

MEMORANDUM

To: Laurie Lage, Legal Counsel

From: Brad Pracheil, Division Administrator

RE: LB 299, *Provide an explanation for why you believe or do not believe that the occupational regulations overseen by your board have been effective.*

Below is the Department's response to the following request: *Provide an explanation for why you believe or do not believe that the occupational regulations overseen by your board have been effective.*

The Department believes the statute, Neb. Rev. Stat. 81-15,236 to 81-15,253 and regulation NAC Title 124, Rules and Regulations for the Design, Operation and Maintenance of Onsite Wastewater Treatment Systems have been effective in assuring the proper siting, layout, construction, closure, reconstruction, alteration, modification, repair, inspection, and pumping for onsite wastewater treatment systems (e.g. septic tanks) in the State. Prior to the statute there was no uniform mechanism to locate and inspect systems statewide. This led to 55-gallon drums being used as septic tanks or drain lines to the ditch to dispose of domestic wastewater in some places. Since the time of the statute and certification requirement, over 500 certified professionals and more than 24,000 systems have been newly installed or modified and registered with the Department. These systems meet the design requirements and are protective of human health and the environment.

The registration component is a valuable piece of information that the certification process provides; it requires installers to register new systems or modifications with the Department, which allows homeowners to see what is in the ground and where the system is located on their property. Some lending institutions require this information as part of property transactions. When a septic system is improperly designed or installed, it can lead to system failure and water well contamination, resulting in the homeowner expending thousands of dollars to install a properly designed system, treat or install new drinking water wells, and clean up wastewater that has backed up into their residence. The average cost to install a well and onsite system is approximately \$13,500, depending upon soil conditions and depth to groundwater.