

## **TIME OF TRANSFER FREQUENTLY ASKED QUESTIONS**

### **When is septic system inspection 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. There are some exemptions in the law for foreclosures, family transfers, divorce settlements and administration of an estate.

### **What if the building will be demolished without being occupied?**

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.

### **What if we cannot have an inspection due to weather?**

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 acknowledgement with Hamilton County Public 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.

### **I have a new permitted septic system that was inspected by the county. Am I required to have another inspection to meet the time of transfer requirements?**

Health staff is valid for two years from the final inspection date. A copy of the permit application and the final inspection diagram shall be attached to the groundwater hazard statement in place of the DNR time of transfer inspection from when submitted to the Hamilton County Recorder. Wastewater systems more than two years old at the time of transfer will need to have an inspection completed by a certified time of transfer inspection.

### **Who do I contact to schedule a time of transfer inspection?**

Inspections shall be conducted by an inspector certified by the Department of Natural Resources. 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. Time of transfer inspections will be performed by private contractors. A list of certified inspectors is available at the Iowa Department of Natural Resources Time of Transfer Webpage (<http://www.iowadnr.gov/tot.html>).

### **When should I schedule an inspection?**

An inspection is valid for two years and must be completed prior to the deed transfer. The inspection should be completed with enough time to allow the county sanitarian to review the application and determine if any repairs are required.

### **How much will the inspection cost and who is responsible for payment?**

Inspections are conducted by private companies and costs will vary. You should consider contacting multiple inspectors to get pricing information. The payment for the inspection is a private matter to be worked out between the buyer and seller.

**My septic tank was pumped in the past 3 years, does it have to be pumped again during the inspections?**

As an alternative to having the septic tank pumped during the inspection the owner may provide evidence of the septic tank being properly pumped out within 3 years prior to the inspection by a commercial septic tank cleaner licensed by the Department of Natural Resources. The tank pumping record shall include documentation of the size and condition of the tank and its components at the time of pumping.

**What will happen during the inspection?**

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. The condition of the tank and its components shall be documented and included in the final report. Pump chambers or vaults shall be opened for inspection, and the pump shall be tested to ensure proper operation. The secondary treatment system shall be located and inspected to determine the condition. Other components of the system, including but not limited to, effluent screens, tertiary treatment systems, disinfection devices, alarms, control boxes and timers shall also be inspected.

**Are there any special requirements for a discharging system?**

An effluent test shall be performed on all discharging systems that maintain a NPDES General Permit No. 4. The effluent shall be tested to determine if it meets the requirements of the NPDES General Permit No. 4, and the test results shall be included in the inspection report. The inspector will also verify that a legally discharging private sewage disposal system has an NPDES General Permit No. 4 and a Hamilton County Health Operation Permit, if applicable. The inspector will submit a Notice of Intent to discharge to the Department of Natural Resources and a Hamilton County Public Health Operation Permit, if applicable.

**What systems will be required to make upgrades?**

Hamilton County Public Health will review every inspection report. 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. For example, the property may have a septic tank, but no secondary treatment. This system would require renovation to meet current construction standards because it is failing to ensure effecting treatment. Another example would be a property that has an old permitted septic system, but wastewater is surfacing in the yard. This system would require renovation to meet current construction standards because it is improperly functioning.

**Will my system need to meet current standards if it is still properly treating the wastewater?**

No. 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 standards. Please note that for a system to be considered as properly treating the wastewater, proof of a functioning secondary treatment must be provided in the inspection.

**The county does not have a permit on file for my septic system; will I be required to upgrade my system?**

Most wastewater systems installed without a permit are not constructed to properly treat the wastewater. If the time of transfer inspection determines that the unpermitted system is not properly treating the wastewater the county will require a renovation to meet current construction standards.

**How long will I have to make the required upgrades?**

Hamilton County Public Health requires that failing wastewater systems submit a permit application to construct a new private sewage disposal system or alter the existing system within thirty days of the notification from the department. The work must be completed within six months of the original notification.

**Who is responsible for making the required upgrades?**

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, either by the seller or, by agreement by the buyer within six months of the original notification.

**Who needs to receive a copy of the inspection?**

Following an inspection, the inspection form and any related reports shall be provided to Hamilton County Public Health for enforcement of any follow-up mandatory improvements to the system, and to the Department of Natural Resources for record. These copies of these documents shall also be provided to the seller and the potential buyer upon request.