

July 18, 2012

**MEMORANDUM**

**TO:** Environmental Health District Directors

**FROM:** Tyler R. Fortunati, R.E.H.S.

**SUBJECT:** County, State, and Federal Department/Agency Exemption from Installer's Registration Permit

The Idaho Department of Environmental Quality (IDEQ) is providing this memorandum to aid in statewide consistency in the deliverance of the subsurface sewage disposal program. The Individual/Subsurface Sewage Disposal Rules (IDAPA 58.01.03.006) require an Installer's Registration Permit to be obtained for every installer of a standard, basic alternative, or complex alternative system in the State of Idaho. *IDAPA 58.01.03.006.06.a* and *.b Exemption* provide that an installer's permit is not required under certain circumstances. IDEQ would like to clarify and direct that this exemption does apply to City, County, State, or Federal Departments/Agencies under the following scenarios:

- The department/agency, or their staff, is a licensed public works contractor, with experience in the type of system to be installed, and the work is being done under the direction of a Professional Engineer (PE) licensed in the State of Idaho (the PE may be one of the department/agency staff engineers). The system being installed must be a central or municipal subsurface sewage disposal system.
- The department/agency is utilizing their staff and equipment to install a standard or basic alternative system and the work is being done on land that is owned by the respective department/agency (City, County, State, or Federal lands).

This exemption does not apply under the following scenarios:

- The department/agency is hiring out their subsurface sewage disposal work to a contractor (contractor must hold proper license).
- The department/agency is installing a complex alternative system and is not a licensed public works contractor under the direction of a PE.
- The department/agency is installing the subsurface sewage disposal system on land that is not owned by the respective department/agency. Leasing agreements or easements do not convey ownership to the department/agency and therefore the exemption conditions do not exist.

Please route this memo to your staff working in the subsurface sewage disposal program and ensure that they are applying this exemption correctly and uniformly for all government departments and agencies. If there are any questions or comments please contact me at 208-373-0140 or by email at [tyler.fortunati@deq.idaho.gov](mailto:tyler.fortunati@deq.idaho.gov).