MIDCOAST CONSERVANCY

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Testimony in Support of LD 372, An Act To Protect Public Health through Septic Tank Inspections, and LD 559, An Act To Standardize the Law Concerning Property Transfers and To Protect Water Quality

Garrison Beck, Director of Water Conservation, Midcoast Conservancy

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Senator Volk, Representative Fecteau, and Members of the Committee on Labor, Commerce, Research and Economic Development,

My name is Garrison Beck and I am the Director of Water Conservation for Midcoast Conservancy. Midcoast Conservancy's mission is to protect and promote healthy lands, waters, and communities through conservation, outdoor adventure, and learning. We work in the lands and waters surrounding the Sheepscot River and Damariscotta Lake, from Wiscasset to Montville. We are supported by 1,600 members who live throughout midcoast and central Maine and beyond.

I am testifying in support of both LD's 372 and 559 which are before you today. As you know, both bills would expand the requirements for inspections of subsurface wastewater disposal systems. These often overlooked wastewater disposal systems are of interest to the public primarily for two reasons: 1) a properly installed and maintained system typically represents a considerable share of the property's assets, thus affecting the property's assessed value; and 2) systems which are not suitable for the use they receive or which are prone to malfunction represent a real threat to public health and water quality.

Inspections and regular maintenance of subsurface wastewater disposal systems are much more cost effective than neglecting and replacing a system before the end of its designed lifespan. Much like changing the oil in your car, keeping a wastewater disposal system functioning properly relies on regular maintenance. However, being underground these systems can be easy to forget, making the risk for malfunction much greater.

Malfunctioning subsurface wastewater disposal systems pose great risk to public health and water quality, especially if the problems are not identified immediately. A system may malfunction in many ways. Perhaps the most obvious is when wastewater backs up into the building. However, in many systems, proper treatment entails wastewater being filtered through the ground, utilizing naturally existing bacteria to remove pathogens and clean the water. In this way, a system can also malfunction if it is placed in very

sandy soils or close to bedrock. Here, wastewater travels too quickly through the soil, vastly reducing the opportunity for bacteria to treat it before this wastewater flows into either groundwater or surface waters. These malfunctions are particularly difficult to identify, since there is no indication on the ground's surface or in the building that there are any problems.

A malfunctioning system can have serious implications to public health. If wastewater is not properly treated, it can easily carry infections and diseases associated with waste, such as those caused by E. Coli. If the system is in a residential area, or among many camps clustered around a lake which also have wells for drinking water, infectious bacteria can easily contaminate these wells until the problem is identified. If wastewater contaminates surface waters such as lakes, it can create a higher risk of infections for people swimming in the area, and those nutrients carried by wastewater support more growth of algae, creating poor water quality and potentially contributing to large-scale algae blooms.

These systems are more prone to malfunction if they receive more use than they were originally designed. With the tremendous acceleration in the use of online services to rent homes such as Airbnb, some homes are accommodating many more guests than they would through normal use. For example, a wastewater disposal system may have been designed for a 3-bedroom camp which is only used from June to September. However, that home is now rented online and the owner allows anywhere from 5 to 15 guests at once. This places great demand on the wastewater system. As you might imagine, these arrangements are very popular around lakes or on the coast, increasing the chance that a malfunction could affect both surface and ground waters. Inspections at time of transfer would help prevent these issues, which is why we ask you to support these bills today.

Finally, I would like to offer another northeast state as an example for the Committee. Under Massachusetts' Environmental Code, Title 5 regulates many aspects of septic systems by "requiring the proper citing, construction, upgrade, and maintenance of on-site sewage disposal systems and appropriate means for the transport and disposal of septage."[1] I would encourage interested members of the Committee to use the Massachusetts Title 5 for resources and as an example.

Thank you for your time, and I am happy to answer any questions.

Sincerely,
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[1] Massachusetts Department of Environmental Protection. Septic Systems/Title 5. <http://www.mass.gov/eea/agencies/massdep/water/wastewater/septic-systems-title-5.html>