



Local News

Septic system schism

Berrien County Health Department wants more inspections, but real estate agents are wary. At stake: the health of Lake Michigan beaches.

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BENTON HARBOR - The Berrien County Health Department got some advice this week on how to increase septic system inspections while minimizing costs and avoiding opposition from real estate agents.

Gary Witkowski, manager of the county's environmental health services, and his staff have been discussing requiring inspections of septic systems and wells at the time properties are sold or transferred.

Now inspections are done only when a septic system or well is installed or replaced or when there is a complaint. Witkowski estimated that the department could do 400 to 500 inspections a year under a point-of-sale ordinance.

The department is seeing higher bacteria counts in rivers and streams leading to Lake Michigan beaches, Witkowski said at the board of health's Wednesday meeting.

"We think there are (septic) systems we don't know about that are contributing to this," Witkowski said.

From Memorial Day to Labor Day there were five Lake Michigan beach closings in Berrien County due to E.coli bacteria, and there were high counts in May before the beach bathing season began, he said.

Allowing this discharge endangers public health, board Chairman Duane McBride said.

And closing beaches due to dirty water hurts tourism, an important source of local revenue, board member Peg Kohring added.

"We just have to get the poop out of the river," Kohring said.

The trick is to create an inspection process that is not a financial burden on the health department or the real estate market. Witkowski's office has left two sanitarian positions unfilled over the past five years, and the department doesn't have the money to hire new sanitarians, he said.

Real estate agents object to regulations that would delay the closings on house sales or increase the costs for property owners.

For a while Witkowski has been waiting for Michigan legislators to take up the issue, but nothing appears to be moving on this in Lansing, he told the board of health. A program in Berrien County would have to be approved by the County Board.

27M gallons of sewage

Eric Pessell, environmental health director of the Barry-Eaton District Health Department, provided Berrien County officials Wednesday with an in-depth projection screen "tour" of the problem and the solution in his region. Barry-Eaton is one of only 10 health departments in Michigan with a point-of-sale inspection requirement.

The meeting also was attended by members of the Two Rivers Coalition, which works to protect the Black

and Paw Paw rivers watersheds.

Pessell estimated that since initiating inspections four years ago, his department has kept 27 million gallons of raw sewage from leaking into the ground, creeks and rivers.

The benefits for public health are self-evident, he said. "If we can agree that raw sewage is a bad thing, then preventing this from happening is a good thing."

Twenty-five percent of the 4,000 systems inspected were tagged as "failed," Pessell said.

Many people using septic systems operate under the "Flush and it goes away" principle, he said. But it doesn't go away. It has to go somewhere, Pessell said.

His inspectors found houses with no sewage systems at all, where waste was being discharged directly into the ground.

He showed a photo of a toilet in a barn with the pipe sticking out the back of the wall.

Many of the faulty septic systems were around open wells, where inspectors found E.coli bacteria.

Even concrete tanks can fall apart after five or six years of use, necessitating periodic inspections, Pessell said.

His department hires private inspectors on a job-by-job basis. "We would have never gotten this passed if we had to add staff."

Department employees still have the final say on whether a system is flagged, Pessell said. It's also important to have an appeals process, he recommended.

The cost for the inspections is around \$400, and results are available within 24 to 48 hours. All information is available on the health department's website.

The quick turnaround time helps to avoid holding up closings on sales, Pessell said.

Overkill, he says

Are real estate agents happy with the process?

"Happy? I wouldn't use that term," Pessell said. "Have they learned to live with (it)? Yes."

Dan Coffey, a New Buffalo Realtor, has been invited to express his concerns about a point-of-sale ordinance at next month's Berrien County Board of Health meeting.

Reached at his office, Coffey said 95 percent of properties in Berrien County with septic systems already undergo inspections at the instigation of real estate agents.

"There's no need to make a law" for Berrien County, he said.

He would prefer to see a statewide law that would rein in what he called "rogue" counties and townships where inspectors are unregulated and often take advantage of property owners.

He also is against allowing health inspectors to hold up a closing, as is the case with the Barry-Eaton regulations.

"We fight that tooth and nail," Coffey said.

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