

Onsite Wastewater Treatment System Ordinance Frequently Asked Questions

What does this Ordinance require?

It requires that the owner of any property, not connected to a public sewer, prior to any transfer of title, have an inspection done of the onsite wastewater treatment system or approval of a new system by an Arkansas licensed designated representative (DR) or by a septic system installer approved by the Benton County Health Department on a form approved by and reviewed by the Benton County Health Department.

Who will do the inspection?

The inspection can be performed by either an Arkansas Licensed Septic System Installer or a Designated Representative (DR), who has also received an Onsite Wastewater System Inspection Certification through Benton County. A list of Certified Inspectors is available at the Benton County Health Unit.

Are all inspections the same?

The Certified Inspector will be required to use a standardized Onsite Wastewater Treatment System Inspection form suited to the type of system being inspected and will utilize a set of guidelines to determine the extent of the required inspection.

Where can I get a copy of the Onsite Wastewater Treatment System Inspection report?

The current title holder will have a copy. A copy will also be on file at the Benton County Health Unit.

What happens if problems are identified?

The Onsite Wastewater Treatment System Inspection form will detail any repairs that need to be made or any recommendations for maintenance of the onsite wastewater treatment system. A failing system must be repaired before a transfer of title is done.

What is a "failing system"?

A "failing system" includes one or more of the following deficiencies: surfacing sewage, sewage being discharged directly onto the ground or into water, sewage backing up into the home, a collapsed septic tank, a tank with no lid or an open lid, a non-water tight or leaking septic tank, or a sump or other components not working.

I have multiple structures and/or multiple onsite wastewater treatment systems on my property. Does each system have to be inspected?

Yes. Each system involved in a title transfer of property must be inspected.

Will I have to bring my older onsite wastewater treatment system up to current regulations?

If your septic system is functioning properly at the time of the inspection, it will not have to be upgraded to meet today's regulations. Failing systems, however, must be repaired before a transfer of title.

Can I make repairs to the onsite wastewater treatment system myself?

All repairs must be completed by an Arkansas Licensed Septic System Installer. A list of licensed installers can be obtained by going to:

<http://www.healthy.arkansas.gov/programsServices/environmentalHealth/OnsiteWastewater/Documents/Installer.pdf>.

Changes involving the lateral lines or a change in the design of the septic system may require a Permit for Construction from the Arkansas Department of Health.

What if the Onsite Wastewater Treatment System form indicates that everything was working fine with the system but it malfunctions after we move in?

The Certified inspector evaluates the system based on standard guidelines and criteria at the moment of the inspection. The current title holder(s) and the prospective title holder(s) are to sign the Onsite Wastewater Treatment System Disclosure form prior to title transfer. The Certificate of Inspection issued by the Benton County Health Unit verifies the system was inspected and that the system is not a "failing system". There is no guarantee that the system will function in the future.

My home is connected to a larger community wastewater treatment system. Will I be required to have an inspection before a title transfer?

No. If the system is connected to a city sewer or larger community wastewater treatment system maintained by someone other than yourself, you are not required to have an inspection done.

Will the Certificate of Inspection be filed with the deed at the County Clerk's office?

No. The County Clerk will only remind the party filing the deed of this ordinance's requirement of an onsite wastewater treatment system inspection if a transfer of title is being done without the use of a title company.

What is the cost of this inspection?

The inspection fee will depend upon the type of system. The estimated range is ___?___ in addition to a County fee of ___?___.