

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Clean Water

DOCUMENT NUMBER: 385-2314-002

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 an SEO certification and training program that will produce a knowledgeable and skilled SEO community to serve as the foundation of the on-lot sewage disposal program in Pennsylvania. The certification and training program includes the necessary criteria for SEO candidates who wish to become certified SEOs, for certified SEOs who need to maintain their certification, and for lapsed or inactive SEOs who 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 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. DEP does not intend to give this guidance 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: 11 pages

I. GENERAL

- A. This guidance establishes a framework for DEP to manage its SEO training and certification program with the goal of meeting the individual needs of members 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 precertification and continuing education (CE) subject material. Successful completion of a precertification training curriculum is a prerequisite for taking the SEO certification examination (exam) for the first time. Following certification, CE training is necessary to maintain an SEO's certification. All training is delivered through a combination of instructor-led classroom training, self-study web-based training or eLearning, self-study correspondence training or distance education, webinars, and customized individual training.
- C. DEP may use department assets or resources to develop and deliver precertification training and CE training, or DEP may 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, *Act 537 Program Guidance; Training Provider Manual for the Pennsylvania Onlot Sewage System Training Program (385-2314-001)*, details the methodology for application for, and review and approval of third-party provider-based training sponsors and courses for precertification and CE training.
- E. Pennsylvania Clean Water Academy

DEP's Bureau of Clean Water has a learning management system entitled the Pennsylvania Clean Water Academy (PaCWA). The PaCWA serves the SEO certification and training program by providing self-service for SEOs to find training courses, register for training courses, check on their training status, update their personal information, and renew their certification. In addition, potential SEO candidates will be able to register for precertification courses and the SEO certification exam. The PaCWA is located at <https://pacleanwateracademy.remote-learner.net>.
- F. 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 local agencies. Under the Act, local agencies are responsible for issuing permits for certain on-lot sewage systems (35 P.S. § 750.7), and have the authority to prevent or restrain violations and abate nuisances (35 P.S. §§ 750.12-750.15). The powers and duties of local agencies related to permitting on-lot 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's certification (35 P.S. § 750.11(b); 25 Pa. Code §§ 72.52 and 72.58).

G. Contact Information

This guidance, including all information relative to becoming and maintaining an SEO certification is posted on DEP's website <http://www.dep.pa.gov>. DEP may also utilize other web-based technologies to disseminate information and manage the SEO certification process.

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

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II. PRECERTIFICATION TRAINING

- A. Persons who desire to become a certified SEO will successfully complete a DEP-approved soils course, a DEP-approved SEO precertification academy, and successfully pass a written exam administered by the Board.

B. Soils Course

One part of an SEO candidate's precertification training is a comprehensive DEP-approved soils course designed to teach the overarching principles of how soils relate to on-lot sewage treatment and disposal. At a minimum, the course will cover: concepts and terminology necessary to understand soil development, formation, classification, composition; and physical and chemical properties of soil as they relate to

on-lot sewage treatment and disposal. An approved course can have multiple delivery methods but will be heavily weighted with hands-on instruction in the field. Emphasis will be placed on soil description and interpretation as they relate to identifying limiting zones in a three-dimensional landscape. The course will include an examination that the candidate must pass. A candidate will be allowed to take the soils exam three (3) times. After the third failed attempt, the candidate will retake the soils course before retaking the soils exam. If the candidate does not pass the soils exam on additional attempts, the same conditions apply. An SEO candidate will successfully complete the soils course before sitting for the SEO certification exam. A candidate who is certified through the Soil Science Society of America (SSSA) as a Certified Professional Soil Scientist (CPSS) or a Certified Professional Soil Classifier (CPSC) may elect to test out of the DEP-approved soils course. If the CPSS or CPSC fails the exam, the candidate will take the soils course and all the above conditions apply.

C. SEO Precertification Academy

A second part of an SEO candidate's precertification training is the "SEO Precertification Academy." This course is designed to provide the basic skills and knowledge a future SEO needs to work for a local agency, and to prepare the SEO for permitting on-lot sewage disposal systems in a municipality. An SEO candidate will successfully complete the SEO Precertification Academy before sitting for the SEO Certification Exam.

This DEP-approved training course covers 25 Pa. Code Chapters 71, 72 and 73. The 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, administration, and system malfunctions and repairs.

- D. Candidates who want to pursue SEO precertification training can access the PaCWA (<https://pacleanwateracademy.remote-learner.net>) for a list of DEP-approved training courses. The candidate should follow the instructions in the PaCWA for course registration and schedule information. A candidate who successfully completes precertification training will receive a certificate of completion.

III. SEO CERTIFICATION EXAMINATION

- A. An SEO candidate will successfully complete all DEP-approved precertification training courses before taking the SEO certification exam. Proof in the form of a certificate of completion is necessary.
- B. To sit for an SEO certification exam, a candidate should register for the exam by the due date posted on DEP's website. A candidate can register to sit for the SEO certification exam through the PaCWA, or by submitting an application with the application fee to the Board.

- C. The Board Secretary will notify a candidate that the candidate has been admitted to the SEO certification exam and will provide further information to the candidate as necessary prior to the exam.
- D. A minimum of four (4) SEO certification exams are scheduled each year.
- E. The Board announces the location and time of each SEO certification exam in the *Pennsylvania Bulletin* and on the SEO and Board webpages on the DEP website at the beginning of each calendar year. The announcement includes registration information for the SEO certification exam.
- F. The SEO certification exam consists of 100 multiple choice questions organized into four (4) categories: planning, administration, soils, and technical. The SEO certification exam is open book and a candidate has a maximum of three and a half (3.5) hours to complete the exam.
- G. A passing grade for the SEO certification exam consists of five (5) scores: a candidate achieves at least 50% in each of the four (4) specific categories listed above, and an overall average score of at least 70%.
- H. A candidate who passes the SEO certification exam and satisfies all eligibility requirements set forth in the regulations may be certified to perform the duties of an SEO by the Board. Within 30 days of the exam date, the Board certifies by a majority vote each eligible candidate who passed the exam. These votes occur during the public meetings held by the Board. If the Board does not meet within the 30-day time period after an SEO certification exam, a candidate who has passed the exam is deemed certified.
- I. A candidate who does not pass the SEO certification exam will be notified 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 provide a wall certificate with the SEO's individual certification number and date of certification along with two certification pocket cards. The SEO's individual certification number and the date of expiration of the SEO's certification are listed on the pocket card. One pocket card is meant to be displayed with the certificate. The other pocket card should be carried by the SEO for identification purposes.
- K. A candidate may sit for the SEO certification exam three (3) times. After the third failed attempt, the candidate will repeat the SEO Precertification Academy training course before taking the certification exam again. The candidate does not need to repeat the Precertification Soils Course before taking the certification exam again. If the candidate does not pass the SEO certification exam on additional attempts, the same conditions for repeating the SEO Precertification Academy apply.

IV. SEO CONTINUING EDUCATION TRAINING

CE training is designed to provide the SEO with additional skills, knowledge, and resources so that the SEO is better equipped to make decisions that ultimately protect Pennsylvania's public

health and environment. An SEO should continue to acquire skills to provide the best available service to persons who are planning to install new systems, are installing new systems, or are repairing malfunctioning systems.

The following items highlight the SEO CE Program:

- A SEOs should complete 15 CE credits during each certification cycle.
- B For new SEOs, **effective upon publication of this guidance document**, the certification cycle will move to a two-year rolling cycle. For example, after the SEO Precertification Academy is complete and the exam is passed, SEOs will have two (2) years from the SEO's certification date to obtain 15 CE credits.
- C Existing SEOs in the current two-year certification cycle that starts on July 1 and ends on June 30 will stay in this cycle unless the SEO enters lapsed status. For example, a current SEO's certification cycle began on July 1, 2018 and will end on June 30, 2020.
- D If an SEO is unable to obtain 15 CE credits within the SEO's two-year cycle, the SEO's certification will lapse. If the lapsed SEO can obtain enough credits to meet the 15 CE credit requirement and pays the renewal fee, the SEO will move to active status after completion of the renewal process within the PaCWA. The start of the new two-year cycle will begin on the date of achieving active status. For example, an SEO's certification lapsed on July 1, 2019; the SEO obtains the required CE credits, renews, and pays the renewal fee on December 30, 2019. The SEO's two-year cycle for obtaining 15 CE credits is now December 30, 2019 to December 30, 2021.
- E If a lapsed SEO is unable to obtain 15 CE credits within two (2) years after the lapse date, the SEO's certification becomes inactive. To return to active status, the SEO should complete any DEP-required precertification courses that the SEO has not taken previously. If the SEO previously completed the precertification courses, the SEO need not take the courses again, but the SEO will retake and pass the precertification soils course and the SEO certification exam to show competency with the material.
- F For certification cycles that **end before June 30, 2020**, SEOs who earn more than 15 CE credits within a certification cycle may carry over up to seven (7) credits into the next cycle.
- G Effective with certification cycles that **end after June 30, 2020 and before June 30, 2022**, SEOs who earn more than 15 CE credits within a certification cycle may carry over up to three (3) credits into the next cycle.
- H Effective with certification cycles that **end after June 30, 2022**, SEOs who earn more than 15 CE credits within a certification cycle will not be able to carry over any credits into the next cycle. For example, 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 CE credits more than the required 15 will not be added into the "total credit count" on the report or carried over into the next cycle.

- I. DEP may waive or adjust the amount of minimum CE credits 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. DEP will make this announcement as early as possible.
- J. DEP may designate certain CE courses as requisite for certification renewal and may establish a specific “completion date” for such courses. The criteria for establishing requisite course training is based on the subject matter being critical to public health and integral to SEO job performance, but may not be covered in sufficient detail during the precertification training.
 - 1. If a requisite course has a post-test, the SEO will achieve a passing score on the post-test to receive CE credit for the course. The date of course completion as noted on the SEO’s training record report is the date on which the SEO passed the post-test.
 - 2. DEP believes that a comprehensive soils course is fundamental for all SEOs. Therefore, DEP requires every SEO to take and successfully complete a DEP-approved soils course. Effective immediately, any SEO who has not taken and successfully passed the previous requisite course #109 *Advanced Soils*, or an equivalent DEP-approved soils course as stated in *Section II.B.*, should take a DEP-approved soils course within five (5) years of the date this guidance becomes final.
 - a. An SEO will be allowed to take the soils exam three (3) times. After the third failed attempt, the SEO will retake the soils course before taking the soils exam. If the SEO does not pass the soils exam on additional attempts, the same conditions apply. If an SEO fails to successfully complete a DEP-approved soils course within five (5) years, the SEO’s certification will become lapsed.
 - b. An SEO who is certified through the SSSA as a CPSS or a CPSC may elect to test out of the DEP-approved requisite soils course. If the CPSS or CPSC fails the exam, the candidate will take the soils course and the same conditions apply as in *Section IV.J.2.a*.
- K. CE credits are obtained after satisfactory completion of a DEP or a DEP-approved third-party classroom, correspondence, or web-based training course.
- L. 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 (1) of these course delivery options only once during a certification cycle for CE credit.
- M. For certain DEP on-lot alternate technologies, an SEO is required to complete a training course for that technology as a condition for issuing an on-lot sewage disposal system permit for that technology. If an SEO completes a technology course after having already satisfied the 15 CE credits, those CE credits will not roll over into the next

certification cycle; however the SEO would be delegated authority to review permits for systems using that technology upon completion of the course.

- N. An SEO may repeat a CE course within a certification cycle, but will not receive credit for the course.
- O. 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.
- P. An SEO should present a valid government-issued photo ID during course registration for admittance during instructor-led courses. An SEO may display the SEO's pocket card for supporting identification.
- Q. An SEO is responsible for all course registrations. An SEO will also ensure that the SEO has taken enough CE courses necessary to satisfy the SEO's certification training requirement.
- R. The Board Secretary will maintain an SEO training database within the PaCWA. Any potential discrepancies with an SEO's training record report should be directed to the Board Secretary.
- S. The Board Secretary posts an updated list of active SEOs on the DEP website after every certification exam. This public list includes contact information for all active SEOs such as: their name, counties in which they work, addresses, email addresses, and telephone numbers.

V. SEO CERTIFICATION STATUS AND REQUIREMENTS

A. SEO Certification Renewals

The Board Secretary, through the PaCWA, will provide reminders to all active SEOs to renew their certification two (2) months before their certification cycle ends. If an active SEO does not renew their certification by the end of the certification cycle or does not complete the requisite CE requirements, the SEO's certification will lapse. The failure to meet re-certification requirements for a lapsed SEO will result in the SEO's certification 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 will have acquired 15 CE credits within the SEO's certification cycle. An SEO should retain course completion certificates in case of conflict with DEP records.
 - b. An SEO should renew their certification online through the PaCWA or, submit the SEO certification renewal application to the Board Secretary with a renewal fee of \$50 by the end of the SEO's certification cycle.

- c. An SEO must be in compliance with the Act and the regulations implementing the Act.
- d. The Board Secretary verifies through the PaCWA, or otherwise processes all renewal applications, and issues new pocket cards to active SEOs. The pocket cards will have an expiration date for the SEO's new certification cycle and will be printable from the PaCWA.

2. Lapsed SEO Certification Renewal

- a. An SEO whose certification lapses because the SEO 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 two (2) years from the end of the cycle, in which SEO is lapsed, to satisfy the 15 CE credit requirement.
- b. After the SEO in lapsed status completes the required training, the SEO may apply to the Board Secretary, through the PaCWA, for renewal of the SEO certification.
- c. An SEO may also be placed in lapsed status because the SEO failed to renew through the PaCWA, or otherwise failed to submit the renewal application and/or renewal fee on time. The SEO has two (2) years from the end of the cycle in which the SEO lapsed to renew online and/or submit a renewal application and fee.
- d. The Board Secretary verifies SEO certification renewals through the PaCWA, processes renewal applications for SEOs that are in lapsed status, and issues new pocket cards to lapsed SEOs returning to active status. The pocket cards will have an expiration date for the SEO's new certification cycle, which will be two (2) years from the date the SEO regained active status.
- e. If an SEO does not complete the 15 CE credit requirement and renew through the PaCWA, or submit a renewal application and renewal fee for the certification cycle in which the SEO is lapsed, the SEO's certification expires and the SEO becomes inactive. An SEO in inactive status cannot renew the SEO's certification. An SEO wanting to regain active certification status will complete the certification reinstatement process (*Section V.B.*).

B. SEO Certification Reinstatement

A previously certified SEO whose certification became inactive may seek to have the SEO certification reinstated.

1. Inactive SEO Certification Status
 - a. To have SEO certification reinstated, a previously certified SEO whose certification became inactive will pass the precertification soils course and the SEO certification exam. A previously certified SEO who wishes to take the precertification soils course and the SEO certification exam should refer to *Section III* of this guidance.
 - b. A previously certified SEO whose SEO certification is reinstated will be reassigned the SEO's original certification number.
 - c. A previously certified SEO may be required to take an additional training course(s) as a condition for reinstatement to active status.
 - d. Previous delegation authority to review and approve alternate on-lot technologies may not carry over if the SEO's certification is reinstated to active status. The DEP will review the previously approved alternate on-lot technology courses completed by the SEO and determine if the SEO needs to complete the course again.
2. Suspended SEO Certification Status
 - a. A previously certified SEO whose certification has been suspended and is seeking reinstatement should submit a written request for reinstatement to DEP within two (2) years of the date of suspension, or otherwise follow the specific terms for reinstatement outlined in the DEP Order suspending the SEO's certification, or any settlement agreement or Board decision due to an appeal of the DEP Order. The previously certified SEO whose certification has been suspended for more than two (2) years will have the SEO's certification revoked by DEP.
 - b. DEP may reinstate a suspended SEO certification under the following circumstances:
 - 1) The previously certified SEO has taken and passed the precertification soils course and the SEO certification exam.
 - 2) The previously certified 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 previously certified SEO has satisfactorily completed any requirement by DEP for training under the direction of another certified SEO selected by DEP for a period established by DEP.

3. Revoked SEO Certification Status

- a. A previously certified 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 previously certified SEO for reinstatement, the Board will consider:
 - 1) The nature and gravity of the misconduct of the previously certified SEO which resulted in the revocation.
 - 2) DEP may recommend reinstatement of a revoked SEO certification under the following circumstances:
 - a) The previously certified SEO has taken and passed the precertification soils course and the SEO certification exam.
 - b) The previously certified 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 previously certified SEO has satisfactorily completed any requirement by DEP for training under the direction of another certified SEO selected by DEP for a period established by DEP.