

Onsite Repair Protocol FAQ's

(05/13/2021 additions in red)

1. **Is the new Onsite Repair Protocol a new law?** No, the protocol is taken directly from the current onsite sewage treatment and disposal laws 420-3-1-.47. The protocol is to determine if the repair is in compliance with applicable Alabama Law and the State Board of Health Onsite Sewage Treatment and Disposal Rules, Chapter 420-3-1.
2. **Can a system be “grandfathered”?** The Bureau defines grandfathered as, “a provision which an old rule continues to apply to some existing situation while a new rule will apply to all future cases.” The Bureau is not exempting any systems; the system to be repaired was either approved or not approved by the Alabama Department of Public Health (ADPH). If the system was approved by ADPH then certain components, such as headers, existing field lines, etc may be incorporated into the system.
3. **Is a percolation test required for repairs?** No, if the system has been approved by the Local County Health Department (LCHD) the previous soil test data may be used by the Soil Professional in his design of the repair. This does not apply to replacements or **Waiver of a Permit to Repair.**
4. **I have my “Approval For Use.” My soil professional is using my old soil data. The soil data used was submitted during the previous Onsite Sewage Rules when only one (1) percolation test was required. Can you use the soil data from the one (1) percolation test provided?** Yes, as long as an “Approval For Use” is on file.
5. **I do not have my “Approval For Use,” do I need a soil evaluation to replace the tank?** No, for tank replacement and other non-perforated components, a signed CEP-2 (first page) with fee, if applicable, is to be

submitted to the LCHD. A permit to install will be issued and the installer must call the LCHD prior to installation to give the environmentalist an opportunity to inspect. After the CEP-5 is received by the LCHD, an “Approval For Use” is issued. **A Waiver of a Permit to Repair shall not be used to replace a tank.**

6. **Do I need a permit number to purchase a septic tank?** If previously approved by the LCHD, the original permit number will be used to purchase the tank. For a non-approved system, once a permit has been issued, that permit number will be used. **Because a permit number must be provided to receive a septic tank, a Waiver of a Permit to Repair is not accepted for a septic tank replacement. See #5.**

7. **I cannot find my “Approval For Use” that shows my septic tank installation was approved; will the LCHD have a copy?** When an environmentalist approves an onsite sewage disposal system, two copies of the approval is issued, one to the installer or the homeowner and the LCHD files a copy. Some LCHDs will not have a record/copy of an approved system due to fire or water damage, accidental loss of the information and more. If not found at LCHD, the homeowner should first contact the installer of the system. If no paperwork is found, you must obtain the services of a site professional. If the LCHD has no record on file due to fire, water damage, etc, an ADPH Professional Soil Classifier’s may be contacted for assistance by the local environmentalist at anytime but it will depend on their availability.

8. **If you are located in a “Site Evaluation County”, do you have to contact a site professional (engineer, land surveyor, etc)?** No, the Public Health Environmental Site Specialist (PHESS) may evaluate, perform soil borings, and size repairs for small flow conventional systems only. The applicable site evaluation fee will apply. ADPH

Professional Soil Classifier's may be contacted for assistance at anytime but it will depend on their availability.

9. **Why did I receive a letter from the LCHD regarding the onsite repair policy?** The letter was sent to site professionals and Alabama Onsite Wastewater Board (AOWB) licensed installers as a courtesy to make them aware of the protocol; however, all interpretations of the Onsite Repair Protocol shall come from the Bureau's Community Environmental Protection Division.
10. **If I have my "Approval For Use" and only need to replace a non-perforated component, will a CEP-2 be required?** No, a verbal permit will be issued to the installer by the local environmentalist & documentation will be required in the database and/or file by the environmentalist
11. **Will this new repair protocol cause an increase in illegal installations?** In multiple counties where similar protocols have been in place for years, the LCHD has documented no increase of illegal installations. If an illegal installation is reported, normal legal procedures with the AOWB shall be followed.
12. **Does the new onsite repair protocol require me to have a permit to have my tank pumped?** No, you need to contact an AOWB licensed pumper (334-353-9250). The ADPH recommends that you have your tank pumped every 3-5 years. Having to frequently pump your tank may indicate a possible failure.
13. **If a section of the disposal field is damaged (run-over by vehicle or tree roots) and causing a system failure, can the damaged area be repaired without going through the process of hiring a site professional and obtaining a permit?** A component of the disposal field, such as supply lines, field lines, or crossovers, may be repaired at

the discretion of the LCHD if the damage was caused by an external factor such as a vehicle or tree roots. This does not apply to a failure caused by a defective product or bio-mat. These repairs shall be limited to the damaged component only. Any further repairs would require a permit. **As a last resort, a Waiver of a Permit to Repair may be utilized.**

14. **An environmentalist receives an Application for an OSS and an application for a Repair, which one is a priority?** The repair application should be first priority, all applications should be worked within 10 working days.
15. **Does the Waiver of a Permit to Repair apply to repairs of Engineered Systems?** No. It only applies to Small Flow Conventional repairs for a dwelling.
16. **How is an ID number generated for a Waiver of a Permit to Repair?** Similar to issuing a permit for a tank replacement, the onsite database can be manipulated for the entry of a waiver. Enter new application, select conventional, enter application date and contact information and skip the fee tab. Within the application form tab, select dwelling under structure type, enter "0" for number of bedrooms. Under the MVS section, make any selection. Press save. Next click the Status tab and choose "Voided". The action status "Voided" will remove the application from Permit Pending Events. Make a note in the Action Description Comment Box, "waiver received". Print a folder label, which will auto generate an ID for a Waiver of a Permit. File as usual. When CEP5 is received, enter the installation data into the database, and file with the Waiver of a Permit. A copy of the waiver is to be sent to Melissa Hines with AOWB for her to file in the licensed installers file.
17. **Is a CEP5 required for a Waiver of a Permit to Repair?** Yes, a CEP5 is

required to be turned into the LHD for verification that the

requirements of 420-3-1 have been met. Installation information shall be entered into the database for informational purposes.

18. **I received a CEP 5 that does not meet the requirements of 420-3-1 (i.e unapproved tank, trench bottom depth, unlicensed installer, etc). What do I do?** Call the Alabama Onsite Wastewater Board (334) 353-9250 and file a complaint. Any other complaints not pertaining to the CEP 5 or 420-3-1 will be a civil matter between property owner and licensed installer, as detailed on the waiver.
19. **Is an Approval for Use issued for a Waiver of a Permit to Repair?** No. The permit is waived, and therefore an Approval for Use cannot be issued.
20. **Can a Waiver of a Permit to Repair be used for a replacement of an OSS, septic tank, or a new conventional system?** No, the Waiver of a Permit to Repair is only utilized when a repair to a conventional OSS occurs for a dwelling.
21. **Is there a fee collected for a Waiver of a Permit to Repair?** Not at this time.
22. **I received information that a repair installation occurred without a Permit to Install/Repair or a Waiver of a Permit to Repair?** Call the Alabama Onsite Wastewater Board (334) 353-9250 and file a complaint.
23. **When should a Waiver of a Permit to Repair be utilized?** If a homeowner/property owner requests a waiver, it shall be honored as a last resort option. Under no circumstances, should the LHD **require** a homeowner/property owner to obtain a Waiver of a Permit in lieu of a Permit to Install/Repair.

24. **Is there a minimum linear footage required to repair a system utilizing the waiver?** No, there is no minimum linear footage required.
25. **I received an email stating that ADPH would be following Jefferson County's repair procedures? Is this true?** No, ADPH only acquired the waiver portion of the procedure.
26. **Is the LHD required to tell the homeowner about the waiver process?** Yes, the homeowner will request the waiver, **not** the installer. The homeowner should be informed that the Approval for Use may be required for some lending institutions and Building Departments. When using the waiver, they will not be issued an Approval for Use. See #19.
27. **Is a soil test required to receive the Waiver of a Permit to Repair?**
No.
28. **Can an installer request a Waiver of a Permit to Repair?**
No, only a homeowner or property owner may request the Waiver of a Permit to Repair.
29. **Can a homeowner perform the installation of their own repair using a Waiver of a Permit to Repair?** No, an installer is required to certify the installation.
30. **Is there an EDAR code for the Waiver of a Permit to Repair?** It is forthcoming.

Please see informational sheet for further information.