

Inspect Minnesota & Midwest Soil Testing

Brian Humpal - President - MPCA Licensed Designer, Inspector, Installer, and Pumper

May 7, 2009

Mr. Brad Hetlund
Keller Williams Realty
659 Bielenberg Drive Suite 100
Woodbury, MN 55125

Subject: Septic System at 2832 Legion Ave, Lake Elmo, MN

Dear Brad:

Please find attached septic system report for subject property.

I am sending a copy of the enclosed septic report to your client who has paid for our services at the time of the inspection.

Thank you very much for allowing me to do this work. Please contact me should you have any questions.

Sincerely,

Brian Humpal

Brian Humpal

Copies: Mr. Scott Baerman - Buyer
Mr. Karl Horning - City of Lake Elmo

Inspect Minnesota & Midwest Soil Testing

P.O. Box 383 Hugo, MN 55038
651-493-2682

Brian Humpal
MPCA Licensed Designer & Inspector

SEPTIC SYSTEM COMPLIANCE REPORT

Date: May 6, 2009

Time: 10:00 AM

Owner: Elizabeth & Theodore Olson

Inspection Address: 2832 Legion Ave, Lake Elmo, MN 55042

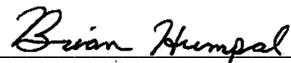
REPORT SUMMARY

I have performed an "MPCA Compliance Inspection" on this septic system, have reviewed the sellers "private sewer system disclosure" statement, and have reviewed the limited design/permit records on file at the City of Lake Elmo. This system consists of a bottomless septic tank, a bottomless lift tank, and a gravity seepage bed (bottomless septic tanks are considered to be cesspools by the MPCA). The septic tanks were most likely installed in 1970 when the house was built and the seepage bed was installed in 1981, with an addition to the bed in 1996.

My inspection indicates that this system is presently "non-compliant" in accordance with MPCA rules 7080.1500 Subp.4(B)(D) because of the bottomless tanks (cesspools) and also the lack of the required three foot separation between the bottom of the seepage bed and seasonally saturated soils. This system is also an imminent threat to public health and safety per MPCA rule 7080.1500 Subp. 4(A) because of the unsafe manhole covers.

In accordance with MPCA rules, I am sending a copy of this complete report to the City of Lake Elmo. I am not sure of the City's requirements on the upgrading of these non-compliant systems and cannot officially speak on behalf of the City. Please contact City of Lake Elmo Building Inspector, Mr. Karl Horning, (651-777-5510) to verify the City's position.

Please advise buyer, agents, lender, etc. to contact me at any time should they have any questions regarding this system.



Brian Humpal

NOTE: This report is not complete without the inclusion/attachment of the additional pages which consist of up to five (5) MPCA drafted Compliance Inspection Documents, one (1) Homeowner/Occupant Information Sheet (when obtainable), one (1) site diagram, one (1) log of soil boring(s), one (1) Brian L Humpal, Inc. Disclaimer Sheet, and one (1) MPCA License.



Parcel number:

System status: [] Compliant [X] Noncompliant
(based on all compliance requirements)

For Local Tracking Purposes:

Summary Form

Property Information

Property owner name(s): Elizabeth & Theodore Olson
Property address: 2832 Legion Ave, Lake Elmo, MN 55042
Property owner's address (if different): Unknown
County: Washington Property owner phone: Unknown Permitting authority: Lake Elmo
Date system constructed: 70, 81, 96 Reason for inspection: Property Sale

System Description

Brief system description: Bottomless septic & lift tank, gravity seepage bed (bottomless tanks are considered cesspools by the MPCA)
Local permit number: 96-165 Number of bedrooms: 3 Design flow rate: Unknown

Is the system:

In Shoreland area? [] Yes [X] No In Wellhead Protection Area? [] Yes [X] No
An U.S. Environmental Protection Agency (EPA) Class V Injection Well? [] Yes [X] No System serving a Minnesota Department of Health (MDH) licensed facility? [] Yes [X] No

Compliance Status (Based on state requirements - additional local requirements may also apply.)

Based on the information gathered and reported on attached forms, the compliance status of this system is (check one):

[] Certificate of Compliance - valid until (3 years from date of report):
[X] Notice of Noncompliance - For Noncompliant systems:

The reason for noncompliance is: Bottomless septic tank, bottomless lift tank, lack of the required three foot separation between the bottom of the seepage bed and seasonally saturated soils, unsafe manhole covers

This noncompliant system is classified as (check one below):

[X] Imminent threat to public health & safety [X] Failing to protect ground water [] Not in compliance with operating permit

Certification (Completed form must be submitted to the local unit of government within 15 days.)

I hereby certify that all the necessary information has been gathered to determine the compliance status of this system. No determination of future system performance has been nor can be made due to unknown conditions during system construction, possible abuse of the system, inadequate maintenance, or future water usage.

Name: Brian Humpal Certification number: C5342

Business license name and number: Inspect Minnesota, Midwest Soil Testing - L2896 or

Name of local unit of government:

Signature: Brian Humpal Date: 5/7/09

Required Attachments

Inspector Complete: This Inspection Report is 10 pages long.

Check compliance forms attached: [X] Hydraulic Performance [X] Tank Integrity [X] Soil Separation [] Operating Permit Form (if applicable) [X] System drawing/As-built drawing [] An assessment of any local requirements that are different from what is required on this form [X] Soil Boring Logs [] Abandonment form (if appropriate) [X] Other information (list):

Report Summary, Property Information, Disclaimer, License

Upgrade Requirements (derived from Minn. Stat. § 115.55) An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance. If the system is failing to protect ground water, the system must be upgraded, replaced, or its use discontinued within the time required by local ordinance. If an existing system is not failing as defined in law, and has at least two feet of design soil separation, then the system need not be upgraded, repaired, replaced, or its use discontinued, notwithstanding any local ordinance that is more strict. This provision does not apply to systems in shoreland areas, Wellhead Protection Areas, or those used in connection with food, beverage, and lodging establishments as defined in law.

Parcel number: _____ System status: Compliant Noncompliant
(as determined by this form)

Hydraulic Performance and Other Compliance

Compliance Issue #1 of 4

Date of observation: 5/6/09 Reason for observation: Property Sale

This form expires upon next inspection or in three years, whichever occurs first: 5/6/2012

Compliance questions/criteria: (Required)

(Check the appropriate box)

Does the system discharge sewage to the ground surface? Yes No

Does the system discharge sewage to drain tile or surface waters? Yes No

Does the system cause sewage backup into dwelling or establishment? Yes No

Do other situations exist that have the potential to immediately and adversely impact or threaten public health or safety (electrical, unsafe covers, etc.)? Yes No

Any "yes" answer indicates that the system is an imminent threat to public health and safety.

Does the system pose a threat to ground water for any conditions deemed non-protective as determined by the inspector? Yes No

"Yes" indicates that the system is failing to protect ground water. If "yes", describe the condition noted:

Bottomless tanks (cesspools)

Lack of the required three foot separation between the bottom of the drainfield and seasonally saturated soils

Verification Method*: (Optional)

(Check the appropriate box)

Searched for surface outlet

Performed hydraulic test

Searched for seeping in yard

Checked for backup in home

Excessive ponding in soil system/D-boxes

Homeowner testimony

Examined for surging in tank

"Black soil" above soil dispersal system

System requires "emergency" pumping

Performed dye test

Other: None of the above found

* No standard protocol exists. This list is not exhaustive, in sequential order, nor does it indicate which combinations are necessary to make this determination.

Certification

This form is to be completed and attached to the Summary Form of the Minnesota Pollution Control Agency's (MPCA) **Compliance Inspection Form for Existing Subsurface Sewage Treatment Systems**. Observations, interpretations, and conclusions must be completed by an inspector. Completed form must be submitted to the local unit of government within 15 days.

Property owner name(s): Elizabeth & Theodore Olson

Property address: 2832 Legion Ave, Lake Elmo, MN 55042

Property owner's address (if different): Unknown

County: Washington Phone: Unknown

I hereby certify that I personally made the observations, interpretations, and conclusions reported on this form and that they are correct.

Name: Brian Humpal Certification number: C5342

Business license name and number: Inspect Minnesota, Midwest Soil Testing - L2896 **or**

Name of local unit of government: _____

Signature: Brian Humpal Date: 5/7/09

Parcel number: _____ System status: Compliant Noncompliant
(as determined by this form)

Tank Integrity and Safety Compliance

Compliance Issue #2 of 4

Date of observation: 5/6/09 Reason for observation: Property Sale

This form expires on (three years): 5/6/2012

Compliance questions/criteria: (Required) (Check the appropriate box)

Does the system consist of a seepage pit*, cesspool, drywell, or leaching pit? Yes No

Do any sewage tank(s) leak below their designed operating depth? Yes No

If yes, identify which sewage tank leaks. All Tanks

Any "yes" answer indicates that the system is failing to protect ground water.

* Seepage pits meeting 7080.2550 may be compliant if allowed in ordinance by local permitting authority.

Verification Method** (Optional) (Check the appropriate box)

Probed tank bottom

Observed low liquid level

Examined construction records

Examined empty (pumped) tank

Probed outside tank for "black soil"

Pressure/vacuum check

Other: _____

** No standard protocol exists. This list is not exhaustive, in sequential order, nor does it indicate which combinations are necessary to make this determination.

Safety Check

- Are any maintenance hole covers damaged, cracked, or appeared to be structurally unsound? Yes* No
- Were all maintenance hole covers replaced in a secured manner (e.g., all screws replaced)? Yes No*
- Was secondary access restraint present (safety pan, second cover, or safety netting) – highly recommended. Yes No
- Was any other safety/health issue present? Yes* No

Explain: Manhole covers are unsafe and can easily be removed

***System is an imminent threat to public health and safety.**

Certification

This form is to be completed and attached to the Summary Form of the Minnesota Pollution Control Agency's (MPCA) **Compliance Inspection Form for Existing Subsurface Sewage Treatment Systems**. Observations, interpretations, and conclusions must be completed by an inspector, maintainer, or service provider. Completed form must be submitted to the local unit of government within 15 days.

Property owner name(s): Elizabeth & Theodore Olson

Property address: 2832 Legion Ave, Lake Elmo, MN 55042

Property owner's address (if different): Unknown

County: Washington Phone: Unknown

I hereby certify that I personally made the observations, interpretations, and conclusions reported on this form and that they are correct.

Name: Brian Humpal Certification number: C5342

Business license name and number: Inspect Minnesota, Midwest Soil Testing - L2896 or

Name of local unit of government: _____

Signature: Brian Humpal Date: 5/7/09

Parcel number: _____ System status: Compliant Noncompliant
(as determined by this form)

Soil Separation Compliance and Other Compliance

Compliance Issue #3 of 4

Date of observation: 5/6/09 Reason for observation: Property Sale

This information on this form does not expire.

Compliance questions/criteria: (Required) (Check the appropriate box)

Verification Method** (Optional) (Check the appropriate box)

For systems built prior to April 1, 1996, and not located in Shoreland or Wellhead Protection Area or not serving a food, beverage or lodging establishment:

Does the system have at least a two-foot vertical separation distance from periodically saturated soil or bedrock?

Yes No

Conducted soil observation(s) (attach boring logs)

Two previous verifications (attach boring logs)

Other: _____

For non-performance systems built April 1, 1996, or later or for non-performance systems located in Shoreland or Wellhead Protection Areas or serving a food, beverage or lodging establishment:

Does the system have a three-foot vertical separation distance from periodically saturated soil or bedrock?*

Yes No

Soil observation does not expire. Previous observations by two independent parties are sufficient, unless site conditions have been altered.

For reduced separation distance systems (i.e., "performance" systems under old 7080.0179 or Type IV or V system under new 7080.2350 or 7080.2400):

Does the system meet the designed vertical separation distance from periodically saturated soil or bedrock?*

Yes No

* May be reduced by up to 15 percent if allowed in local ordinance.

** No standard protocol exists. This list is not exhaustive, in sequential order, nor does it indicate which combinations are necessary to make this determination.

Any "no" answer indicates that the system is failing to protect ground water.

Certification

This form is to be completed and attached to the Summary Form of the Minnesota Pollution Control Agency's (MPCA) **Compliance Inspection Form for Existing Subsurface Sewage Treatment Systems**. Observations, interpretations, and conclusions must be completed by an inspector or designer. Completed form must be submitted to the local unit of government within 15 days.

Property owner name(s): Elizabeth & Theodore Olson

Property address: 2832 Legion Ave, Lake Elmo, MN 55042

Property owner's address (if different): Unknown

County: Washington Phone: Unknown

I hereby certify that I personally made the observations, interpretations, and conclusions reported on this form and that they are correct.

Name: Brian Humpal Certification number: C5342

Business license name and number: Inspect Minnesota, Midwest Soil Testing - L2896 **or**

Name of local unit of government: _____

Signature: *Brian Humpal* Date: 5/7/09

Inspect Minnesota & Midwest Soil Testing

Septic System Owner/Occupant Information

The following information must be provided by the legal Owner or authorized representative.
The information will be used for the purpose of conducting an MPCA Compliance Inspection.

Date of Inspection 5-6-09 Time 10:00 AM
Property Address 2832 Legion Ave
Lake Elmo, MN Zip 55042
Property Owner Elizabeth + Theodore Olson Phone _____

(Check appropriate sewer system component and indicate on site sketch on back of form).

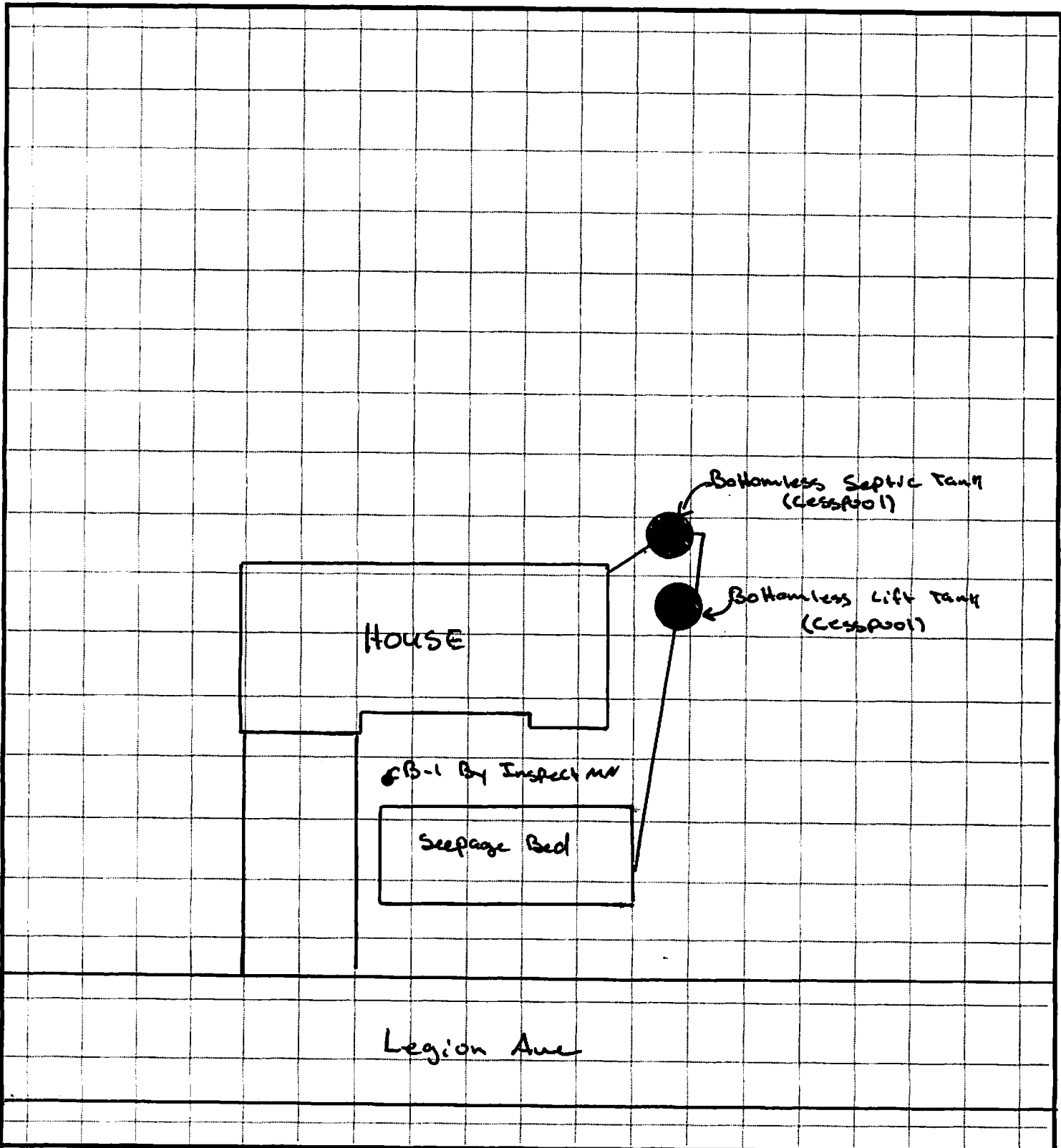
<u>Tank(s)</u>	<u>Tank(s) Material</u>	<u>Soil Treatment System</u>	<u>Other</u>
<input checked="" type="checkbox"/> Septic	<input type="checkbox"/> fiberglass	<input type="checkbox"/> rock trench	<input type="checkbox"/> alternative system
<input type="checkbox"/> Aerobic	<input type="checkbox"/> plastic	<input type="checkbox"/> gravelless trench	<input type="checkbox"/> experimental system
<input checked="" type="checkbox"/> Pump	<input type="checkbox"/> metal	<input type="checkbox"/> chamber trench	<input type="checkbox"/> drywell system
<input type="checkbox"/> Holding	<input type="checkbox"/> concrete	<input checked="" type="checkbox"/> seepage bed Gravity	<input type="checkbox"/> other system
	<input checked="" type="checkbox"/> block	<input type="checkbox"/> mound	
	<input checked="" type="checkbox"/> other <u>bottomless</u>	<input type="checkbox"/> at-grade	

Have any other compliance inspections been done on this system? When/why/who? _____
Year house built 1970 Year septic installed 70, 81, 96 Tank size 900 est gals.
How long has seller lived in home? _____ Number of residents in home? _____
More than one system (laundry, etc.)? N Number of bedrooms? 3
Garbage disposal? N Whirlpool bath? Y Are all floors drained by gravity? Y
Does this property have any footing drain tiles connected to the septic system? N
Do any buildings on this property such as garages, workshops, etc. have floor drains connected to the septic system? N
Location of septic system on lot? Tanks North, Drainfield East
Location of water well on lot? City Water Is the well a deep well? N/A
Have you ever experienced any problems with the system such as tree roots, sewage back-ups in floor drains, sinks, toilets, etc.; sewage odors inside/outside of property, surfacing of sewage onto the ground, septic tank overflowing, etc., or have any repairs been made to the system? _____
If yes, explain _____

When was the system last pumped? 2007 Name of pumper _____
How often pumped in previous years? every 2-3 Is system on a monitoring plan? _____
Have you received notices from any government agency concerning this system? _____
Is your property located in a shoreland management area? N
Do you have any additional information that should be given to the new owner? _____

I hereby certify that the above information is correct to the best of my knowledge. I also understand that if the system is considered "failing" per MPCA rules, that the inspector must by law submit a copy of this report to the local unit of government within 30 days of the date of inspection completion. I also agree that unless otherwise noted in this report, that I/we are ultimately responsible for payment of all fees for all work performed relative to this inspection by Inspect Minnesota and Midwest Soil Testing.

Owner/Occupant Vacant Date _____



Inspect
Minnesota
& Midwest
Soil Testing

"SITE SKETCH"
 Property Address
2832 Legion Ave
Lake Elmo, MN 55042

DRAWN BY BLH
CHECKED BY
FILE
SCALE NO SCALE
FIGURE NO.

Log Of Soil Borings

Location of Project:		2832 Legion Ave, Lake Elmo, MN 55042	
Borings Made By:		Inspect Minnesota	Date: 5/6/09
Auger Used:		Hand/Bucket	Classification System: USDA
Boring Number:		1	Boring Number:
Surface Elevation of Boring	Same as ground surface at seepage bed		Surface Elevation of Boring
Depth In Inches	<u>Soils Encountered</u>		Depth In Inches
0-6	7.5YR 2.5/2 Silt Loam (Fill)		
6-20	7.5YR 3/4 Loamy Sand (Fill)		
20-33	7.5YR 3/4 Loamy Sand W/Silt Loam Layers And 5YR 5/8 & 7.5YR 5/2 Fill Mottles		
33-46	7.5YR 4/4 Loamy Sand (Fill) With 7.5YR 5/8 & 7.5YR 5/3 Mottles/Redox		
46-54	10YR 3/2 Sandy Loam Native Soil With 5YR 4/6 & 7.5YR 4/1 Mottles/Redox		
54-66	10YR 3/2 Loam Sand Saturated		
66-72	10YR 3/1 Sandy Loam Saturated		
20"	Depth To End Of Boring Or Mottled Soils		Depth To End Of Boring Or Mottled Soils
Same	Elevation Of Boring Relative To System		Elevation Of Boring Relative To System
-33"	Depth To Bottom Of System		Depth To Bottom Of System
=0"	Of Separation		Of Separation
End Of Boring At:		72"	End Of Boring At:
Mottled Soil Present At:		20"	Mottled Soil Present At:
Standing Water Present At:		None	Standing Water Present At:

Bottom Of Distribution Medium At: 33 Inches

Brian L. Humpal, Inc. dba. Inspect Minnesota,
Midwest Soil Testing DISCLAIMER SHEET
Relative to Septic System Compliance Inspections

1. This inspection/report is being performed for only the seller/owner of the property on which the septic system is located; there is no contract between Brian L. Humpal, Inc. and any other party except the seller/owner unless otherwise noted. In such case that the buyer of the property is paying for the inspection, the contract is between only the buyer of the property and Brian L. Humpal, Inc., there is no contract with any other party unless otherwise noted.
2. Brian L. Humpal, Inc. has not been retained to warrant, guarantee, or certify the proper functioning of the system for any period of time beyond the date of inspection or the future. Because of the numerous factors (usage, maintenance, tank pumping, soil characteristics, previous failures, etc.) which may affect the proper operation of a septic system, as well as the inability of Brian L. Humpal, Inc. to supervise or monitor the use or maintenance of the system, the report shall not be construed as a warranty by Brian L. Humpal, Inc. that the system will function properly for any particular person for any period of time.
3. Minimum Compliance Inspection requirements relative to this inspection and this report include only verification that the septic system has a water tight septic tank(s) and lift tank, the required separation from the bottom of the drainfield/mound distribution medium and saturated soils, no back-ups of sewage into the dwelling, and no discharge of sewage/effluent onto the ground surface or surface water (lakes, streams, etc.) Brian L. Humpal, Inc. does not inspect basement ejector pumps or exterior lift tank pumps as they are considered to be a “maintenance item”. Sewage back-up verification is limited to observing the floor drain area and/or the information supplied by the last occupants of the dwelling prior to inspection. Brian L. Humpal, Inc. cannot guarantee that the information given to them by the last occupants of the dwelling prior to inspection relative to back-ups is accurate. Some persons may attempt to hide or conceal signs of previous back-ups.
4. Certification of this system does not warranty future use beyond the date of the inspection. Any system, old or new, can be hydraulically overloaded as a result of more people moving into the house than were previously occupying the house, improper maintenance and/or heavy usage, tree roots, freezing conditions, surface drainage problems, or the system can simply stop working because of it’s age. The average life expectancy of a properly maintained septic system is twenty to twenty five years.
5. A Compliance Inspection is not meant to be a test or inspection for longevity of the septic system, a Compliance Inspection is strictly for the purpose of determining if the septic system is polluting the environment at the date and time the inspection is performed. This inspection is not intended to determine if the septic system was originally designed or installed to past or present MPCA or Local Unit of Government code requirements.
6. WINTER WORK: Client (person paying for inspection) understands that inspections conducted during winter weather (approximately November 1st through April 1st) are more difficult to perform because of the possible snow cover and ground frost. Septic system components such as tanks / tank covers and drop boxes / drop box covers and soil treatment areas are more difficult to locate because of snow cover and ground frost. Soil borings and locating drainfields are more difficult to perform because of ground frost. Brian L. Humpal, Inc. will attempt to use the same level of standards when performing winter work as when performing non-winter work. However, Client understands that because of aforementioned considerations, the same level of standards may not be possible.

Subsurface Sewage Treatment Systems

Non-transferable

License

License # L2896

Date of Issuance:	Dec 16, 2008
Maintainer License Expires:	Dec 22, 2009
Installer License Expires:	Dec 22, 2009
Inspector License Expires:	Dec 22, 2009
Designer License Expires:	Dec 22, 2009

Inspect Minnesota, Midwest Soil Testing

Designated Certified Individual (DCI)

Brian L. Humpal
Brian L. Humpal
Brian L. Humpal
Brian L. Humpal

Certification Type
Maintainer (Certified)
Inspector (Certified)
Installer (Certified)
Designer (Certified)

Certification Expires

Oct 15, 2011
Oct 15, 2011
Oct 15, 2011
Oct 15, 2011



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, Minnesota 55155-4194

A handwritten signature in black ink that reads "Steven Giddings".

Steven Giddings, Manager

Environmental Business Assistance Section