



AOWB QUARTERLY NEWSLETTER

Alabama Onsite Wastewater Contractors

I would like to thank all AOWB licensed contractors for their support concerning the successful passage of the Management Entity Law. The law passed on the last Legislative day and was signed by Governor Riley. The law requires that: "Any individual, company, or other entity installing, maintaining, repairing, servicing, or manufacturing wastewater systems including single family and small-flow cluster systems, cluster wastewater systems and community wastewater systems must obtain an appropriate license from the Alabama Onsite Wastewater Board pursuant to Chapter 21A, of Title 34 of the Code of Alabama, or from the Alabama Department of Environmental Management."

Thanks again for your help.

Rule revisions

Revised rules went into effect on May 28, 2009. All licensees were mailed a copy of the new rules, and individuals with expired licenses were sent an email, letter by U.S. Postal Service, or notified by phone. Listed below are some of

the rule changes.

628-X-3-.03 Obtaining A New License. The minimum passing grade of all licensing examinations is 80 percent.

628-X-4-.02 Amount of Fees. Failure to renew license from January 1 thru February 15 of each calendar year -- \$100.00 for each license you hold and shall include the inactive license or the certificate of education. Failure to renew license from February 16 thru April 15 of each calendar year -- \$100.00 for each license you hold and a \$250.00 penalty fee and shall include the inactive license and/or the certificate of education. Failure to renew license from April 16 thru December 31 of each calendar year -- \$100.00 for each license you hold and a \$250.00 penalty fee and \$500.00 delinquent fee and shall include the inactive license and/or the certificate of education. The fee increases were revised because the AOWB had numerous complaints of individuals working without a current license. This put an extra burden/hardship on licensed contractors because they had completed

the schooling and license requirements as required by law (which is costly and time consuming to those abiding by the law). The decision was made to increase the late fees thereby discouraging individuals renewing late. If a licensee is not going to work or work is slow -- one option is to put your license on Inactive status. You must attend classes but you do not need a bond and your license is \$25.00. We have established a policy change requiring all bonds to expire/renew on the last day of each calendar year (12/31). A form will be inserted in the renewal packs (an email was sent 7/22/09) for your local agent. To ensure compliance and allow time to implement the policy, the date of this change will be December 31, 2010. Agents will extend your continuance (more than a year.) Others may not require an extended continuance and should not create an increase in premiums. Look for upcoming emails and inserts to assist with this new policy.

Office Closures/meetings/deadlines

- AOWB Quarterly Meeting - 10-27-2009

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Enforcement We are reviewing the process of hiring a compliance officer for 2010. The State of Alabama has a hiring freeze at this time but once the freeze is lifted, we will analyze our funds and needs. Interested parties should visit the Alabama Department of Personnel website for application forms and information.

We received 29 complaints for the quarter, with two arrest warrants and three court appearances. The verdicts are as follows: **Court Verdicts Marshall County** – An individual was arrested and charged with cleaning an onsite wastewater system without a license. He was found guilty and fined \$100, 90 days in Madison County Jail (suspended), 2 years unsupervised probation and court cost. **Jackson County** -- An individual was arrested and charged with installing an onsite wastewater system without a license. He was found guilty, was fined and

placed on twelve months probation. **Shelby County** -- An individual was arrested and charged with installing an onsite wastewater system without a license. He was found guilty, was sentenced to 30 days (suspended for 24 months) and fined.

Consent Agreements

Ms. Pamela Schilling was charged with violating ADPH rule 420-3-1-.34(1) which states in part: “A person proposing to be a sewage-tank pumper shall obtain a permit (or permits) issued by the LHD(s) in accordance with the requirement listed below. LHDS may honor a permit issued by another LHD.” The Board has decided that Ms. Schilling’s license will not be revoked nor will Ms. Schilling’s license be suspended. Ms. Schilling will pay a sum of \$500 to the AOWB at \$100 per month for 5 months beginning August 1, 2009, and understands that any other violations by Ms. Schilling may result in a hearing before this Board.

Mr. Foy Lee Green was charged with violating ADPH rule 420-3-1-.08(1) which states in part: “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 On-site Sewage System, issued by the LHD.” The Board has decided that Mr. Green’s license will not be revoked nor will Mr. Green’s license be suspended. Mr. Green will pay a sum of \$100 to the AOWB and understands that any other violation by Mr. Green may result in a hearing before this Board.

Mr. Rex Sullivan was charged with violating ADPH rule 420-3-1-.08(1) which states in part: “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 On-site Sewage System, issued by the LHD.” The Board has decided that Mr. Sullivan’s license will not be revoked nor will Mr.

Sullivan's license be suspended. Mr. Sullivan will pay a sum of \$500 to the AOWB and understands that any other violation by Mr. Sullivan may result in a hearing before this Board.

Mr. Tony Harper was charged with violating ADPH rule 420-3-1-.08(1) which states in part: "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." The Board has decided that Mr. Harper's license will not be revoked nor will Mr. Harper's license be suspended. Mr. Harper will pay a sum of \$500 to the AOWB and understands that any other violation by Mr. Harper may result in a hearing before this Board..

Michael Wayne Wilson was charged with violating ADPH rule 420-3-1-.34(6) which states in part: "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, 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 water-tight at the end of the pumping, and shall report problems or deficiencies noted in a tank to the local health department. 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 water-tightness of the tank." The Board has decided that Mr. Wilson's license will not be revoked, nor will Mr. Wilson's license be suspended. Mr. Wilson will pay a sum of \$150.00 to the Alabama Onsite Wastewater Board, will reimburse the homeowner, and understands that any other violation by Mr. Wilson may result in a hearing before this Board.

State of Alabama General Contractors Board.

The Alabama General Contractors Board will establish an Onsite Wastewater Contractor's License. The Advance Level II License is needed to complete the application. No test or class work will be required. We will keep you informed concerning the date and cost of this license. This license is not a requirement but will be offered to interested parties.

CEU /Classes

September 3-4, 2009 / Florence Lauderdale Coliseum / 702 E. Veterans Dr. / Florence, AL.

October 1-2, 2009 / AUM Taylor Conference Center/ 7440 East Dr. /Montgomery, AL.

October 29-30, 2009 / John Archer Ag Center / 1070 Schillinger Rd. N. / Mobile, AL.

December 3-4, 2009 / UWA Wallace Hall / Livingston, AL.

Basic Class -- November 11-13, 2009

Advance Level I Class -- September 16-18, 2009

Advance Level II Class -- December 9-11, 2009

Pumper Class -- October 15-16, 2009

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.