

## SECTION .0700 - PROCEDURES FOR DISCIPLINARY ACTIONS

### 21 NCAC 39 .0701      **REVOCATION OR SUSPENSION OF CERTIFICATION**

(a) The Board may revoke or suspend the certification of an on-site wastewater contractor, point-of-sale inspector, private compliance inspector, or evaluator in accordance with the provisions of G.S. 90A-80, 90A-81, and Article 3A of Chapter of 150B of the General Statutes. For holders of multiple certifications, the Board may revoke or suspend either or all certifications.

(b) Following a revocation or suspension, a certificate holder shall relinquish his or her certificate or seal by submission to the Board of the original certificate or seal and a notarized statement of relinquishment within 30 days of revocation or suspension.

(c) The Board may restrict the certificate of an on-site wastewater contractor, point-of-sale inspector, or evaluator upon receiving a complaint and making a finding that the evidence tends to show that the certificate holder has violated G.S. 90A-81(a). Written notice of the restriction that limits the ability of the certificate holder, in whole or in part, to supervise or conduct the construction, installation, repair, evaluation, or inspection of on-site wastewater systems shall be delivered in accordance with the provisions of service in G.S. 150B-42. A copy of the letter shall be kept in the on-site wastewater contractor, point-of-sale inspector, private compliance inspector, or evaluator's file. The on-site wastewater contractor, point-of-sale inspector, private compliance inspector, or evaluator shall be given the opportunity to request a hearing by submission of a rebuttal, which shall be placed into the file with the Board. The Board shall receive the letter of rebuttal within 30 days of the on-site wastewater contractor, point-of-sale inspector, private compliance inspector, or evaluator's receipt of the notice of restriction. Upon receipt of a certificate holder's rebuttal, the Board shall provide the certificate holder with an opportunity for a hearing by issuing a notice of hearing pursuant to G.S. 150B-38(d).

*History Note:      Authority G.S. 90A-72; 90A-74; 90A-80; 90A-81; 130A-336.2;  
Eff. February 1, 2011;  
Amended Eff. January 1, 2016;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018;  
Amended Eff. June 1, 2021;  
Readopted Eff. November 1, 2025.*