

TITLE TRANSFER INSPECTION REG

BOARD OF HEALTH TOWN OF BOURNE

Pursuant to Chapter 111, Section 31 of Massachusetts General Laws, the Bourne Board of Health, at its regular meeting on May 26, 2004, voted to repeal its regulation effective April 7, 1995 relative to the witnessing of Title 5 Title transfer inspections, and to promulgate the following:

In order to protect public health and the environment; and to ensure proper enforcement of the Bourne Board of Health's existing regulation, dated effective March 31, 1995, relative to groundwater separation the Board of Health hereby adopts the following:

1. The Bourne Board of Health reserves the right to witness any Title transfer inspection prior to the issuance of the title transfer report.
2. The Bourne Board of Health will require that all Title 5 inspectors notify the Board of Health prior to conducting any Title transfer inspections.
3. The Board of Health will be given a list of any pending inspections and will review the current septic system data for that property and will determine whether or not the Board of Health needs to witness that specific inspection. It is the intent of the Board of Health to concentrate on those inspections where separation to groundwater may be an issue, on those systems installed prior to 1978, or where previous inspections have indicated that the systems are close to meeting failure criteria.
4. The Board of Health will maintain a list of proposed inspections, with the inspector's name and date of phone call. The inspectors will either be given a verbal waiver on the requirement for the witnessing of the inspection, or will be advised that the Board of Health will need to be present at the inspection. Scheduling of these appointments will be done as quickly as is possible by the Board of Health.
5. There will no longer be a \$50.00 witnessing fee by the Board of Health. There will, however, be a \$25.00 filing fee for each Title transfer report submitted to the Board of Health. Pursuant to Title 5, 310 CMR 15.301(10), all Title transfer reports will be submitted to the Board of Health within 30 days of the inspection.
6. As per existing policy, leaching systems will continue to be reviewed by the inspectors under the same criteria as would be used for cesspools, i.e. 6" of leaching capacity or half days flow present in order to pass the inspection. The 6 inches of leaching capacity must be evidenced by clean sidewall and no presence of sludge or staining. Block, stone, or brick risers on cesspools will not be included as part of sidewall leaching area, nor will any riser material be considered as part of the sidewall leaching area or the capacity of a leaching system.

7. As per existing policy, those systems which have a valid certificate of compliance and which were installed during or after 1978 will be grand fathered as to the required four foot separation to groundwater, unless the system is found to be in groundwater, at highest groundwater determination.

8. Inspectors must clearly indicate on the inspection form the level of standing liquid in any leaching component, the level of staining in any leaching component, and the presence, or lack thereof, of both sanitary tees in any inspected tank. In the case of missing sanitary tees, no passing report shall be issued unless there is proof of the correction of said deficiency. Any work for the correction of component failures, such as corroded distribution boxes, new piping, etc. will require a valid permit from the Board of Health and inspection by this office.