

Beacon Hill Byline by Mary Rogeness

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Tackling Title 5 regulations

Title 5 regulations do not affect most Longmeadow homeowners because a sewer system serves most properties. The regulations, however, are a source of consternation for Massachusetts homeowners in rural regions. Therefore they are a subject of debate in the legislature. The regulations govern the acceptability of septic systems and force anyone who sells a septic system property to comply with a new set of rules for sewage disposal.

The State Department of Environmental Protection has worked to limit the impact of the new rules, but they still provide hardships for many individuals. Now the legislature is weighing in with our methods of easing the burdens of compliance. During the recent budget debate, we adopted several different measures.

The following measures have not been adopted by the Senate, so they are not yet enacted as law. The House believes they will allow us to protect the environment by renewing standards for sewage treatment in septic systems and at the same time save the homeowners from financial ruin when faced with expensive upgrade. We hope the Senate will agree.

Legislators recognized the expensive remedies that may be required of homeowners if their septic systems fail to meet Title 5 standards, and we provided several measures to ease the burdens. First, a tax credit of up to \$6,000 can be used over a four-year period if a homeowner must replace a deficient system. The credit is 40 percent of the first \$15,000 of construction costs. A second provision allows a one-time tax deduction of up to \$2,500 for homeowners who replace their septic systems to comply with Title 5. Low-interest loans were also authorized for septic system upgrades.

In addition to helping people upgrade their systems, we also proposed changes to the regulations themselves. Metal tanks installed within the past 20 years would no longer cause failure by definition. Inspection will no longer be required at time of property transfer if your community has implemented a system of inspection and maintenance. The DEP and local boards of health will be required to increase technical assistance to homeowners complying with Title 5 standards.

The legislature approached Title 5 cautiously. We do not seek to put our rivers and streams at risk. And we do not intend to put too much stress on the carefully balanced state budget. We feel the measures we adopted avoid those risks and provide relief for taxpayers. We hope they will be passed in the Senate and signed into law by Governor Weld this summer.