

Agenda
Planning and Policy Committee
West Olive Administration Building – Board Room
12220 Fillmore Street, West Olive, Michigan 49460
Thursday, November 8, 2012
9:30 AM

Consent Items:

1. Approval of the Agenda
2. [Approval of the minutes from the October 11, 2012 Planning and Policy Committee meeting.](#)

Action Items:

1. [Real Estate Transfer Evaluation Policy Revision](#)
Suggested Motion:
To approve and forward to the Board of Commissioners the revised Public Health Real Estate Transfer Evaluation Policy.

Discussion Item:

1. Closed Session to Discuss Property Acquisition
Suggested Motion:
To go into closed session for the purpose of discussing property acquisition.
(2/3 roll call vote required)

Adjournment

Comments on the day's business are to be limited to three (3) minutes.

PLANNING AND POLICY COMMITTEE

Proposed Minutes

DATE: October 11, 2012

TIME: 9:30 a.m.

PLACE: Fillmore Street Complex

PRESENT: Dennis Swartout, James Holtvluwer, Stu Visser

ABSENT: Roger Rycenga, Jane Ruiter

STAFF & GUESTS: Alan Vanderberg, Administrator; Greg Rapple, Corporate Counsel; John Scholtz, Parks & Recreation Director; Mark Knudsen, Planning & Performance Improvement Director; Keith VanBeek, Assistant Administrator; Sherri Sayles, Deputy Clerk

SUBJECT: CONSENT ITEMS

PP 12-045 Motion: To amend the agenda of today adding Closed Session to Discuss Property Acquisition.
Moved by: Swartout UNANIMOUS

PP 12-046 Motion: To approve the amended agenda of today as presented and to approve the minutes from the September 13, 2012 meeting as presented.
Moved by: Swartout UNANIMOUS

**SUBJECT: WEST MICHIGAN REGIONAL PLANNING COMMISSION'S REGION 8
2012 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY**

PP 12-047 Motion: To approve and forward to the Board of Commissioners the resolution supporting the West Michigan Regional Planning Commission's Region 8 2012 Comprehensive Economic Development Strategy.
Moved by: Swartout UNANIMOUS

SUBJECT: CLOSED SESSION TO DISCUSS PROPERTY ACQUISITION

PP 12-048 Motion: To go into a Closed Session at 9:31 a.m. to discuss property acquisition. (2/3 roll call vote required).
Moved by: Swartout UNANIMOUS

Roll Call: Yeas: Swartout, Holtvluwer, Visser

PP 12-049 Motion: To rise from Closed Session at 9:45 a.m.
Moved by: Swartout UNANIMOUS

SUBJECT: ADJOURNMENT

PP 12-050 Motion: To adjourn at 9:45 a.m.
Moved by: Swartout UNANIMOUS

Action Request



Committee: Planning and Policy Committee

Meeting Date: 11/8/2012

Requesting Department: Public Health

Submitted By: Misty Cunningham

Agenda Item: Real Estate Transfer Evaluation Policy Revision

SUGGESTED MOTION:

To approve and forward to the Board of Commissioners the revised Public Health Real Estate Transfer Evaluation Policy.

SUMMARY OF REQUEST:

The Ottawa County Health Department (OCHD) is proposing changes to its current Environmental Health Real Estate Evaluation Program. The Real Estate Evaluation Program was made law by the inclusion in the Ottawa County Environmental Health Code, and became mandatory on June 1, 1984. As such, an evaluation is required prior to the sale or transfer of ownership of any home or business served by an onsite water supply system or wastewater disposal system. A copy of the evaluation report is required to be provided to the buyer at time of closing.

Often, the buyer is unaware of system deficiencies prior to receiving the report. In some instances correction may be required. This usually requires the installation of a replacement system which is a large expense for a homeowner or a new buyer. Environmental Health does not prevent closing on a property with a standing correction order, or specify which party (buyer or seller) is responsible for the costs of correction.

Recently, the OCHD has received feedback regarding the Real Estate Evaluation Program and report format and the required correction of some items. As a result, the OCHD formed a Real Estate Policy Revision Workgroup to develop a new policy that better meets the needs of stakeholders and the department. The workgroup consists of the following members:

Dale Zahn, CEO of the West Michigan Lakeshore Association of Realtors (WMLAR)

Gordon Naumoff, President of WMLAR

Loraine Griffin, Past President of WMLAR

Michael Samarszcz, Realtor

Karla Walker, Underwriter with Huntington Bank

Angela Rose, Underwriter with Huntington Bank

Randy Rapp, OCHD Onsite Supervisor

Adeline Hambley, OCHD Environmental Health Manager

This group has met and discussed the purpose of the Real Estate Evaluation Program, as well as revisions needed to the existing policy. The following items have the full support of the Workgroup members

FINANCIAL INFORMATION:

Total Cost: \$0.00 General Fund Cost: \$0.00 Included in Budget: Yes No

If not included in budget, recommended funding source:

ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated Non-Mandated New Activity

ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 3: To Contribute to a Healthy Physical, Economic, & Community Environment.

Objective: 4: Continue initiatives to positively impact the community.

ADMINISTRATION RECOMMENDATION: Recommended Not Recommended Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date:



Ottawa County Health Department

Environmental Health Real Estate Policy Revision

Adeline Hambley, Environmental Health Manager
October 29, 2012

Real Estate Policy Revision Process

The Ottawa County Health Department (OCHD) is proposing changes to its current Environmental Health Real Estate Evaluation Program. The Real Estate Evaluation Program was made law by the inclusion in the Ottawa County Environmental Health Code, and became mandatory on June 1, 1984. As such, an evaluation is required prior to the sale or transfer of ownership of any home or business served by an onsite water supply system or wastewater disposal system. A copy of the evaluation report is required to be provided to the buyer at time of closing.

Often, the buyer is unaware of system deficiencies prior to receiving the report. In some instances correction may be required. This usually requires the installation of a replacement system which is a large expense for a homeowner or a new buyer. Environmental Health does not prevent closing on a property with a standing correction order, or specify which party (buyer or seller) is responsible for the costs of correction.

Recently, the OCHD has received feedback regarding the Real Estate Evaluation Program and report format and the required correction of some items. As a result, the OCHD formed a Real Estate Policy Revision Workgroup that to develop a new policy that better meets the needs of stakeholders and the department. The workgroup consists of the following members:

Dale Zahn, CEO of the West Michigan Lakeshore Association of Realtors (WMLAR)
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Karla Walker, Underwriter with Huntington Bank
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Randy Rapp, OCHD Onsite Supervisor
Adeline Hambley, OCHD Environmental Health Manager

This group has met and discussed the purpose of the Real Estate Evaluation Program, as well as revisions needed to the existing policy. The following items have the full support of the Workgroup members.

Purpose of the Real Estate Transfer Evaluation & Proposed Revisions

Purpose:

1. Educate the buyer about potential deficiencies of the well and/or the sewage disposal system at the property s/he is purchasing.
2. Correct those deficiencies that are creating an imminent public health hazard.

The Real Estate Transfer Evaluation is not to be utilized for correction of items that show the system is not in compliance with code, if those items are not presenting a health hazard. A Real Estate Evaluation is not a final inspection of a newly installed system, and shall not be used as such.

CURRENT POLICY

The current Real Estate Policy utilizes the following conclusions:

1. System has been determined to conform with current standards.
2. Because of above noted deficiencies, the indicated system may not meet current construction standards. However, the system was functioning properly at the time of evaluation and was not presenting a health or safety hazard at that time.
3. The indicated system does not conform to current standards and may constitute a health or safety hazard. Correction highly recommended.
4. The system presents an imminent health hazard and shall be corrected prior to new occupancy.
5. An adequate assessment of the condition of the system could not be made.

The current Real Estate Policy also does not determine if a system is “Acceptable” or “Unacceptable”. Based on feedback from Realtors and Underwriters this created a lot of confusion among buyers and sellers, as well as made it difficult for underwriters to approve loans.

PROPOSED POLICY REVISION

Based on discussions with the Workgroup, new conclusions were drafted that do assign “Acceptable” and “Unacceptable” ratings to a system.

The new conclusions for each system evaluated with the revised policy will be:

1. **Acceptable--Conformance**
System has been determined to substantially conform to current standards. System may continue to be utilized.
2. **Acceptable—Substantial Conformance**
System has deficiencies which prevent it from substantially conforming to current standards; however it was installed prior to the current standards and was functioning properly at the time of the inspection. System may continue to be utilized.
3. **Unacceptable—Non-Conformance/Failure**
System presents a health hazard and continued use is not permitted. Correction required.
4. **Undetermined**
An adequate assessment of the condition of the system could not be made.

These conclusions are based on the feedback provided by the Workgroup. The Workgroup members are in support of this change and feel these conclusions are clearer to the buyers, sellers, and underwriters.

A guidance document was created to support the revised policy and provide clearer guidelines to the Environmental Health Specialists conducting the evaluation. This will help to standardize inspections and reporting and will better meet the intent and purpose of the Real Estate Evaluation Program. The current draft of the guidance document is also included for your review.

Based on feedback from the Workgroup, the report format will be revised to be more easily understood by buyers. Also, materials will be included with the report to educate buyers on what a well and septic system is, as well as the proper care and maintenance of the system.

Due to the collaborative effort with community stakeholders, I believe this policy revision and changes to the report will better meet the needs of Ottawa County and the community. These changes help to provide more clear information to buyers, sellers, and underwriters, as well as provide a better mechanism for standardization of staff.

Policy 082305-01
Ottawa County Health Department

Real Estate Transfer Evaluation Policy

Environmental Health

Relates to: Guidance Document 092012-01

Page 1 of 3

Effective *Aug. 23, 2005*

Date: _____

Revised Date: *October 26, 2012*

Division Director

Approval: _____

Date: _____

Purpose

To define the process by which Real Estate Transfer Evaluations (RETE) are to be conducted for on-site water supply systems and on-site sewage disposal systems by Ottawa County Environmental Health.

I. Evaluation Criteria

A. Water Supply Systems (Private)

1. Part 127 of Act 369 of the Public Acts of 1978, as amended and Administrative Rules
2. Ottawa County Environmental Health Regulations, Effective 11/22/96

B. Water Supply Systems (Public)

1. Act 399 of Public Acts of 1976 and Administrative Rules

C. Sewage Disposal Systems (Single and Two Family Dwellings)

1. Ottawa County Environmental Health Regulations, Effective 11/22/96
2. Ottawa County Environmental Health Regulations for Construction of Sewage Disposal Systems

D. Sewage Disposal Systems (Multi-Family Dwellings and Commercial Buildings, less than 10,000 gallons per day)

1. Michigan Criteria for Subsurface Sewage Disposal, 1994
2. Ottawa County Environmental Health Regulations, Effective 11/22/96
3. Ottawa County Environmental Health Regulations for Construction of Sewage Disposal Systems

II. Evaluation Procedures

A. General Overview

1. The evaluation of property's water supply and sewage disposal facilities shall include any on-site water supply and sewage disposal system present at the time of inspection. Findings are to be documented on the "Real Estate Transfer Evaluation Inspection Record" form and are to be based on a physical inspection of the system(s) and documentation found during the record review.
2. Information evaluated for the purpose of making conclusions concerning the on-site water supply and wastewater disposal facilities is derived from the record review, client provided documents, site inspections, and water quality analysis.
3. The Real Estate Transfer Evaluation Inspection Record is used to generate the final "Real Estate Transfer Evaluation Report, which is provided to the applicant.

B. Record Review

1. Records that are to be considered in the evaluation process, should include, but are not limited to:
 - a. Real Estate Transfer Evaluation Request for on-site water supply and/or sewage disposal system
 - b. Prior Real Estate Transfer Evaluations
 - c. Well permits
 - d. Well logs
 - e. Septic system permits
 - f. Final inspections of wells and/or septic systems
 - g. Well depth verification information
 - h. Complaint records
 - i. Recorded easements and affidavits
 - j. Applicable neighboring properties
2. These records, when available, are to be reviewed and relevant information transferred to the Real Estate Transfer Evaluation Inspection Record. When record information is incomplete or conflicts with other records or applicant information, a note is to be made in the "Comments Concerning Inspection Findings" section of the RETE Inspection Record. The conflicting information and any unanswered items are to be investigated during the site inspection.

C. Site Inspection

1. Water Supply
 - a. Visual inspection of well components and water distribution system including well head termination, casing size, pump type and location, storage tank location, water service lines, cross connections and water treatment devices.
 - b. Measurement of well isolation, including irrigation wells, with regard to the sewage disposal system and other sources of contamination, on -site. When direct measurement is not possible, use the Pythagorean Theorem.

- c. Sampling of the water supply for Coliform bacteria, Nitrates, and other water quality parameters as necessary
2. Sewage Disposal System
 - a. Physical measurement of isolation distances as described by Evaluation Criteria.
 - b. Visual evaluation of the wastewater disposal system area.
 - c. Auger boring in to the absorption system and/or adjacent soils.
 - d. Probing for septic tank(s) and drainage area location.
 - e. Visual inspection of the interior building plumbing with special attention to plumbing fixtures not routed through the system, water softener, and footing drains connected to the system.

III. Conclusions

A. Conclusions are made for each system evaluated and are as follows:

1. **Acceptable--Conformance**
System has been determined to conform to current standards. System may continue to be utilized.
2. **Acceptable—Substantial Conformance**
System has deficiencies which prevent it from conforming to current standards; however it was installed prior to the current standards and was functioning properly at the time of the inspection. System may continue to be utilized.
3. **Unacceptable—Non-Conformance/Failure**
System presents a health hazard and continued use is not permitted. Correction required.
4. **Undetermined**
An adequate assessment of the condition of the system could not be made.

Guidance Document 092012-01 outlines the criteria for each conclusion

IV. Real Estate Transfer Evaluation Report

- A. Relevant evaluation findings and conclusions shall be reported on the Real Estate Transfer Evaluation Report. This finished document will serve as the Ottawa County Health Department's official report regarding the evaluation. This RETE Report shall be submitted to the homeowner and/or applicant, prior to or at closing along with copies of the results of any water samples collected during the evaluation. The RETE Inspection Record shall be submitted to the homeowner/applicant upon request.
- B. A copy of the RETE Report, along with the original water sample results, and the RETE Inspection Record shall be maintained in the permanent file for that parcel.

Guidance Document 092012-01
Ottawa County Health Department

Conformance, Substantial Conformance, Non-conformance/Failure Sewage and Water

Environmental Health

Relates to: Policy 082305-01

Page 1 of 4

Effective
Date: _____

Revised Date: _____

Division Director
Approval: _____

Date: _____

Purpose:

This policy is to provide clarification and examples of the conditions which would be considered conformance, substantial conformance, and non-conformance/failures requiring corrective action under the **“Real Estate Transfer Evaluation Policy” (effective date 08/23/2005)**.

I. Regulatory Definitions:

A. Conformance, Sewage or Water Supply System

1. System is installed per current code requirements
2. Permit issued by the Ottawa County Health Department on file
3. Approved final by the Ottawa County Health Department on file
4. All necessary variances, easements and affidavits are approved and on file

B. Substantial Conformance, Sewage or Water Supply System

1. System was installed prior to current code requirements, but still meets the intent of the code and was functioning properly at the time of the evaluation
2. Method or installation varies from current recognized methods but continued use does not present a health hazard

C. Non-Conformance/Failure, Sewage System

1. A non-conforming or unrecognizable system
2. Backup of sanitary sewage into the premise or habitable building
3. Direct discharge of sanitary sewage and/or effluent to a water course, surface drain, field tile or the ground surface
4. Discharge of effluent from the sewage system to a storm sewer, field tile or surface drain
5. Failure or dilapidation of the physical septic tank structure or other system components

6. Discharge of sanitary sewage from the structure which does not reach the absorption system.
7. Method or object that varies so significantly from customary or recognized methods that its continued use cannot be acknowledged as meeting a minimum standard
8. Does not meet the conventional or alternative definition
9. Drained is under pressure
10. Sludge (black tarry stone) level is above the pipe

D. Non-Conformance/Failure, Water Supply System

1. Unsafe water sample and/or water sample not meeting the drinking water standards as established by the Environmental Protection Agency
2. The presence of a well not properly abandoned
3. Non-conformance with water well construction requirements
4. Non-conformance with water well isolation from contamination source requirements.
5. An on-site water supply system that is not capable of meeting the intended use
6. A method or thing that varies so significantly from customary and recognized construction standards that its continued use cannot be acknowledged as meeting a minimum standard
7. A well not capable of meeting 3gpm as measured through the pump cycle

II. Policy Overview

When a condition is identified as part of a Real Estate Evaluation, the following examples of conditions shall meet the definition of substantial conformance and non-conformance/failures for sewage systems and water supplies. This list is not an all inclusive list.

Substantial Conformance: Sewage Systems
CONDITION
Only one septic tank, which is structurally sound and not of cement block construction, is present serving the dwelling when two are required by code
Absorption area is less than the required size by code but meets 75% of current size requirements
No permit or final on record for the system, but system is recognizable in design
Absorption area does not meet the minimum isolation distance to the seasonal high water table, but is not installed in the seasonal high water table
System is > 20 years old
< 75% structure over absorption area
When two septic tanks are present and of sound construction but do not meet the current code requirements for size

Non-Conformance/Failure: Sewage Systems
CONDITION
Septic tank consists of a 55-gallon drum or old fuel oil tank
Final disposal consists of a pile of cobbles / debris
Final disposal consists of single trench with no stone
Seepage pits/no septic tank
Unrecognizable system
Cistern or Dug well
> 75% structure over absorption and/or septic tank inaccessible for maintenance
Unpermitted horizontal &/or vertical isolation to surface water or environmentally sensitive area
A sewage system that is not located on the parcel that it serves and there is no recorded agreement/easement for its use and maintenance.
Additions to a conventional absorption system such as a trench, tile line (with or without stone), rock pit, etc. without permit.
Absorption system exhibiting signs of failure, including but not limited to blackened and tarred stone (full stone depth), tar/black staining in soil above stone, &/or evidence on the ground surface of previously ponded sewage (blackened or grey film on soil surface, excessive grass/weed growth in the area of the system causing the owner to no longer mow in the area, tire indentations into the soil over the system indicating that the area was saturated and that wheeled vehicles sank into the grass/soil)
Sewage backing up into premise
Direct discharge of sewage or effluent to a water course, surface drain, field tile, ground water, or ground surface
Septic tank disrepair (damaged or missing lids, caving in of septic tank, etc.)
Discharge of sanitary sewage from the structure, which does not reach the absorption system
Sewage absorption system dilapidated/disrepair resulting in improper disposal of effluent
Tile system collapsed or disintegrated, tile system compressed together (as in clay tile), tile system filled with roots/sludge resulting in improper disposal of effluent

Substantial Conformance: Water Supply
CONDITION
No permit or final on record for the system, but system is recognizable in design
Greater than 90% of standard isolation distance, with no construction deficiencies
Well is located in the basement and no conditions from failure
Unprotected suction line and no conditions from failure
Well unknown depth and no conditions from failure

Substantial Conformance: Water Supply (con't)

Well is not grouted and no conditions from failure
Well is <50' from sump pits and/or sewage lifts in the basement
Lack of a properly screened vent and was installed prior to 1985 (venting code)
Visible annular space
Yard hydrant on water service line between well and pressure tank
Buried well seal and no conditions from failure

Non-Conformance/Failure: Water Supply

CONDITION

Hauled water
Multiple construction deficiencies resulting in unsafe water supply. For example: buried well seal and unknown depth and no construction records and isolation distances not met
Well is not functioning
< 25 feet deep without approved variance
Plastic cased well <5" in diameter
A well that is not located on the parcel that it serves and there is no recorded agreement/easement for its use and maintenance.
Flowing well connected to open crock from which water back flows when pump activates
Less than 3gpm as measured through the pump cycle
Well located in basement with fuel oil tank in basement
Well, pump and/or pressure tank located in a flooded pit or in a pit with evidence of flooding such as a sump pump
Flooded well or well subject to flooding
Dug well / cistern
Missing well cap, damaged well cap/open well casing
Well in disrepair such as visible hole in casing, disconnected electrical conduit, broken cap
Less than 90% of standard isolation distance and construction deficiencies present
Well not currently in use and not properly abandoned
Not capable of meeting the intended use
Unsafe bacteria water quality result
Unsafe nitrate water quality result without recorded affidavit
Unsafe other water quality result (such as arsenic)

Ottawa County Environmental Health

Real Estate Transfer Evaluation Policy

Effective 8/23/05

**OTTAWA COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
12251 JAMES STREET SUITE 200
HOLLAND, MI 49424
616-393-5645 TELEPHONE
616-393-5643 FAX**

I. Evaluation Criteria

1.01 Water Supplies – Private

Part 127 of Act 369 of the Public Acts of 1978, as amended and Administrative Rules.

Ottawa County Environmental Health Regulations, Effective 11/22/96

1.02 Water Supplies – Public

Act 399 of Public Acts of 1976 and Administrative Rules.

1.03 On-Site Sewage Disposal Systems – Single and Two Family Dwellings

Ottawa County Environmental Health Regulations, Effective 11/22/96.

Ottawa County Environmental Health Regulations For Construction Of Sewage Disposal Systems.

1.04 On-site Sewage Disposal Systems – Multi-Family Dwellings and Commercial Buildings, less than 10,000 gallons per day

Michigan Criteria for Subsurface Sewage Disposal, 1994 Edition.

Ottawa County Environmental Health Regulations, Effective 11/22/96.

Ottawa County Environmental Health Regulations For Construction Of Sewage Disposal Systems.

II. Evaluation Procedures

2.0 General

The evaluation of property's water supply and wastewater disposal facilities shall include any on-site water supply and sewage disposal system present at the time of inspection. Findings are to be documented on the "Real Estate Transfer Evaluation Inspection Record" form and are to be based on a physical inspection of the system(s) and/or documentation found during the record review. When this is not possible, the item is to be marked "Not Determined". When a comment is made that requires a qualifying statement, it is to be placed in the "Comments Concerning Inspection Findings" section of the inspection report.

Information evaluated for the purpose of making conclusions concerning the on-site water supply and wastewater disposal facilities is derived from the record review, client provided documents, site inspections, and water quality analysis.

2.01 Record Review

Records that are to be considered in the evaluation process, should include, but are not limited to:

- Real Estate Transfer Evaluation Request for on-site water supply and/or wastewater disposal system.
- Prior Real Estate Transfer Evaluations
- Well permits
- Well logs
- Septic system permits
- Final inspections of wells and/or septic systems
- Well depth verification information
- Complaint records

These records, when available, are to be reviewed and relevant information transferred to the Real Estate Transfer Evaluation Inspection Record prior to the site inspection. When record information is incomplete or conflicts with other records or applicant information, a note is to be made in the “Comments” section of the Real Estate Transfer Evaluation Inspection Record. The conflicting information and any unanswered items are to be investigated during the site inspection.

2.02 Site Inspection

During the site inspection, the water supply and wastewater disposal systems are to be evaluated considering the following:

Water Supply

1. Visual inspection of well components and water distribution system including well health termination, casing size, pump type and location, storage tank location, water service lines and water treatment devices.
2. Measurement of well isolation with regard to sewage disposal system and other sources of contamination, both on and off-site. When direct measurement is not possible, use the Pythagorean Theorem.
3. Sampling of the water supply for coliform bacteria, nitrates, and other water quality parameters as necessary

Wastewater Disposal System

1. Physical measurement of isolation distances as described by Evaluation Criteria.
2. Visual evaluation of the wastewater disposal system area.
3. Auger boring in to the absorption system and/or adjacent soils.
4. Probing for septic tank(s) and drainage area location.
5. Visual inspection of the interior building plumbing with special attention to plumbing fixtures not routed through the system, water softener, and footing drains connected to the system.

III. Conclusions

3.00 Conclusions are made after considering information from the file review and inspection findings as documented on the Real Estate Transfer Evaluation Inspection Record. These Conclusions, along with other significant findings, will be documented and presented to the homeowner/applicant in the Real Estate Transfer Evaluation Report.

Conclusions are made for each system evaluated and are as follows:

1. System has been determined to conform with current standards.
2. Because of above noted deficiencies, the indicated system may not meet current construction standards. However, the system was functioning properly at the time of evaluation and was not presenting a health or safety hazard at that time.
3. The indicated system does not conform to current standards and may constitute a health or safety hazard. Correction highly recommended.
4. The system presents an imminent health hazard and shall be corrected prior to new occupancy.
5. An adequate assessment of the condition of the system could not be made.

3.01 Conclusion 1

Systems that qualify for reporting under Conclusion 1 are to meet the following criteria:

Water Supply

1. Water sample results for nitrate, nitrite, fluoride, bacteriological and other tested parameters with known health effects are below the maximum contamination level (MCL).
2. A copy of the well log must be provided to the Ottawa County Health Department and indicate conformance with the regulations for the type of construction applicable to the well's proposed use.
3. Upon visual inspection, the water supply conforms with Evaluation Criteria standards.
4. Physical measurement of well isolation reveals conformance with Evaluation Criteria standards.

Wastewater Disposal System

1. A review of the septic system permit and final inspection indicates conformance with current standards.
2. An evaluation of the system is made and it is determined that there are no signs of septic system failure.
3. An evaluation of the system reveals conformance with Evaluation Criteria standards.
4. The building served by the system has not been unoccupied for greater than 14 days.

3.02 Conclusion 2

Systems which qualify for reporting under Conclusion 2 are to meet the following criteria:

Water Supply

1. Water sample result analyses are below the maximum concentration levels.
2. A visual inspection of the well components and water distribution system reveals nonconformance with current applicable standards, however, the condition must not constitute a public health hazard and shall have an approved variance issued by the Health Department.
3. Physical measurement of the well isolation reveals conformance with current applicable standards, or it is determined that the well isolation does not constitute a public health hazard in which case it will need to have an approved variance issued by the Health Department.

Wastewater Disposal System

It is determined from the file review, septic tank pumping record, and/or site inspection that the system is not in full compliance with the Ottawa County Environmental Health Regulations for Construction of Sewage Disposal Systems, however, the system meets the following criteria:

1. A septic tank with a minimum capacity of 800 gallons and in working condition.
2. A soil absorption system that is not in a state of failure and which does not have a documented history of failure or evidence of physical damage.
3. The building served by the system has not been unoccupied for greater than 14 days.
4. Systems installed subsequent to the Ottawa County Environmental Health Regulations, Effective 11/22/96, shall have an approved variance issued by the Health Department.

3.03 Conclusion 3

Systems for which all of the information is provided, but does not comply with the criteria for Conclusion 1 and 2 shall be marked under Conclusion 3 unless the situation qualifies as an “imminent health hazard” under Conclusion 4. Examples are as follows:

Water Supply System

1. Nonconformance to well isolation or well depth where a public health hazard is likely.
2. Visual inspection of the well components and water distribution system reveals nonconformance with current applicable standards and the condition constitutes a potential health and/or safety hazard.

Wastewater Disposal System

1. Septic tank capacity is less than 800 gallons.
2. System was found to be in a state of failure as evidenced by saturated or flooded conditions, history of malfunction, evidence of physical damage, or other indicators.

3.04 Conclusion 4

When a significant health hazard is immediately present or likely due to the condition of either the water supply or wastewater disposal system, Conclusion 4 will be recorded. The following conditions shall be recorded as Conclusion 4:

Water Supply System

1. Water sample results exceed applicable maximum contaminant level(s).
2. Water supply system has been damaged or adversely altered.
3. Water supply system in a floodplain and has a wellhead which terminates below the 100 year floodplain elevation.
4. Wellhead is submerged without the protection of a watertight cap and a vent extended about water level.

Wastewater Disposal System

1. Wastewater discharging to storm drain, surface water, or ground surface.
2. Wastewater is observed in the basement of the home.
3. Septic tank(s) is/are caving in.
4. System is subject to flooding as demonstrated by the elevation of the bottom of the drainbed within the ten (10) year floodplain elevation.

Findings of imminent health hazards shall be accompanied by a correction order. This correction order should note the health hazard, detail acceptable correction outcomes, and give a reasonable timeline for correction. New occupancy cannot

occur in the dwelling until acceptable correction has taken place. The existing occupancy is subject to Section G of Article VIII and Section Q of Article XXIII of the Ottawa County Environmental Health Regulations.

3.05 Conclusion 5

When information is not provided or conditions are encountered which make a thorough evaluation of the system impossible, Conclusion 5 will be recorded. Examples are as follows:

Water Supply System

1. Well depth not verified for shallow wells of unknown depth.
2. Unable to collect water samples.
3. Unable to visually inspect water supply system.
4. Unable to determine well isolation: 3rd party verification not received.

Wastewater Disposal System

1. The septic tank(s) and/or drainage bed cannot be located or verified.
2. The house has been unoccupied for greater than 14 days.
3. Unable to inspect the wastewater disposal system.

4.00 Real Estate Transfer Evaluation Report

Relevant evaluation findings and evaluation conclusions shall be reported on the Real Estate Transfer Evaluation Report. This finished document will serve as the Ottawa County Health Department's official report regarding the evaluation. This Report shall be submitted to the homeowner and/or applicant along with copies of the results of any water samples collected during the evaluation. The Real Estate Transfer Evaluation Inspection Record shall only be submitted to the homeowner/applicant upon request.

A copy of the Real Estate Transfer Evaluation Report, along with the original water sample results, and the Real Estate Transfer Evaluation Inspection Record shall be maintained in the permanent file for that parcel.