



AOWB QUARTERLY NEWSLETTER

The Alabama Onsite Wastewater Board held its second quarterly board meeting for the year 2009. Rule changes were adopted and will be in force in the next few weeks. Some changes that will affect you are (1) Late Fees – The original rules charged a late fee of \$100 regardless of the number of licenses held or the time of renewal. The new rules provide for (a) Failure to renew from January 1 through February 15 of each calendar year -- \$100 for each license you hold and shall include the inactive license or the certificate of education. (b) Failure to renew from February 16 through April 15 of each calendar year -- \$100 for each license you hold and a \$250 penalty fee and shall include the inactive license and/or the certificate of education. (c) Failure to renew from April 16 through December 31 of each calendar year -- \$100 for each license you hold and a \$250 penalty fee and a \$500 delinquent fee and shall include the inactive license and/or the certificate of education.

If you foresee problems with the renewal process, call this office for options such as putting your license

in an inactive status. Renewal packs will be mailed to each licensee beginning in October (Check the website for your correct mailing address). Rule **628-X-3-.04** states “To renew a license, licensees must submit appropriate fees with the applicable application, proof of continuing education and training requirements for each level and type of license, evidence of required bond” (**the bond must be in the licensee’s name not the company’s name**), “and any other documents requested by the board or the Executive Director. Those not renewing by the last day of the calendar year shall do no work for which a license is required until a renewal license has been issued. The licensee’s name will be removed from the Board’s official list and the Alabama Department of Public Health and the appropriate local health authorities will be notified of the license expiration”. In the past, we have had problems with licensees’ short-cutting this process thereby slowing the license renewal. Rule **628-X-3-.04 3** states “(a) Failure to renew a license before the close of business on December 31

will result in restoration fees being assessed by the Board. (b) A license which has expired for failure to renew may only be restored within one year from the date of expiration after application and payment of the license restoration fee established by the Board. (c) Any license which has not been restored within one year following its expiration may not be renewed, restored, or reissued, and the holder may apply for and obtain a new license only upon compliance with all qualifications and requirements for the issuance of a new license”. Licenses must be renewed in a timely manner. Once again, check your address on the website and call this office for problems you may have on the renewal process. When renewing you 2010 license, our website will list the 10 counties that you primarily work. Please list these counties on our website so your name and company’s name will be listed on local health department’s list for individuals seeking onsite work. You are allowed to work in all counties in the State of Alabama as before but our website will only allow 10 counties.

Office Closures/meetings/ deadlines

- AOWB Quarterly Meeting - 07-21-2009
- July 3, 2009—State Holiday-Office Closed

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Continuing Education

The Alabama Onsite Wastewater Board will accept continuing education units (ceu) from many sources. (1) The Alabama Onsite Wastewater Association provides continuing education at the following locations and dates (a) June 25-26, in Dothan, AL (b) August 12-13, 2009 in Gadsden AL (c) September 3-4, 2009 in Florence, AL (4) October 1-2, 2009 in Montgomery, AL (5) October 29-30, 2009 in Mobile, AL (6) December 3-4, in Livingston, AL. (2) Alabama Environmental Health Association will provide continuing education classes on 6/17/09-6/19/09 in Montgomery AL (3) Florida Onsite Wastewater Association will offer a class on 7/21/09. Call 407-937-2228 for updated times and schedules. (4) Georgia Onsite Wastewater Association will offer CEU on 8/28/09 and 8/29/09. Call 678-646-0379 for updated times and schedules. (5) Call the AOWB for online credits. Check our website at aowb.state.al.us for additional information.

Memorandum of Understanding

The Alabama Onsite Wastewater and The Alabama Department

of Public Health (ADPH) had a memorandum of understanding (mou) for many years. The ADPH is in the process of reviewing this mou. While this process is ongoing, each licensee should check with their local health department for instructions on inspections and covering the system. We, along with ADPH will continue to try and resolve this problem. With proposed law/rule changes with the Alabama Department of Environmental Health (ADEM) and ADPH, this may take some time. We will keep you updated.

Enforcement Report

The Alabama Onsite Wastewater Board had a total of 25 complaints for the second quarter. They are as follows (a) 9 installations without a license. We have arrested, sent a Cease and Desist or required the individual get a license to resolve the cases. (b) 9 installations or pumping without a county permit. (c) 2 failing systems. The homeowners have retained attorneys. (d) 1 system was installed in the wrong location and system is failing. The homeowner has retained an attorney. (e) 2 licensees failed to pump both sides of the tanks as required by ADPH. Probable cause hearings were held and an Administrative Law Judge will hear one case. (f) 1 licensed manufacturer delivered a septic without having seen an ADPH permit to install or an AOWB license installer (license). (g) Homeowner installed a medal tank for use as a septic tank. The Health Department was notified.

We recently had an unlicensed individual install a system. He was arrested and given a court date, where he failed to appear. He was picked up later on an unrelated matter and was allowed to stay in the county jail for 14 days for his failure to appear on a warrant signed by the AOWB. District Judges take law violations seriously as shown in this case.

Alabama Department of Public Health Rules

420-3-1-.08 Permits Required for an OSS

(1) Permit to Install/Repair -- No person shall begin the installation or repair of an OSS itself until the owner or the owner's agent possesses a valid Permit To Install/Repair an Onsite Sewage System, issued by the LHD.

420-3-1-.34 Sewage Tank Pumping Permit

(6) A permitted sewage-tank pumping contractor, when pumping a sewage tank, shall effectively and completely remove the liquid and sludge in the tank by removing the inspection ports at both ends of the tank or the lids

covering both ends of the tank, where inspection ports are not provided, and pump all compartments. The pumper shall make the access ports used in pumping watertight at the end of the pumping, and shall report problems or deficiencies noted in a tank to the LHD. These may include, but are not limited to, the structural soundness of the tank; the absence or condition of a baffle, an inlet or outlet fixture, an outlet filter; or the watertightness of the tank.

420-3-1-.52 Tank Manufacturer Records

(1) A person selling, distributing, or marketing tanks shall keep a complete record of all tanks sold and shall make such records available to the

Health Department for inspection at their place of business during reasonable business hours. Information in the records concerning general business practices such as number of tanks sold, etc., shall be considered confidential by the Health Department. Records shall include the following:

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- (a) Name and address of the buyer.
 - (b) Date of sale of the tank(s).
 - (c) Tank model permit number(s), size of the tank(s) and number of tanks sold.
 - (d) The location of the buyer or place of installation if other than that provided in subparagraph (a) above of this Rule.
 - (e) The LHD Permit to Install/Repair Identification Number or a written explanation of the intended tank use.
 - (f) The AOWB licensed installer number, when applicable

Questions or comments pertaining to these rules should be addressed to your local environmentalist.

RULINGS AND RECOMMENDATIONS FROM APRIL 7, 2009

Daryl Bryant—7 days suspension



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BOARD**

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AOWB

We are on the Web!
www.aowb.alabama.gov

THE MISSION OF THE ALABAMA ONSITE WASTEWATER BOARD

The Alabama Onsite Wastewater Board was created to examine, license and regulate persons engaged in manufacturing, installation or servicing of onsite wastewater systems, including portable toilets, in Alabama. This Board was also created to establish the qualifi-

cation levels for those engaged in the manufacture, installation, servicing, cleaning or pumping of onsite wastewater systems and equipment in Alabama and promote the proper manufacture, installation and servicing of onsite wastewater systems.