

Frequently Asked Questions about Title 5 - General

How does a septic system work?

Conventional septic systems are the most common type of septic system (the others are innovative/alternative (I/A) systems and cesspools). A conventional system includes a septic tank, distribution box, and soil absorption system (SAS). The septic tank separates the solid and liquid wastes and the SAS provides additional treatment before distributing the wastewater to the environment.

Why are failing septic systems harmful?

Inadequately treated wastewater can transfer diseases such as dysentery, hepatitis, and typhoid fever to animals and humans. Failing systems also leak excessive nutrients and bacteria to rivers, lakes, and the ocean, destroying plant and animal habitat, closing beaches, and hurting the environment.

How do I know if my system is having problems?

Some clues:

- Muddy soil or pools of wastewater around your septic tank or soil absorption system.
- Sewage smells around your system or inside your house.
- Backups when you do laundry, take showers, or flush the toilet.

Call the Board of Health if you notice any of these symptoms.

What are the most important things to do to take care of my system?

Pump your system at least every 2 years. Remember to use a licensed pumper for the Town of Reading. Conserve water. Don't dump non-biodegradables, such as paint, grease, acid treatments or trash down your toilet or sink.

Will additives help my system?

There isn't one on the market that can make a failing system pass inspection. MassDEP issues permits for septic system additives, but only to ensure that they will not harm your system or the environment.

Frequently Asked Questions - Inspections

When are T5 inspections required?

In general:

- When properties are sold, divided or combined.
- When there is a change in use or an expansion of a facility.
- When MassDEP or the local Board of Health requires an inspection.
- Title 5 requires inspections for large systems, shared systems, and condominiums on a periodic basis.

Systems located in cities and towns with MassDEP-approved inspection programs are required to comply with local inspection requirements.

There are exceptions and nuances to the general requirements listed here. For example, no inspection is required if the owner has signed an enforceable agreement with the Board of Health to upgrade the system, connect to a sanitary sewer, or connect to a shared system within two years.

"Title 5 does not require a system inspection if the transfer is of residential real property, and is between the following relationships: (1) between current spouses; (2) between parents and their children; (3) between full siblings; and (4) where the grantor transfers the real property to be held in a revocable or irrevocable trust, where at least one of the designated beneficiaries is of the first degree of relationship to the grantor". [REF: MGL Ch21A s. 13]

Who is responsible when the septic system fails and needs to be replaced, the buyer or the seller?

The owner or operator of the system is the legally responsible party required to upgrade a failing system. Prior to transfer of the property, this is typically the seller. Often, the buyer and seller work out the financial issues as part of the sale of the property. Title 5 does not require that a system be in passing condition prior to the sale, but most lenders will not issue a mortgage until the failing system is upgraded or funds to perform the upgrade are escrowed.

Who arranges for the inspection?

The property owner or facility operator is generally responsible for arranging an inspection. However, prior to the time title is transferred, the seller and buyer may contractually assign responsibility for the inspection, provided that it occurs within the specified timeframes.

For how long is an inspection valid?

Inspections required in connection with a property transfer generally are good for two years. If a property is sold more than once in the two-year period, the single inspection is valid for all transfers.

When a system is pumped on an annual basis and the pumping records are available, an inspection is valid for three years.

I'm selling my home and the septic system has failed the Title 5 inspection. If I decide not to sell as a result, am I still obligated to repair the system?

Yes. Once an official inspection is performed on a system, the results must be submitted to the Board of Health within 30 days. Whether or not the homeowner decides to sell, a failed system typically must be upgraded within two years, unless the local Board of Health or MassDEP authorizes an alternative schedule.

For example, the Board of Health may require a shorter timeline in the case of an imminent health hazard, or under certain circumstances may allow use of the system for up to five years under an enforceable schedule for repair, replacement, or connection to a sewer or shared system.