



Tennessee Onsite Wastewater Association, Inc.
P.O. Box 292983
Nashville, Tennessee 37229-2983

March 31, 2004

Senator Douglas Henry
11 Legislative Plaza
Nashville, TN 37243-0021

Re: Senate Bill 2820

Dear Senator Henry:

The Tennessee Onsite Wastewater Association (TOWA) was formed in 1997 to advance and promote the onsite wastewater industry in Tennessee. TOWA serves all members of the industry, including installers, manufacturers, field practitioners, suppliers, engineers, soil scientists, distributors, research professionals, educators, consultants and government regulatory personnel. It is important to stress that our organization only supports efforts to advance this industry so long as it ensures the protection of public health and the environment. Toward that end, TOWA conceptually supports the proposed Senate Bill 2820. However, there are a few specific points that we feel need to be brought to your attention. They include the following:

- As written, this bill establishes training and certification for certain persons involved with subsurface sewage disposal systems. While this is excellent in itself, it does not specify continuing education requirements (CEU's). This is vital to ensure that persons involved in this industry stay abreast of the most current technologies and techniques. CEU's are typically required for most other licensed professionals (e.g., engineers, surveyors, etc.). This was probably intended but not clearly specified.
- If CEU's are mandated, criterion needs to be established for how many units of continuing education are required along with a set expiration period (e.g., 6hrs/year, 8 hrs/yr, 8 hrs/every other year, etc.).
- In addition to establishing fees to administer the program, the mechanism by which the education is to be made available must be established. For example, who provides the training, what training can be accepted, will there be a "training" board to oversee the process like in other states? Specifically, what role may the newly established University of Tennessee Center for Decentralized Wastewater Management (TN CDWM) have in this process? The Tennessee Department of Environment and Conservation — Division of Groundwater Protection has endorsed this center by investing a substantial amount of funding for its establishment.
- The language in this bill does not address situations where local and regional authorities may already have a training and certification program in place. Provisions should be provided such that the state either recognizes the local program or the local program must comply with the minimum state standards.

- The bill specifically cites five categories of people that will be required to have this training and certification. However, the following professional groups should also be included: onsite wastewater system designers and engineers, and septic tank manufacturers. Additionally, one of the originally cited five categories, maintenance providers, are non-existent in the current rules. The role of the maintenance provider needs to be defined, and more importantly, their duties need to be established.

Thank you for the opportunity to comment on this proposed legislation. If we may be of further assistance please let us know.

Sincerely,

Louan Tillman
President