

# Guidelines for Addressing a Failing Septic System



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# Septic Systems

Septic systems work as a natural wastewater treatment and disposal process that can, when functioning properly, protect the public health and environment from the contaminants associated with sewage.

Conversely, when septic systems fail to operate properly both the public health and the environment are at risk. Disease causing agents may be released to drinking or body contact waters, and the organic and chemical components of wastewater may degrade sensitive environments.

Failing septic systems must be addressed immediately. This information is intended to guide the responsible party toward a solution that is both effective and reasonable, and to define the responsibilities and services of the Lake County Health Department in addressing failing wastewater systems.



A failed septic system.



**Responsibilities:** Responsibilities for addressing wastewater treatment by septic systems are well defined in the law.

- **Owner:** Pursuant to State and County codes, the owner of a septic system (owner of the serviced property) is responsible for the safe and sanitary operation of the system, and is strictly forbidden to allow the discharge of inadequately treated wastewater to the surface or to any unapproved subsurface location. In certain circumstances, the system user (i.e., renter) may be held jointly responsible.
- **Lake County Health Department:** The Health Department is responsible to the “public” for eliminating any situation that may threaten the public health, including failing septic systems. Our staff is responsible, as well, to the owner of a failing system, both to protect their rights to due process of law, and to provide consultation and assistance in finding appropriate solutions to failing wastewater systems.

**Notice of Violation:** If you have received this brochure as an attachment to an official Notice of Violation it is very important that you act as directed by the notice and supplemental attachments. This information may be helpful and informative in addressing the failure of your septic system, and Department staff will be pleased to discuss your specific situation in detail. However, please note that the notice constitutes a serious enforcement issue, and deserves your immediate attention.



# What To Do If Your Septic System Fails

## 1. Interrupt the discharge of sewage into the environment immediately

When a septic system fails to the ground surface or backs into a dwelling, the flow of wastewater into the system must be controlled. Most likely, wastewater held in the septic tank must be pumped and hauled away by a licensed septage pumper. Emptying the septic tank will eliminate ongoing failure, and will provide some storage capacity for sewage to accumulate through usage without contributing to further discharge or backup. The available storage volume (and available time before sewage again discharges) depends upon the size of the septic tank and the usage. Since hauling wastewater is inefficient and expensive, **reduce water use** as much as possible, and begin activities to **evaluate and repair the system right away**. Continuous pumping/hauling of sewage, as often as the septic tanks fills, will likely be necessary to avoid additional failure incidents. If under a **Notice of Violation**, each observation of sewage improperly discharging may increase penalties, and an owner's failure to interrupt the improper discharge after notification will suggest to the Department that moving forward with enforcement, eventually referring to the States Attorney, is required.



Waste exits the house through a sewer pipe and enters the septic tank. There, solids settle out and grease and scum float to the top.



## 2. Evaluate the potential causes of system failure

There are any number of reasons a septic system may have failed. An assessment of the possibilities will involve looking at the system's age, recent changes in use or system/plumbing leaks, performance history, system components (i.e. pumps), weather, and/or clogged piping. The issues are best evaluated by a licensed individual sewage disposal system designer or contractor, but the Lake County Health Department is pleased to assist in the evaluation of a system, the information collected, or the advice you have received. While it is possible that a minor repair or adjustment will eliminate a system failure, it is most often the case that the soil surfaces of the infiltration system (seepage field) have clogged to a point where sewage cannot seep away. The options available to repair a system in this circumstance are very limited, and a complete replacement is probably necessary.

## 3. Evaluate the soil and site conditions for system replacement

In the collection of important information, evaluating the soil and site conditions for replacement of a failed system is critical. A comprehensive soil description conducted by a qualified and licensed soil classifier provides this critical information (and may reveal clues about the system's failure). A **Notice of Violation will specify the immediate evaluation of the site by contracting for a soil evaluation** so that decisions regarding plans and permits may proceed without delay, eliminating the system failure as soon as possible.



#### **4. Determine an acceptable solution; prepare plans and permits**

The Lake County Health Department ordinance regulating septic systems requires that a “repair” to an individual sewage disposal system result in a system meeting code requirements for a new home. Generally, this means a failed septic system must be replaced with a new system, often even a different design altogether such as a “mound” system. If an evaluation of the failing system has suggested that an alternative solution **may** be appropriate, the proposed solution must be discussed with the Health Department. Alternative solutions (to the installation of a code-compliant system) may be approved on a case-by-case basis in consultation with Health Department staff. Whatever solution may be considered, **the Health Department must review and approve a plan before any work can proceed.** Most often, the plan must be prepared by a Individual Sewage Disposal System Designer licensed by the Department. Some proposals may require additional approvals from other County, State or Federal agencies.

#### **5. Complete approved repairs**

Once all plans are approved, a licensed Individual Sewage Disposal System Contractor may proceed with construction of the repair. A permit to complete this construction is issued by the Health Department to the contractor, and the Department conducts inspections of the work in progress. Work to repair or replace the failing system cannot proceed if soil conditions are frozen or too wet. The work may be delayed, therefore, by seasonal weather (winter and spring) problems, or by wetness from an existing systems that continues to fail. **The requirements of a Notice of Violation are not met until this work is completed.**



## Things To Know

- **Financial** Repair or replacement of your wastewater system may be expensive. Therefore, be wise about selecting contractors; not all licensed companies provide the same level of experience and service. Investigate possibilities for financing; the Health Department can provide information on some options. Minimize pumping costs; hauling sewage away to eliminate system failure is an extreme expense, so reduce water use as much as possible.
- **Communication** A **Notice of Violation** can lead to very serious consequences, but the Lake County Health Department prefers avoiding aggressive enforcement activity through the Court. Communication with the Department is essential in reaching a negotiated solution, and in finding reasonable timeframes for correction of the problem. It is most frequently an absence of communication with the Department that places cases into the Court, and imposes fines and penalties.
- **Follow-up** Repaired or replacement wastewater systems will require routine monitoring and attention. Be cautious about the volume of water, and be aware of material that **should not** be sent into the sewage system, for instance grease or cooking oil. Be prepared to have routine maintenance performed; different technologies will have different requirements, but even a conventional, passive septic tank must be cleaned routinely for a system to operate over the long term.

## Ongoing System Maintenance

All septic/ private wastewater systems require routine maintenance to operate properly. For some technologies, which could become part of your repair, maintenance is required by law. The Health Department can provide guidance and advice on protecting and properly maintaining your newly repaired wastewater system.

**Information** about septic/onsite wastewater treatment systems is available from a number of sources:

- [www.co.lake.il.us/health/ehs](http://www.co.lake.il.us/health/ehs)
- [www.epa.gov/owm/septic](http://www.epa.gov/owm/septic)
- [www.nowra.org](http://www.nowra.org)
- [www.nsfv.wvu.edu](http://www.nsfv.wvu.edu)

For more information, please call the Health  
Department location nearest you:

Waukegan: 847.377.8020

Lake Villa: 847.356.6222

Wauconda: 847.984.5000