

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control **628** Department or Agency **Alabama Onsite Wastewater Board**

Rule No. 628-X-4-.01

Rule Title: When Required; Failure for Timely Payment; Method of Payment; Time of Payment; Fees not Refundable

New_ ___ Amend_XXX ___ Repeal ___ Adopt by Reference ___

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer  Date: 5/4/12

ALABAMA ONSITE WASTEWATER BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Onsite Wastewater Board

RULE NO. & TITLE:

628-X-4-.01– When Required; Failure for Timely Payment; Method of Payment; Time of Payment; Fees not Refundable

INTENDED ACTION:

The Alabama Onsite Wastewater Board proposes to amend the above listed rule.

SUBSTANCE OF PROPOSED ACTION:

Amendment of rules in accordance with Code of Alabama, 1975, 34-21A-1, et seq., which establishes the Alabama Onsite Wastewater Board, “revising this rule will allow the Alabama Onsite Wastewater Board to refund monies to licensees when deemed appropriate.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Written or oral requests should be submitted to the agency contact persons listed below.

FINAL DATE FOR COMMENT

July 5, 2012

CONTACT PERSON AT AGENCY:

Mike Talley, Executive Director
Melissa A. Hines, Executive Secretary
P.O. Box 303552
Montgomery, Alabama 36130
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Email: Melissa.hines@aowb.alabama.gov



Mike Talley
Executive Director

628-X-4-.01 When Required; Failure For Timely Payment; Method Of Payment; Time Of Payment; Fees Not Refundable

An application for a license or a request for which a fee is required, must be accompanied by payment of the requisite in full, or else the application or request shall be denied. Fees may be paid by a personal check, certified check, cashier's check, money order or online via the Boards website. Fees are deemed paid when the funds represented by the check, money order or payment made via internet (online) are actually received or made available to the Board's Executive Director. ~~No fee or part of a fee paid by an applicant for a license, or any request for which a fee is required, shall be refunded for any reason.~~ (At the present time only annual renewal of license and testing fees can be paid online. If obtaining a new license, payment must be made by personal check, certified check, cashiers check or money order.)

Authors: Mitchelene Shaddix, Angie Burkhalter

Statutory Authority: Code of Ala. 1975, §§34-21A-1, et seq.

History: New Rule: Filed May 19, 2000; effective June 23, 2000.

Amended: September 03, 2010; effective: February 17, 2011.