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**Bureau of Water Standards
and Facility Regulation**

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To All Sewage Enforcement Officers:

This letter addresses the DEP processing of the revised Component One Sewage Facilities Planning Module, an issue with the Pennsylvania court computer system and also recent questions regarding permitting costs.

Component One Planning Modules: The last letter (December 29, 2005) discussed the new Pennsylvania Natural Diversity Index (PNDI) search procedures, the newly revised Component One Planning Module and an intended April 15, 2006 deadline for DEP to stop accepting "old form" Component One Planning Modules. That letter was the first of two mass mailings announcing these changes. Unfortunately, the second letter containing this information and intended for Municipalities and Local Agencies was not mailed in a timely fashion. Therefore, the April 15, 2006 deadline for DEP to accept "old form" Component One Planning Modules is no longer realistic. To provide a reasonable processing time to transitioning to the new forms, the deadline was changed to July 31, 2006.

ORI Numbers: In the last few months, DEP was advised that several SEOs experienced difficulty with the Pennsylvania court system's computer program when filing citations. The difficulty involved an "ORI" number and an individual identification number. The ORI number identifies the type of originating agency. SEOs employed by individual local agencies or multi-municipal local agencies must use the code "SEWAGEMP." SEOs employed by county health departments serving as local agencies must use the code "SEWAGECP." The individual identification number (may also be called a "badge number") is a unique identifier that will call up the individual SEO from the court's computer program database. All SEOs should use the last four digits in the certificate number issued to them by the State Board for Certification of Sewage Enforcement Officers preceded by the letters "SEO." For example, SEO3175 is a proper code to identify an individual SEO. Updates to the court's database will be provided from the SEO Certification Board database several times per year. You are reminded of your obligation under Chapter 72, Section 72.56 (b) to promptly notify the Certification Board of a change of address.

Permitting and Permitting Costs: Recently, DEP received letters expressing concern about onlot permitting costs. In essence, these letters implied a widespread practice of collecting large permitting fees for seemingly trivial activities.

According to the Sewage Facilities Act (Act 537), a permit is required whenever a sewage system is constructed, altered, or repaired. Oversight of these activities through permitting by the local agency is necessary because there are no minimum skill or experience requirements in Pennsylvania for sewage system designers or installers. An un-permitted repair or modification could result in a system malfunction or public health or safety hazard. As the only state-licensed individual involved in the onlot system installation or repair process, the SEO's responsibility to ensure that any construction, alteration or repair activity performed on an onlot sewage system meets regulatory standards is a critical one.

It may not be necessary or practical to require a permit and SEO inspection for some minor repairs or modifications performed by qualified and experienced installers. To that end, DEP, in revising the sewage



facilities regulations, is proposing language that will clarify permitting activities and specify local agency discretionary permitting options. Our intent is that this specified permitting flexibility would rely greatly on the involvement of qualified installers.

Presently, there is nothing in the Act or regulations that prohibits a local agency from having a graduated fee structure for various types of permitting activities. The Sewage Facilities Act gives sole responsibility for setting permit fees to the local agency. A local agency currently has the flexibility to establish nominal fees, or even waive fees, for permitting of minor repairs or modifications. Moreover, it is the local agency's responsibility to establish fees that do not create a burden for property owners. DEP's annual enforcement reimbursement program for local agency permitting and enforcement activities provides cost reimbursement for SEO expenses not covered by permit fees. When local fee schedules are correctly structured, this reimbursement program is designed to offset a local agency's deficit, so as to be cost neutral each year.

DEP is asking SEOs to evaluate their local agency's permitting program to make certain that the program provides adequate assurance that onlot system construction, repair and modification are performed according to regulatory standards and that public health and safety are being adequately protected. SEOs and local agencies should use common sense in carrying out their responsibilities for permitting of repairs and modifications to onlot sewage systems. DEP also will use reasonable judgment in its oversight of local agency permitting activities.

Lapsing of Certification: The end of the current certification cycle (June 30, 2006) is rapidly approaching. On that date certification will lapse for those SEOs who have failed to both accrue enough continuing education credits and successfully complete the Advanced Soils course (# 109). **Note: This particular Advanced Soils course deadline applies only to those SEOs who were certified before June 30, 2002.**

SEOs who allow their certification to lapse on June 30, 2006 have until the end of the next certification cycle (June 30, 2008) to make up the missed training (and complete required training for that cycle as well). SEOs who allowed their certification to lapse on June 30, 2004 and do not make up their missed training by June 30, 2006 will be required to complete the SEO Precertification Academy and pass the SEO certification exam to become an SEO.

During the time the certification is lapsed, the SEO certificate is invalid and nonrenewable. Persons with lapsed SEO certification cannot perform SEO duties under the Sewage Facilities Act. Anyone doing so is in violation of the Act and regulations.

Once the required make-up training is completed, the person may apply to the Certification Board for renewal. If a person does not make up the required training within the two-year period - in this case after July 1, 2008 - he or she would be required to complete the SEO Precertification Academy and pass the SEO certification exam to become an SEO.

If you have questions, please feel free to contact us at the telephone number listed above.

Sincerely,



Dana K. Aunkst

Chief

Division of Planning and Permits