



# AOWB QUARTERLY NEWSLETTER

## Renewal for 2010

Renewal packs went out on October 1, 2009. If you have not received yours, please notify the AOWB and another application will be sent.

Applications must be post-marked no later than 12/31/09. Just a reminder, many Post Offices close early on 12/31, so mail early.

The application must be returned for the license process to continue. A copy of your continuing education and bond should be returned with the application. We will begin notifying licensees (the ones who have not renewed) the last 2 weeks in December. If you prefer that we not call – notify us and we will make a note in the database.

**Memorandum of Understanding** I met with the **Alabama Department of Public Health to discuss completing of an onsite system without an LHD inspection. Their legal department is in the process of writing a memo**

**addressing the situation. Due to legal concerns the MOU is no longer recognized by the AOWB.**

## Quarterly Complaints

Marengo County – Violation of ADPH rule 420-3-1-.52 – “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 business hours”.

Lee County -- Violation of ADPH rule 420-3-1-.52 – “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 business hours”.

Jackson County – Install line (washer line) without ADPH permit or AOWB license. Issued Cease and Desist.

Calhoun County – Install without AOWB license – Arrest warrant. This individual was found guilty and sentence to 90 days in

jail (suspended), ordered to pay \$2300 in restitution, a \$250 fine and two years probation.

St. Clair County – Repair without a LHD permit. Investigation continues.

Lee County – Install without AOWB license. An arrest warrant has been issued.

Elmore County -- Install without AOWB license. Investigation continues.

Morgan Co – 2 counts of Failure to follow ADPH permit. System is failing. Investigation continues.

Winston Co. -- Install without AOWB license – Arrest warrant.

Walker Co. – Failure to make tank watertight after pumping. Administrative Hearing.

Elmore County – Failure to follow ADPH permit. Installer paid for repairs to system.

Walker County -- Install without AOWB license. Investigation continues.

Russell County – Failed to pump both compartments of septic tank. Investigation continues.

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## *Court Verdict*

*Shelby County – An individual was charged with installing/repairing an onsite wastewater system without a current license. The individual was found guilty and sentenced to 30 days in jail (suspended), fined \$50 and \$198 court cost.*

*Cullman County - An individual was charged with installing/repairing an onsite wastewater system without a current license. The individual was found guilty and sentenced to 3 days in jail (suspended), 24 months probation and ordered to pay restitution.*

*Lauderdale County -- An individual was charged with installing installing/repairing an onsite wastewater system without a current license. The individual plead not guilty. The individual was found guilty and sentenced to three months in jail (suspended), restitution of \$700, fined \$250 plus-*

*court cost.*

*Marshall County -- An individual was charged with installing/repairing an onsite wastewater system without a current license. The individual plead guilty and was fined \$250 plus court cost.*

## *Consent Agreements*

*-- None*

## **CEU /Classes**

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

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

## **Feds allege scam to dump thousands of gallons of grease into Mobile's sewer system**

By [Brendan Kirby](#)

MOBILE, Ala. -- A former Roto-Rooter employee has pleaded guilty to dumping thousands of gallons of grease into the city's sewer system, and two company officials face criminal charges.

Michael L. Edington entered his guilty plea on Thursday in U.S. District Court in Mobile as part of a deal with prosecutors that includes an offer of leniency in exchange for his cooperation against DHS Inc., which owns the local Roto-Rooter franchise.

The indictment also names the company's president, Donald

Gregory Smith, and manager William Wilmoth Sr.

Lawyers for DHS Inc. said the company, Smith and Wilmoth did nothing wrong. Attorney Charles Potts said Smith fired Edington as soon as he learned in February 2006 about his conduct.

"Roto-Rooter will welcome the opportunity to set the record straight at the appropriate time," attorney Warren Butler said in a prepared statement.

"That being said, Roto-Rooter categorically denies the allegations of the indictment and will vigorously defend itself against all charges."

A federal grand jury this week issued a 43-count indictment accusing the defendants of numerous violations of the Clean Water Act, fraud and conspiracy.

The indictment recites Mobile's history of years of sewage overflows caused in large part of grease buildups in the sewer pipes.

The case revolves around allegations that DHS Roto-Rooter failed to adequately dispose of grease removed from grease traps and area restaurants from 1997 to last year and falsified records to indicate that it had.

Officials from Mobile Baykeeper, an environmental organization that in 1999 sued the Mobile Area Water and Sewer System over sewage spills, expressed shock Friday.

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"That's unbelievable," said Casi Callaway, the group's executive director. "It's good to know the government, our agencies, are there watching our backs. ... It means everybody has to be more vigilant."

## 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***

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*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.*