

To: Senator Volk, Representative Fecteau and Members of the LCRED Committee
From: Kirsten Hebert, Director Maine Rural Water Association
Date: March 7, 2017
Re: Testimony in **Support of LD 559, An Act to Standardize the Law Concerning Property Transfers and to Protect Water Quality**

Senator Volk, Representative Fecteau, and Members of the Committee, my name is Kirsten Hebert, Director of the Maine Rural Water Association and I am offering testimony in Support of *LD 559, An Act to Standardize the Law Concerning Property Transfers and to Protect Water Quality*.

The Maine Rural Water Association and the Maine Water Utilities Association are two of Maine's trade associations representing water and wastewater systems across the State. We provide training and technical assistance with the purpose of improving the operational, managerial and financial capacity of our members. We have a joint Legislative Policy Committee responsible for setting our legislative platform and during our February 27th meeting, the Committee voted to support this bill.

As stewards of the environment, our water utilities urge this Committee to adopt the proposed language that would remove the existing restriction that only requires inspection of a septic system if located within a *coastal* shoreland area.

No Reporting Requirement

While I would like to be able to offer the Committee information and data as to the number of failing septic systems in the State, or the costs associated with repairing or installing new systems as a result of a failure, we are unable to do so, as there is currently no requirement that system inspection results be reported to the Department of Health and Human Services.

Inspector Certification Lacks Teeth

Under the current state statute, disposal systems must be inspected by a person "certified by the Department" when a property with a system located in the Coastal Shoreland Zone is transferred. The statute that references certification provides no guidance or criteria upon which one would structure a certification program or require education.

Lacking legislative directive, the Department created a *voluntary* certification program with no minimum requirements to qualify. A person need only attend one training to be "certified".

This voluntary patch-work-quilt certification process results in private homeowners hiring a "certified" inspector that may or may not be able to determine whether the septic system is failing. Add to this situation that there are no reporting requirements, and I submit that the current system is highly flawed.

While we certainly support this bill, we would also encourage this Committee to engage in a discussion of the establishment of minimum standards for inspector certification and reporting requirements.

Thank you for the opportunity to provide testimony. Please do not hesitate to contact me should you have any questions 207 841 8920 or kirstenh@mainerwa.org.