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When public health costs too much

Idaho has one of the nation's most lenient rules governing septic tanks.

Since 36 percent of Idaho homes use septic tanks, the problem is widespread. Contamination of state, community and private well water has been linked to leaky or defective septic tanks not just in eastern Idaho but throughout the state.

That's why the Department of Environmental Quality board voted six-to-one in favor of tightening the regulations. But the Idaho Association of Realtors -- the single largest source of campaign cash for lawmakers -- has been fighting a change for six years.



Simpson

By party line votes, the House Environment and Energy Committee and the Senate Health and Welfare Committee rejected DEQ's rules. Among those supporting that decision was freshman Rep. Erik Simpson, R-Idaho Falls. Only Sen. Chuck Coiner, R-Twin Falls, broke ranks and voted with the Democrats.

Interspersed in this story is the realtors association's blatant display of political power. DEQ board member Joan Cloonan of Boise was seeking an open legislative seat when the septic tank issue arose. At the time, John Eaton, the realtors' lobbyist, had pledged \$500 toward her campaign.

When Cloonan supported tougher septic tank rules, Eaton withdrew the promise. Some would call that bribery, but the attorney general's office found nothing illegal about Eaton's behavior.

So pending a reversal, Idaho will be stuck with the following:

Divided lines of authority. The state's responsibility is limited to design and construction work when a septic tank and drain field is built and permitted. But neither the state nor the regional network of local health districts has much say about how those septic tanks operate. Unless a citizen is willing to go on record with a complaint about sewage, the state cannot scrutinize how the systems are operating.

Undersized septic tanks. The state says an Idaho homebuilder can get by with the smallest septic tank capacity in the country -- 250 gallons per day. That runs the risk that the septic tank will be overloaded, thereby creating the potential for groundwater contamination.

Some states insist on a minimum tank capacity of as much as 600 gallons per day. Other than Idaho, no state allows anything smaller than 350 gallons per day. In fact, DEQ's proposal moved Idaho only to that next highest rung at 300 gallons per day for a two-bedroom home, 350 gallons per day for a three-bedroom home and an escalating capacity as the number of bedrooms expands. But Eaton insisted that would drive up construction costs and inhibit growth.

He also suggested there's doubt about why septic tank systems fail. Maybe Eaton doesn't know. But there's no mystery among septic tank experts. They say this state needs tougher rules, more inspections, more say over how the tanks are designed and the staff to monitor their operations.

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