



Appendix C:
Continuous Improvement

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Continuous Improvement: TOST Changes and Improvements since Implementation

It has always been BEDHD’s intent to continuously improve the TOST program over time. TOST is intended to evolve to meet the needs of the public in the face of updated understanding and changing community needs. Over the years, the BEDHD staff have had countless face-to-face interactions with stakeholders and the public that have shaped the progression of the TOST program. As part of its continuous improvement (the “Plan, Do, Study, Act” model), BEDHD has made the following improvements:

Policy and Procedural Changes

Issue	Public Concern	BEDHD Response
TOST Exemption	When family members passed or conveyed property to one another (outside of inheritance), TOST evaluations were required.	Created an Exemptions for Passive Transfers Policy, including Family-to-Family exemption for immediate family members.
Small-Diameter Well Evaluation	Small-diameter wells (2” or less) with the casing used as a suction line are often shallower than twenty-five feet, the minimum depth ever required for a drinking water well. However, some of these small-diameter wells are deeper than twenty-five feet. Residents wanted to keep these wells.	Created the Small-Diameter Wells under Suction Policy in 2010 for use with applicable 1.25” and 2” wells. This policy allows a well driller to measure the depth of a well in the presence of BEDHD staff and, as long as it is at least twenty-five feet deep and properly isolated from contamination sources, the well can remain in service.
Communication	During many years of mostly vacant, bank-owned properties, BEDHD communicated with banks’ representatives/realtors in preparation for site visits. When properties under review transitioned to mostly owner-occupied homes, BEDHD did not communicate directly with the owners.	Changed reviews and processes to adapt to the changing nature of ownership by communicating with every property owner or owner’s representative.
Communication	Residents were surprised by a TOST failure when a letter arrived in the mail with no prior notice.	Implemented a BEDHD procedure to communicate with every property owner or owner’s representative at time of the issuance of a Notice of Action Required.
Timeliness	When required corrections were completed, BEDHD staff needed to make a visit to confirm the correction, which took time to arrange.	Allowed the receipt of pictures to document minor corrections.

Issue	Public Concern	BEDHD Response
Timeliness	Some common conditions required that a BEDHD staff member verify the condition by visiting the property, increasing the time of response.	Required photographs from Registered Evaluators for certain common conditions to aid communication, improve documentation, and shorten wait times.
Fuel Oil	Residents with fuel oil tanks that were too close to a well but located in a modern basement sought acceptance based on the belief that the basement's construction lowered the risk of contamination.	Established a review and approval process for fuel oil tanks that are closer than the required minimum isolation distance to the well, provided that secondary containment is available for the fuel oil tanks.
Septic Tanks	Vacant homes do not use water regularly like occupied homes and, if a property has been vacant for an extended period of time, there is a possibility that water may evaporate from the septic tank. The BEDHD treated all tanks with low liquid levels like leaking tanks and required their replacement.	Created a procedure for water-tight testing of septic tanks found with low liquid levels that may allow the septic tank to remain in service.
TOST Extension	In some circumstances, the buyer and seller wished to close on a home shortly after the TOST Authorization expired.	Created TOST Extension procedure to extend the amount of time for which an evaluation is valid.
Necessary Maintenance	BEDHD required that failure conditions be corrected or assured by setting aside escrow funds, even when the risk was relatively low.	Developed Necessary Maintenance Policy to assist buyers and sellers in correcting certain maintenance conditions outside of BEDHD follow-up.
Evaluation Criteria	Unforeseen conditions occurred that showed the need to improve evaluations conducted by Registered Evaluators. The Evaluation Criteria did not provide instruction on how to evaluate those situations and thus additional detail was needed.	Edited Evaluation Criteria, shared it with Registered Evaluators, obtained input, and implemented revised criteria to follow. Further revisions and review are completed as needed.
Nitrate	Wells with water samples that exceeded the EPA's Maximum Contaminant Level for nitrate were required to be replaced.	Created a policy that provides an option to allow the treatment of water that exceeds the EPA's Maximum Contaminant Level for nitrate rather than requiring well replacement.

Continuous Administrative Improvements

- Hold TOST Program Meetings between all available Water Protection Team members as needed to discuss sites with unique characteristics. The purpose of the TOST Program Meetings is to develop staff understanding, share ideas, and remain consistent among staff.
- Hold annual Registered Evaluators' Meetings for ongoing two-way communication and education.
- Developed a process that allows additional options for correction of failure conditions, rather than a single option, when possible.
- Have ongoing communication with other counties to share ideas, address program challenges, and clarify gray areas inherent in point of sale programs.
- Hold administrative conferences with Registered Evaluators as needed to address and correct inconsistencies in evaluations.

Previous Education/Training

- Partnered with the MSU Extension to host a Septic Systems 101 course for citizens.
- Presented information to both counties' commissioners through multiple program orientation sessions and educational meetings.
- Hosted or facilitated annual Continuing Education Training (CET) as part of registration for Registered Evaluators and to incentivize annual meeting attendance.
- Obtained input on the CET process from Registered Evaluators and adjusted ongoing education and annual meeting format.

Community Outreach

- Held a public forum prior to the implementation of Enhanced Inspection Procedures for small-diameter wells.
- Presented information to multiple groups and organizations and sought input on TOST.
- Held additional meeting of Registered Evaluators in 2014 for input on continuous improvement efforts.
- Held stakeholder meetings with realtors in Barry and Eaton counties in 2015 for input on continuous improvement efforts.

Resource Creation

- Re-wrote Notice of *Failure* to Notice of *Action Required* for all properties with a failure or nonconformance condition. These letters used plain, easier-to-read language to better serve the public.
- Redesigned TOST website public search tool twice to ease public searches.
- Created TOST guide/flow chart to aid residents in navigating the process.
- Created TOST category ratings sheets to allow residents to better understand possible evaluation outcomes.
- Created TOST brochures.
- Created TOST template emails to send to people with common questions and aid in navigation of the TOST process.
- Developed Assured Maintenance Agreement.
- Created TOST in Pictures section of the BEDHD website to show residents the types of conditions actually found through transfer evaluations.

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