

**Proposed Liquid Waste “Installer Specialist” Voluntary Certification  
September 15, 2011 Discussion Draft**

This new certification is being proposed with the goal of providing incentives for liquid waste contractors to voluntarily complete 8 hours per year of approved training, and ensure that all of their construction work complies with 20.7.3 NMAC. Since this certification is voluntary, it would not conflict with the dual licensing prohibition in the Construction Industries Licensing Act.

The incentives would consist of being certified as an “Installer Specialist” by NMED, and being authorized to simply notify NMED of the day and time of construction completion, rather than having to schedule an inspection by NMED. NMED, however, would still have the option to inspect the work completed under the Liquid Waste Permit, and would be given 2 working days advance notice of the time of completion.

The following language is proposed to be added as a new provision to 20.7.3.904 NMAC.

**#. Installer Specialist.**

1. Any person who possesses the following minimum qualifications may apply to the department for certification as an Installer Specialist:
  - (a) a valid and appropriate classification of contractor’s license issued by the New Mexico Construction Industries Division for the construction of onsite liquid waste systems;
  - (b) installation of 150 onsite liquid waste systems, at least 100 of which must be in New Mexico;
  - (c) the names, addresses, phone numbers, and Liquid Waste Permit numbers for three clients who own liquid waste systems installed by the applicant in New Mexico, and who have agreed to serve as references for the quality of work performed by the applicant;
  - (d) sixteen hours of training credits approved by the department completed during the previous twelve months;
  - (e) successful completion of a 20.7.3 NMAC training curriculum and examination provided by the department during the previous twelve months;
  - (f) no compliance orders issued to the applicant within the past five 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of 20.7.3 NMAC, except for compliance orders that are presently under appeal or that have been overturned on appeal or withdrawn by the department; and
  - (g) 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.
2. Application for certification as an Installer Specialist shall be made in writing on a form provided by the department, and shall include documentation of qualification requirements 1(a), 1(b), 1(c) and 1(d) above.
3. The department shall, within fifteen working days of receipt of a complete application, notify the applicant in writing of approval or disapproval of the application.

4. Department disapproval of an application may be appealed pursuant to the adjudicatory procedures in 20.1.5 NMAC.
5. Installer Specialist certification shall be valid for no longer than one year, expiring on January 31 of each year.
6. Installer Specialists shall be recertified upon submission to the department, no later than January 15 of each year, of documentation that the Installer Specialist has received eight hours of approved training credits completed during the previous calendar year.

NOTE: (The existing 20.7.3.904 provisions for suspension and revocation of a certification also would apply to Installer Specialist.)

The following language is proposed to be added as a new provision to 20.7.3.203.B NMAC.

(#) An Installer Specialist doing the work authorized by the permit shall notify the department, orally or in writing, of the day and time of completion of the work. Such notification shall be given at least 2 working days, calculated to the hour, prior to completion of the work. If the department does not arrive at the site within one hour of the notified time of completion, the Installer Specialist shall take digital photographs of all components of the installation, shall complete an inspection form provided by the department, and may complete the installation. The Installer Specialist shall provide electronic copies of the photographs and inspection form to the department within five working days.