

ALABAMA STATE COMMITTEE OF PUBLIC HEALTH
ALABAMA DEPARTMENT OF PUBLIC HEALTH
BUREAU OF ENVIRONMENTAL SERVICES
DIVISION OF COMMUNITY ENVIRONMENTAL PROTECTION
ADMINISTRATIVE CODE

CHAPTER 420-3-1
ONSITE SEWAGE TREATMENT AND DISPOSAL

420-3-1-.06 Permits Required For An OSS/EDS.

(1) **Permit to Install (Repair).** No person shall begin the installation or repair of an OSS/EDS, or component thereof, until the responsible person has been issued a valid Permit to Install (Repair) an Onsite Sewage System (OSS) by the LHD.

(a) When an Engineered OSS is required, no installation or construction of any part of the engineered system shall begin without installer consultation with the design engineer.

(b) ADPH may revoke a Permit to Install (Repair) if there are changes in the lot conditions, the system is not installed in accordance with the permit, or other factors affecting the permit's approval. Possible invalidating conditions include, but are not limited to, information submitted for the purpose of obtaining the permit is found to be misrepresented, materially false or inaccurate, changes to statutory provisions, acts of eminent domain, natural changes, man-made alterations, or water impoundments.

(c) The LHD shall be notified of a modification or repair to a system, pursuant to 420-3-1-.32 Repair and Relocation of an Existing OSS/EDS.

(d) Wastewater management entities required to obtain a Certificate of Economic Viability from the Alabama Public Service Commission shall have said certificate prior to any permits being issued by ADPH or the LHD.

(e) A permit may be issued for an OSS for the disposal of processed septage with the approval of a variance pursuant to 420-3-1-.70 Variance to Rules.

(2) **Performance Permits.** Performance Permits are required for a Large-Flow OSS and for other systems where ADPH, in consultation with the LHD, concludes that the Approval for Use alone is not adequate to protect the public's health or the environment.

Author: Thad Pittman, Karen Bishop, Dillon Bullard, Matthew Conner, Ken Stephens, Bob Bright

Statutory Authority: Code of Ala. 1975, §§22-2-2(4); 22-2-2(6); 22-10-1, et seq.; 22-26-1 et seq.; 22-25B-1, et seq.

History: Filed July 20, 1988. **Amended:** Filed June 19, 1992.

Repealed and New Rule: Filed December 16, 1999; effective January 20, 2000. **Repealed and New Rule:** October 20, 2005; effective November 24, 2005; operative March 19, 2006. **Amended:** Filed March 15, 2010; effective April 19, 2010. **Repealed and New Rule:** January 19, 2017; effective March 5, 2017. **Repealed and New Rule:** Published December 30, 2022; effective February 13, 2023.

Ed. Note: Previous Rule .05 was renumbered .06 per certification published December 30, 2022; effective February 13, 2023.