

## 01-19-18 Tax Credits- Nice Reward for Septic Repairs

In the year 1995, the importance of repairing septic systems was big news. There were sweeping legal changes mandating an in-depth investigation of cesspools and septic systems at the time of sale of the property. No longer would someone give it a quick visual and announce, “Ay-yuh, it seems to be workin’.” Now, the tank would be opened and checked for structural integrity. The “D” or distribution box would be opened and inspected. Is the box sound? What is the level of the contents? A level above the pipes exiting the box would indicate that the contents are not leaving and leaching as they should. Fluids running back into the D box or the tank would also indicate the contents are running in reverse of what they are supposed to be doing. Not a good sign. The flow should be in one direction: away from the house and down into the ground. Not up, out and over the ground. Not back into the washing machine or toilet. Water is powerful, and it will continue to move. Do not get in its way.

As part of this new and more thorough inspection, the distance to ground water was also examined. The distance to water underneath the system is important because it is the soil that treats the sewage. Electrical activity between the soil particles and biological activity of “good” bacteria and oxygen are the three main ingredients breaking down the “harmful” bacteria, such as E. coli, allowing the treated liquids to safely join the groundwater, if there has been enough time. That is a very important “if”. If the soil is sandy, more distance is needed to allow the time. Massachusetts may have a liberal tradition when it comes to politics, well, until recently, but when it comes to the science of septic systems, we are the conservative traditionalists, requiring five feet between the bottom of the leaching area and the high groundwater mark for sandy soils.

Water supplies are also examined. Wells are documented and should be at least 100 feet away but no closer than 50 feet to a septic leaching area. It’s not safe. Who wants to drink untreated bacteria and viruses from someone’s gut?

And that’s what it’s all about: Protecting the ground water. And that is why this 1995 ruling was important news. It was big news for other reasons, though, also.

This now twenty-three-year-old environmental news bulletin summoned lots of attention because it was mandated, and it was costly. Three sure-fire ways to get people worked up: tell them what to do, give them no choice and charge them for it!

There is one saving grace, in addition to cleaning up the environment and giving us clean water, of course. Repairs of cesspools and septic systems at owner -occupied homes are eligible

for a real nice tax credit. Credits return money to you. That's much more rewarding than a deduction. Deductions are listed and calculated and dwindle to nothing by the time you're done. Well, for most of us, that is. A credit, though, for, say, \$1,500, returns \$1,500 to you!

That's the amount you can get each year, for up to 40%, or \$15,000, of the value of your repair. Consider it a thank-you card from the State for making our groundwater safer.

This tax return will help you to recover from the shock you experience when you see the bill from the engineer and septic system installer. Those bills will be for the perc test, the proposed plan, the surveying, the as-built, the cost of the components of the new septic system such as tank, pipes and leaching chambers and trucking out unsuitable soils and trucking in sand. These prices rise along with gas prices. In 1995, NPR reported the average repair cost ranging from \$5,400 to \$7,500. Today, they typically begin at \$15,000 to \$20,000 and may cost well beyond that.

The tax credit is easy to apply for. You don't initially need to submit proof but keep all receipts, loan agreements, the Certificate of Compliance (C.O.C.), etc, in case you are ever audited. For more information, go to <http://www.mass.gov/dor/businesses/help-and-resources/legal-library/tirs/tirs-by-years/1990-1999-releases/tir-97-12-personal-income-tax-credit-for.html>

The tax man cometh and the tax man taketh. It's nice to know he giveth, also.

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