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Introduction

The private onsite system evaluation/inspection process was established to provide information about the condition of an onsite wastewater treatment system for real estate transactions. Evaluations/inspections assess whether the onsite wastewater treatment system (OWTS) is functioning acceptably or is failing or otherwise not meeting DHSS standards. DHSS has determined that the process will also include a microbiological test of a private water supply serving the property and an inspection of the visible portion of the well construction of drilled wells.

Duties of Onsite Sewage Program Staff and Office Support

1. Ensure that the training courses for inspectors are acceptable;
2. Issue licenses and renew licenses;
3. Monitor the continuing education activities;
4. Audit licensee activities as needed;
5. Monitor the incoming reports for compliance with the standards;
6. Evaluate and investigate complaints regarding licensee work;
7. Revoke or suspend licenses as necessary;
8. Provide technical assistance when requested;
9. Maintain and update policies and procedures;
10. Maintain list of licensees for distribution.

Duties of other DHSS Staff

1. Forward complaints when received;
2. Investigate or audit licensee when requested by the Onsite Sewage Program.

Common Responsibilities of Local Public Health Agency

1. Forward complaints when received.

DHSS and local governmental agencies acting under DHSS authority, certain local governmental agencies, and licensed private individuals may evaluate or inspect existing OWTS upon the request from a lending institution, realtor, real estate broker, property owner and/or potential buyer. City or county governmental agencies may evaluate/inspect onsite systems related to real estate transactions provided they have enacted local onsite ordinances that are at least substantially equivalent to DHSS standards and staff have completed the training course discussed below. Fees for inspections or evaluations conducted by local agencies will be determined by the agency and made payable to the agency. Local governmental agencies choosing to conduct inspections acting under DHSS authority must obtain a license from DHSS.

DHSS has chosen not to inspect or evaluate systems directly and licenses private individuals to conduct the inspections. An individual may not conduct any part of a real estate related inspection without first obtaining a license from the department. Applicants are required to successfully complete the registered basic OWTS installer course as a prerequisite, attend a training course offered by the department, or a department-approved training course held at a

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college, university, or authorized local agency and pass an examination. Upon successful completion of the class, individual's names are placed on a list that is published on the Internet and distributed in paper form upon request. 19 CSR 20-3.080 details the requirements and responsibilities of registered installers. The department at its discretion may audit the work of licensed private inspectors at any time and revoke or suspend the license for an incompetent or improper inspection or other fraudulent actions. These items are further defined in 19 CSR 20-3.070.

Private licensed inspectors cannot state in their inspection or evaluation that a system is in violation of law. Regulatory or complaint investigations and the issuance of notices of violation of Chapter 701, RSMo, can only be made by DHSS or another local administrative authority, independently or jointly with the Department of Natural Resources.

While both inspections and evaluations make identical inspections of the private water supply and are made to determine if OWTS are malfunctioning or otherwise meeting department standards, they differ in respect to their thoroughness. Inspections identify both the components and functionality of a system. Inspections are especially valuable to consumers wanting to receive a more complete assessment of the current condition of the onsite system. Evaluations solely determine if the onsite system shows signs of malfunctioning.

AUTHORITY
RSMo 701.051
19 CSR 20-3.070