sewage disposal system as identified by the certified inspection. Title abstracts to property with private sewage disposal systems shall include documentation of compliance with the requirements in this rule.

a. Inspection criteria. If a private sewage disposal system is failing to ensure effective wastewater treatment or is otherwise improperly functioning, the private sewage disposal system shall be renovated to meet current construction standards, as adopted by the department, either by the seller or, by agreement, within a reasonable time period as determined by the county or the department, by the buyer. If the private sewage disposal system is properly treating the wastewater and not creating an unsanitary condition in the environment at the time of inspection, the system is not required to meet current construction standards.

b. Inspection validity. An inspection is valid for a period of two years for any ownership transfers during that period.

69.2(2) *Certified time of transfer inspectors.* Inspections shall be conducted by an inspector certified by the department. In order to be a certified time of transfer inspector, an individual shall have met the experience requirements, have successfully completed the inspection course and examination, and have been issued a current certificate by the department in accordance with this rule.....

69.2(8) *Inspection procedures.* Inspections shall be conducted as follows:

a. Inspection form. The inspection shall be conducted using DNR Form 542-0191, Time of Transfer Inspection Report.

b. Record search. Prior to an inspection, the certified inspector shall contact the administrative authority to obtain any permits, as-built drawings or other information that may be available concerning the system being inspected. Information may also be obtained from service providers or the homeowner. If an as-built drawing is available, the system inspection shall verify that drawing. If no as-built drawing is available, the inspector shall develop an as-built drawing as part of the inspection.

c. Septic tank. At the time of inspection, any septic tank(s) existing as part of the sewage disposal system shall be opened and have the contents pumped out and disposed of according to 567—Chapter 68. In the alternative, the owner may provide evidence of the septic tank's being properly pumped out within three years prior to the inspection by a commercial septic tank cleaner licensed by the department which shall include documentation of the size and condition of the tank and its components at the time of such occurrence. If the septic tank(s) is opened, the condition of the tank and its components shall be documented and included in the final report.

d. Pumps and pump chambers. Pump chambers or vaults shall be opened for inspection, and the pump shall be tested to ensure proper operation.

e. Secondary treatment. Proof that a secondary treatment system is in place must be provided. This proof may include, but is not limited to:

(1) Opening a distribution box or uncovering a header pipe for a soil absorption system. Existing distribution boxes shall be opened for inspection.

- (2) Verification of the existence of a sand filter by locating the vents and discharge pipe.
- (3) Locating and opening the lid(s) of an advanced treatment unit.
- (4) Absorption fields shall be probed to determine their condition. The condition of the fields shall be noted on the inspection report. The condition of the absorption field may also be determined with a hydraulic loading test.

f. Discharging systems. An effluent test shall be performed on any legally discharging private sewage disposal system. The effluent shall be tested to determine if it meets the requirements of NPDES General Permit No. 4, and the test results shall be included in the inspection report.

(1) The certified inspector shall ensure that a legally discharging private sewage disposal system has an NPDES General Permit No. 4, if applicable.

(2) The certified inspector shall ensure that a Notice of Intent to discharge is submitted to the department for coverage under NPDES General Permit No. 4.

g. Packaged treatment units. An advanced treatment unit, such as an aerobic treatment unit, textile filter, peat filter or fixed activated sludge treatment system, shall be inspected according to the manufacturer's recommendations.

h. Other systems and system components. Private sewage disposal systems not mentioned above shall be inspected for code compliance, and an effluent sample shall be taken if applicable. Any components of the private sewage disposal system not mentioned above shall be inspected for proper function. Examples of other components include, but are not limited to, effluent screens, tertiary treatment systems, disinfection devices, alarms, control boxes and timers.

i. Inspection reports. Following an inspection, the inspection form and a narrative report describing the condition of the private sewage disposal system at the time of the inspection shall be provided to the county environmental health department, to the department for record, and to the county recorder in the county where the inspection occurred.

REALTOR INFORMATION SHEET

Iowa's Time of Transfer Inspection Program

Iowa's time of transfer inspection law (SF261) was passed in April of 2008 and takes effect July 1, 2009. The new law requires that every home/building served by a septic system have that septic system inspected prior to the sale or deed transfer of the home/building. The law also requires the Iowa Department of Natural Resources (IDNR) to develop an inspection procedure and a time of transfer inspector certification program. The certification program will include an inspection training that covers the inspection procedure and reporting requirements. Inspection reports must be provided to the County Recorder, County Environmental Health staff (sanitarian) and the DNR. A copy of the inspection report must be attached to the Groundwater Hazard Statement before the deed can be transferred. There are some exemptions in the law for foreclosure, family transfer, divorce settlements and administration of an estate.

What This Means for Realtors

The Iowa Realtors Association provided a considerable amount of input for SF261. Realtors were concerned about the availability of county sanitarians and uniformity of inspections. To address this, the law included a Certified Time of Transfer Inspector Program. While county sanitarians may still do inspections, anyone with the appropriate experience and training can become a Certified Time of Transfer Inspector. This should provide a sufficient number of inspectors to minimize delays. The program also includes a uniform inspection procedure and the use of a standard inspection worksheet. Inspectors must follow this procedure to provide uniformity statewide.

Presently 21 counties have ordinances that require time of transfer inspections. These counties have seen an acceptance by Realtors of their requirements with few complaints about the process or time involved. Many residents have repaired or replaced septic systems prior to putting the home on the market in these counties.

The Department will maintain a list of Certified Inspectors on its website and on the Onsite Wastewater Training Center of Iowa website. The list will also be available from county sanitarians. Inspectors must follow the procedure outlined in the rules and the inspector training. The rules include a disciplinary procedure for inspectors who violate these procedures.

A home or building with a septic system will require an inspection prior to finalizing the sale or transferring the deed. The Groundwater Hazard Statement has been modified to include a disclosure of septic systems on the property and whether an inspection has been completed. Provisions have been included for weather delayed inspections. A binding acknowledgement between the buyer and the County Board of Health to conduct the inspection at the first possible opportunity must be attached to the Groundwater Hazard Statement.

Septic systems DO NOT have to meet TODAY'S code to pass an inspection. The primary purpose of the program is to eliminate systems with no secondary treatment: i.e.: a tank discharging to the ditch. These systems are illegal and have been for many years. They are not "grandfathered" into compliance. For example, a system installed under permit with a 1000-gallon tank and 200 feet of absorption field will pass if it is properly working the day of the inspection even if current code requires a 1500 gallon tank and 400 feet of fields.