

**SUBCHAPTER G: ON-SITE SEWAGE FACILITIES INSTALLERS,
APPRENTICES, DESIGNATED REPRESENTATIVES, MAINTENANCE
PROVIDERS, MAINTENANCE TECHNICIANS, AND SITE EVALUATORS
§§30.231, 30.237, 30.240, 30.242, 30.244, 30.245
Effective September 29, 2016**

§30.231. Purpose and Applicability.

(a) The purpose of this subchapter is to establish qualifications for issuing and renewing licenses and registrations for a person that:

- (1) constructs any part of an on-site sewage facility;
- (2) performs the duties of a designated representative;
- (3) performs the duties of a site evaluator;
- (4) performs the duties of an apprentice;
- (5) performs the duties of a licensed maintenance provider; or
- (6) performs the duties of a maintenance technician.

(b) A person that performs any of the tasks listed in subsection (a) of this section must meet the qualifications of this subchapter and be licensed or registered according to Subchapter A of this chapter (relating to Administration of Occupational Licenses and Registrations), unless exempt under §30.244 of this title (relating to Exemptions), and must comply with the requirements of Chapter 285 of this title (relating to On-Site Sewage Facilities).

(c) Effective September 1, 2009, all current maintenance provider registrations were converted to maintenance technician registrations.

Adopted September 7, 2016

Effective September 29, 2016

§30.237. Definitions.

The definitions in Chapter 285 of this title (relating to On-Site Sewage Facilities) apply to this subchapter.

Adopted August 20, 2003

September 11, 2003

§30.240. Qualifications for Initial License.

(a) To obtain an Installer I license, an individual must have:

(1) met the requirements of Subchapter A of this chapter (relating to Administration of Occupational Licenses and Registrations);

(2) completed the Installer I basic training course; and

(3) passed the Installer I examination.

(b) To obtain an Installer II license, an individual must have:

(1) met the requirements of Subchapter A of this chapter;

(2) met one of the following requirements:

(A) held an Installer I license for at least one year;

(B) held an apprentice registration for at least two years; or

(C) previously possessed an Installer II license;

(3) completed the Installer II basic training course;

(4) passed the Installer II examination; and

(5) met the experience requirements. Applicants for an Installer II license must submit statements attesting to the applicant's work experience. Such statements shall include a description of the type of on-site sewage facility (OSSF) work that was performed by the applicant and the physical addresses where the activity occurred. The experience shall be actual work accomplished under the license or registration. The number of systems will not substitute for the time required. Experience requirements are:

(A) to document experience as an Installer I, the applicant shall submit either:

(i) sworn statements from at least three individuals for whom the applicant performed construction services, statements cannot be provided by individuals related by blood or marriage to the applicant or applicant's spouse;

(ii) a sworn statement from a designated representative who has approved a minimum of three installations performed by the applicant; or

(iii) other documentation of the applicant's work experience, approved by the executive director;

(B) to document experience as an apprentice, the applicant shall submit either:

(i) a sworn statement from the installer for whom the applicant performed construction services;

(ii) a sworn statement from a designated representative who witnessed the applicant working on at least six OSSF installations; or

(iii) other documentation of the applicant's work experience, approved by the executive director.

(c) To obtain a designated representative license, an individual must have:

- (1) met the requirements of Subchapter A of this chapter;
- (2) completed the designated representative basic training course; and
- (3) passed the designated representative examination.

(d) To obtain a site evaluator license, an individual must have:

- (1) met the requirements of Subchapter A of this chapter; and
- (2) met the following requirements:

(A) complete the site evaluator basic training course;

(B) pass the site evaluator examination; and

(C) possess a current Installer II license, designated representative license, professional engineer license, professional sanitarian license, certified professional soil scientist, or professional geoscientist license in the soil science discipline (an individual who maintains a current license through the Texas Board of Professional Geoscientists according to the requirements for professional practice).

(e) Effective September 1, 2009, a maintenance provider must be licensed with the executive director. To obtain a maintenance provider license, a person must:

(1) meet the requirements of Subchapter A of this chapter;

(2) submit verification that the applicant holds a current Installer II, Class C (or higher) Wastewater license or acceptable documentation of three years experience as a maintenance technician. Registered maintenance provider experience obtained prior to the effective date of these rules may be applied towards the three years of experience as a maintenance technician; and

(3) successfully complete agency-approved courses in basic maintenance and advanced aerobic wastewater treatment related to residential proprietary aerobic treatment units. Advanced aerobic wastewater treatment courses must have been approved after September 1, 2008;

(4) pass the maintenance provider licensing examination; and

(5) any additional information required by the executive director.

Adopted September 7, 2016

Effective September 29, 2016

§30.242. Qualifications for License Renewal.

(a) To renew an Installer I, Installer II, designated representative, maintenance provider, or site evaluator license, an individual must have:

(1) met the requirements in Subchapter A of this chapter (relating to Administration of Occupational Licenses and Registrations); and

(2) completed a minimum of 24 hours of approved training credits.

(b) In addition to the requirements in subsection (a) of this section, an individual renewing a license for site evaluator shall demonstrate possession of a current license specified in §30.240(d)(2)(C) of this title (relating to Qualifications for Initial License) except for individuals who were granted a site evaluator license on the basis of holding either an Installer II or designated representative license.

(c) For the renewal of a maintenance provider license, the individual is not required to hold a current Installer II or Wastewater C license, but must meet all the requirements in subsection (a) of this section.

Adopted August 20, 2008

Effective September 11, 2008

§30.244. Exemptions.

(a) Persons that in their individual capacities:

(1) own a single-family dwelling are not required to be a licensed installer in order to install or repair an on-site sewage facility (OSSF) on the individual's property. This provision does not apply to property that is to be developed for sale or lease. If the owner compensates a person to construct any portion of an OSSF, the individual performing the work shall be a licensed installer. The owner shall meet all permitting, construction, and maintenance requirements of the permitting authority. The site evaluation must be performed by an individual who possesses either a current site evaluator or a professional engineer license;

(2) own a single-family dwelling that is serviced by an on-site sewage disposal system using aerobic treatment are not required to be a licensed installer in order to install or repair an OSSF servicing that single-family dwelling. Such person must meet all permitting, construction, and maintenance requirements of the permitting authority. If that person compensates a person to construct any portion of an OSSF, the individual performing the work must be a licensed installer. This provision does not apply to property that is developed for sale or lease;

(3) elect to maintain the on-site sewage disposal system using aerobic treatment. The aerobic treatment system owner is not required to register with the agency as a maintenance provider, but must comply with the requirements of Chapter 285 of this title (relating to On-Site Sewage Facilities).

(b) A licensed electrician who installs the electrical components, or a person that delivers a treatment or pump tank and sets the tank or tanks into an excavation, is not required to have an installer license.

(c) A professional engineer may perform site evaluations without obtaining a site evaluator license. However, a professional engineer may obtain a site evaluator license by complying with the requirements in this subchapter.

Adopted September 5, 2007

Effective September 27, 2007

§30.245. Registration of Apprentices and Maintenance Technicians.

(a) Apprentice. An individual who enters into an apprenticeship under the supervision of a licensed on-site sewage facility (OSSF) installer shall be registered with the executive director.

(1) Application. An application for registration shall be made on a standard form provided by the executive director. The completed application and a \$111 fee must be submitted to the executive director.

(2) Notification. After verifying that the requirements for registration have been met, the executive director shall mail the registration certificate no later than 45 days after the effective date of the registration. An individual's application may be denied according to §30.33 of this title (relating to License or Registration Denial, Warning, Suspension, or Revocation).

(3) Expiration. The apprentice registration will expire three years after the issuance date of the registration.

(4) An apprentice's registration may not be renewed if:

- (A) the registration has been expired for more than 30 days;
- (B) the registration has been revoked; or
- (C) the apprentice has obtained an installer license.

(5) An apprentice whose registration renewal application is not received by the executive director or is not postmarked within 30 days after the registration expiration date of the current registration, must submit a new application with the appropriate fee. The apprentice will be assigned a new registration number and date, but will not lose any experience gained under the previous registration.

(b) Maintenance technician. An individual who maintains OSSFs for compensation and is not a licensed maintenance provider shall be registered with the executive director as a maintenance technician. A maintenance technician shall have successfully completed an agency-approved course in basic maintenance provider training.

(1) Application. An application for registration shall be made on a standard form provided by the executive director. The completed application and a \$111 fee must be submitted to the executive director.

(2) Notification. After verifying that the requirements for registration have been met, the executive director shall mail the registration certificate no later than 45 days after the effective date of the registration. An individual's application may be denied according to §30.33 of this title.

(3) Expiration or termination. The maintenance technician's registration will expire three years after the issuance date of the registration.

(4) A maintenance technician's registration may not be renewed if:

(A) the registration has been expired for more than 30 days;

(B) the registration has been revoked; or

(C) the registration has been replaced by a higher class of license.

(5) A maintenance technician whose registration renewal application is not received by the executive director or is not postmarked within 30 days after the registration expiration date of the current registration, must submit a new application with the appropriate fee. The maintenance technician will be assigned a new registration number and date, but will not lose any experience gained under the previous registration.

Adopted August 20, 2008

Effective September 11, 2008