

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-.13 Time Limitations And Permitting Actions.

(1) All ADPH applications shall be submitted to the LHD or the ADPH as applicable.

(a) The LHD or ADPH shall fulfill any request for a permit within 28 calendar days after receiving the application or notify the responsible person of the reason for failure to issue the permit. After the initial 28 days, if the application remains incomplete, the responsible person shall be allowed an additional 30 calendar days to submit a complete application, or the application review period shall expire. After an application has expired, a new application and applicable fee shall be required.

(b) If the application does not meet the requirements of this rule, it shall be denied pursuant to the Ala. Admin. Procedure Act, §41-22-1, et seq., Code of Ala. 1975.

(2) After a complete CEP-2 application is received and the review of the LHD determines that the lot is suitable for an OSS/EDS in accordance with these rules, the LHD shall issue a Permit to Install (Repair).

(a) All Permits to Install (Repair) shall be valid for a period of 5 years from the date of issuance.

(b) If the time limit in paragraph 1, above, has expired and reapplication is required, the LHD may investigate the site and determine if the lot has been modified and that site conditions remain consistent with those that existed at the time of the expired permit's issuance. Based upon this re-evaluation, the LHD may issue a Permit to Install (Repair) without additional site evaluation subject to 420-3-1-.12 Requirements for All Permit Applications. If the lot has been modified, it shall be subject to 420-3-1-.51 Lot Modification Planned and Unplanned.

(c) When a CEP-2 application is submitted for a lot approved in a Large-Flow Development under a previous set of rules, the LHD may investigate the validity of previously submitted lot

evaluation data or conditions and determine whether a Permit to Install (Repair) may be issued.

(3) If a Performance Permit is required as part of a Large-Flow Development, ADPH Form CEP-3, Section C shall be submitted.

(a) The Performance Permit shall be valid for a period of 5 years from the effective date of the permit.

Author: Thad Pittman, Phyllis Mardis, Lem Burell, Leigh Salter, Patricia Lindsey, 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 October 19, 2006; effective November 23, 2006. **Repealed and New Rule:** Filed January 19, 2017; effective March 5, 2017. **Repealed and New Rule:** Published December 30, 2022; effective February 13, 2023.

Ed. Note: Previous Rule .12 was renumbered .13 per certification published December 30, 2022; effective February 13, 2023.