

### **211.360 Certification of inspectors.**

- (1) The cabinet shall establish a program to certify persons as inspectors solely for on-site sewage disposal systems. Persons eligible for certification shall include sanitarians, engineers, soil scientists, and other qualified persons as determined by regulation by the cabinet. In order to be certified by the cabinet, eligible persons shall:
  - (a) Attend a training session concerning the proper construction and installation of on-site sewage disposal systems conducted by the cabinet;
  - (b) Indicate sufficient skill and competency necessary for proper inspection of on-site sewage disposal systems by adequate performance on an examination prescribed by the cabinet;
  - (c) Pay a reasonable fee related to the cost of conducting training and certification sessions to be utilized to defray the cost of conducting the sessions; and
  - (d) Renew the certificates of competence at reasonable intervals.
- (2) No person shall approve the construction, installation, or alteration of an on-site sewage disposal system unless it is in conformance with the regulations issued by the cabinet.
- (3) The cabinet may revoke or suspend any certification issued pursuant to this section upon proof that the certified person has:
  - (a) Knowingly violated the provisions of this chapter or the regulations of the cabinet;
  - (b) Practiced fraud or deception in applying for or obtaining a certificate;
  - (c) Is incompetent to perform inspection services;
  - (d) Permitted the certification to be used directly or indirectly by another to obtain or perform inspections; or
  - (e) Is guilty of such other unprofessional or dishonorable conduct of a character likely to deceive or defraud the public.
- (4) Upon appeal of any decision to revoke or suspend a certification, an administrative hearing shall be conducted in accordance with KRS Chapter 13B.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 318, sec. 107, effective July 15, 1996. -- Created 1982 Ky. Acts ch. 392, sec. 3, effective July 15, 1982.