

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Point and Non-Point Source Management

DOCUMENT NUMBER: 385-2314-XXX

TITLE: Sewage Enforcement Officer Certification and Training Program
Guidance

EFFECTIVE DATE: Upon publication of notice as final in the *Pennsylvania Bulletin*

AUTHORITY: Section 10(9), (13) and (14) of the Pennsylvania Sewage Facilities Act (35 P.S. §750.10(9), (13) and (14)); 25 Pa. Code § 72.43(d), (j) and (k)

POLICY: The Department of Environmental Protection (DEP) will establish a Sewage Enforcement Officer (SEO) certification and training program that includes prerequisite and continuing education training components and establishes the certification requirements for the SEO community.

PURPOSE: The purpose of this document is to establish the framework for a SEO certification and training program that will produce a knowledgeable and skilled SEO community to serve as the foundation of the onlot sewage disposal program in Pennsylvania. The certification and training program includes specific requirements for SEO candidates who wish to become certified SEOs, for certified SEOs that need to maintain their certification and for lapsed or inactive SEOs that wish to reinstate their certification.

APPLICABILITY: This guidance applies to DEP staff and persons seeking to become certified and persons already certified as SEOs.

DISCLAIMER: The policies and procedures outlined in this guidance document are intended to supplement existing requirements. Nothing in the policies or procedures shall affect regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of DEP to give these rules that weight or deference. This document establishes the framework within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

PAGE LENGTH: 10 pages

I. GENERAL

- A. This guidance establishes a framework for DEP to manage its SEO training program and the SEO certification program with the goal of meeting the individual needs of the SEO community and to support the general needs of local agencies in the Commonwealth.
- B. To fulfill its SEO training responsibility, DEP has developed an integrated training curriculum comprised of prerequisite and continuing education (CE) subject material. Successful completion of a prerequisite training course is required prior to taking the SEO certification examination (exam) the first time. Following certification, CE training is required to maintain a person's SEO certification. All training is delivered through a combination of instructor led classroom training, self-study web-based training, self-study correspondence training (or distance education), webinars and customized individual training.
- C. DEP may use department assets or resources to develop and deliver prerequisite training, CE training or contract with a third party to provide these services.
- D. At the time of this publication, all training is being offered to SEO candidates and certified SEOs through DEP-approved third-party training sponsors and DEP-approved courses. A separate guidance document, Doc. No. 385-2314-001, entitled "Act 537 Program Guidance; Training Provider Manual for the Pennsylvania Onlot Sewage System Training Program" details the methodology for application for, review and approval of third-party provider-based training sponsors and courses for prerequisite and SEO CE training.
- E. Statutory and Regulatory Authority
 - 1. The Pennsylvania Sewage Facilities Act (35 P.S. §§ 750.1-750.20a) (Act) assigns certain responsibilities for sewage facilities planning and permitting to the local agencies. Local agencies are responsible for issuing permits for certain onlot sewage systems, commonly referred to as "septic systems" (35 P.S. § 750.7), and have the authority to enforce and abate nuisances under the Act (35 P.S. §§ 750.12-750.16). The powers and duties of local agencies related to permitting onlot sewage systems are also set forth in regulations (25 Pa. Code § 72.42).
 - 2. Local agencies are required to employ an adequate number of SEOs to fulfill their sewage facilities permitting responsibilities (35 P.S. § 750.8(b); 25 Pa. Code § 72.42(a)(1)).
 - 3. DEP has the duty to establish a training program for SEOs, including minimum training requirements and curriculum for certification, and to require SEOs to participate in the training program (35 P.S. §§ 750.10(9), 750.10(13), 750.10(14); 25 Pa. Code § 72.43(d), (j) and (k)).
 - 4. DEP has the power and duty to revoke or suspend the certification of SEOs for cause, or to recommend reinstatement of the same (35 P.S. § 750.10(10); 25 Pa. Code § 72.43(e), (f), (g), (h) and (k)).

5. The State Board for the Certification of Sewage Enforcement Officers (the Board) is responsible for administering the SEO certification program and has the authority to hear appeals and issue adjudications on DEP actions to revoke or suspend an SEO certification (35 P.S. § 750.11(b); 25 Pa. Code §§ 72.52-72.58). The Board may select a Secretary who is not a member of the Board to perform administrative services as directed by the Board (25 Pa. Code § 72.57). The Board typically selects a DEP employee to serve as its Secretary.

F. Contact Information

This guidance, including all information relative to becoming and maintaining an SEO certification is posted on DEP's website www.dep.state.pa.us. Select DEP Programs A-Z, select index letter "S", select keyword "Sewage", select bullet "Sewage Enforcement Officers".

Note: The bullet "SEO News Items" under "Sewage Enforcement Officers" section should be checked frequently. DEP uses this section as a first means to announce new information important to the SEO community.

If you have questions related to this guidance, contact DEP at:

Pennsylvania Department of Environmental Protection
Bureau of Point and Non-Point Source Management
Division of Planning and Permitting
P.O. Box 8774
Harrisburg, PA 17105-8774

Phone: 717-787-8184
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II. **PREREQUISITE TRAINING**

The SEO prerequisite training is designed to teach the basic skills and knowledge a future SEO needs to know to work for a local agency and to prepare the SEO for permitting onlot sewage disposal systems in a municipality. Persons who desire to become a certified SEO must complete a DEP-approved training course and successfully pass a written exam administered by the Board.

A DEP-approved prerequisite training course covers 25 Pa. Code, Chapters 71, 72 and 73 dealing with onlot sewage systems. The prerequisite training focuses on teaching the basic skills necessary for an individual to perform as an SEO. At a minimum, the training will cover: slope determination, isolation distances, soil probe evaluations, soil surveys, site evaluations, site testing, daily flow calculations, percolation testing, sewage system selection, building sewers, treatment tanks, distribution systems, absorption area construction, system installation, final system inspections, sewage facilities planning, local agency reimbursement, administration and system malfunctions and repairs.

Candidates who want to pursue SEO prerequisite training can access the list of DEP-approved training courses on the DEP website per the contact information section of this guidance (Section I.F.). Select bullet “Approved SEO Training”. The candidate should contact the approved sponsor of the course in the listing on the website to obtain registration and schedule information. A candidate who successfully completes prerequisite training will receive a certificate of completion.

III. SEO CERTIFICATION EXAMINATION

- A. An SEO candidate must successfully complete a DEP-approved prerequisite training course before taking the exam. Proof in the form of a certificate of completion is required.
- B. The Board announces the location and time of each exam in the *Pennsylvania Bulletin* and on the DEP website, on the SEO page and the SEO Certification Board page, at the beginning of each calendar year. The announcement includes registration information for the exam.
- C. A minimum of four (4) exams are scheduled each year.
- D. The exam consists of 100 multiple choice questions prepared by DEP and is comprised of four (4) categories: planning, administration, soils and technical. The exam is open book and a candidate has a maximum of 3.5 hours to complete the exam.
- E. A passing grade for the exam consists of five (5) scores. A candidate must achieve at least 50% in each of the four (4) specific categories listed above and an overall average score of at least 70%.
- F. To sit for an exam, a candidate must register by the due date posted on DEP’s website. Registration consists of submitting a notarized application and the application fee to the Board. Any extension to the original application submission date will be announced on the DEP website as an “Application Extension Date”.
- G. The Board Secretary will notify a candidate that they have been admitted to the exam and provide further information as necessary prior to the exam.
- H. A candidate who passes the exam and satisfies all eligibility requirements found in the regulations may be certified to perform the duties of an SEO by the Board. The Board certifies within 30 days of the exam date, by a majority vote, each eligible candidate who passed the exam. This vote occurs during the public meetings held by the Board. If the Board does not meet within the 30-day time period, a candidate who has passed the exam is deemed certified.
- I. A candidate who does not pass the SEO certification exam will be notified in writing by the Board Secretary and informed of the future exam schedule.
- J. Upon the Board’s action of certifying an eligible SEO candidate, the Board Secretary will prepare a wall certificate with the SEO’s individual certification number and date of certification and two certification pocket cards. The SEO’s individual certification

number and the date of expiration of their certification are listed on the pocket card. One pocket card is meant to be displayed with the certificate and the other pocket card should be carried on the SEO for identification purposes.

- K. A candidate may sit for the exam three (3) times in an attempt to pass it. If after the third attempt the candidate still has not passed the exam, the candidate is not permitted to retake the exam for one (1) year and must retake the prerequisite training course again. If the candidate does not pass the exam on the fourth attempt, the candidate may only take the exam once in a calendar year henceforth.

IV. SEO CONTINUING EDUCATION TRAINING

CE training is designed to provide the SEO with additional skills, knowledge and resources so that he/she is better equipped to make decisions that ultimately protect Pennsylvania's public health and environment. An SEO shall continue to acquire skills to provide the best available service to persons that are planning to install new systems, are installing new systems, or are repairing malfunctioning systems.

The following items highlight the SEO CE Program:

- A. Certification cycles are two years in duration and extend from July 1st of each even numbered year to June 30th of the following even numbered year. For example, a certification cycle begins on July 1, 2014 and ends on June 30, 2016.
- B. An SEO is required to complete 15 CE credits during each certification cycle. SEO credits earned in excess of 15 credits within a certification cycle are carried over into the next cycle, but not to exceed 7 credits.
- C. An SEO may complete as many CE courses as desired during a certification cycle. All courses taken are displayed on the SEO's training report for historical reference but credits in excess of 22 will not be added into the "total credit count" on the report or carried over into the next cycle.
- D. DEP may waive or adjust the amount of minimum CE credits during each certification cycle when circumstances beyond the control of all participants warrant. In the event of this situation, DEP would make an announcement to all active and lapsed SEOs and post the announcement on the DEP website as listed in the contact information of this guidance (Section I.F.). DEP will make this announcement no later than March 30th of the year a certification cycle is ending.
- E. DEP may designate certain CE courses as mandatory for certification renewal and may establish a specific "completion date" for such courses.
- F. CE training requirements for all SEOs begin in the first complete two-year certification cycle following their certification. For example, an SEO that becomes certified between July 1, 2014 and June 30, 2016, will be required to complete the CE training requirements by the end of the 2016-2018 certification cycle. In other words, the SEO must meet their first CE training requirements by June 30, 2018. If a newly certified SEO takes a CE course within the certification cycle in which he/she became certified,

those CE credits earned will be carried-forward into the first full certification cycle and applied toward the 15 CE credit requirement.

G. CE credits are obtained after satisfactory completion of a DEP-approved third-party classroom, correspondence or web-based training course.

H. DEP-approved training courses are categorized as follows:

1. #0-99 series are pre-certification academies or comprehensive installer courses
2. #100 series are classroom soil-based courses
3. #200 series are all other classroom courses
4. #300 series are web-based courses
5. #400 series are post-tests (Historical)
6. #500 series are courses offered before 2001 (Historical)
7. #600 series are blended courses and conferences
8. #800 series are correspondence courses
9. #900 series are webinars

A continuing education classroom course that includes a post-test is treated as one course, and is assigned one course number. The ability of an SEO to receive CE credit for a course is contingent on having a passing score of at least 70% on the post-test. The date of course completion, and as is noted on the SEO's training record report, is the date in which the SEO passed the post-test.

I. The same course content can be taught through different delivery modes. For example, a course can be taught in the classroom, as a web-based course, or by correspondence. Please note that an SEO can take one of these course options only once during a certification cycle for CE credit.

J. For certain DEP onlot alternate technologies, an SEO is required to complete a training course for that technology as a condition for issuing the onlot sewage disposal system permit. If an SEO completes a technology course after having already satisfied the 15 CE credits plus 7 CE carry-over credits, for a total of 22 credits, the CE credits will not roll-over into the next certification cycle, but the SEO would be delegated authority to review permits for systems using that technology upon completion of the course.

K. When an onlot alternative technology course is revised sufficiently enough that a new course number is given, an SEO is encouraged to take that revised course. CE credit, however, will not be given for the revised course if taken in the same certification cycle as the original course.

L. An SEO may retake a course during a certification cycle, but not for credit. CE credits will not be added to an SEO's training report.

M. An SEO is responsible for course registration and completion of all CE courses necessary to satisfy his/her certification training requirement.

- N. The Board Secretary maintains the SEO training database. Any potential discrepancies with an SEO's training report should be directed to the Board Secretary. (See Section I.L for contact information.)
- O. The Board Secretary posts an updated list of active SEOs by county on the DEP website at the beginning of a certification cycle, after every certification exam when new candidates are certified and on a quarterly basis. The database includes the names, counties, addresses and telephone numbers of all active SEOs. It also displays the total credits achieved for each SEO for the current certification cycle. See Section I.F. Select bullet "Active SEOs by County".
- P. An SEO who misses more than 30 minutes per day of a course will not receive CE credits for that course. Continued participation in the course is at the instructor's discretion.
- Q. SEOs must present a photo ID and their SEO pocket card at a course registration.

V. **SEO CERTIFICATION STATUS AND REQUIREMENTS**

A. SEO Certification Renewals

The Board Secretary will mail SEO Certification Renewal Applications to all active and lapsed SEOs by the end of March of even numbered years, which is the year the certification cycle ends. If an active SEO does not renew his/her certification by the end of the certification cycle or does not complete the requisite CE requirements, his/her certification will become lapsed. A failure to meet re-certification requirements for a lapsed SEO will result in the SEO becoming inactive. A person cannot be employed as an SEO while in a lapsed or inactive status.

1. Active SEO Certification Renewal
 - a. Prior to renewing an SEO certification, the SEO must have acquired a minimum of 15 CE credits for the certification cycle. An SEO should retain course completion certificates in case of conflict with DEP records.
 - b. An SEO must complete, sign and submit the SEO certification renewal application to the Board Secretary with a renewal fee of \$50 by June 30th of each even-numbered year.
 - c. An SEO must be in compliance with the Act and the regulations implementing the Act.
 - d. The Board Secretary processes all renewal applications and issues new pocket cards to active SEOs via mail. The pocket cards have an expiration date for the new certification cycle.

Note: Newly certified SEOs must renew their certification at the end of the cycle in which they were certified, but are not required to meet the CE credit requirement until the following certification cycle.

2. Lapsed SEO Certification Renewal

- a. An SEO whose certification lapses because he/she did not acquire the requisite CE credits within the certification cycle will be placed in lapsed status and cannot be employed as an SEO. The SEO has until the end of the next cycle to make up the missed training and complete the required training for the current cycle.
- b. After the SEO in lapsed status completes the required make-up training, the SEO may apply to the Board for renewal of his/her SEO certification.
- c. An SEO may also be placed in lapsed status because he/she failed to submit the renewal application and/or renewal fee on time. An SEO in lapsed status has until the end of the next certification cycle to submit the renewal application/fee.
- d. The Board Secretary processes renewal applications for SEOs in lapsed status and issues new pocket cards to lapsed SEOs returning to active status via mail. The pocket cards have an expiration date for the new certification cycle.
- e. If a person does not complete the past CE credit requirement or submit a renewal application and renewal fee for the certification cycle in which they are lapsed, the SEO's certification expires and the SEO becomes inactive. An SEO in inactive status cannot renew his/her SEO certification. An SEO wanting to regain active certification status from an inactive certification status must complete the certification reinstatement process.

B. SEO Certification Reinstatement

Former SEOs whose certification became inactive for failure to complete required training or to renew their certification beyond one certification cycle, or whose certification has been suspended or revoked by DEP, may seek to have their SEO certification reinstated

1. Inactive SEO Certification Status

- a. A former SEO whose certification became inactive must pass the SEO certification exam to have his/her SEO certification reinstated.
- b. A former SEO who wishes to take the certification exam to reinstate his/her SEO certification should refer to Section III of this guidance.
- c. A former SEO whose SEO certification is reinstated will be reassigned his/her original SEO certification number.
- d. A former SEO is not required to retake a prerequisite training course as a condition for reinstatement.

2. Suspended SEO Certification Status

- a. A former SEO whose SEO certification has been suspended and is seeking reinstatement must submit a written request for reinstatement to DEP within two years of the date of suspension.
- b. DEP may reinstate a suspended SEO certification under the following circumstances:
 - 1) The former SEO has taken and passed the SEO certification exam. A person wanting to take the certification exam should refer to Section III of this guidance.
 - 2) The former SEO has satisfactorily completed any special training program designed by DEP to strengthen a specific weakness in the SEO's administration of the act or regulations. The program may entail the use of testing procedures including, but not limited to, field evaluation of technical performance and written or oral examination of standards and procedures.
 - 3) The former SEO has satisfactorily completed any requirement by DEP for training under the direction of another certified SEO selected by DEP for a time period established by DEP.
 - 4) A former SEO whose certification has been suspended for more than two (2) years will have his/her certification revoked by DEP.

3. Revoked SEO Certification Status

- a. A former SEO whose SEO certification has been revoked may submit a written request for reinstatement to the Board after two (2) years from the date of revocation.
- b. In determining the fitness of the former SEO for reinstatement, the Board shall consider:
 - 1) The nature and gravity of the misconduct of the former SEO which resulted in the revocation.
 - 2) The recommendation of DEP. DEP may recommend reinstatement of a revoked SEO certification under the following circumstances:
 - a) The former SEO has taken and passed the SEO certification exam. A person wanting to take the certification exam should refer to Section III of this guidance.
 - b) The former SEO has satisfactorily completed any special training program designed by DEP to strengthen a specific

weakness in the SEO's administration of the act or regulations. The program may entail the use of testing procedures including, but not limited to, field evaluation of technical performance and written or oral examination of standards and procedures.

- c) The former SEO has satisfactorily completed any requirement by DEP for training under the direction of another certified SEO selected by DEP for a time period established by DEP.

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