

**TO:** Lincoln-Lancaster County Board of Health

**FROM:** John Chess, REHS, MPA, Environmental Health Supervisor,  
Water Quality Program  
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**DATE:** April 29, 2016

**SUBJECT:** Adoption of a new policy 223.24 for Property Transfer Program

To protect public health and the environment, properties served by Onsite Water Systems and/or Onsite Wastewater Treatment Systems are required to be inspected and Letters of Determination issued prior to the sale, transfer or conveyance of the property. Private businesses conduct the inspections and LLCHD reviews and issues the Letters of Determination.

As proposed, the policy will help ensure that Property Transfer Determination Letters of Approval, Denial or Indeterminate are issued within the 5 business days after the receipt of the inspection reports. The policy also provides uniform guidance on those factors that affect the approval or denial of a property transfer.

The Property Transfer City ordinance and County resolution were enacted in 2006. Each year, it is typical that Property Transfer Inspector reports identify 10 to 12 wastewater treatment systems that are in failure or show indications of failure. LLCHD requires that all wastewater treatment systems that are reported to be in failure be repaired or replaced, and brought to current standards to protect public health and the environment. Inspection reports on the water systems typically find 3 to 5 systems a year that have Nitrates above the EPA's Maximum Contaminant Level (MCLS) of 10 ppm or contamination from E. coli. LLCHD works with inspectors to correct such conditions to ensure a safe water supply.

Since 2006, the property transfer program has been successful in protecting public health and the environment. This is evident in the number of failed onsite wastewater and drinking water systems that have been repaired or replaced.

Staff recommends the adoption of this policy.