



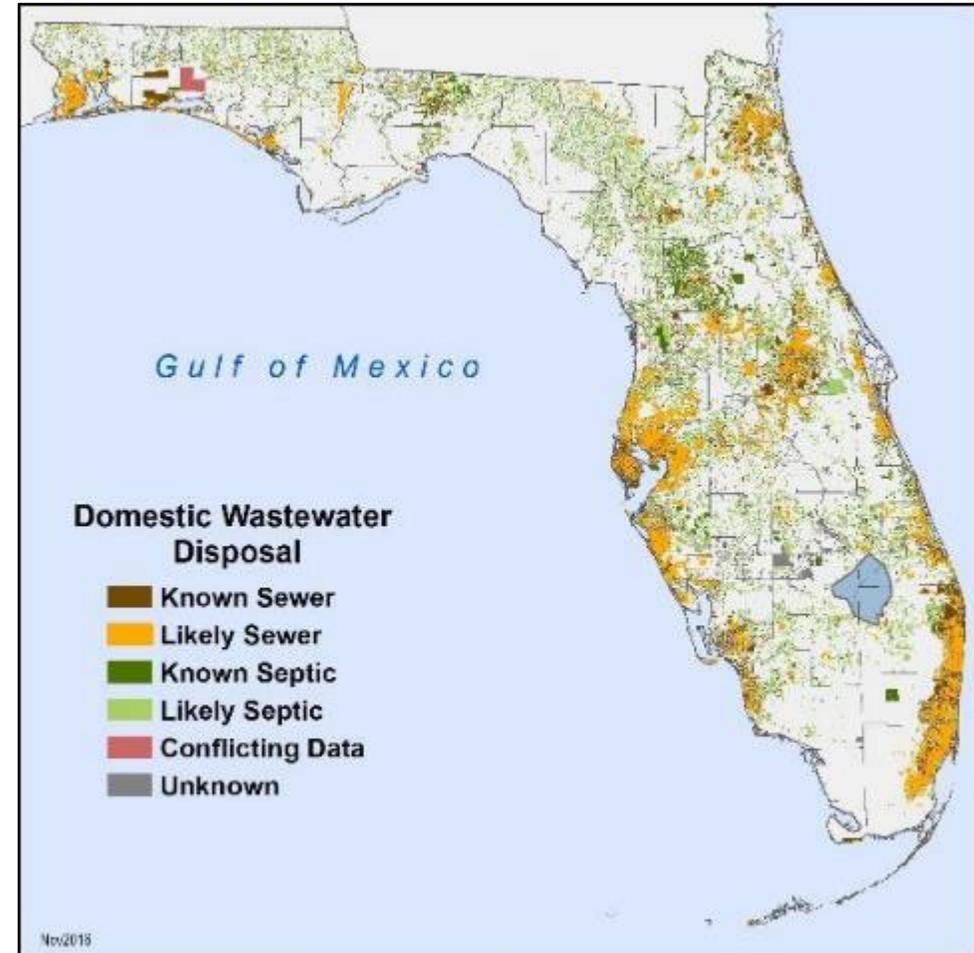
# Protecting **FLORIDA** Together

Onsite Sewage Program

# ONSITE SEWAGE PROGRAM OSTDS OVERVIEW



- About 2.4 million onsite sewage treatment and disposal systems (OSTDS) serve a third of the state.
- OSTDS are an effective alternative to central sewer.



FLORIDA WATER MANAGEMENT INVENTORY, 2018

# ONSITE SEWAGE PROGRAM

## MODERN OSTDS PROTECT PUBLIC HEALTH & THE ENVIRONMENT



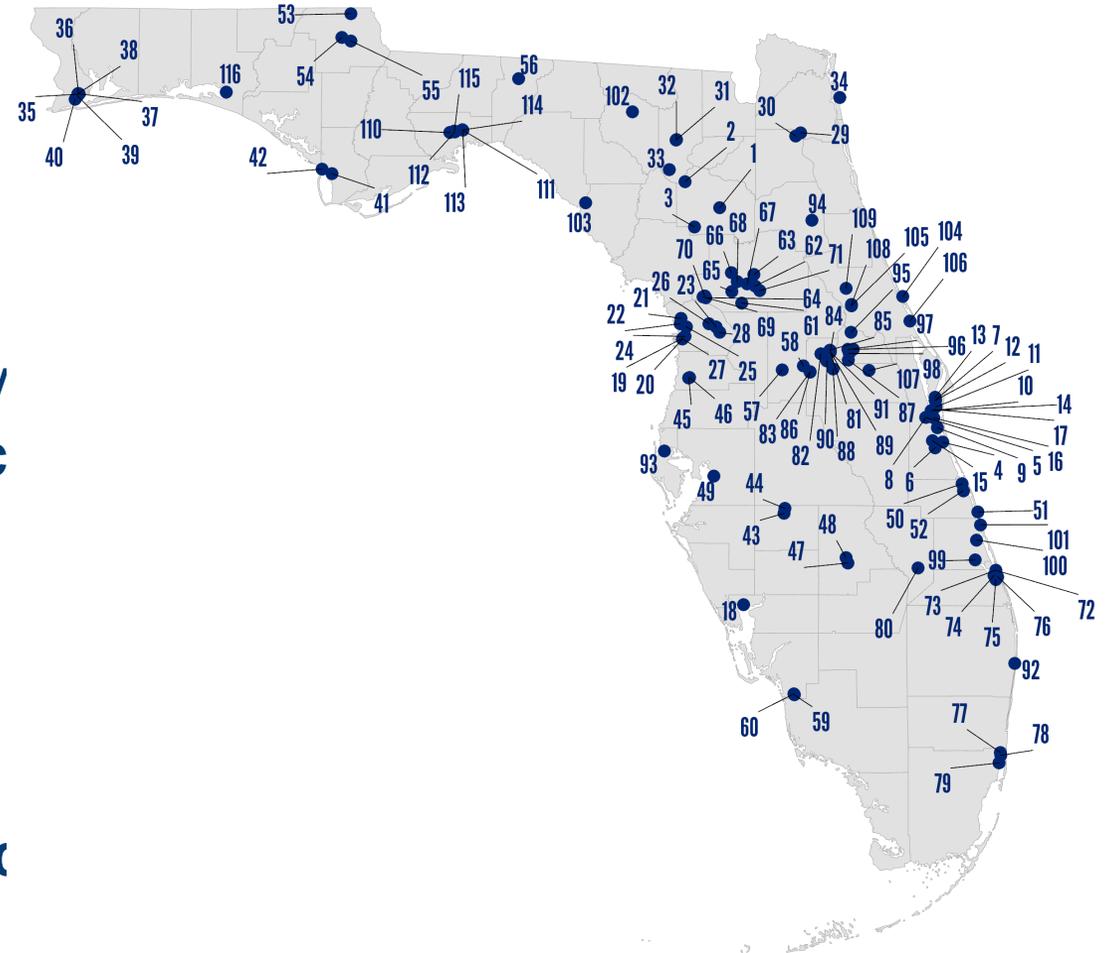
- **Modern OSTDS primarily protect the public from waterborne illness.**
  - Rules set protective distances from OSTDS.
  - Rules ensure treated sewage is below ground surface.
- **The drainfield further breaks down viruses/pathogens from septic tank; can reduce nitrogen by 10-50%.**
- **The density of OSTDS is tied to the drinking water source:**
  - Private wells: lot size 0.5 acre 1,500 gallons per day (gpd)/acre.
  - Public water supply: not more than four lots/acre, 2,500 gpd/acre.
- **With the creation and recurring funding for the Wastewater Grant Program, Florida is focused on septic-to-sewer projects and enhancing treatment at wastewater facilities.**

# ONSITE SEWAGE PROGRAM

## STATE'S COMMITMENT TO NUTRIENT-REDUCING CAPITAL PROJECTS



- Over the past three years, more than **\$401 million** has been awarded to septic to sewer projects.
- The Wastewater Grant Program, created by appropriated more than **\$524 million**, which
  - Convert OSTDS to sewer
  - Construct, upgrade, or expand facilities advanced wastewater treatment (AWT)
  - Retrofit OSTDS to enhanced nutrient-rec



# ONSITE SEWAGE PROGRAM

## POLICIES REQUIRING MORE TREATMENT



- **Some local ordinances require more treatment such as: Aerobic Treatment Units (ATUs), more water table separation or nitrogen reducing systems.**
- **There are existing statutes with additional OSTDS criteria to address areas with water quality concerns: Florida Keys, Aucilla River and Suwannee River.**
- **Statute enabling higher treatment in exchange for permitting on challenging lots, Performance-Based Treatment Systems (PBTS).**
- **The Florida Springs and Aquifer Protection Act prohibits new conventional OSTDS that conflict with OSTDS remediation plans in some Spring Basin Management Action Plan (BMAP) areas.**

# ONSITE SEWAGE PROGRAM



## REGULATIONS AND PROGRAM TRANSFER



# ONSITE SEWAGE PROGRAM PROGRAM TRANSFER



## 2020 CLEAN WATERWAYS ACT (SB 712, CHAPTER 2020-150, LAWS OF FLORIDA)

- **Transfer of Florida Department of Health (DOH) Onsite Sewage Program (OSP) on July 1, 2021, to the Florida Department of Environmental Protection (DEP).**
- **12 OSP program office staff moved into DEP's Division of Water Resource Management.**
- **OSP staff in DOH County Health Departments (CHDs) remain at CHDs.**

# ONSITE SEWAGE PROGRAM

## OSP PROGRAM OFFICE ACTIVITIES



- **Septic tank contractor registration and business authorization, septic tank contractor complaint tracking.**
- **Statewide variance program with Variance Review and Advisory Committee.**
- **Rule interpretation and development, guidance to CHDs.**
- **Technical assistance and program evaluations.**
- **Training for certified environmental health professionals and others.**
- **Approval of products and technology (including innovative).**
- **Research to evaluate performance, environmental health and public health effects of OSTDS.**

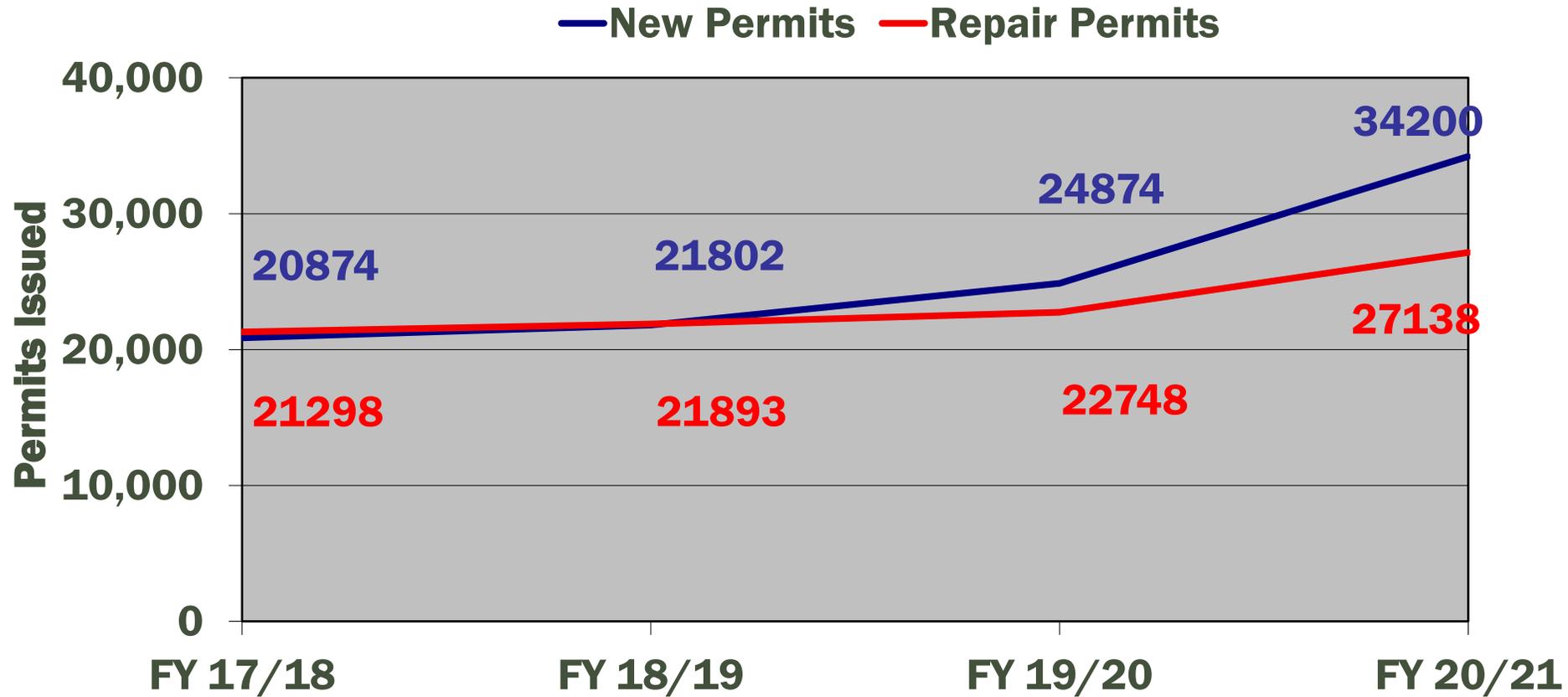
# ONSITE SEWAGE PROGRAM

## CHD ACTIVITIES



- **Construction permits and inspections for construction, installation, modification, abandonment or repair of OSTDS.**
  - Per year average FY 14/15 - 18/19: 43,000 permits.
  - Per year average FY 14/15 - 18/19: 69,000 inspections.
- **Operating permits and inspections for ATUs, PBTS, systems located in areas zoned or used for industrial and manufacturing purposes, systems receiving commercial sewage waste (e.g., restaurants).**
  - 2019: 17,000 active systems, 17,000 inspections.
- **Service permits and inspections for entities providing regulated services.**
  - Per year average FY 14/15 - 18/19: 1,100 permits.
  - Per year average FY 14/15 - 18/19: 950 inspections.

# ONSITE SEWAGE PROGRAM CONSTRUCTION PERMITS



# ONSITE SEWAGE PROGRAM ENFORCEMENT



- **OSP staff in DOH CHDs will perform investigations in coordination with OSP program office.**
- **OSP staff in DOH CHDs will work directly with DEP's Office General Counsel.**
- **DEP OGC will be lead on both administrative and circuit court litigation matters for violations of:**
  - **Section 381.0065, F.S. (OSTDS regulation).**
  - **Chapter 386, F.S., Part I (sanitary nuisances).**
    - **Limited to sanitary nuisances related to septic systems.**
  - **Chapter 489, F.S., Part III (septic tank contractor).**
  - **Any rule adopted under these statutes.**

# ONSITE SEWAGE PROGRAM

## CHAPTER 62-6, F.A.C. SUMMARY



### STANDARDS FOR OSTDS

- **Part I, sections 62-6.001-6.0151, F.A.C. – Requirements for OSTDS in general:**
  - New, modification, repair, abandonment application and permit standards.
  - Construction and material requirements (tanks, drainfields).
  - Conventional systems, In-ground nitrogen-reducing biofilters and ATUs.
- **Part II, sections 62-6.017-6.0182, F.A.C. – Florida Keys.**
- **Part III, sections 62-6.019-6.023, F.A.C. – Registration of septic tank contractors and authorization of partnerships and corporations.**
- **Part IV, sections 62-6.025-6.0295, F.A.C. – Performance-based treatment systems.**
- **Part V, section 62-6.030, F.A.C. – Fees.**

# ONSITE SEWAGE PROGRAM

## CLEAN WATERWAYS ACT REQUIREMENTS



- Temporarily creates OSTDS Technical Advisory Committee, per section 381.00652, F.S.
  - 10 members.
  - Active Aug. 1, 2021. Expires Aug. 15, 2022.
- Submitted [committee recommendations](#) on Dec. 30, 2021, to the Governor and Legislature.
- Recommendations addressed the following:
  - Increase availability of nutrient-reducing OSTDS technology in the marketplace.
  - Fast tracking/expediting approval of enhanced nutrient-reducing OSTDS.
  - Further study of appropriate setback distances to surface water, groundwater and wells.

# ONSITE SEWAGE PROGRAM RULEMAKING



## PREVIOUSLY IDENTIFIED REVISIONS

- The Onsite Sewage Program, while at DOH, had identified and proposed rule revisions with stakeholders and the technical review and advisory panel. Rules were not adopted before program transfer.

## ANTICIPATED CHANGES

- Clean Waterways Act-required updates (setbacks to water, BMAP requirements, variance procedures).
- Update of incorporated forms.
- Update of referenced standards.
- Update of rule language.



## CLEAN WATERWAYS ACT – REQUIRED UPDATES

- Setbacks to water – Maintain current setbacks for permits until further study per technical advisory committee recommendation.
- BMAP requirements – Define what BMAPs and OSTDS remediation plans are and reference their requirements when BMAP is adopted.
  - The requirement to upgrade existing systems will need ratification due to costs to the regulated community.
  - Variance procedures – Add allowance for variance for undue hardship if not contributing/causing exceedance of total maximum daily load in BMAP-adopted area.
- Update of incorporated forms (numbering, consistency, require email address from applicants).

# ONSITE SEWAGE PROGRAM

## RULEMAKING (CONTINUED)



### UPDATE OF RULE LANGUAGE IN THE FOLLOWING SECTIONS OF CHAPTER 62-6, F.A.C., TO AMEND LANGUAGE

- **Section 62-6.001 and .004, F.A.C. – General and Application for Construction**
  - Formatting/cleanup.
- **Section 62-6.009(7), F.A.C. – In-Ground Nitrogen Reducing Biofilters**
  - Specify two additional lined INRB configurations.
  - Clarify expected effectiveness of INRBs is 65% nitrogen reduction.
- **Section 62-6.010, F.A.C. – Septage and Food Establishment Sludge**
  - Removes land application language, clarifies required permit amendment and storage tank needs.

# ONSITE SEWAGE PROGRAM

## RULEMAKING *(CONTINUED)*



### UPDATE OF RULE LANGUAGE IN THE FOLLOWING SECTIONS OF CHAPTER 62-6, F.A.C., TO AMEND LANGUAGE.

- Sections 62-6.0101 and 62-6.030, F.A.C. – **Portable Restrooms**
  - Clarifies required permit amendment, allows waste storage tanks.
- Section 62-6.012, F.A.C. – **Aerobic Treatment Units**
  - Updates standards, clarifies sizing for multiple dwellings and bedroom occupant exceedance, updates application process.
- Section 62-6.013, F.A.C. – **Materials/Standards Treatment Receptacles**
  - Updates referenced standards, clarifies tank riser language.
- Section 62-6.014, F.A.C. – **Standards for Drainfields**
  - Updates referenced standards.

# ONSITE SEWAGE PROGRAM

## RULEMAKING *(CONTINUED)*



### UPDATE OF RULE LANGUAGE IN THE FOLLOWING SECTIONS OF CHAPTER 62-6, F.A.C., TO AMEND LANGUAGE.

- **Section 62-6.0152, F.A.C. – Innovative Systems**
  - Consolidates and streamlines permitting; adds protocols for application, testing, and standards for approval.
  - Exempts ATUs from innovative system permitting.
- **Section 62-6.025, F.A.C. – Performance Based Treatment Systems**
  - Condenses narrative description into tabular form, adds percent removal (versus impractical 7-day and 30-day average concentrations) as criterion.
  - Clarifies baseline standard of septic tank effluent, defines aerobic treatment unit standards, adjusts treatment standard to consider soil-based treatment, defines compliance of performance standard.

# ONSITE SEWAGE PROGRAM

## RULEMAKING (CONTINUED)



### UPDATE OF RULE LANGUAGE IN THE FOLLOWING SECTIONS OF CHAPTER 62-6, F.A.C., TO AMEND LANGUAGE.

- **Section 62-6.026, .027, .0295, F.A.C. – Language for Innovative Permitting**
  - Removing language for innovative applications, permits, and reclassification after approval – moving to 62-6.0152.
- **Section 62-6.030, F.A.C. – Fees**
  - Removed stabilization facilities from list of fees, fees remain for septage holding tanks for septage disposal services.

# **ONSITE SEWAGE PROGRAM**

## **CONTACT INFORMATION**



### **ONSITE SEWAGE PROGRAM**

#### **Division of Water Resource Management**

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**2600 Blair Stone Road, MS 3596**  
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**850-245-4070**  
**[FloridaDEP.gov/Water/Onsite-Sewage](http://FloridaDEP.gov/Water/Onsite-Sewage)**



**THANK YOU**