



Policy Brief: Winter/Spring 2026

The case for a statewide septic code in Michigan.

FlowWaterAdvocates.org





Our invisible water quality crisis.

Michigan faces a long-standing and largely invisible water quality crisis driven by failing septic systems. The Michigan Department of Environment, Great Lakes, and Energy (EGLE) estimates that 330,000 of Michigan's 1.3 million septic systems are currently failing. Untreated sewage is entering groundwater, rivers, and lakes at alarming rates. Studies have documented **human fecal contamination in 100% of sampled rivers** in the Lower Peninsula, demonstrating that failing or substandard septic systems — also known as onsite wastewater systems — are a major and widespread source of pollution.¹

1.3M

There are about 1.3 million septic systems in Michigan.

Michigan is located at the heart of the most extensive fresh surface water system in North America, yet it remains the **only state without a statewide septic code**, leaving most households without consistent standards for installation, maintenance, inspection, or repair. As of early 2026, only 12 of Michigan's 83 counties have local septic ordinances — which vary widely in scope and effectiveness. The result is a fragmented, inequitable, and inadequate framework that has allowed the dangers of failing systems to persist for decades. Following well over a dozen prior attempts to pass statewide standards, legislation introduced in early 2026 (Senate Bill 771) offers the most achievable path in decades toward addressing Michigan's septic system failures.

COVER:

A septic technician pumps out a residential septic tank.

RIGHT:

Close-up pipe hose of sewage truck car engine emptying home sewerage tank.



Decades of disagreement and inconsistency.

330K

Right now, there are approximately 330,000 failing septic systems statewide.

For more than three decades, state and local governments have attempted to address the threats posed by failing septic systems, but **efforts have repeatedly stalled** due to disagreements over inspection triggers, the jurisdiction of local health departments versus EGLE authority, and how to fund and enforce compliance.

Earlier legislative proposals relied on Time-of-Sale/Transfer (TOST) inspections, which

occur only when property changes ownership. Because many homes and farmsteads may not transfer for generations, **it would take decades to evaluate** all septic systems under a TOST-only framework.

The lack of a unified standard has also left local health departments operating under inconsistent rules and varying capacity constraints, while homeowners often receive little to no guidance on septic care. These gaps in statewide oversight have contributed to groundwater contamination, public health risks, costly repairs for families, and downstream nutrient pollution that fuels harmful algal blooms.



RIGHT:
A leaching field on a new home site.



The legislative solution.

12/83

Only 12 of Michigan's 83 counties have septic ordinances.

49

49 states in the US have statewide septic codes — all but Michigan.

Senate Bill 771 establishes Michigan's first comprehensive statewide framework for managing onsite wastewater systems by creating **Part 128**, a uniform statewide sewage code. Under this framework, EGLE must develop uniform standards for the design, installation, maintenance, and repair of septic systems — replacing decades of fragmented local oversight. The bill requires system evaluations on a predictable schedule: older and higher-risk systems must be assessed within 10 years, and all systems must undergo evaluation every decade thereafter, ensuring that failing or undocumented systems are identified before they harm the environment and drinking water wells.

Local health departments remain central to implementation, with clear duties for permitting, inspections, enforcement, and homeowner support. A Technical Advisory Committee of engineers, health officials, and wastewater professionals will guide EGLE on technical standards, evaluator qualifications, and emerging technologies. The legislation also establishes a statewide database to track system locations and evaluation results, improving transparency and coordination.

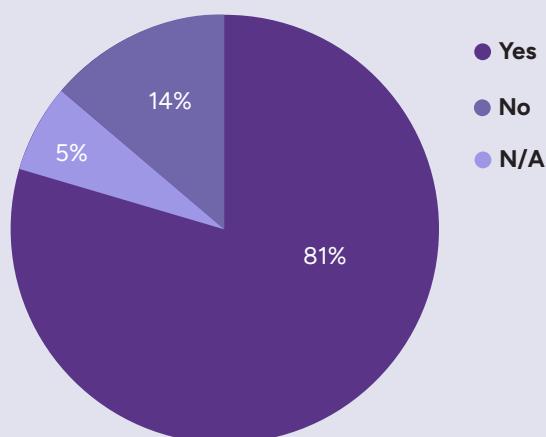
Together, these measures create a consistent, science-based management system that strengthens groundwater protection, supports public health, and provides long-overdue statewide oversight for Michigan's 1.3 million septic systems.

SOURCE:
Tip of the Mitt
Watershed Center.

Michiganders support protecting our water.

Surveys reveal that more than 90 percent of regional residents believe it is important to protect water quality and the health and vitality of the Great Lakes.² Well-maintained septic systems are essential technologies to protect Michigan's water resources — and 80 percent of Americans support investing to protect our nation's water infrastructure.³ A local Michigan survey indicated that prospective home buyers highly value information about the status of the home's septic system.⁴

Was it beneficial to know the status of your septic system and well?





100%

Every river sampled in the Lower Peninsula has human fecal contamination.¹

Key recommendations.

Together, these actions will protect groundwater, reduce contamination, improve public health, and prove that Michigan as The Great Lakes State is ready, willing, and able to protect our water resources.

- Stakeholders should continue building a **broad, collaborative coalition to support the successful rollout of the new legislation**, including local health departments, EGLE, municipal governments, wastewater professionals, and environmental organizations. Sustained collaboration and shared learning will be critical for resolving concerns around workforce capacity, funding, implementation timelines, and public communication.
- **Dedicated funding** is essential to help local health departments administer the program and assist low-income households with required evaluations and repairs. The creation of a **statewide loan and grant program** for households below 400% of the federal poverty level is recommended as an important step toward equity and compliance.
- Implementation of a **statewide septic database** to help track system conditions, target high-risk areas, and support data-driven decision-making.
- A Technical Advisory Committee is established to guide implementation, and is charged with developing training standards, evaluation protocols, reviewing and approving proprietary technologies, and providing **science-based recommendations that protect Michigan's waters** while avoiding unnecessary burdens on households.
- **Continued public education about septic system maintenance**, evaluation requirements, and environmental impacts will help build long-term support and ensure the success of the statewide septic code.

RIGHT: A septic holding tank outside a commercial property during repair.



End notes.

1. Verhoutstraete, M. P., Martin, S. L., Kendall, A. D., Hyndman, D. W., & Rose, J. B. (2015). Linking fecal bacteria in rivers to landscape, geochemical, and hydrologic factors and sources at the basin scale. *Proceedings of the National Academy of Sciences*, 112(33), 10419–10424.
2. 2024 Great Lakes Regional Poll | International Joint Commission. (2024). International Joint Commission. <https://www.ijc.org/en/wqb/2024-great-lakes-poll>
3. Staff, A. (2020, April 28). Poll: Voters Overwhelmingly Support More Investment in Water Infrastructure. ASCE's 2025 Infrastructure Report Card |; American Society of Civil Engineers.
4. Tip of the Mitt Watershed Center. (2022, September 28). What Do Home Buyers Think of Septic Ordinances? Testimony Regarding HB 6101 before the House Natural Resources and Outdoor Recreation Committee.