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Liquid Waste Program
Policy Guidance
Requirements for Qualification of On-Site Professionals
(Section 904)

Purpose: To identify a process by which the New Mexico Environment Department (the department) will fairly and consistently implement Section 904 of the Liquid Waste Disposal and Treatment Regulations (20.7.3 NMAC). This section of the regulations identifies the requirements for qualification and certification for specific categories of on-site professionals, including third party evaluators, maintenance service providers, septage pumpers and installer specialists.

Policy Guidance

1. Third Party Evaluators

Licensed CID contractors (MM-1, MM-98, MS-1 or MS-3), licensed professional engineers, NSF, NEHA, or REHS accredited inspectors shall be qualified to conduct third party evaluations and they do not need to submit an application to the department. Those individuals who do not meet any of the criteria listed above shall submit an application to the Liquid Waste Program on a form provided by the department. The applicant shall demonstrate a similar accreditation or certification (as compared to those identified in Section 904(B)(2)(a-e) or a combination of training and experience as approved by the department. The department shall consider being certified by the National Association of Wastewater Technicians (NAWT) as an Inspector (or a similar certification) in addition to 3 years of experience in the inspection of on-site wastewater systems to be the minimum requirement to be considered for qualification under Section 904(B)(2)(e). Only qualified maintenance service providers (qualified under Section 904(C)) may conduct system evaluations on advanced treatment systems. This qualification cannot be transferred to any other persons. The qualified party must be on-site for all third party evaluations and take full responsibility for all system evaluations.

2. Maintenance Service Providers of Advanced Treatment Systems

All Maintenance Service Providers (MSPs) shall submit an application to the Liquid Waste Program on department-approved forms. MSPs shall identify which advanced treatment systems they are qualified to work on, and they shall demonstrate that they have the knowledge, skill and ability to inspect, operate and maintain the system in accordance with each manufacturer's specifications and the requirements of the liquid waste permit conditions. Each applicant shall provide copies of all licenses and certifications from manufacturers of advanced treatment systems. They shall also demonstrate that they meet all the requirements of Section

903 of the regulations. The MSP shall have a valid and appropriate CID license when required for the specific activities performed and have at least one of the following certifications: certification by the Manufacturer for the proprietary unit being maintained; operator certification for small advanced wastewater systems, or higher, from the state of New Mexico; certification at an acceptable level as a wastewater operator from another state, or certification based on other credentials approved by the department. For MSPs not certified by the manufacturer, they must provide assurance that they have access to the following: operation and maintenance manuals from the manufacturer of the proprietary unit they want to service, access to replacement parts and tool kits that are necessary to provide maintenance to the proprietary unit that is to be serviced. They shall acknowledge that they will be able to meet all requirements of Section 903 of the Liquid Waste Regulations.

This qualification cannot be transferred to any other persons. The Qualified MSP must be on-site for all operation and maintenance activities. NMED shall keep a list of all approved MSPs on the Liquid Waste Program's website.

3. Septage Pumpers

All applications for septage pumpers shall be made in writing on a form provided by the department and shall include documentation that they have completed approved coursework that demonstrates familiarity with applicable regulations and demonstrates competence in locating and exposing septic tanks, measuring sludge and scum levels, the complete pumping of septic tank sludge, maintenance of pumping equipment in a sanitary condition, prevention of pathogen transmission and preparation of an appropriate safety plan for normal operations. Septage pumpers shall demonstrate the ability to meet all the requirements of Section 904(d) of the regulations. The department has determined that the minimum competence needed to receive qualification as a septage pumper is the completion of the NAWT Vacuum Truck Certification (or comparable certification) and submission of a completed application to NMED's Liquid Waste Program Manager. There must be at least one qualified septage pumper on-site during septage pumping operations. This qualification cannot be transferred to any other persons. NMED's Liquid Waste Program shall keep a list of qualified septage pumpers on their website.

4. Installer Specialists

All applications for installer specialist shall be made in writing on a form provided by the department, and shall include the following documentation requirements as stated in Section 904(E) (1)(a-f) as stated below:

a. a valid and appropriate classification of contractor's license issued by the New Mexico Construction Industries Division for the construction of on-site liquid waste systems;
b. Three years of professional experience installing on-site liquid waste systems in New Mexico; or the installation or repair of either 100 on-site liquid waste systems in New Mexico in compliance with liquid waste permits approved by the department or by Bernalillo County; or 50 on-site liquid waste systems in New Mexico in compliance with liquid waste permits approved by the department or by Bernalillo County, plus certification as an installer of on-site wastewater systems by

a national industry or trade organization. The applicant must be the licensed contractor who was listed on the permit;

c. Sixteen hours of training credits approved by the department completed during the previous three calendar years. The department shall review all CEUs to verify that the knowledge, skills, and abilities of the curriculum are based upon the installation of on-site wastewater systems (See Appendix A for attached KSA list). Organizations, businesses or individuals may submit a request to the department to have courses and instructors preapproved. Courses and instructor qualification shall be reviewed by NMED.
d. Successful completion of a 20.7.3 NMAC training class and examination provided by the department during the previous 12 months;
e. No compliance orders issued to the applicant within the past three years for violation of any provision of 20.7.3 NMAC, except for compliance orders that are presently under appeal or that have been overturned on appeal or withdrawn by the department; and
f. No criminal convictions pursuant to NMSA 1978, Section 74-1-10 within the past five years for violation of any provision of 20.7.3 NMAC.

4. Administration of the Certification/Qualification of On-site Professionals

a. Responsible for administration: The New Mexico Environment Department's Liquid Waste Program shall be responsible for the administration of the certification and qualification requirements stated in Section 904 of the Liquid Waste Disposal and Treatment Regulations. All applications shall be submitted to the Liquid Waste Program Manager or designee. All applications shall be reviewed by the Liquid Waste Program Manager or designee.

b. Department timeline for review of applications: The department shall, within 15 working days of a receipt of a complete application notify the applicant in writing of their approval or disapproval of the application.

c. Department denial of applications: The department may deny a qualification if it determines that an applicant does not meet all eligibility requirements as stated in the regulations or specified in this guidance.

d. Right to appeal disapprovals: The department disapproval of an application may be appealed pursuant to the adjudicatory procedures in 20.1.5 NMAC.

e. Installer specialist recertification: Installer specialist certification shall be valid for no longer than three years, expiring on January 31 of the applicable year. Installer Specialists shall be recertified upon submission to the department, no later than January 31 of each applicable year, of documentation that the installer specialist has received 16 hours of approved training credits during the previous three calendar years.

f. Installer specialist approved training curricula: The department shall maintain on its internet website a list of training curricula that have been approved for qualification and recertification as installer specialist.

g. Installer specialist regulation training and exam: The department shall accept registrations for a 20.7.3 NMAC installer specialist training class and exam quarterly in each department district. The department shall provide trainings and exams every quarter in each district unless there are no candidates who have shown an interest in this training and exam.

h. NMED website: The department will maintain on its internet website a list of certified installer specialists, maintenance service providers and septage pumpers along with a description of the minimum qualification requirements for each certification.
i. Suspension and Revocation: The department, at any time, may suspend or revoke a qualification for cause to include fraud, misrepresentation, failure to provide required documentation, failure to provide service in accordance with qualification or failure to comply with 20.7.3 NMAC. Suspension or revocation shall be by issuance of an order by the department.
j. Right to Appeal: Any person who desires to appeal a denial, suspension, revocation or disqualification for any category of certification described herein may appeal to the Secretary of the Environment Department. An appeal is initiated by submitting a request for a hearing. The request for a hearing must be in writing and made no later than 30 days after notice of the action is served. Upon such request the Secretary shall conduct a hearing pursuant to the adjudicatory procedures in 20.1.5 NMAC.

This policy guidance shall go into effect on March 1, 2015.

Approved by

Jack King — 2/25/15
EHB Bureau Chief — Date

Jim Vincent — 2/25/15
Liquid Waste Program Manager — Date

Installer Specialist CEUs

The Installer Specialist applicant is required to have completed 16 CEUs within the past three years that pertain to this Installer Specialist category of certification. It is the responsibility of the applicant to submit their 16 CEUs in the Installer Specialist Category along with detailed information which will provide NMED with adequate information to determine whether or not the specified trainings covered topics listed in the KSA table below. This could include copies of training agendas, powerpoint slides or other handouts. NMED hall make the determination as to how many CEUs will be approved for any specific trainings.

Knowledge, Skills and Abilities for Installer Specialist

Knowledge of CID regulations and the limitations of their licensure or certification	
Knowledge of OSHA safety regulations regarding trench safety	
Knowledge of health and safety standards when working with liquid waste: personal hygiene, pathogens, lifting and carrying injuries, hazardous gases, confined space hazards, electrical hazards, open excavations, risers and access openings, insect and snake bites, poisonous vegetation and dogs	
Knowledge and ability to install conventional treatment systems and holding tanks	
Knowledge of how to excavate to the proper depth	
Knowledge of materials, their proper use and installation	
Knowledge of pipe marking, identification and color codes	
Knowledge of classification of soil types	
Knowledge of soil geology and soil morphology and landscape positioning	
The ability to determine the difference between clays, coarse sands and other soil types	
The ability to determine the depth to the seasonal high water table	
Knowledge of fluid dynamics related to drainage and geographic slopes	
Knowledge of the concepts of evapotranspiration	
Knowledge of the impacts of vegetation on liquid waste systems	
Knowledge of the design of liquid waste systems	
Knowledge of water movements through a soil treatment area	
Knowledge of the development and functioning of a biomat in soil treatment areas	
Knowledge of the differences between different pipe materials and their intended use	
Knowledge and ability to properly size and install a pump (for demand-dosed systems)	
Knowledge of the UPC and NM Plumbing and Mechanical Regulations	
Ability to operate a backhoe	
Ability to properly size a soil treatment area/ disposal area	
Ability to properly size a septic tank	
Ability to operate a transit	
Ability to properly connect pipe and fittings	
Knowledge of the functioning of all types of liquid waste systems	
Knowledge and ability to design and install all types of liquid waste systems	
Knowledge of dosing systems and controls	
Knowledge of the basic types of advanced treatment systems including fixed-film, suspended growth and activated sludge	
Knowledge and ability to install pump stations (time-dosed)	
Knowledge and ability to install all types of alternative disposal systems including but not limited to evapo-transpiration systems, mounds, elevated systems, cluster systems, subsurface irrigation and greywater systems	
Knowledge of legal descriptions, easements, encroachments and lot size determinations	
Ability to read plat maps and GPS units	
Ability to understand and work on control panels within the limits of your licensure	
Knowledge of basic plumbing methods and electrical requirements	

New Mexico Environment Department
Liquid Waste Program

FACT SHEET

Qualification Requirements for Liquid Waste Professionals

Section 904 of 20.7.3 NMAC

Liquid Waste Installer 401(C)

- Must hold one of the following valid CID licenses: MM-1, MM-98, MS-1 or MS-3

Third Party Evaluator 904(B)

- Must have <u>one of</u> the Following:
  1. **A valid CID** License (MM-1, MM-98, MS-1 and MS-3);
  2. Licensure as a **professional engineer (PE)**;
  3. Accreditation in on-site inspection by the **National Sanitation Foundation (NSF)**;
  4. Certification by the **National Environmental Health Association (NEHA)** as an installer of on-site wastewater treatment systems;
  5. Certification as a **registered environmental specialist (REHS) or a registered sanitarian (RS)**; **or**
  6. **Demonstration of a similar accreditation or certification,** or a combination of training and experience approved by the department *(Application required to demonstrate training and experience- applicants must have valid NAWT certification and show proof of experience in conducting evaluations)*

Maintenance Service Provider (MSP) 904(C)

- All MSPs must submit applications to the NMED Liquid Waste Program for approval (As of January 1, 2015)
- All approved MSPs shall be listed on the liquid waste website
- MSPs shall at a minimum be able to inspect, operate and maintain the system in accordance with the manufacturer's specifications and permit requirements
- The MSP personnel shall possess a valid CID license(MM-1,MM-98,MS-1 or MS-3); <u>and</u> have at least one of the certifications listed below: *(This certification is not transferable to other company employees)*
  - **Manufacturer's Certification** for the proprietary unit being maintained;
  - **Operator certification for small advanced wastewater systems**, or higher from the State of New Mexico, or certification at an acceptable level as a wastewater operator from another state; or
  - **Certification based on other credentials** approved by the department

Septage Pumper 904(D)

- Must have completed **NAWT Vacuum Truck Technician Training Certification Program** or equivalent; and
- Submit an application to LW Program with a copy of their certification;
- A list of approved septage pumpers shall be listed on the liquid waste website

Installer Specialist 904(E)

- Any person who possesses all of the following minimum qualifications may apply to the department for certification as an installer specialist: *(This certification is not transferable to other company employees)*
  1. A valid CID License (MM-1, MM-98, MS-1 and MS-3);
  2. Three years of professional experience installing on-site liquid waste systems in NM or other requirements listed in 904(E);
  3. 16 hours of training CEUs approved by the department (completed during the past 3 years);
  4. Passing an exam on the Liquid Waste Regulations 20.7.3 NMAC in previous 12 months;
  5. No compliance orders issued to applicant within the past 3 yrs; and no criminal convictions in past 5 yrs
- An application must be submitted to LW Program and Recertification Application must be submitted every 3 years; must complete 16 hours of approved training CEUS