

# Elk-Skegemog Lakes Association

## Position Statement

### Point of Sale/Transfer Evaluation of On-Site Sewage Disposal Systems

As Elk-Skegemog Lakes Association (ESLA), one of our primary concerns is the quality of the water in our lakes and rivers, and of the ground and surface waters that flow into them. Untreated wastewater from failed septic systems contains excessive amounts of organic nutrients (phosphorus and nitrogen) that choke off the oxygen supply in streams, rivers and eventually inland lakes, causing the extinction of aquatic life, both plant and animal. It is estimated that a single failed septic system can discharge more than 76,650 gallons of untreated wastewater into ground waters and surface waters per year.<sup>1</sup>

We are also concerned about the potential public health consequences of failed septic systems. There are at least 25 human pathogens that can leak from failed septic systems into ground water and/or surface water, including species of bacteria, viruses, protozoa, and worms.<sup>2 3</sup> When these pathogens occur in ground water, they may contaminate wells adjacent to failed septic systems.

Communities in Michigan have implemented programs that require the evaluation of on-site sewage disposal systems (OSDS) at the time the properties are sold or the title of a property is transferred. The number of failed OSDSs as a percentage of OSDSs evaluated during a 12-month period has been as high as 26%.<sup>4</sup> The evaluation of septic systems at point of sale or transfer provides a service to the community and to the potential buyer/transferee.

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<sup>1</sup> Lee B., Jones, D., Peterson, H., Septic System Failure. Purdue University, Extension pub. HENV-1-W, September 2005

<sup>2</sup> Musher DM, Musher B. Acute contagious gastrointestinal infections. N Engl J Med 2004; 351:2417

<sup>3</sup> Koren H., Bisesi M. Public Health Aspects of Water Pollution Handbook of Environmental Health, Vol 2. Boca Raton: Lewis Publications. 2003:570 - 583

<sup>4</sup> Pressell E., Time of Sale or Transfer (TOST) Program – The First Twelve Months November 1, 2007 – October 31, 2008. Barry-Eaton District Health Department December 19, 2008

ESLA believes that an OSDS evaluation program at time of sale/transfer should be promulgated under the environmental health regulations of a district or county health department. This is the case in Kalkaska County, and thus OSDSs are evaluated at time of sale/transfer in Clearwater Township. All of the health department managed OSDS evaluation programs also require well inspection and testing.

If a district or county health department is unable or unwilling to initiate an OSDS evaluation program at time of sale/transfer, ESLA supports the initiative of township or municipal governments to develop and manage an OSDS evaluation program at time of sale/transfer. This has effectively been accomplished in Long Lake Township in Grand Traverse County. Township programs have not included well inspections or testing.

ESLA believes that OSDS evaluations at time of sale/transfer provide the major opportunity to eliminate non-natural nutrients from our lakes. Changes in near-shore lake bottom algae have been noticed in recent years by many of our raparians on Elk Lake and Cladophora blooms continue to occur. Better management of waterfront buffer zones and the virtual elimination of excessive phosphorus fertilizers both on residences and farms have left septic systems as the largest source of phosphorus for our lakes.

We (ESLA) support an OSDS evaluation at time of sale/transfer in our geographic boundaries that include Whitewater Township (Grand Traverse County), Elk Rapids Township and Milton Township (Antrim County). Kalkaska County (Clearwater Township) has a regulation requiring OSDS evaluation at time of sale/transfer and we (ESLA) applaud that initiative. We firmly believe that similar programs should be promulgated in the remaining counties and townships as soon as possible.

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